

- 6:00 p.m. Call to Order.
- Moment of Silence.
- Pledge of Allegiance.
- Roll Call.
- Proclamations:
- A. Petitions and Statements of Citizens (3 mins. per speaker).
- B. Consent Agenda:
1. Award a construction contract to Rieth Riley Construction Company, Incorporated, Kalamazoo, Michigan in an amount not to exceed \$800,450.64 for the Cooley Drive Reconstruction project and authorize the City Manager to execute all documents related to the contracts on behalf of the city.
 2. Establish April 23, 2024, from 2:00 to 5:30 p.m. and May 7, 2024, from 2:00 to 5:30 p.m. (if needed) for review of the proposed Fiscal Year 2024-2025 Budget.
 3. Approve a one-year agreement for comprehensive liability, property and auto fleet insurance through the Michigan Municipal Risk Management Authority (MMRMA) at a total cost not to exceed \$592,513 for the period March 1, 2024 to March 1, 2025 and authorize the Authorized Member Representative (City Manager) to execute all documents related to this action on behalf of the city.
 4. Approve the retention of Attorney Stanley J. Stek as special legal counsel per Section 6.6 of the City Charter.
 5. Minutes of Boards & Commissions:
 - a. Environmental Board of November 8, 2023.
 - b. Environmental Board of December 13, 2023.
 - c. Environmental Board of January 10, 2024.
 6. Materials Transmitted.
 7. Calendar of Meetings:
 - Senior Citizens Advisory Board: Wednesday, February 21 at 2:30 p.m. at the Portage-Zhang Senior Center.
 - Board of Review (Organizational Meeting): Tuesday, March 5 at 8:30 a.m. in Conference Room 1.
- C. Communications:
- D. Public Hearings:
- E. Regular Business Agenda:
1. Enter into Closed Session to discuss a written legal opinion during the City Council Meeting of Tuesday, February 20, 2024.
 2. Approve a Resolution of Support to provide a local match and submit a grant application to the MDOT Transportation Alternatives Program for construction of the Austin Lake Trail.
 3. Approve the City Council Meeting Minutes of the:
 - a. Regular Meeting of February 6, 2024
 4. Approve the Accounts Payable Register of February 20, 2024, as presented.
 5. Approve Contract No. 24-5006 between the Michigan Department of Transportation and the City of Portage for the reconstruction of Portage Road from Romence Road Parkway to Fairfield Road and adopt a

Resolution authorizing the City Manager to sign all documents related to the contract on behalf of the city.

6. Receive Rezoning Application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to facilitate future commercial development, and set a Public Hearing on March 19, 2024.
7. Receive for first reading the proposed ordinance to adopt the 2021 International Property Maintenance Code providing for future updates and schedule the ordinance for final adoption at the regular City Council meeting on March 5, 2024.

F. Unfinished Business:

G. Council Committee Reports:

H. New Business:

I. Statements of City Council and City Manager.

Adjournment.

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Cooley Drive Reconstruction Project - Bid Tabulation

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a construction contract to Rieth Riley Construction Company, Incorporated, Kalamazoo, Michigan in an amount not to exceed \$800,450.64 for the Cooley Drive Reconstruction project and authorize the City Manager to execute all documents related to the contracts on behalf of the city.

The FY 2022-2023 Capital Improvement Program budget includes funding for the reconstruction of Cooley Drive from West Centre Avenue to Old Centre Road. The work includes storm drainage improvements, concrete curb and gutter, sidewalk, new pavement, pavement markings and signage. Major street reconstruction projects are selected based on pavement condition, average daily traffic, federal aid eligibility, as well as potential development activities. Future work will focus on preserving and restoring pavement conditions on major streets, which will allow additional roadway mileage to be restored yearly.

On July 26, 2022, City Council approved a contract with Prein&Newhof of Kalamazoo, for design and construction engineering of the Cooley Drive Reconstruction project. Design was finalized for bidding the project and on February 1, 2024, three bids for project construction were received with the low bid being submitted by Rieth Riley Construction Company, Incorporated, in the amount of \$800,450.64. Rieth Riley Construction Company, Incorporated has successfully completed many projects in the city.

It is recommended that City Council award a construction contract to Rieth Riley Construction Company, Incorporated, Kalamazoo, Michigan in an amount not to exceed \$800,450.64 for the Cooley Drive Reconstruction project and authorize the City Manager to execute all documents related to the contracts on behalf of the city.

FUNDING: Sufficient funding exists in the FY 2022-2023 Capital Improvement Program Budget.

Attachments: 1. Bid Tabulation - 2024 RFB Cooley Drive

**2024 RFB COOLEY DRIVE RECONSTRUCTION
CONSTRUCTION SERVICES
BID TABULATION**
BID OPENING ON FEBRUARY 1, 2024 AT 3:30 PM

Rieth Riley Construction Co., Inc.	\$	800,450.64
911 Hatfield Ave Kalamazoo, MI 49001		

Hoffman Bros., Inc.	\$	809,127.23
8574 Verona Rd Battle Creek, MI 49014		

Michigan Paving and Materials, Co.	\$	895,525.00
2300 Glenndenning Kalamazoo, MI 49001		

Opened by:  _____
Victoria Barboza, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Fiscal Year 2024-2025 Proposed Budget Review Schedule

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Establish April 23, 2024, from 2:00 to 5:30 p.m. and May 7, 2024, from 2:00 to 5:30 p.m. (if needed) for review of the proposed Fiscal Year 2024-2025 Budget.

City Council will receive the proposed Fiscal Year 2024-2025 budget on April 9, 2024. The budget review schedule has been developed to permit a review of all budget aspects. The first budget review session is proposed for Tuesday, April 23, 2024, at 2:00 p.m. in Conference Room #1 of Portage City Hall. A second budget review session, if necessary, is proposed for Tuesday, May 7, 2024, at 2:00 p.m. in Conference Room #1.

Further, a public hearing on the proposed budget will be held during the May 14, 2024, regular meeting of the City Council, with formal adoption scheduled for May 28, 2024. The review sessions, public hearing, and other Council meetings will provide ample opportunity for City Council analysis and public comment. It is therefore recommended that City Council establish April 23, 2024, from 2:00 to 5:30 p.m. and May 7, 2024, from 2:00 to 5:30 p.m. (if needed) for review of the proposed Fiscal Year 2024-2025 Budget.

FUNDING: N/A

Attachments: None

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Comprehensive Liability, Property and Auto Fleet Insurance

SUPPORTING PERSONNEL: Victoria Barboza, Purchasing Manager

ACTION RECOMMENDED: Approve a one-year agreement for comprehensive liability, property and auto fleet insurance through the Michigan Municipal Risk Management Authority (MMRMA) at a total cost not to exceed \$592,513 for the period March 1, 2024 to March 1, 2025 and authorize the Authorized Member Representative (City Manager) to execute all documents related to this action on behalf of the city.

The City of Portage has been insured by the Michigan Municipal Risk Management Authority (MMRMA) for comprehensive liability, property, and auto fleet insurance since 1984. The MMRMA has quoted a one-year renewal rate for the period March 1, 2024, to March 1, 2025, of \$592,513, which includes \$15 million of liability coverage and \$75,000 of self-insurance retention coverage (the dollar amount that must be paid by the city before the insurance policy will respond to a liability loss). The renewal rate represents an increase of 8.2% from the premium cost paid for the period March 1, 2023, to March 1, 2024, of \$547,680.

A distribution of assets is expected from MMRMA in the next four to five months, which will be based on favorable claim experience by the city and investment income earned by MMRMA on its assets. The exact amount is not yet known; however, the distribution received over the past nine years averaged nearly \$272,015 per year. A summary of MMRMA insurance premiums and distribution of assets for the past seven years is shown below.

<u>Year</u>	<u>Premium</u>	<u>Distribution of Assets</u>	<u>Total Premium After Distribution</u>
2015	\$446,134	\$502,123	(\$55,989)
2016	\$484,971	\$363,159	\$121,812
2017	\$495,476	\$283,096	\$212,380
2018	\$509,112	\$206,700	\$302,412
2019	\$497,195	\$196,971	\$300,224
2020	\$499,352	\$206,976	\$292,376
2021	\$504,273	\$99,741	\$404,532
2022	\$530,068	\$112,692	\$417,376
2023	\$547,680	\$94,665	\$453,015

It is therefore recommended that City Council approve a one-year agreement for comprehensive liability, property, and auto fleet insurance through the MMRMA at a total cost not to exceed \$592,513 for the

period March 1, 2024, to March 1, 2025, and authorize the Authorized Member Representative (City Manager) to execute all documents related to this action on behalf of the city.

FUNDING: Funds have been programmed for insurance costs in the FY 2023 - 2024 budget, with the balance to be included in the FY 2024 - 2025 budget.

Attachments:

1. MMRMA Coverage Proposal
2. Premium Breakdown

MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY COVERAGE PROPOSAL

Member:	City of Portage	Proposal No: Q000014346
Date of Original Membership:	March 10, 1986	
Proposal Effective Dates:	March 01, 2024 To March 01, 2025	
Member Representative:	Patrick McGinnis	Telephone #: (269) 329-4400
Regional Risk Manager:	Ibex Insurance Services	Telephone #: (248) 538-0470

A. Introduction

The Michigan Municipal Risk Management Authority (hereinafter "MMRMA") is created by authority granted by the laws of the State of Michigan to provide risk financing and risk management services to eligible Michigan local governments. MMRMA is a separate legal and administrative entity as permitted by Michigan laws. **City of Portage** (hereinafter "Member") is eligible to be a Member of MMRMA. **City of Portage** agrees to be a Member of MMRMA and to avail itself of the benefits of membership.

City of Portage is aware of and agrees that it will be bound by all of the provisions of the Joint Powers Agreement, Coverage Documents, MMRMA rules, regulations, and administrative procedures.

This Coverage Proposal summarizes certain obligations of MMRMA and the Member. Except for specific coverage limits, attached addenda, and the Member's Self Insured Retention (SIR) and deductibles contained in this Coverage Proposal, the provisions of the Joint Powers Agreement, Coverage Documents, reinsurance agreements, MMRMA rules, regulations, and administrative procedures shall prevail in any dispute. The Member agrees that any dispute between the Member and MMRMA will be resolved in the manner stated in the Joint Powers Agreement and MMRMA rules.

B. Member Obligation - Deductibles and Self Insured Retentions

City of Portage is responsible to pay all costs, including damages, indemnification, and allocated loss adjustment expenses for each occurrence that is within the Member's Self Insured Retention (hereinafter the "SIR"). **City of Portage's** SIR and deductibles are as follows:

Table I
Member Deductibles and Self Insured Retentions

COVERAGE	DEDUCTIBLE	SELF INSURED RETENTION
Liability	N/A	\$75,000 Per Occurrence
Vehicle Physical Damage	\$1,000 Per Vehicle	\$15,000 Per Vehicle \$30,000 Per Occurrence
Fire/EMS Replacement Cost	\$1,000 Per Occurrence	N/A
Property and Crime	\$1,000 Per Occurrence	N/A
Sewage System Overflow	N/A	\$75,000 Per Occurrence

The member must satisfy all deductibles before any payments are made from the Member's SIR or by MMRMA.

Member's Motor Vehicle Physical Damage deductible applies, unless the amount of the loss exceeds the deductible. If the amount of loss exceeds the deductible, the loss including deductible amount, will be paid by MMRMA, subject to the Member's SIR.

The **City of Portage** is afforded all coverages provided by MMRMA, except as listed below:

1. Specialized Emergency Response Expense Recovery Coverage
- 2.
- 3.
- 4.

All costs including damages and allocated loss adjustment expenses are on an occurrence basis and must be paid first from the Member's SIR. The Member's SIR and deductibles must be satisfied fully before MMRMA will be responsible for any payments. The most MMRMA will pay is the difference between the Member's SIR and the Limits of Coverage stated in the Coverage Overview.

City of Portage agrees to maintain the Required Minimum Balance as defined in the Member Financial Responsibilities section of the MMRMA Governance Manual. The Member agrees to abide by all MMRMA rules, regulations, and administrative procedures pertaining to the Member's SIR.

C. MMRMA Obligations - Payments and Limits of Coverage

After the Member's SIR and deductibles have been satisfied, MMRMA will be responsible for paying all remaining costs, including damages, indemnification, and allocated loss adjustment expenses to the Limits of Coverage stated in Table II. The Limits of Coverage include the Member's SIR payments.

The most MMRMA will pay, under any circumstances, which includes payments from the Member's SIR, per occurrence, is shown in the Limits of Coverage column in Table II. The Limits of Coverage includes allocated loss adjustment expenses.

Table II
Limits of Coverage

Liability and Motor Vehicle Physical Damage	Limits of Coverage Per Occurrence		Annual Aggregate	
	Member	All Members	Member	All Members
1 Liability	15,000,000	N/A	N/A	N/A
2 Judicial Tenure	N/A	N/A	N/A	N/A
3 Sewage System Overflows	500,000	N/A	500,000	N/A
4 Volunteer Medical Payments	25,000	N/A	N/A	N/A
5 First Aid	2,000	N/A	N/A	N/A
6 Vehicle Physical Damage	1,500,000	N/A	N/A	N/A
7 Uninsured/Underinsured Motorist Coverage (per person)	100,000	N/A	N/A	N/A
Uninsured/Underinsured Motorist Coverage (per occurrence)	250,000	N/A	N/A	N/A
8 Michigan No-Fault	Per Statute	N/A	N/A	N/A
9 Terrorism	5,000,000	N/A	N/A	5,000,000

Property and Crime	Limits of Coverage Per Occurrence		Annual Aggregate	
	Member	All Members	Member	All Members
1 Buildings and Personal Property	101,877,540	350,000,000	N/A	N/A
2 Personal Property in Transit	2,000,000	N/A	N/A	N/A
3 Unreported Property	5,000,000	N/A	N/A	N/A
4 Member's Newly Acquired or Constructed Property	10,000,000	N/A	N/A	N/A
5 Fine Arts	2,000,000	N/A	N/A	N/A
6 Debris Removal (25% of Insured direct loss plus)	25,000	N/A	N/A	N/A
7 Money and Securities	1,000,000	N/A	N/A	N/A
8 Accounts Receivable	2,000,000	N/A	N/A	N/A
9 Fire Protection Vehicles, Emergency Vehicles, and Mobile Equipment (Per Unit)	5,000,000	10,000,000	N/A	N/A
10 Fire and Emergency Vehicle Rental (12 week limit)	2,000 per week	N/A	N/A	N/A
11 Structures Other Than a Building	19,591,382	N/A	N/A	N/A
12 Dam/Dam Structures/Lake Level Controls	0	N/A	N/A	N/A
13 Transformers	0	N/A	N/A	N/A
14 Storm or Sanitary Sewer Back-Up	1,000,000	N/A	N/A	N/A
15 Marine Property	1,000,000	N/A	N/A	N/A
16 Other Covered Property	10,000	N/A	N/A	N/A
17 Income and Extra Expense	5,000,000	N/A	N/A	N/A
18 Blanket Employee Fidelity	1,000,000	N/A	N/A	N/A
19 Faithful Performance	Per Statute	N/A	N/A	N/A
20 Earthquake	5,000,000	N/A	5,000,000	100,000,000
21 Flood	5,000,000	N/A	5,000,000	100,000,000
22 Terrorism	50,000,000	50,000,000	N/A	N/A

Table III

Network and Information Security Liability, Media Injury Liability, Network Security Loss, Breach Mitigation Expense, PCI Assessments, Social Engineering Loss, Reward Coverage, Telecommunications Fraud Reimbursement, Extortion.			
	Limits of Coverage Per Occurrence/Claim	Deductible Per Occurrence/Claim	Retroactive Date
	\$2,000,000		
Coverage A Network and Information Security Liability: Regulatory Fines:	Each Claim Included in limit above Each Claim Included in limit above	\$25,000 Each Claim	7/1/2013
Coverage B Media Injury Liability	Each Claim Included in limit above	\$25,000 Each Claim	7/1/2013
Coverage C Network Security Loss Network Security Business Interruption Loss:	Each Unauthorized Access Included in limit above Each Business Interruption Loss Included in limit above	\$25,000 Each Unauthorized Access Retention Period of 72 hours of Business Interruption Loss	Occurrence
Coverage D Breach Mitigation Expense:	Each Unintentional Data Compromise Included in limit above	\$25,000 Each Unintentional Data Compromise	Occurrence
Coverage E PCI Assessments:	Each Payment Card Breach \$1,000,000 Occ./\$1,000,000 Agg. Included in limit above	\$25,000 Each Payment Card Breach	Occurrence
Coverage F Social Engineering Loss:	Each Social Engineering Incident \$100,000 Occ./\$100,000 Agg. Included in limit above	\$25,000 Each Social Engineering Incident	Occurrence
Coverage G Reward Coverage	Maximum of 50% of the Covered Claim or Loss; up to \$25,000 Included in Limit above	Not Applicable	Occurrence
Coverage H Telecommunications Fraud Reimbursement	\$25,000 Included in limit above	Not Applicable	Occurrence
Coverage I Extortion Coverage	Each Claim Included in limit above	\$25,000 Each Extortion Loss	Occurrence

Annual Aggregate Limit of Liability

Each Member Aggregate	All Members Aggregate
\$2,000,000	\$17,500,000

The Each Member Aggregate Limit of Liability for the combined total of all coverage payments of MMRMA and MCCRMA shall not exceed \$2,000,000 per Member for all Subjects of Coverage in any Coverage Period, regardless of the number of coverage events.

The All Member Aggregate Limit of Liability for the combined total of all coverage payments of MMRMA and MCCRMA shall not exceed \$17,500,000 for All Members for all Subjects of Coverage in any Coverage Period, regardless of the number of Members or the number of coverage events.

It is the intent of MMRMA that the coverage afforded under the Subjects of Coverage be mutually exclusive. If however, it is determined that more than one Subject of Coverage applies to one coverage event ensuing from a common nexus of fact, circumstance, situation, event, transaction, or cause, then the largest of the applicable Deductibles for the Subjects of Coverage will apply.

Table IV**Specialized Emergency Response Expense Recovery Coverage****Limits of Coverage**

Specialized Emergency Response Expense Recovery	Limits of Coverage per Occurrence		Annual Aggregate	
	Member	All Members	Member	All Members
	N/A	N/A	N/A	N/A

Table V**Specialized Emergency Response Expense Recovery Coverage****Deductibles**

Specialized Emergency Response Expense Recovery	Deductible per Occurrence
	Member
	N/A

City of Portage

To March 01, 2025

Coverages per Member Coverage Overview:	\$592,513
Stop Loss Coverage:	\$0
Member Loss Fund Deposit:	\$0
TOTAL ANNUAL CONTRIBUTIONS:	\$592,513

1. Limited Liability Coverage For Use or Operations of Unmanned Aircraft

This document is for the purpose of quotation only and does not bind coverage in the Michigan Municipal Risk Management Authority, unless accepted and signed by both the authorized Member Representative and MMRMA Representative below.

Proposal No:

Q000014346

MMRMA

C. J.

Member Representative

MMRMA Representative

2-12-2024

Date _____

Date _____

ADDENDUM

LIMITED LIABILITY COVERAGE FOR USE OR OPERATIONS OF UNMANNED AIRCRAFT (Optional)

This addendum modifies the Liability and Motor Vehicle Physical Damage Coverage Document

A. LIMITATIONS OF COVERAGE, PROCEDURES, EXCLUSIONS, DEFINITIONS.

1. MMRMA will pay for any loss as defined in Sections 1 and 2 of the Liability and Motor Vehicle Physical Damage Coverage Document, caused by the use or operation of an Unmanned Aircraft, the actual loss up to a \$1,000,000 limit per occurrence and subject to a \$2,000,000 annual member aggregate.
2. The Member Duties, Responsibilities, Other Conditions stated in Section 7 of the Liability and Motor Vehicle Physical Damage Coverage Document shall apply to Limited Liability Coverage for use or operations of Unmanned Aircraft.
3. As respects this Limited Liability Coverage for Use or Operations of Unmanned Aircraft Addendum, Section 7; Member Duties, Responsibilities, Other Conditions, of the Liability and Motor Vehicle Physical Damage Coverage Document is amended to include the following:

P. FAA COMPLIANCE

The terms of this Addendum apply only if the Member is in compliance with all FAA rules and regulations governing the use or operation of an unmanned aircraft, at time of occurrence.

4. The Liability and Motor Vehicle Physical Damage Coverage Document Section 4, Definitions, shall apply to this Limited Liability Coverage For Use Or Operation Of An Unmanned Aircraft Addendum.
5. As respects this Limited Liability Coverage For Use Or Operations Of Unmanned Aircraft Addendum, Section 2; Exclusion C, of the Liability and Motor Vehicle Physical Damage Coverage Document is deleted in its entirety and replaced by the following:

EXCLUSIONS

- C. Ownership, maintenance, loading or unloading, use or operation of any aircraft (other than unmanned aircraft), airfields, or runways; watercraft over 75 feet in length;

Period: 03/01/2024 to 03/01/2025

LIMITED LIABILITY COVERAGE FOR USE OR OPERATIONS OF UNMANNED AIRCRAFT
(Optional)

Accepted By:
City of Portage

Member ID:
1049

MMRMA

Member Representative

Date



MMRMA Representative

2-12-2024

Date



MICHIGAN MUNICIPAL
RISK MANAGEMENT
A U T H O R I T Y

March 1, 2024

Patrick McGinnis
City of Portage
7900 South Westnedge Avenue
Portage, MI 49002

Dear Patrick McGinnis,

The following is a breakout of annual contribution of your coverage with the Michigan Municipal Risk Management Authority (MMRMA) for the policy period March 1, 2024 to March 1, 2025.

Automobile Liability & Vehicle Physical Damage		\$127,097
28 Private Passenger	\$18,263	
36 Police	\$27,513	
1 Police "Other"	\$631	
65 Trucks	\$33,346	
1 Motorcycle	\$347	
16 Fire	\$46,997	
Sewer Liability Coverage		\$8,839
Police Professional Liability		\$210,024
Public Officials Liability		\$63,942
All Other Liability		\$30,552
Property		\$152,059
Total Contribution		\$592,513

If you have any questions or if I can be of further assistance, please call.

Sincerely,

Craig Manser
Regional Risk Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Special Legal Counsel Assistance

SUPPORTING PERSONNEL: Catherine Kaufman, City Attorney

ACTION RECOMMENDED: Approve the retention of Attorney Stanley J. Stek as special legal counsel per Section 6.6 of the City Charter.

Under Section 6.6 (h) of the City Charter, (h) upon the City Council's initiative, the Council "may provide for an assistant to the City Attorney and retain special legal counsel to handle any matter in which the City has an interest, or to assist the City Attorney in connection therewith." Attorney Stan Stek has been providing guidance to the City Council regarding various matters for over 25 years. However, a recent change in law firms necessitates an updated approval of the Council to continue authorizing Attorney Stek on a supplementary basis.

As such, it is recommended that City Council approve the retention of Attorney Stan Steck as special legal counsel per Section 6.6 of the City Charter.

FUNDING: Hourly rate as billed monthly.

Attachments: 1. Portage Retention Letter

February 19, 2024

Patrick McGinnis
City of Portage
7900 South Westnedge Ave.
Portage, MI 49002

Re: Retention Agreement

Dear Mr. McGinnis;

I am writing to confirm that Stanley J. Stek, PLLC has been retained by the City of Portage to serve as co legal counsel along with Miller Canfield to represent the City of Portage on all matters involving the acquisition of property interest necessary for the development of the Austin Lake Trail Project including representing the City in land acquisition by means of the Michigan Uniform Condemnation Procedures Act.

The terms of this retention shall mirror the terms already set forth in the retention agreement with Miller Canfield. I will serve as lead counsel on the matter and responsible for directing and overseeing any services that are otherwise provided by Miller Canfield. Costs and expenses that are reasonable and necessary will be processed through Miller Canfield. My hourly rate will be separately charged and invoiced at the rate of \$345/hour. Invoices will be billed on a monthly basis.

Thank you for the confidence in your retention of Stanley J. Stek, PLLC and I look forward to continuing to work with you and the City to accomplish the goals and objectives of the City.

Sincerely,

Stanley J. Stek, PLLC

Approved: _____

Date: _____

Minutes of Boards & Commissions

City of Portage Environmental Board
Minutes for the Meeting on November 11, 2023

Members present: Lauren Tompkins, Wendy Pennell, David Moe, David Lancaster, Thomas Schaffer, Jerry Kroehn, Jason Beasley, Deirdre Courtney, Jamie Harmon (ex officio), Kylar Chandler (ex officio)

Guests: 3 Guests Present

7:01 p.m. Meeting called to order.

7:01: Introduction of Board and Guests

7:09: Motion: To accept prior minutes (David Lancaster); seconded (Lauren Tompkins)

- Motion Passes [7 yays, 1 abstain]

7:10: Update on draft letter to city council

- Discussion regarding concerns over disconnect between board members and historical letters to the city council
- 7:30 begin review of what to include in the upcoming letter
 - Concerns regarding vision (goals) and accomplishments in the prior calendar year
 - Recommendation to form two sub committees to address letter content
 - Motion: Form a subcommittee to address letter content related to historical accomplishments (Lauren Tompkins); seconded (David Moe).
 - Motion Passes [7 yays, 1 abstain]
 - Committee Construction: Deidre Courtney, Jason Beasley, Thomas Schaffer
 - Motion: Form a subcommittee to address letter content related to goals for next year (Lauren Tompkins); seconded (David Moe)
 - Motion Passes [7 yays, 1 abstain]
 - Committee Construction: David Moe, David Lancaster, Thomas Schaffer
 - Subcommittees to meet before 11/25 and will submit letter recommendations to Jamie / Kylar by 12/05 for a 12/13 completion
 - Kylar to set up google documents folder to facilitate document sharing

8:08: No response from land conservancy

- Jason to reach out and try to connect

8:09: Begin elections for Chair, Vice Chair and Secretary

- Agreed to vote position by position, with majority wins
 - Nomination: Lauren Tompkins (by Jerry Kroehn)
 - Announced Interest: David Lancaster (Chair, Vice Chair), Thomas Schaffer (Chair)
- Chair Vote:
 - David Lancaster: 1

- Thomas Schaffer: 2
 - Lauren Tompkins: 5 [selection]
- Vice Chair Vote:
 - David Lancaster: 6 [selection]
- Secretary:
 - Jason Beasley: 6 [selection]
- Effective December 2023; newly seated individuals assume duties

8:18: Thomas tenders resignation from board; offers recommendations for clearer rules and governance, including discussing term limits.

8:21: Public Comment - Rick

- Master plan has moved forward and is split into 4 subcommittees (Housing and neighborhoods, economic development, transportation and mobility, livability and sustainability)
- Meetings will begin with the next week
- If interested in the master plan, reach out to Rick

8:25: Additional Discussion:

- Confirmation that Thomas will continue work on subcommittees before December
- Green week subcommittee to stay post-meeting for a meeting with Kylar

8:25: Motion to adjourn (David Lancaster); seconded (Moe)

- Motion passes [7 yays; 1 abstain]

12/13/2023 Environmental Board Meeting

Attendance: Jerry, Lauren, Deidre, Joe, David L., Jason, David M., Wendy, Kylar

7:00 PM Welcome and introduction

- Two guests (Rick F. from Planning Commission; Maddie – Youth Advisory Committee (YAC) liaison)

7:06 Motion to approve agenda (WJB); seconded (DL)

7:07 Public comment

- Planning Commission Update:
 - o Completing the vision portion of the master planning update
 - Much of the related interests with the Environmental Board are located in the “sub-master plan” from the Parks and Recreation plan (e.g., preserving and protecting environmentally sensitive areas, invasive species management, and land acquisition)
 - o General viewing of the language of the master plan in January at the senior center
 - The planning commission website should have details/dates (master plan documents, under visioning)
 - o Questions for Guest:
 - Does the planning commission consider the population density of planning developments?
 - A: Yes, would like to increase density and also look at lowering lot size requirements (including preserving open space)
 - Are there other dates for master plan updates?
 - Two other subcommittees still to meet (open to the public; economic development & housing)
 - Kylar will distribute via email
 - Is the date of viewing in January set?
 - Not yet finalized

7:16 PM Review parliamentary procedure training

- Discussion and distribution of Roberts Rules of Order notes and example motions.
- Recommendation from Kylar that it would be helpful to establish an order of procedure.
- Motion to make a subcommittee to draft rules for order of process (by David L.); seconded (Joe)
 - o Discussion:
 - What to include:
 - Establish a date of elections by ordinance; civility rules; discussion time limits of 3-5 minutes per motion; election nomination procedures.
 - Interest in serving on subcommittee: Deidre, David L., Jason
 - Motion carries with 8 yays (unanimous)

7:29 PM – review of draft letter

- Motion for more time to review the draft letter (Jerry)
 - o Clarifying discussion on how much time is requested.
 - Next meeting (Jerry). Note from Kylar, that this letter was already supposed to be submitted.
 - o Motion not moved forward without a second.
- Detailed comments on the draft letter
 - o Arbor Day Event:
 - Lauren to change planning trees to planting a tree
 - Lauren to name the high school
 - Lauren to change students to student
 - Lauren to remove reference to attendees: Christine Morse and add attendees: City Manager and Lisa Brayton
 - o Invasive Species Management:
 - Concern with first sentence - Issues with “substantial” and change to “remain committed” or “we supported the efforts...” (prompted by Lauren / Jerry)
 - Discussion regarding whether joining the pull was on behalf of the board or a board event.
 - Proposed language (Lauren) to include that the Environmental Board supported continued progress of non-chemical efforts for controlling invasive species and that Environmental Board members attended garlic mustard pulls.
 - Lauren to remove the word “closely” with respect to collaboration with parks department
 - Lauren questions remove the second paragraph in this section?
 - It was important for the city council and mayor to understand that the decision was somewhat out of our control. We controlled this in the past (Deidre)
 - o Department of Public Works section
 - General Comments - wordy section (Deidre)
 - Discussion on whether the composting event open to public? Initially yes, then changed; add note about liability issues preventing public from attending (Joe)
 - o City Community Engagement
 - Discussion on bird treaty alliance (Joe) with board uncertain of status.
 - Discussion on the meaning of “A2Zero” (Jerry)
 - Coffee hours, A2Zero, etc. – these were not board events, instead change wording to “we had members present” (Lauren)
 - Motion to change prior language to “we to members of the environmental board” (Lauren); (Seconded Wendy).
 - o DiscussionStrengthen by saying the env. Board was represented by members at the master plan engagement,

where they fostered connections through state and local legislative coffee hours.” (David L.)

- Motion carries with 6 yays; 2 abstains (
- Concern about last sentence of first paragraph (Jerry)
 - Change “city to county” (Joe)
- Future Goals
 - Provided draft was from unofficial subcommittee, and reviewed by members of the future goals subcommittee without concern
 - Discussions on adding:
 - Add something to protect portage creek & open space & adjacent spaces to creeks, encourage city for appropriate development to not encroach on established park lands (Joe)
 - Add public engagement (Jason)
 - Greater involvement in advising city council on sustainable energy (Lauren)
 - Plan on drafting and adopting a rules of order of procedures and processes. (David L.)
 - Ways to advise on non-chemical management of species and pest management (Joe / Lauren)
 - David M. motions to incorporate feedback and move to city council, seconded joe;
 - Discussion – when will this go to city council?
 - No vote held
- [Add to minutes that COO indicated we did sign off on urban board treaty]

8:15 PM Land committee

- Jason – reached out to SWMLC with no response
- David L. – is subcommittee on land
 - New members to join sub-committee: David M. & Jason
 - Joe – look at other groups for acquisitions

8:17 updated from Green Week subcommittee

- Lauren – emailing back and forth to establish events and coordination
- Joe – costs are prohibitive for entertainment; student bands can perform for free

8:18 PM – open discussion

- Discussions on how to individual board members represented themselves to city council in December 2022; concerns about committee representation, speaking out of turn, and not reflecting the will of the board
 - Motion that no member of env. Board speak on behalf of the board to the city council, without full support of city board (Joe)
 - Discussion to incorporate attendance and include into Roberts rules (Wendy)

- Discussion that prior actions at city council portrayed board in a negative light (Deidre)
- Discussion that this motion has a place in the rules of orders and procedures. (David M.)
 - David M. suggests we postpone the motion to limit representation to full board approvals until language is included in the rules of orders and reviewed by the board
- Concerns with the election (Joe)
 - Motion to reconsider election results from previous meeting; (Joe); seconded by David L.
 - Discussion:
 - Worries about re-doing elections will reflect poorly on board (Lauren)
 - Motion to postpone until rules and procedures are established (David M.); (seconded by Lauren)
 - Discussion: David L. – the motion to postpone is inappropriate since this is not a rules issue but an action issue.
 - Votes: 5 nays; 3 ayes – motion does not pass
 - David L. amendment motion to only include vice chair; seconded (Joe)
 - Votes:
 - No: 3; Yay : 4; 1 Abstain; Yes – motion to amend passes
 - Now vote on the motion to only hold vice chair election in January
 - Nos: 4; Yes 3; 1 Abstain ; motion fails to carry
- Open discussion on grants and the use of E-CIVIS (David M.)
 - Coordinate with Kylar

8:49 PM adjournment.

1/10/2024 Environmental Board Meeting

Attendance: David L., Moe, Kylar, Deidre, Wendy, Jason, Lauren, Jerry

Guests: Rick, Deb

7:00 PM Welcome and introduction

7:00 PM – Call to order and approval of December minutes.

- Motion to approve (Wendy); Second (David L.) – No objections
 - o Motion approved.

7:01 PM – Public Comment Period

- No comments.

7:01 PM – Special Rules and Procedures Subcommittee

- Update from subcommittee
 - o Printout of the drafted rules of order and procedures provided to all board members
 - Highlighted areas are the most obvious areas needing board feedback
 - o Kylar edits/comments:
 - Section 4 – Recommended to leave out timing for notices
 - Section 6 – Anything referring to hearing, applicants, or variances – can be removed
 - Section 7 – A.e.i. – no option for a secret ballot
 - Section 7 – A – “New rules assumed for the following meeting in December”; Suggests change in the month or a change to when rules are assumed or we request a change to when the letter is required
 - Section 9 B – Recommended to remove this section
 - Section 9.F – Civility section is incomplete
 - Section 13 – If 80% of meetings are missed in a year, they will be removed from the board – always 3 unexcused absences.
 - Section 16.A – Since board is regulated by ordinances; we can encourage a review of training, but cannot take away member powers (voting)
 - Section 1 – requirements for a quorum, officer + 4 may be an issue with vacancies.
 - Kylar to Check: Is quorum percent of appointed or percent of available?
 - o Actions for Board Members: Review printout, offer feedback via email to subcommittee, and come prepared to discuss recommendations at the next meeting. [add to agenda]

7:18 PM – Green Week Subcommittee report

- Updates
 - o Tree planting – looking for an alternative location for tree planting (Kylar)
 - o YAC Poster contest / Green-a-thon Schedule

- Green-a-thon to be similar to last year; involved groups like the Library
- YAC is interested in partnering with Env. Board even if after green-a-thon (or green-a-thon moved?)

7:23 PM – Land conservancy subcommittee report

- No updates
- Action: Subcommittee to convene prior to next meeting
- Discussion on role of subcommittee:
 - May be an opportunity to liaison with other boards (planning commission or community development); can be achieved through Kylar
 - Deidre – Letter to express concern of space usage + environmental impacts.
 - Potential for public/private partnership
 - Noted sense of urgency

7:34 PM Review of Bee City certification opportunity

- Similar to tree city, but with focus on conservation of native pollinators
- Printout provided to board members and covers requirements for bee city
- Activities may already be ongoing in area with other groups; Env. Board could serve as coordinating role
- Fees based on population = \$400.
 - Kylar Action: To review city interest
- Discussion – What does the designation of bee city mean?
 - Resources and access to Xerces Society conservation staff
 - Training opportunities to enhance “city practices” of building in best practices for encouraging pollinator activity
 - Concerns over city interest / potential for pollinator destination in city (Jerry)
- Comment – Cost unlikely barrier; recommended to move forward
 - Potential city interests: Martha D., Joe C.

7:45 PM Review of article for Portager

- Feedback:
 - Simplify URL or use QR Code
 - Can language be simplified
 - Note: Content may be edited by Portager
 - Particularly given the length of the content
 - Action: Board feedback due to Lauren by January 17th

7:51 Open Discussion, establish items for February meeting

- Jerry – Raises concern about solar costs/interests
- Kylar Updates:
 - Solar panel request for bid opens 16th (putting on roof)
 - Chief Operating Officer asked for Lauren to input/share open bid
 - Env. Board letter was read to city council and well-received
 - Comments:

- David M – Would be nice to report on solar savings
 - Kylar – will be on website and will display a live dashboard
 - Deidre – Post solar installation, would be good to include board in press / release / updates
 - Lauren – Extend thanks to Kylar for help with letter
- Lauren Updates:
 - Jan 13th stewardship at gourdeneck; register in advance
 - Jan 23rd, city council is doing interviews
 - Wendy – Would be good to know regarding the applicants
 - Deidre – Would be nice to see more diversity
 - Lauren – If applicants are still open; would be a good time to share
- Jerry Updates:
 - Published article in Portager on feeding birds
- Other Updates:
 - Asking updates for plug-in hybrid ford escape requests. Suggests 1 experimental electric car that could be charged at city hall with current charging infrastructure
- February meeting items
 - Sub-comittees items
 - Bee city update
 - Board Action: Comments due by 1/24 to make agenda for next month

8:19 PM – Adjourn

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Closed Session Recommendation

SUPPORTING PERSONNEL: Adam Herringa, Chief Operating Officer

ACTION RECOMMENDED: Enter into Closed Session to discuss a written legal opinion during the City Council Meeting of Tuesday, February 20, 2024.

A closed session is requested immediately following the "Statements of City Council and City Manager" portion of the regularly scheduled City Council meeting of Tuesday, February 20, 2024. The purpose of this closed session is to discuss a written legal opinion.

The Michigan Open Meetings Act permits a City Council to enter into closed session following a two-thirds roll call vote in order to consider material exempt from discussion or disclosure by State or Federal statute [MCL 15.268((1)(h))]. Section 8(1)(h) has been interpreted to permit a public body to hold a closed session for consideration of a written legal opinion within the attorney-client privilege. City Council will reconvene in public session after completion of the closed session.

FUNDING: N/A

Attachments: None

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Grant application to the MDOT Transportation Alternatives Program for construction of the Austin Lake Trail.

SUPPORTING PERSONNEL: Kathleen Hoyle, Director of Parks & Recreation

ACTION RECOMMENDED: Approve a Resolution of Support to provide a local match and submit a grant application to the MDOT Transportation Alternatives Program for construction of the Austin Lake Trail.

The proposed Austin Lake Trail is a 3-mile, non-motorized paved off-road trail running along the abandoned rail corridor along East Shore Drive on the east side of Austin Lake from Zylman Avenue to the southern city border. The trail would provide a vital connection between the City of Portage and the Vicksburg Trail in Schoolcraft Township, expanding the regional trail network.

A draft plan is in preliminary engineering design, with the final design planned for completion in summer 2024. Pending the approval of Michigan Department of Natural Resources (MDNR) and Michigan Department of Transportation (MDOT) grants in fall 2024, bidding for the project would be released in December 2024 with an anticipated spring 2025 construction start. The trail is planned for completion in spring 2026.

The estimated cost for construction of the Austin Lake Trail is \$3,250,000. The City of Portage has received funding for construction from the Kalamazoo Area Transportation Study in the amount of \$1,299,000 for the next fiscal year. The city plans to use these funds as a match for a grant application to the MDOT Transportation Alternatives Program (TAP) in the amount of \$1,450,000, and an MDNR Trust Fund grant of \$400,000. The balance of funding for construction is estimated at \$101,000 as the city match, pending approval of both the MDOT and MDNR grants.

A requirement of the grant applications is that a public input session be held. An input session was held on Wednesday, February 7th and a summary of the session is attached for reference. Excellent public comment and feedback was received. It is notable that the number of individuals expressing support for the trail project exceeded those expressing opposition by a 2:1 margin. A significant amount of feedback did not express an opinion for or against the trail but rather raised comments and suggestions.

To apply for the MDOT TAP grant, a resolution of support for a local match and support for the application submission is required by the City Council. Therefore, it is recommended that City Council approve the Resolution of Support for Local Match for the MDOT TAP grant for the Austin Lake Trail project.

FUNDING: \$101,000 from the FY 2024/2025 CIP

- Attachments:**
1. Austin Lake Trail Route Concept Plan
 2. Austin Lake Trail MDOT TAP Grant Resolution 2024 APPROVED
 3. Austin Lake Trail Public Input Meeting Summary 2.15.14

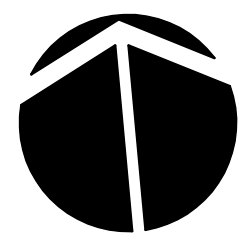


AUSTIN LAKE TRAIL

CITY OF PORTAGE

PRELIMINARY ALIGNMENT

FEBRUARY 6, 2024





**RESOLUTION OF SUPPORT FOR LOCAL MATCH FOR
MDOT TRANSPORTATION ALTERNATIVES PROGRAM GRANT FOR THE
AUSTIN LAKE TRAIL PROJECT**

WHEREAS, the City of Portage City Council supports the application to the Michigan Department of Transportation (MDOT) Transportation Alternatives Program (TAP) grant for construction services for a new non-motorized trail.

WHEREAS, the City of Portage is seeking to construct a three mile, non-motorized trail to run between the southern city limit, connecting with the Vicksburg Trail, and north to the Zylman Avenue trail, providing connection between Schoolcraft Township and the City of Portage trail network.

WHEREAS, as a result of this project, the Austin Lake Trail will provide safe connectivity via a non-motorized trail for the southeast area residents of Portage, making a positive economic development impact to the City of Portage, and provide a complete trail running between the north and south city limits with connectivity to the southern municipalities of Schoolcraft Township and the Village of Vicksburg for non-motorized transportation to schools, shopping, work and home, increasing the quality of life for the region.

WHEREAS, City Manager, Patrick McGinnis, will be authorized to act as agent/representative on behalf of the City of Portage during project development and to sign a project agreement upon receipt of grant funding award.

WHEREAS, the location of the proposed project is within the jurisdiction of The City of Portage, will benefit the community, and the City is committed to owning and operating; and funding and implementing maintenance in perpetuity of the new trail.

WHEREAS, the City is responsible for all engineering, permits, administration, potential cost overruns, and any non-participating items involved in the construction of the trail.

WHEREAS, the Portage City Council is hereby making a financial commitment to the project in the amount of \$101,000 matching funds, in cash.

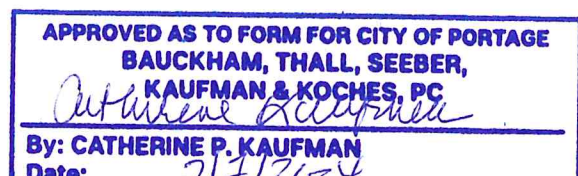
NOW THEREFORE, BE IT RESOLVED that the Portage City Council hereby authorizes submission of a grant application to the MDOT TAP program for \$1,450,000; with a match from the Kalamazoo Area Transportation Study of \$1,299,000.00, including application to the Michigan Department of Natural Resources Trust Fund grant for \$400,000.00 for a total project amount of \$3,250,000, and further resolves to make available its financial obligation amount of \$101,000.

AYES: NAYES: ABSENT:

MOTION APPROVED.

I HEREBY CERTIFY, that the foregoing is a Resolution duly made and passed by _____ of _____ at their regular meeting held on _____ 20__, at _____ p.m. in _____, with a quorum present. _____

Dated: _____



AUSTIN LAKE TRAIL

Public Input Meeting Summary
Wednesday, February 7, 2024
Parks & Recreation Building

Postcards Mailed = 223

Social Media Releases = 3 (1/23, 2/6, 2/7)

Press Release=January 23, 2024 (24 Media Outlets)

Public Notices- Kalamazoo Gazette (Tuesday, January 23); Portager (February 2024); City Website

Attendance: Count 69 people, 66 signed in

Responses: 62 (Definite No-6; Definite Yes-18, Not stated but gave ideas = 34; 2-unconfirmed)

Overall, the topics that people brought up centered around ensuring: *(listed as most mentioned to least with number of mentions)*

- Questions if there would be parking lot(s) for non-residents, and not along East Shore which would take from resident parking and would these be secured at night to prohibit parties. (28)
- Many residents were concerned about tree cutting and maintaining the tree borders on each side of the trail, for a natural feel, visual barrier for houses, and sound reduction for traffic from Sprinkle Road. (22)
- Large concern that the trail would be for non-motorized traffic since there is now considerable nuisance from golf carts, dirt bikes, ATVs, and snow mobiles. (19)
- Comments around safety and the need for rangers and public safety if this was to be constructed. (12)
- Comments regarding the installation of a restroom since trail users have been seen using the trees for those purposes. (9)
- Would like to continue to have parking across the road. (8)
- That the trail was maintained including trash pickup and snow plowing in the winter. (7)
- Would there be some type of lighting at road entrances, parking lots, on trail that would not shine into residential housing. (5)
- Some mentioned that they looked forward to the connection of the Village of Vicksburg. (5)
- Statements on where weeds from the lake would be deposited if the land across the road was no longer available. (2)
- Fences or other natural barriers to keep non-motorized traffic off the trail, and people from going into backyards. (2)
- Concern with potential for homeless camps. (1)
- Entrances to trail from roads, allow for bikes and pedestrians only. (1)

SAMPLE COMMENTS:

- *“Need parking available if attracting more than local residents---not on East Shore!”*
- *“Trail needs good buffer work to isolate it from the roads and private properties that border it.”*

- *"I like it."*
- *"The concept seems like a good idea, especially sine the plan included connecting to the existing Vicksburg portion of the former railbed."*
- *"Benches and bathroom facilities, with a picnic/parking area might enhance the project, as has been the case with the Milham, Kilgore and Celery Flats areas."*
- *"What property will be allocated for parking? This should not be along East Shore Drive, across from the homes, and causing a safety issue for pedestrians"*
- *"A tree line is needed between the bike path and East Shore for sound and sight abatement."*
- *"Is there going to be a trailhead?"*
- *"Policing on trail and surrounding areas."*
- *"Ability for residents to still park."*
- *"Supportive of Austin Lake Trail, good for walking; keeps walkers off Eash Shore Drive; don't want golf carts using path; be sure to clean brush for clear vision line; concerned about trash and homeless living in trees."*
- *"Will there be a split rail fence between trail and adjacent property?"*
- *"Will you be curving around trees rather than a straight line?"*
- *"Would like the whole trail to be bicycle friendly."*
- *"Currently, there are numerous people using golf carts, motorcycles, etc. on a major part of the proposed trail. Need to have trail patrolled to provide a safe environment."*
- *"The ending point at the round about on Cox's is a bad idea. Just three days ago the control box was destroyed by a vehicle. Also taking the trail access at Cox's is a potentially dangerous situation as a majority of lake traffic uses Cox's for coming and going from homes."*
- *"Will the path be snow cleared/plowing?"*
- *"How will it be kept clear and litter free? The current trail is full of trash."*
- *"No tax increases for the project."*
- *"What is the plan for parking and access points-we don't want any on East Shore-it's too busy and too fast."*
- *"Ensure trail intersections with the road are well lighted during the nighttime use."*
- *"Consideration given to trail illumination in those areas away from residences, some type of solar lighting may be an option."*
- *"Ensure adequate trail marker designations to help determine location on the trail in case of an emergency."*
- *"I support what you are doing."*
- *"Will snowmobiles be allowed in the winter like on the Kal Haven Trail?"*
- *"Why is the trail not following the railroad old tracks to Centre St. or at least to Zylman Ave."*
- *"Will the trail be plowed in the winter, or will it be used for cross country skiing?"*
- *"Very excited to have this bike path being built."*
- *"Trail cams for litterers, motorized vehicles and law breakers."*
- *"Need adequate trash bins."*
- *"Need adequate ranger coverage."*
- *"How will you address restrooms so as to avoid people relieving themselves amongst the trees. Already an issue on Austin Lake at southern portion."*
- *"Concerns that so many of the houses along East Shore near Cox will have any room off the road as the property there is very narrow."*

- *"Would prefer a bike lane be added along East Shore rather than an actual trail."*
- *"Can the trail be less than 10' wide? The 4' on either side of the trail is a concern since all the property will be destroyed."*
- *"Residents along your proposed trail are very concerned about noise, trash, and general safety."*
- *"If you are going to have a dedicated bike/walk path, will that impact the use of East Shore Drive for bike traffic?"*
- *"Please save as many trees as possible to have a scenic trail with tree buffers for the lake neighbors."*
- *"It will be great to get foot traffic off East Shore—it's very dangerous now and no room to walk safely and dodge cars."*
- *"Please make it beautiful and natural , safe for those that have handicap like myself to walk and well lighted for safety."*
- *"24/7 access? Any restrictions on use the area is currently very quiet; no partying."*
- *"Why route at the roundabout; the E/W on Zylman is like a drag strip through there. I thought the access would go through the middle of the field to Highland. That area to Highland is a lot less traveled/safer."*
- *"What will happen to grassy area along East Shore?"*
- *"Would love this trail! Make sure this connects to the Vicksburg Trail."*
- *"Access points for bikes and walkers only."*
- *"What will the lakefront residents do with all the weeds that float onto our shorelines? Until this point, we have taken it upon ourselves to remove them across the street onto that property."*
- *"Do not want the trail."*
- *"What about the natural wildlife?"*
- *"How much are we paying for purchase of property? Are we forcing people to sell?"*
- *"Why are you paving? Use wood chips."*
- *"The area around us is natural. I am concerned that the paved roadway and increased traffic will lessen or destroy the natural area."*
- *"How will this impact our future taxes?"*
- *"I'm not in favor of connecting with the Vicksburg Tail. This will only increase traffic around the lake. It's already dangerous to bike, walk, etc. around the lake. We don't really need to invite more visitors to utilize the land around Austin Lake. This seems like it will potentially increase the opportunity for more crime around the lake."*
- *"This would be great!"*
- *"I am writing to offer my enthusiastic personal support of plans to extend the Portage network of multi-use trails..."*
- *"Thank you for your efforts in bringing this trail to fruition. The Austin Lake trail is bound to be a beautiful recreational asset to the Portage area."*
- *"I love this trail! I walk it often from Zylman to Nash very often."*
- *"So many positives for the trail. It will make the area more beautiful and safer."*

CITY COUNCIL MEETING MINUTES FROM FEBRUARY 6, 2024

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

ROLL CALL: Councilmembers Chris Burns, Victor Ledbetter, Nicole Miller, Patricia Randall, Terry Urban, Jihan Ain Young, and Mayor Patricia Randall were present.

ABSENT: Mayor Pro Tem Jim Pearson.

ALSO PRESENT: City Manager Pat McGinnis, 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 value of human life, the use of diplomacy to solve humanitarian issues and lead to peace in the country and the world, most notably Israel and Palestine. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Omar Elghawy (3683 Bellflower Drive) spoke in favor of an Israel/Gaza ceasefire resolution. He thanked the Mayor for meeting with him previously as well as for the statement during the Moment of Silence.
2. Barbara Hasan (6201 Countrywood Court, Kalamazoo) spoke in favor of an Israel/Gaza ceasefire resolution, noting several journalists had been killed during the conflict, as well as historical facts.
3. Said Abubakr (8440 Sierra Madre Trail, Kalamazoo) noted he was a professor of WMU and spoke in support of a ceasefire in the Gaza/Israeli conflict, highlighting his prior comments before the City Council. He stressed again for the Council to adopt a resolution calling for a ceasefire in Gaza.
4. Tim Earl (6862 Shallowford Way) spoke in opposition of the Portage City Council supporting a ceasefire resolution, noting the local focus of the Council and the local issues on the agenda. He encouraged citizens to contact their state and federal representatives to urge action for the Israel/Gaza conflict.
5. Marissa Wagner (3110 Darro Street, Kalamazoo) read a prepared statement in support of a ceasefire resolution regarding the Israel/Gaza conflict. She thanked the Council for the recognition during the Moment of Silence but urged the Council to consider the example they may be setting for young people in the community. She noted her own daughter has been exposed to Islamophobic and antisemitic remarks.
6. Madassah Santiago (5101 Swallow Avenue, Kalamazoo) and Nyeisha Atchinson (4319 Lakesedge Drive, Apt. A, Kalamazoo) both students of Portage Northern High School, spoke in support of Palestine and urged the Council to take a pass a resolution calling for a ceasefire in Gaza.
7. Malall Guazal (7470 Cottage Oaks Drive) provided statements regarding a ceasefire resolution and the need for the Portage City Council to pass a ceasefire resolution regarding the Israel/Gaza conflict.
8. Mark McKeon (6825 Cromwell Street) echoed the comments of Mr. Earl regarding the scope of the Portage City Council as compared to the national and international levels. He recommended adopting soft-power policies and consider a Sister City in Gaza or on the West Bank.
9. Mary Wielopolski (8836 East Shore Drive) expressed issues with the City Council's revised agenda outline concerning citizen input on the Consent Agenda. She then spoke regarding the city's Master Plan and the lack of the Lake Center District focus at the public meeting.
10. Dominic Parsons (310 W. Melody Avenue) thanked the City Council for its Moment of Silence comments and highlighting the Palestinian region as opposed to the broader Middle East. He expressed concern with the City Council's lack of additional action, noting the points of concern and what constitutes antisemitism. He demanded a ceasefire resolution be added to the agenda.
11. Mirna Mohamed (1940 Howard Street) relayed that she was from Egypt, spoke in support of a ceasefire resolution, and provided contrasts with antisemitic and fellow religious positions. She highlighted the synagogue building issue in New York.
12. Justin Gish (306 E. Milham Avenue) spoke against the proposed historic district for the Glenbrook Village neighborhood.

13. Lena Dow (7470 Cottage Oaks Drive) noted she originally came to the U.S. from Lebanon during a time of civil war and highlighted young war refugee displacement complications. She called for a ceasefire.
14. Maribeth Henry (2621 Bach Avenue) spoke via phone to urge the Council to adopt a ceasefire resolution.

Clerk Eklov also read a citizen comment from Linda Francisco (6007 Salem Lane) expressing her opposition to the proposed historic district in the Glenbrook Village neighborhood due to potential negative effects to her property.

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 B.4 (Glenbrook Village neighborhood historic district).

Motion by Urban, seconded by Ledbetter, to approve the Consent Agenda as amended. Upon a roll call vote, motion passed 6 to 0.

Approval of Minutes: Motion by Urban, seconded by Ledbetter, to approve the City Council Meeting Minutes of the Board & Commission Interviews of January 23, 2024, and the Regular Meeting of January 23, 2024. Upon a roll call vote, motion carried 6 to 0.

Accounts Payable Register: Motion by Urban, seconded by Ledbetter, to approve the Accounts Payable Register of February 6, 2024, as presented. Upon a roll call vote, motion carried 6 to 0.

Substantial CDBG Plan Amendment: Motion by Urban, seconded by Ledbetter, to approve the Substantial Amendment to the CDBG Program FY2021-22 Annual Action Plan 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 6 to 0.

Traffic Signal Improvements - Bid Tabulation: Motion by Urban, seconded by Ledbetter, to award a contract for the purchase of traffic signal poles, mast arms, and assemblies to J. Ranck Electric, Incorporated in the not-to-exceed amount of \$489,700 and authorize the City Manager to sign all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

C2R2 Water Service Installation & Well Abandonment: Motion by Urban, seconded by Ledbetter, to award a construction contract for the installation of water services and abandonment of private wells on Portage Road, Willoughby Avenue, and East Milham Avenue to Brik Plumbing of Byron Center, Michigan, in the amount not to exceed \$214,240 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

MERS Contract Extension: Motion by Urban, seconded by Ledbetter, to approve a three-year extension of the agreement with the Michigan Employees' Retirement System (MERS) for the administration and investment of the Other Post Employment Benefit (OPEB) trust fund, MERS Retiree Health Funding Vehicle (RHFV), and authorize the City Manager to execute all documents related to this extension agreement on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards & Commissions: Motion by Urban, seconded by Ledbetter, to receive the minutes of the Human Services Board of January 4, 2024. Upon a roll call vote, motion carried 6 to 0.

Materials Transmitted: Motion by Urban, seconded by Ledbetter, to receive the Materials Transmitted of January 23 and January 26, 2024. Upon a roll call vote, motion carried 6 to 0.

Calendar of Meetings: Motion by Urban, seconded by Ledbetter, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 6 to 0.

PUBLIC HEARINGS:

Rezoning No. 23/24-2 for 6008 and 6018 Chelsea Lane (R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking) for future commercial development: Mayor Randall introduced the item and deferred to City Manager McGinnis. He described the proposal and introduced Chief Development Officer (CDO) Pete Dame. CDO Dame provided several visual examples, including the proposed rezoning map, and several on-site pictures of the current buildings in the subject area. He then provided an overview map of

the Glenbrook Village subdivision, as well as a staff alternative rezoning option to the applicant's proposal that included a smaller area and buffer zones. CDO Dame also presented a secondary alternative proposal, which he noted was provided at the prior Planning Commission meeting and supported by both the Commission and the applicant.

Councilmember Urban questioned CDO Dame if a similar rezoning with commercial spanning into a residential area had been previously done or whether a Planned Development (PD) had been considered, noting the prior Walgreens pharmacy construction across East Milham Avenue had followed a similar model. CDO Dame responded that this rezoning plan was a first, and a PD had not been considered as it was not a viable option for this proposal. There was discussion regarding conditional rezoning as an alternative. City Attorney Kaufman noted that such an alternative must be legally offered by the applicant and not the city or the Council.

Councilmember Burns asked CDO Dame to summarize the feedback from the adjacent property owners based on the written and verbal comments received to date from the Planning Commission's prior review. CDO Dame responded. Councilmember Burns followed up on comments by CDO Dame regarding adjacent resident concerns about intrusive vehicular lights at night and asked how the Council could address such an issue. CDO Dame confirmed that any measure to address or impose restrictions would require city action on a broader level. Councilmembers Young and Urban asked CDO Dame to explain the correlation between the proposed historic district and the rezoning. CDO Dame relayed that he and the Community Development staff had conducted an informational meeting for the residents of the neighborhood.

Applicant Josh Weiner (700 Mall Drive) presented his proposal, as well as the two alternatives provided to the Planning Commission. He noted he had met with the adjacent property owners and had increasingly received their approval in providing supplementary explanations. Mr. Weiner highlighted the long tenure of his company in the local area,

Councilmember Burns inquired how long the Meyer C. Weiner Company had owned the parcels in question, citing the existing conditions of the buildings. Mr. Weiner responded that he had owned the location with his business partner Tim Timmons for 15 years and the prior tenants had been able to provide sufficient rental income while his firm developed a plan to redesign the corner, but that those tenants were no longer viable.

Councilmember Urban expressed his concerns about the proposal penetrating a neighborhood and adjacent residential street, citing a lack of similar examples, and expressed concern about the demonstrated popularity of the prospective tenant which he worried would greatly increase traffic and disrupt the neighborhood. Mr. Weiner responded, noting proposed screening as part of the plan, similar to existing screening measures in the area.

Mayor Randall opened the public hearing at 8:45 p.m.

1. Dennis Kosanke (216 Windsor Lane) spoke in opposition to the proposed rezoning in his neighborhood, citing concerns about declining property values, quality of life, and neighborhood safety. He stated he was thankful for developers like Mr. Weiner and their positive efforts in the city, but did not believe the subject location was ideal for the proposed development.
2. Tim Earl (6862 Shallowford Way) expressed his preference for the food the potential tenant in the rezoning serves but noted that could currently be acquired from existing locally owned restaurants Roll-Up Ice Cream and Turbo Chicken. He then stated his displeasure with the proposal, citing negative effects to the adjacent neighborhood and its residents.
3. Vickie Kosanke (216 Windsor Lane) urged the City Council to deny the rezoning proposal echoing similar concerns as her husband with the negative effects to the neighborhood.
4. Robert Stanley (6028 Chelsea Lane) noted his residence was the house directly adjacent to the homes included in the rezoning. He expressed concerns about cut-through traffic, vermin, homeless people, trash, and security.
5. Adem Muhammed Seada (6017 Chelsea Lane) noted his residence is across the street from the houses to be re-zoned, whose residents had since passed, and expressed concern for his property's value and safety with increased traffic in the area.
6. Jamie Bobbio (5598 Downing Street) spoke in opposition of the rezoning, citing displacement of the residents in the adjacent neighborhood. She expressed concern with the demolition of housing in favor of business development in the city. She then displayed a map of several Glenbrook Village properties

involved in and adjacent to the rezoning, citing concerns about the potential for additional property acquisition in the future.

7. Mark McKeon (6825 Cromwell Street) expressed concerns with the proposed rezoning for the subject location while noting he was not opposed to the development Mr. Weiner's company was seeking. He questioned the effectiveness of the applicant's resident contacts.
8. Brenda Snyder (310 Windsor Lane) spoke on behalf of Cecilia Wolthuis (314 Windsor Lane) and Christine VanHuis (326 Windsor Lane), relaying they were unable to attend, as well as her own comments, all in opposition to the proposal.
9. Tom Myland (7748 Omega Street, Kalamazoo) stated he was speaking on behalf of his mother-in-law, Celia Wolthuis (314 Windsor Lane). He expressed displeasure with the current proposal and the negative effects on current citizens' property values and ability to re-sell their homes for fair value.
10. Andy Smith (323 Windsor Lane) stated he disagreed with the traffic study provided and echoed concerns about the potential traffic levels. He then relayed issues he experienced with the developer's noted resident meeting, stating that the mail notification was received the day beforehand and the completed report lacked specifics.
11. Paul Goldenbeld (207 and 219 East Milham Avenue) noted he resides at 207 East Milham and later bought 219 East Milham. He expressed concerns with new traffic lighting from a new business on the site infiltrating his home, as well as any proposed screening hindering his current view of the Glenbrook Village neighborhood across the street.
12. Charles Snyder (310 Windsor Lane) also spoke in opposition and encouraged the developer to invest in existing buildings on the property.
13. Robert Williams (10930 South Westnedge Avenue) stated he did not see the subject property covered in the Master Plan proposal and expressed concern with additional development along Chelsea Lane and residential property purchased by the applicant for commercial development. He noted prior traffic issues experienced with the introduction of the Chick-Fil-A restaurant on South Westnedge Avenue.
14. Ryan Kosanke (5739 Belard Street) noted his relation to earlier speaker Dennis Kosanke and expressed concerns with the impact to safety for the adjacent neighborhood with increased visitor traffic.
15. Ryan Cramer (214 Windsor Lane) stated his residence was built by his grandparents, who purchased the lot when the plat was first developed, and he continues to invest in the property. He expressed concern with the rezoning affecting his investment, as well as his family history in the neighborhood.

Motion by Burns, seconded by Young, to close the public hearing (9:24 p.m.). Upon a voice vote, motion carried 6 to 0. Councilmember Burns asked for additional information from the applicant in response to citizen questions posed. Mr. Weiner and a Raising Cane's restaurant representative responded.

Mayor Randall asked Mr. Weiner whether he had considered utilizing adjacent parcels further south along Westnedge Avenue in an effort to avoid infringement on the adjacent neighborhood. Mr. Weiner responded. Mayor Randall urged Mr. Weiner to consider the Westnedge Avenue parcel alternatives in order to allow the residents to remain and age in place, citing the Council's goals for workforce housing, and inability support this goal while approving the demolition of existing housing. Mayor Randall expressed her disappointment with staff in the handling of this proposal, noting her review of the Planning Commission public hearing and the lack of citizen input.

Councilmember Urban asked Mr. Weiner if he was amenable to the alternative staff proposal. Mr. Weiner responded that his company could make it work. Councilmember Burns stated that his perspective was that the Council's decision would create a precedent in navigating conflict between an adjacent neighborhood and a developer. He expressed concern with the potential conflict of Council's goal for increasing housing and cited the valuation differences between commercial and residential properties that equates to an understandable development tactic. Councilmember Burns stated his desire to avoid losing existing affordable housing stock, while maintaining quality development in existing commercial areas.

Councilmember Young agreed with Councilmember Burns, but cited the need to also support entry-level employment introduced by developers. She acknowledged the property owners, sharing their concerns, and thanking them for attending.

Councilmember Urban spoke regarding the traffic study data. Councilmember Miller also spoke to the challenge regarding balancing residential and commercial development, workforce housing impacts. Councilmember Ledbetter spoke to intent versus impact, stating that a home is a haven, and providing an assurance to the community.

Motion by Burns, seconded by Young, to deny rezoning application No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking District to facilitate future commercial development.

Councilmember Urban asked about the Planning Commission's proposed alternative. Attorney Kaufman clarified the legal description outlined in the proposed rezoning was the L-shaped design. Upon a roll call vote, motion passed 6 to 0.

Mayor Randall called a recess from 10:09 p.m. to 10:15 p.m.

REGULAR BUSINESS AGENDA:

Create a new historic district within the Glenbrook Village neighborhood: At the Mayor's request, Councilmember Urban explained removing the item from the Consent Agenda.

Councilmember Young asked CDO Dame to explain the correct legislative body to adopt a moratorium. CDO Dame relayed that it was under the City Council's purview. CDO Dame further elaborated on the background behind the development of the historic district creation proposal and current options.

Mayor Randall expressed concern about pursuing a historic district without property owner support. Councilmember Urban inquired about the number of property owners at the Historic District Commission's public meeting.

Councilmember Urban noted a willingness to make a motion to table the matter to allow the HDC to further consider the merits of the Glenbrook Village neighborhood.

Councilmember Burns asked if the matter could be brought back at a later date. City Manager McGinnis and City Attorney Kaufman confirmed that it could be brought back in the future if not approved tonight. Councilmember Burns then expressed concern about the staff resources required for the public outreach efforts and was looking to deny further action at this time.

Motion by Burns, seconded by Young, to deny a historic district study by the Historic District Commission regarding a new historic district for the Glenbrook Village neighborhood. Upon a roll call vote, motion carried 5 to 1.

COUNCIL COMMITTEE REPORTS: Councilmember Young provided an update on the Portage Community Center Board of Directors and noted the Center's need of personal care donations.

Motion by Burns, seconded by Ledbetter, to receive the Council Committee Reports as presented. Upon a voice vote, motion carried 6 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns began by thanking CDO Dame for his efforts on the Chelsea Lane rezoning, as well as the historic district proposal. Councilmember Burns then relayed compliments about the city's Black History Month event, as well as presenters Councilmembers Ledbetter and Young.

Councilmember Ledbetter complimented the staff on the city's Black History Month presentation at the Air Zoo and was pleased with the featured speaker. He then spoke further on Black History Month and key Black historical figures.

Councilmember Miller complimented the staff and the Youth Advisory Committee for hosting a great snow-less Snow Party event. She then relayed several Discover Kalamazoo statistics. She closed by thanking Councilmembers Urban and Burns for assistance during the last meeting with procedures.

Councilmember Urban spoke regarding the requests for a ceasefire resolution and the state of affairs for the Israel and Gaza conflict, and noted what language was and was not included in the proposed ceasefire resolution.

Councilmember Young also complimented the Air Zoo event and the featured speaker's contributions. She then highlighted an earlier Southwest Michigan First meeting and the correlation with the City Council's new Small Business Committee efforts. Councilmember Young closed with a recognition of the citizens' concerns with foreign affairs and policy matters.

City Manager McGinnis noted the February 7th public meeting for the Parks Department's funding plan with the new Austin Lake Trail construction. He then relayed a meeting between the Southwest Michigan First and upcoming informational meetings.

Mayor Randall thanked the City Council for the long meeting and noted that 31 citizens had commented. She then spoke regarding the Moment of Silence and the scope of the City Council's focus. She

expressed concern with increasing anger and opposition. Mayor Randall then confirmed collaboration between citizens and the Council will continue regarding items and questions on pending agenda items. She issued a reminder that the next City Council meeting on February 20th would be the first to begin at the new starting time of 6:00 PM. Mayor Randall closed by noting Mayor Pro Tem Pearson's absence while visiting family out-of-state but continued to monitor the meeting.

ADJOURNMENT: Mayor Randall adjourned the meeting at 10:54 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 February 20, 2024, 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 January 28, 2024, through February 10, 2024, and notes \$266,294.22 in automated clearing house payments, \$737,431.29 in paper checks, \$200,704.14 in auto-pay payments, \$899,965.04 in electronic payments, and \$10,485.49 in credit card payments (January) for a grand total of \$2,114,880.18.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of February 20, 2024

ACCOUNTS PAYABLE REGISTER
Check Dates From: 1/28/2024 to 2/10/2024

Page 1 of 8

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
02/02/2024	20891(A)	A I S CONSTRUCTION EQUIP. CO.	TINK CLAW & UNDERBODY BLADES	6,244.36
02/02/2024	20892(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SERVICES - MULT LOCS	48,964.36
02/02/2024	20893(A)	ADP, INC.	ADP WORKFORCE NOW	2,707.50
02/02/2024	20894(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	1,743.84
02/02/2024	20895(A)	ALL-TRONICS, INC.	QUARTERLY SERVICE MONITORING	159.00
02/02/2024	20896(A)	ALRO STEEL CORPORATION	REPAIR & MAINT SUPPLIES	322.00
02/02/2024	20897(A)	AMAZON.COM SALES, INC.	MATS, BAT RACKS/CHARGERS-FF; OFC SUP-HR/FN	2,284.93
02/02/2024	20898(A)	AMERICAN SAFETY & FIRST AID	FIRST AID SUPPLIES	237.10
02/02/2024	20899(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	1,110.00
02/02/2024	20900(A)	ARMOLD, NICHOLAS	PER DIEM-MACP WINTER CONFERENCE	160.00
02/02/2024	20901(A)	BIO-CARE, INC.	FIREFIGHTER WELLNESS PHYSICALS	20,405.00
02/02/2024	20902(A)	BOZELL, ERIN	REIMB SNACKS-MASTER PLAN MEETING OPEN HS	55.68
02/02/2024	20903(A)	C D W GOVERNMENT, INC.	LENOVO LED MONITOR	756.96
02/02/2024	20904(A)	CARLETON EQUIPMENT CO.	REPAIR & MAINT SUPPLIES	2,940.55
02/02/2024	20905(A)	CHARTER COMMUNICATIONS	VOICE-INTERNET, CABLE	1,060.13
02/02/2024	20906(A)	COLLIER, MICHAEL	REIMB FUEL-SUPERVISION OF THE FIELD TRAINING	20.00
02/02/2024	20907(A)	COLTER, KEVIN	EMER KALCO-REPLACE FURNACE	3,895.00
02/02/2024	20908(A)	CROWN TROPHY	FIRE OPERATING SUPPLIES	56.50
02/02/2024	20909(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	19,675.51
02/02/2024	20910(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC REPAIRS	1,156.11
02/02/2024	20911(A)	DOSTER, KYLE	PER DIEM-STAFF & COMMAND SCHOOL	379.50
02/02/2024	20912(A)	EARLE, SHELIA L	PZSC FITNESS INSTRUCTOR	262.50
02/02/2024	20913(A)	ELECTION SYSTEMS & SOFTWARE, INC.	THERMAL ACTIVATION CARD & PAPER ROLL	91.52
02/02/2024	20914(A)	ENTENMANN-ROVIN CO.	FIRE ADMIN BADGES	1,202.95
02/02/2024	20915(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	CONVEYOR FOR SALT SPREADER	4,803.77
02/02/2024	20916(A)	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	1,428.74
02/02/2024	20917(A)	FISHBECK THOMPSON CARR & HUBER, INC	AUSTIN LAKE EASTSHORE WETLAND DELINEATION	3,605.05
02/02/2024	20918(A)	GORDON WATER SYSTEMS	WATER SERVICES	452.61
02/02/2024	20919(A)	GREAT LAKES CHLORIDE, INC.	BOOST FOR WINTER ROAD MAINT	7,270.98
02/02/2024	20920(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICES	470.00
02/02/2024	20921(A)	GRYPHON PLACE	FY 23-24 HUMAN SERVICES BOARD	2,000.00
02/02/2024	20922(A)	HALLBERG, JONATHON	REIMB PARKING-ECON FORUM/KZO AIRPORT MT	19.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 1/28/2024 to 2/10/2024

Page 2 of 8

Check Date	Check	Vendor Name	Description	Amount
02/02/2024	20923(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	11,651.98
02/02/2024	20924(A)	HOFFMAN BROTHERS, INC.	INSTALLATION LEACHING BASINS	3,975.00
02/02/2024	20925(A)	INDUSCO SUPPLY CO., INC.	JANITORIAL SUPPLIES	876.86
02/02/2024	20926(A)	INFOUSA MARKETING, INC.	CITY DIRECTORY	480.00
02/02/2024	20927(A)	INSIGHT PUBLIC SECTOR, INC.	CISCO MERAKI WIFI COMPONENTS	35,190.03
02/02/2024	20928(A)	INTERNATIONAL CODE COUNCIL, INC	IFGC EXAM BOOK	103.50
02/02/2024	20929(A)	J & H OIL COMPANY	BULK FUEL DELIVERY	18,986.37
02/02/2024	20930(A)	JBM TECHNOLOGY	KVCC POLICE ACADEMY CADET ATTIRE	212.00
02/02/2024	20931(A)	KALAMAZOO ELECTRIC MOTOR INC	AIR SNAKE CANNON REPAIR	191.79
02/02/2024	20932(A)	KITE, HENRY	REIMB FUEL-MIDWEST SCHOOL SAFETY SUMMIT	30.00
02/02/2024	20933(A)	KURZAVA, MATTHEW STEPHEN	PZSC FITNESS TAI CHI & PARKINSON'S INSTR	350.00
02/02/2024	20934(A)	LAWSON PRODUCTS, INC	REPAIR & MAINTENANCE SUPPLIES	481.82
02/02/2024	20935(A)	LORD, JAMES	REIMB EXPS-TRAVEL FOR INVESTIGATION	257.07
02/02/2024	20936(A)	MATERIALS RESOURCES	LATEX GLOVES AND SUPPLIES	163.00
02/02/2024	20937(A)	MAYHEW, BRYAN	PER DIEM-MI ASSOC OF CHIEFS OF POLICE CONF	131.00
02/02/2024	20938(A)	MCGINNIS, PATRICK	REIMB EXPS AUG 2023 - JAN 2024	657.92
02/02/2024	20939(A)	MIDDLETON, KIMBERLY	REIMB SUPS-PROFS FOCUSED ON AGING MEETING	120.78
02/02/2024	20940(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS FY23-24	330.32
02/02/2024	20941(A)	MOTOR PARTS AND EQUIPMENT CORP	REPAIR & MAINT SUPPLIES	3,504.12
02/02/2024	20942(A)	NYE UNIFORMS	FIRE & POLICE UNIFORMS	5,972.45
02/02/2024	20943(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICES	5,481.53
02/02/2024	20944(A)	PHILLIPS, KIMBERLY	REIMBURSE FOR EXPENSES	158.84
02/02/2024	20945(A)	PLASKO, PATRICIA MARIE	PZSC FITNESS INSTRUCTOR FEES	225.00
02/02/2024	20946(A)	PORTAGE FIREFIGHTERS	IAFF UNION DUES FOR JANUARY 2024	1,800.00
02/02/2024	20947(A)	PORTAGE ON-CALL FIREFIGHTERS	ON CALL FF UNION DUES FOR JANUARY 2024	10.00
02/02/2024	20948(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA UNION DUES FOR JANUARY 2024	686.00
02/02/2024	20949(A)	PRINTING SERVICES INC	PRINTING SERVICES	57.25
02/02/2024	20950(A)	R W LAPINE INC.	INSTALL WIRED ROOM TEMP SENSORS	3,799.56
02/02/2024	20951(A)	REPUBLIC SERVICES OF WEST MICHIGAN	WASTE SERVICES FOR CITY FACILITIES	1,474.63
02/02/2024	20952(A)	ROAD EQUIPMENT PARTS CENTER	PARTS & MAINT SUPPLIES	127.12
02/02/2024	20953(A)	ROBERT LAMSON, LLC	POST-COE PSYCH EVAL	445.00
02/02/2024	20954(A)	ROE-COMM, INC.	MISC RADIO SERVICES	451.00
02/02/2024	20955(A)	ROSE, SANDRA K.	PZSC FITNESS INSTRUCTOR CARDO DRUMMING	400.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 1/28/2024 to 2/10/2024

Page 3 of 8

Check Date	Check	Vendor Name	Description	Amount
02/02/2024	20956(A)	SMITH DAWSON & ANDREWS, INC.	FEDERAL ADVOCACY SERVICES	5,000.00
02/02/2024	20957(A)	STOUT, MELISSA JOY	PZSC FITNESS INSTRUCTOR CHAIR YOGA & BARR	250.00
02/02/2024	20958(A)	THIEL, AARON	REIMB PARKING-COUNTY CLERK ASSISTANCE	13.00
02/02/2024	20959(A)	TMK WORLDWIDE, LLC	METER SERVICE	475.64
02/02/2024	20960(A)	TRUCK & TRAILER SPECIALTIES	VEHICLE PARTS & MAINTENANCE	3,169.88
02/02/2024	20961(A)	UNIFIRST CORPORATION	HALLWAY CARPET RENTAL	163.09
02/02/2024	20962(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UAW UNION DUES FOR JANUARY 2024	607.17
02/02/2024	20963(A)	WADE TRIM ASSOCIATES, INC.	2023 CDBG PROFESSIONAL SERVICES	3,257.26
02/02/2024	20964(A)	WEST MICHIGAN INT'L LLC	REPAIR MAINTENANCE SUPPLIES	1,188.09
02/02/2024	20965(A)	WEST MICHIGAN STAMP & SEAL, INC	STAMPS	180.00
02/02/2024	20966(A)	WOLFE, MATTHEW	PER DIEM-MI ASSOC OF CHIEFS OF POLICE CONF	131.00
02/02/2024	20967(A)	WOLVERINE LAWN SERVICE, INC.	SNOWPLOWING/CROSSWALK SERVICES	14,576.00
02/02/2024	20968(A)	ZHAO, BIQI	REIMB-ICC MEMBERSHIP	110.00
02/09/2024	20969(A)	KAL COUNTY FIRE CHIEFS ASSOC.	FIRE MEMBERSHIPS/DUES	150.00
02/09/2024	20970(A)	OFF THE CUFF CATERING	PZSC MEMBERS WINTER LUNCHEON/VET GRP LUN	2,300.00
Total ACH				266,294.22

Check Type: Paper

02/02/2024	326372	1300 W CENTRE LLC	2023 SUMMER AND WINTER TAX REFUND	5,071.10
02/02/2024	326373	ADP SCREENING & SELECTION SERVICES	BACKGROUND SERVICES	265.93
02/02/2024	326374	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	1,208.92
02/02/2024	326375	ALLIED MECHANICAL SERVICE	BUILDING REPAIR/MAINTENANCE	420.00
02/02/2024	326376	BALKEMA EXCAVATING, INC.	W. OSTERHOUT LIFT STATION IMPROVEMENTS	6,724.43
02/02/2024	326377	BARRON, DIANE E	PZSC FITNESS INSTRUCTOR TAP DANCE	120.00
02/02/2024	326378	BAY AREA TOUCHLESS CARWASH LLC	CAR WASHES	248.00
02/02/2024	326379	BOWMAN, LARRY	GRAIN ELEVATOR DEPOSIT REFUND	150.00
02/02/2024	326380	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAW	100.00
02/02/2024	326381	C. STODDARD & SONS INC.	USED OIL DISPOSAL	350.00
02/02/2024	326382	CAMPBELL AUTO SUPPLY	MISC AUTO SUPPLIES	26.98
02/02/2024	326383	CATHOLIC FAMILY SERVICES	FY 23-24 HUMAN SERVICES BOARD	5,000.00
02/02/2024	326384	CHRIS PICK LTD / DBA SHARP SHOP	SNOW BLOWER & REPAIRS	3,087.70
02/02/2024	326385	CIMCO REFRIGERATION	REFRIGERANT & CONTACT SWITCH REPLACEMENT	15,589.79
02/02/2024	326386	CITY OF KALAMAZOO TREASURER	SANITARY SEWER CHARGES	523,463.60

ACCOUNTS PAYABLE REGISTER
Check Dates From: 1/28/2024 to 2/10/2024

Page 4 of 8

Check Date	Check	Vendor Name	Description	Amount
02/02/2024	326387	CLASSIC GLASS, INC.	VEH REPLACEMENT REAR WINDSHIELD	694.68
02/02/2024	326388	COMPLETE TEAM OUTFITTER, INC.	RANGER UNIFORMS	94.00
02/02/2024	326389	CONSORT DISPLAY GROUP	BANNER AND ROD FOR EVENTS	154.60
02/02/2024	326390	D L GALLIVAN INC.	COPY MACHINE USAGE CHARGES	109.71
02/02/2024	326391	DISABILITY NETWORK SOUTHWEST MICH	FY 23-24 HUMAN SERVICES BOARD	6,000.00
02/02/2024	326392	EASTERN MICHIGAN UNIVERSITY	EMU SCHOOL OF POLICE STAFF & COMMAND REG	3,500.00
02/02/2024	326393	ED DRESLINSKI CONSULTING INC	SUPERVISION OF THE FIELD TRAINING PROG-REG	595.00
02/02/2024	326394	EMERGENCY VEHICLE PRODUCTS	POLICE VEHICLE REPAIR/MAINTENANCE	1,709.44
02/02/2024	326395	ENG., INC.	CONSOLIDATED DRAIN REHABILITATION	2,480.25
02/02/2024	326396	FAWLEY OVERHEAD DOOR, INC.	OVERHEAD DOOR REPAIRS, REMOTES & PROG	2,340.71
02/02/2024	326397	FERGUSON US HOLDINGS, INC	REHABILITATION OF DISCHARGE PIPING	3,986.67
02/02/2024	326398	GALLS PARENT HOLDINGS, LLC	RANGER UNIFORMS	496.59
02/02/2024	326399	GORDON FOOD SERVICE	MPIR CONCESSION & PZSC COFFEE BAR SUPPLIES	2,387.10
02/02/2024	326400	GREATER KALAMAZOO FOP LODGE 98	FOP PORTION PPOA UNION DUES FOR JANUARY	3,240.28
02/02/2024	326401	HOME DEPOT	REPAIR & MAINT SUPPLIES	973.49
02/02/2024	326402	VOID		0.00
02/02/2024	326403	HOME DEPOT USA, INC	REPAIR & MAINT SUPPLIES	64.24
02/02/2024	326404	HOUSING RESOURCES, INC.	FY 23-24 HUMAN SERVICES BOARD	12,500.00
02/02/2024	326405	ICMA MEMBERSHIP RENEWALS	2024 MEMBERSHIP DUES-CHIEF OP OFFICER	1,200.00
02/02/2024	326406	ICMA MEMBERSHIP RENEWALS	2024 MEMBERSHIP DUES-CHIEF DEV OFFICER	1,200.00
02/02/2024	326407	ICMA MEMBERSHIP RENEWALS	2024 MEMBERSHIP DUES-CITY MGR	1,200.00
02/02/2024	326408	IMAGETREND, INC.	AGENCY VALIDATION EMS/FIRE	2,731.82
02/02/2024	326409	JACK VANDERBEEK ESTATE	REFUND CEMETERY PLOT	1,075.00
02/02/2024	326410	JANSSEN, AMANDA	REIMB MEAL - CITY COUNCIL MTG DINNER	97.38
02/02/2024	326411	JOHN BALL ZOO	MEET AND GREET ANIMAL STATION	226.00
02/02/2024	326412	JULIEN, WAYNE F.	CITY LOGO EMBROIDERY-STAFF UNIFORMS	70.00
02/02/2024	326413	KALAMAZOO AVIATION HISTORY MUSEUM	BHM SPEAKER AT THE AIR ZOO VENUE	2,097.50
02/02/2024	326414	KALAMAZOO COUNTY HEALTH & COMMUNITY	HOUSEHOLD HAZARDOUS WASTE PROGRAM	1,734.59
02/02/2024	326415	KALAMAZOO LAWN & GARDEN EQUIPMENT	REPAIR & MAINT SUPPLIES	99.90
02/02/2024	326416	KALAMAZOO LITERACY COUNCIL	FY 23-24 HUMAN SERVICES BOARD	2,500.00
02/02/2024	326417	KALAMAZOO PICKLEBALL	PZSC FITNESS INSTRUCTOR PICKLEBALL	100.00
02/02/2024	326418	KEANE, MARY ANN	PZSC REFUND PAYMENT FOR TRIP DELAWARE	100.00
02/02/2024	326419	KING, CATY	GRAIN ELEVATOR RENTAL FEES REFUND	105.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 1/28/2024 to 2/10/2024

Page 5 of 8

Check Date	Check	Vendor Name	Description	Amount
02/02/2024	326420	KONICA MINOLTA BUSINESS SOLUTIONS	PRINTER MAINTENANCE AGREEMENT	457.00
02/02/2024	326421	KZOO TIRE COMPANY	POLICE VEHICLE REPAIR/MAINTENANCE	54.50
02/02/2024	326422	MCD A	MEMBERSHIP RENEWAL	100.00
02/02/2024	326423	MCDONALD'S TOWING & RESCUE, INC.	POLICE TOWING SERVICES	45.00
02/02/2024	326424	MCKENNA ASSOCIATES INC.	LAKE CENTER DISTRICT REZONING PROJECT	1,064.00
02/02/2024	326425	MENARDS	REPAIR & MAINT SUPPLIES	333.14
02/02/2024	326426	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINT	2,344.04
02/02/2024	326427	MICHIGAN URBAN SEARCH AND RESCUE	STRUCTURAL OPS TRAINING-REG	1,700.00
02/02/2024	326428	MIDWEST FOOD EQUIPMENT SERVICE	EQUIPMENT REPAIR & MAINTENANCE	224.00
02/02/2024	326429	MILLER WELDING SUPPLY	BAND SAW BLADES	372.00
02/02/2024	326430	O'REILLY AUTO PARTS	FIRE APPARATUS MAINT	321.97
02/02/2024	326431	OFFICE DEPOT, INC.	OFFICE SUPPLIES	826.61
02/02/2024	326432	ORBIS ENVIRONMENTAL CONSULTING	ARCHEOLOGICAL SURVEY	3,379.20
02/02/2024	326433	PETTY CASH-DANA FAIR	REPLENISHMENT CHECK	334.59
02/02/2024	326434	PETTY CASH-KIM STEWART	REPLENISHMENT CHECK	231.84
02/02/2024	326435	PORTAGE ROTARY	ADDITIONAL ROTARY DUES	720.00
02/02/2024	326436	PROGRESSIVE AE	CONSULTING SERVICES FOR AQUATIC NUISANCE	4,375.00
02/02/2024	326437	PURITY CYLINDER GASES, INC	WELDING SUPPLIES	406.96
02/02/2024	326438	RATHCO SAFETY SUPPLY, INC.	A-FRAMES AND SIGNS	456.00
02/02/2024	326439	ROAD COMMISSION OF KALAMAZOO COUNTY	TRAF SIGNAL ENERGY & MAINTENANCE	929.71
02/02/2024	326440	S A MORMAN & CO.	SPECIALTY KEYS	84.00
02/02/2024	326441	SCHULTZ, DOROTHY	REFUND FOR TRIP GULF COAST	200.00
02/02/2024	326442	SKILLQUEST INTERNATIONAL LLC	RANDOM TESTING PROGRAM	3,264.00
02/02/2024	326443	SMART SOURCE, LLC	LANYARDS & PRINTING SERVICES	597.14
02/02/2024	326444	SMITH, PATRICIA	PZSC REFUND FOR FITNESS CLASSES	99.00
02/02/2024	326445	SOMERS, CORI	BHM MUSICIAN	325.00
02/02/2024	326446	SOUTHWEST MICHIGAN CITY MANAGERS	MEMBERSHIP DUES-CITY MGR	100.00
02/02/2024	326447	SOUTHWEST MICHIGAN CITY MANAGERS	MEMBERSHIP DUES-CHIEF OP OFC	100.00
02/02/2024	326448	SPARTAN DISTRIBUTORS INC.	REPAIR & MAINT SUPPLIES	1,098.18
02/02/2024	326449	SPIRIT SHOPPE, INC.	FIRE UNIFORMS	2,584.00
02/02/2024	326450	STAR TITLE AGENCY, LLC	OVERPAYMENT FOR FINAL UTILITY BILL	210.67
02/02/2024	326451	STEENSMA LAWN & POWER EQUIPMENT	SNOW SHOVEL/PUSHER	306.04
02/02/2024	326452	STUDENT HAULERS	ABATEMENT-PROPERTY CLEAN-UP	840.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 1/28/2024 to 2/10/2024

Page 6 of 8

Check Date	Check	Vendor Name	Description	Amount
02/02/2024	326453	TEUNESSEN, DIANE	PZSC PROGRAM PAYMENT REFUND LIFETIME ENH	43.00
02/02/2024	326454	TRAFFIC AND PARKING CONTROL CO., IN	RWIS PLATFORM AND LEASE	7,350.00
02/02/2024	326455	UNITED PARCEL SERVICE	UPS WEEKLY	12.00
02/02/2024	326456	US HYD LLC	FRONT PICKUP PLOW CYLINDER REBUILD	220.00
02/02/2024	326457	USPS	BUSINESS REPLY MAIL PERMIT	320.00
02/02/2024	326458	WASTE MANAGEMENT	WTP IRON WASTE REMOVAL	254.71
02/02/2024	326459	WESTCOMB, WADE	TUITION REIMBURSEMENT	808.50
02/02/2024	326460	WILD, JED	FIRE REIMBURSEMENTS/STATION PICS	8.46
02/02/2024	326461	WILSON, SUSAN	REFUND FIRE ESCROW FUNDS	13,835.00
02/02/2024	326462	WM LIMITED PARTNERSHIP 1998 LLC	2023 SUMMER TAX REFUND DUE TO MTT DOCKET	7,206.56
02/02/2024	326463	WOLF KALAMAZOO, LLC	SNOW PLOW CYLINDER	240.80
02/02/2024	326464	WOODBIDGE LTD PARTNERSHIP	OVERPAYMENT ON PARCEL	31.74
02/02/2024	326465	YWCA INC	FY 23-24 HUMAN SERVICES BOARD	10,000.00
02/02/2024	326466	OVERNEATH CREATIVE COLLECTIVE LLC	CABLECASTING & BROADCASTING SVCS	49,700.00
02/09/2024	326467	KENT COMMUNICATIONS INC.	MAILING OF PERSONAL PROPERTY STATEMENTS	226.53
02/09/2024	326468	LBK MANAGEMENT LLC	AUGUST SUMMER CONCERT DEPOSIT	1,000.00
Total Paper Checks				737,431.29

Check Type: Auto-Pay Payments

01/30/2024	CONSUMERS ENERGY	GAS-ELECTRIC	267.23
01/30/2024	BLUE CROSS/BLUE SHIELD OF MI	HEALTH INSURANCE	9,976.61
02/01/2024	CONSUMERS ENERGY	GAS-ELECTRIC	966.43
02/05/2024	BLUE CROSS/BLUE SHIELD OF MI	HEALTH INSURANCE	417.78
02/05/2024	CARD CONNECT	PROCESSING FEES	816.48
02/05/2024	INVOICE CLOUD	PROCESSING FEES	676.15
02/06/2024	CONSUMERS ENERGY	GAS-ELECTRIC	50,503.02
02/07/2024	CONSUMERS ENERGY	GAS-ELECTRIC	5,679.06
02/08/2024	CONSUMERS ENERGY	GAS-ELECTRIC	38,099.37
02/09/2024	CONSUMERS ENERGY	GAS-ELECTRIC	4,810.35
02/09/2024	MISSIONSQUARE	EMPLOYEE RETIREMENT WITHHOLDINGS	88,491.66
Total Auto-Pay Payments			200,704.14

Check Type: Electronic Payments

ACCOUNTS PAYABLE REGISTER
Check Dates From: 1/28/2024 to 2/10/2024

Page 7 of 8

Check Date	Check	Vendor Name	Description	Amount
01/26/2024		MULTIPLE	WEEKLY TAX DISBURSEMENT 1/19/24	448,073.43
01/30/2024		SBF	POSTAGE - WATER/SEWER BILLS	1,909.46
02/02/2024		MULTIPLE	WEEKLY TAX DISBURSEMENT 1/26/24	444,465.79
02/05/2024		ASU GROUP	WORKERS COMP FUNDING	5,516.36
			Total Electronic Payments	899,965.04

Check Type: Credit Card

01/02/2024		HOLIDAY INN EXPRESS	HOTEL TAX REFUND	(18.70)
01/02/2024		HOLIDAY INN EXPRESS	POLICE TRAINING HOTEL STAY	188.70
01/02/2024		BUZZSPROUT INVOICE 57	MONTHLY PODCAST SUBSCRIPTION	24.00
01/02/2024		ADOBE STOCK	STOCK PHOTO/VIDEO/MUSIC LIB FOR PUBLIC INFO	19.99
01/05/2024		SP DIVERSITYSTORE.CO	EVENT SUPPLIES FOR PARKS	43.94
01/05/2024		PY CEDAM	PARKS ANNUAL MEMBERSHIP	300.00
01/05/2024		WEST MICHIGAN ASSOCIAT	POLICE ANNUAL MEMBERSHIP	120.00
01/08/2024		TRITECH FORENSICS	POLICE TRAINING REGISTRATION FEE	199.00
01/09/2024		WF WAYFAIR3940497812	SENIOR CENTER SUPPLIES	128.78
01/09/2024		ISSUU	DIGITAL FLIPBOOK PUBLISHING SUB RENEWAL	528.00
01/10/2024		SQ MICHIGAN PUBLIC SAFET	POLICE ANNUAL MEMBERSHIP	60.00
01/10/2024		SQ MICHIGAN PUBLIC SAFET	POLICE CONFERENCE REGISTRATION FEE	270.00
01/10/2024		YOURMEMBERSHIP	HUMAN RESOURCES JOB POSTING	398.00
01/10/2024		PY MIFMA	PARKS CERTIFICATION PROGRAM	350.00
01/10/2024		MMTA	TREASURY CONFERENCE REGISTRATION FEE	199.00
01/10/2024		LEAGUE OF AMERICAN WHEEL	PARKS TRAINING REGISTRATION FEE	500.00
01/11/2024		GDIT FAA 34ACXNX	IT DRONE RENEWAL	5.00
01/11/2024		LITTLE CAESARS 1338 0004	FOOD FOR PARKS VOLUNTEER DAY	37.71
01/11/2024		A RIFKIN CO	CITY CLERK SUPPLIES	138.73
01/11/2024		KEY INDUSTRIES INC	UAW APPAREL	205.56
01/11/2024		MICHIGAN ASSOC OF CHIEFS	POLICE CONFERENCE REGISTRATION FEE	560.00
01/12/2024		WASHTENAW COMMUNITY	COMMUNITY DEV ANNUAL MEMBERSHIP	250.00
01/12/2024		SQ NATIONAL TACTICAL OFF	POLICE ANNUAL MEMBERSHIP	450.00
01/12/2024		YOURMEMBERSHIP	HUMAN RESOURCES JOB POSTING	100.00
01/15/2024		LITTLE CAESARS 1338 0004	REFUND - FOOD FOR PARKS VOLUNTEER DAY	(37.71)
01/15/2024		PAYPAL WESTMICHIGA	POLICE ANNUAL MEMBERSHIP	125.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 1/28/2024 to 2/10/2024

Page 8 of 8

Check Date	Check	Vendor Name	Description	Amount
01/16/2024		ADOBE CREATIVE CLOUD	PUBLIC INFORMATION ANNUAL SUBSCRIPTION	699.47
01/18/2024		HILTON GARDEN INN	POLICE TRAINING HOTEL STAY	148.74
01/18/2024		COMFORT INNS	POLICE CONFERENCE HOTEL STAY	201.60
01/19/2024		HILTON GARDEN INN	POLICE TRAINING HOTEL STAY	446.22
01/22/2024		INT'L CODE COUNCIL INC	COMMUNITY DEV STUDY GUIDE MATERIAL	138.00
01/22/2024		INT'L CODE COUNCIL INC	COMMUNITY DEV ANNUAL MEMBERSHIP	160.00
01/22/2024		AED SUPERSTORE	PARKS TRAINING HANDBOOK	18.68
01/22/2024		FSP ALLEGRA CMG	POSTAGE FOR PARKS	76.66
01/22/2024		FREE CONFERENCE CALL GLOB	IT CONFERENCE CALL CHARGES	0.88
01/22/2024		HILTON GARDEN INN	PARKS TRAINING HOTEL STAY	136.75
01/23/2024		TVY SILVERSNEAKERS	SENIOR CENTER FITNESS EQUIPMENT	302.00
01/23/2024		IN PRO BILLIARDS POOL TA	SENIOR CENTER EQUIPMENT REPAIR	1,300.00
01/25/2024		APT US&C	TREASURY TRAINING REGISTRATION FEE	69.00
01/25/2024		CONST SW AND SESC PRD	COMMUNITY DEV ANNUAL MEMBERSHIP	380.00
01/26/2024		GOVERNMENT FINANCE OFFIC	FINANCE CONFERENCE REGISTRATION FEE	500.00
01/26/2024		SOCIETYFORHUMANRESOURCE	HUMAN RESOURCES ANNUAL MEMBERSHIP	244.00
01/29/2024		SP ABSOLUTE CHEMICAL	DPW SUPPLIES	49.50
01/29/2024		MICHIGAN MUNICIPAL LEAGUE	CITY MANAGER ANNUAL MEMBERSHIP	425.00
01/30/2024		BUZZSPROUT INVOICE 58	MONTHLY PODCAST SUBSCRIPTION	24.00
01/31/2024		ADOBE INC.	STOCK PHOTO/VIDEO/MUSIC LIB FOR PUBLIC INFO	19.99
			Total Credit Card Payments	10,485.49
			Grand Total	2,114,880.18

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: MDOT Contract No. 24-5006 (Portage Road, Romence Road Parkway to Fairfield Road)

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Approve Contract No. 24-5006 between the Michigan Department of Transportation and the City of Portage for the reconstruction of Portage Road from Romence Road Parkway to Fairfield Road and adopt a Resolution authorizing the City Manager to sign all documents related to the contract on behalf of the city.

Major street reconstruction projects are selected based on pavement condition, average daily traffic, federal aid eligibility, as well as potential development activities. The proposed FY 2023–2024 Capital Improvement Program budget includes funding for the Portage Road Reconstruction Project. The Portage Road Reconstruction Project includes resurfacing of the existing roadway from Romence Road Parkway to Fairfield Road, replacement of the traffic signals at the Portage Road/East Milham Avenue and Portage Road/Winters Drive intersections, installation of sanitary sewer in unserved areas of Portage Road, installation of water main on Portage Road from Helen Avenue to Byrd Drive to eliminate single source water mains and improve water quality as recommended in the 2019 Water System Reliability Study, and installation of boulevard sections and streetlights. The boulevards will calm traffic and provide a more rewarding experience for motorists and pedestrians walking along the trail.

On September 20, 2022, Abonmarche Consultants, Incorporated, was awarded an engineering service contract for design and construction engineering for this project. Because the project is partially funded by Federal Surface Transportation funds, the Michigan Department of Transportation (MDOT) is involved as a facilitator. The construction bid opening by MDOT was held on February 2, 2024. MDOT requires that an agreement with the local government agency be executed before construction award. The estimated cost for construction of the project is \$5,312,550 with \$1,410,455 in Federal Surface Transportation Urban Funds, \$444,711 in Federal Carbon Reduction Funds, \$152,234 in Federal Surface Transportation Flex Funds, \$308,472 in Congestion Mitigation and Air Quality Improvement Program Funds, and \$2,750,000 in Brownfield Funds associated with the FedEx development have been approved to assist in financing this project. The city share includes funding from the Water Fund, Sanitary Sewer Fund and the Municipal Street Fund.

It is recommended that City Council approve Contract No. 24-5006 between the Michigan Department of Transportation and the City of Portage for the reconstruction of Portage Road from Romence Road Parkway to Fairfield Road and adopt a Resolution authorizing the City Manager to sign all documents related to the contract on behalf of the city.

FUNDING: 2023-2024 Capital Improvement Program Budget

Attachments: 1. MDOT Resolution #24-5006

CITY OF PORTAGE
RESOLUTION

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the _____ day of _____, 2024 at 6:00 p.m., local time.

PRESENT: _____

ABSENT: _____

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

RESOLVED, that the City Council for the City of Portage does hereby authorize the City Manager, Patrick McGinnis, to sign all documents related to Contract No. 24-5006 between the City of Portage and the Michigan Department of Transportation. This contract is for the construction improvements on Portage Road from Romence Road Parkway to Fairfield Road.

ADOPTED: YEAS:

NAYS:

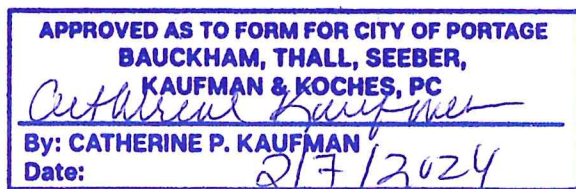
ABSENT:

Erica L. Eklov, City Clerk

CERTIFICATION

I hereby certify this _____ day of _____, 2024 that the foregoing is a true and complete copy of the original on file in my office.

Erica L. Eklov, City Clerk



TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Rezoning application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Receive Rezoning Application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to facilitate future commercial development, and set a Public Hearing on March 19, 2024.

The applicant (Harbahajan Multani, Gobind Realty LLC) seeks rezoning application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to facilitate future commercial development. This property is located near the southeastern corner of E. Centre Avenue and Lovers Lane intersection. It is currently developed with a single-family home. The applicant also owns the two lots to the west (1306 and 1316 E. Centre Avenue); the latter is developed with a single-family residence. If the rezone is approved, it is expected that the applicant will demolish both residences and pursue commercial development across multiple lots. As required by the City's Public Participation Plan, the applicant held a neighborhood meeting on December 13, 2023, at the Portage Zhang Senior Center to gain neighborhood input about the rezone. All abutting residents were invited. Five people attended the meeting, plus the applicant and his representative.

The site was purchased by the applicant in 2020 and then transferred to their limited liability company called 'Gobind Realty LLC'. The subject house has been used as a rental property. According to the City's records, the subject site contains a single-story, single-family detached house (936 square feet) and a pole barn (960 square feet). The house was built before 1950. A previous garage/pole barn existed before 1950 but was later demolished between 1974 and 1981. The current pole barn was built during the same period between 1974-1981.

Within the greater area of the subject site, E. Centre Avenue consists of a mix of zoning districts: R-1B One Family Residential, B-1 Local Business, and OS-1 Office Service. Existing uses consist of older single-family homes, new commercial buildings, and modern commercial buildings in the greater neighborhood area. In the early 2000s, E. Centre Avenue transitioned from a 3-lane to a 5-lane street. It serves as a critical and heavily traveled corridor within the middle of Portage connecting to north/south corridors and growing communities to the west. As a result of this street expansion, high traffic use, and overall growth in Portage, commercial demand has followed. Through specific commercial zoning districts and rezones, properties have been redeveloped with new commercial uses and higher-density residential projects. Older single-family homes and greenhouses have been targeted areas of this redevelopment trend. It is expected that developers will continue to acquire multiple sites at a time for future redevelopment projects.

Existing Conditions

Existing Land Use/ Zoning	• The subject site consists of a single-family home and zoned OS-1 Office Service. • <u>North (across E. Centre Avenue.):</u> Multifamily, 1319 E. Centre Avenue; Zoned R-1B One-Family Residential • <u>South:</u> Single Family Houses; 1327, 1415 Maynard Avenue.; Zoned R-1B One- Family Residential. • <u>East:</u> West Wind Dental; 1414 E. Centre Avenue; Zoned OS-1 Office Service • <u>West:</u> Single Family Residence; 1316 E. Centre Avenue; Zoned B-1 Local Business
Public Streets	2022 E. Centre Avenue (closest count taken just east of Newells Ln intersection) recorded 20,049 total AADT trip counts. (AADT - Annual Average Daily Trips) Recorded by Kalamazoo Area Transportation Study (KATS).
Public Utilities	City sanitary sewer and water are available along E. Centre Avenue
Environment	The site is developed with a single family detached home.
Unique Conditions	No mapped wetlands or flood hazards exist on the site. No mapped or identified historical structures/ buildings exist.

The following sections of Chapter 42. Division 8. Subsection 651 Amendments to this Article. Procedures and regulations apply and are addressed further in this report:

- [Sec. 42-651. Amendments to this Article](#)

Under this article, the rezoning request shall file a rezoning application, fee and be scheduled for review during public hearings for the Planning Commission and City Council. The Planning Commission shall determine if the rezoning is appropriate based on the Comprehensive Plan, surrounding development patterns, and general land use considerations. Issues to be analyzed include consistency with the Future Land Use Map, suitability of the existing zoning classification, neighborhood harmony, impacts of the proposed zoning classification, and impacts on adjacent streets and utilities.

Current Zoning: OS-1 Office Service District

The subject site is zoned OS-1 Office Service District and occupied by a single-family residence. Residential uses are not allowed in this district. Since the residence was built before the current zoning district, it is considered a legal non-conforming use.

Proposed Zoning District: B-1 Local Business District

The B-1 Local Business District intends to accommodate local-focused businesses, services, and

shopping needs at a neighborhood scale. This district also provides a transition between low- and high-intense commercial uses and provides a buffer between residential and commercial areas. This district is located along a busy thoroughfare and at specific business intersections (nodes), such as E. Centre Avenue & Lovers Lane, E. Milham Avenue & Lovers Lane, S. Sprinkle Road near E. Milham Avenue.

The comparison of Permitted uses in OS-1 and Permitted uses and Special Land Use approvals in B-1 district is summarized below:

	EXISTING ZONING	PROPOSED ZONING	
	OS-1 Office Service	B-1 Local Business	
Front Setback	27'	27'	
Side Setback	15' (when abutting Res.)	15' (when abutting Res.)	
Rear Setback	20'	20'	
	<u>Permitted Uses</u>	<u>Permitted Uses</u>	<u>B-1: Special Land Use - PC Approval</u>
	Professional Offices	All OS-1 Uses	Small Veterinary
	Architect, Eng., Real Estate Offices	Retail: Max. 10k sq ft	Larger Retail
	Banks	Restaurants: Max. 1,500 sq ft	Larger Restaurant
	Massage, Salons	Dry Cleaning	Funeral Home
	Photography Studio	Churches	Utility Stations
	Medical Clinics	Cafés	
	<u>Prohibited Uses</u>	<u>Prohibited Uses</u>	
	No Retail	No Drive-in Restaurant, Café	
	No Restaurants, bars	No Bars	
	No Residential	No Residential	
		No Car, Boat Maintenance	
		No Self-Storage	

The following site and operational standards apply in the B-1, regardless of use:

1. *All business establishments in this district shall be retail or service establishments dealing directly with consumer.*
2. *All goods produced on the premises shall be sold at retail on the premises where produced.*

3. *All business servicing or processing, except for off-street loading or parking, shall be conducted in a completely enclosed main building.*
4. *Lot, yard and building requirements shall be governed by the requirements of division 4, subdivision 10 of this article.*
5. *Parking, signs, landscaping, and lighting shall be governed by the requirements of division 6 of this article.*
6. *Site plan review shall be governed by the requirements of division 5, subdivision 2 of this article.*

Comprehensive Plan

The Comprehensive Plan indicates that rezone applications should be consistent with the Plan's Future Land Use Map, appropriateness of future uses within the surrounding neighborhood, impacts on adjacent streets and utilities, and consistent with guidelines within the Plan.

The Future Land Use Map (FLUM) classifies the subject property as 'Office' which encourages professional and medical offices, banks, art/ photography studios, etc. This classification is mapped along sections of Centre Avenue, Milham Avenue, Lovers Lane, etc. Further, the Plan indicates that office classification also provides a transition between higher intense uses and major streets and interior residential neighborhoods.

It is important to note that the two properties to the west (1306, 1316 E. Centre Avenue – both owned by the applicant) are classified as Local Business in the FLUM which supports low-intense local businesses and service establishments such as convenience stores, small sit-down restaurants, pharmacies, banks, etc. These provide convenient goods and services for residents and employees in the immediate neighborhood. The Local Business classification of FLUM is similar in purpose and supports businesses as the Local Business zoning district.

The Comprehensive Plan acknowledges that deviations from the Future Land Use Map boundary may be appropriate when justified by more detailed information, changes to conditions, or in cases where a deviation is not contrary to the overall intent and purpose of the Plan.

Staff notes that the subject site is very close to an established business intersection at E. Centre Avenue and Lovers Lane where three of the four corners are occupied by businesses including a pharmacy, salon, restaurant, and retail. The western two corners are zoned B-1 Local Business, and the eastern two corners are zoned OS-1 Office Service. All four corner lots are classified as Local Business in the Comprehensive Plan FLUM.

The following strategies and guidelines of the Comprehensive Plan are relevant to the proposed rezone:

Implementation Strategies, Guidelines

- Guideline C-1: Locate commercial/ office uses only in existing or proposed planned commercial/ office areas, as illustrated on the future land use map, and when the following situations exist:
 - b) conversion from an existing non-commercial/office building to a commercial/office use is compatible with adjacent buildings and uses
 - d) a proposed use is of an intensity and size to be comparable to a planned commercial/office center
 - e) a proposed use requires a location in or near an existing specific land use or activity center

- Guideline C-2: Allow commercial/ office use:
 - f) adjacent to older or redeveloping residential areas where the commercial/office use does not create nuisances and is compatible with the surroundings.
- Guideline C-3: Local or neighborhood commercial uses should meet the following standards:
 - a) location is preferably within an identified node and/or at the intersection of two major thoroughfares and provides convenient shopping facilities.
 - c) the intensity, size, and hours of operation will not adversely affect existing residential areas;
- Guideline C-8 Encourages innovative commercial/ office design to:
 - b) create a desirable transition in the type and intensity of uses through buffering, setbacks, and building/site design;
 - d) provide trees and landscaping along the street and within the site
 - f) promote a good transition between adjacent buildings and land uses in terms of building size, height, scale, and materials;
 - g) provide access design consistent with the recommendations of the Plan;
 - h) locate and screen waste receptacles to improve views and avoid nuisance;
 - i) use properly designed lighting at appropriate foot candles to avoid glare and light pollution while still providing adequate lighting for safety.

As demand for office space has declined due to changes in work environments resulting from COVID and remains low, some office buildings and vacant office zoned areas are seeing a transition to other uses. Portage has been responding to this change by approving rezones and zoning code amendments to provide development flexibility: rezones (505, 515 E. Centre Avenue) have been approved to provide more commercial redevelopment options and code amendments have been approved resulting in new innovative commercial use (5528 Portage Road). Responding to economic changes ensures continued reinvestment while evaluating the impact on surrounding uses and neighborhoods.

Suitability of B-1 District/ Neighborhood Harmony

Facilitating this rezone will promote new commercial growth in older, low-invested housing stock areas. New commercial entities will benefit from being along a major arterial corridor and adjacent to residential neighborhoods. Future commercial development will adhere to zoning standards including screening and landscaping buffers from existing single-family residences to the south along Maynard Avenue. Commercial impacts will also be reduced by the limited type of commercial businesses allowed in the B-1 district.

Impacts to City Services, Utilities, ROWs

If the rezoning is approved, there is expected to be a negligible increase in water and sewer demands for city services because of the limited commercial uses within the B-1 district. Further, staff will ensure utility and access management compliance of any future commercial development during the required Site Plan application review process. Abutting sidewalks and adjacent Kalamazoo Metro bus services

currently serve East Centre Avenue. The existing 5-lane road on East Centre Avenue is expected to accommodate future commercial traffic demands if the rezoning is approved.

In summary, staff finds support for the rezoning from the Comprehensive Plan based on consistency with the Comprehensive Plan intent and supporting development guidelines. The Plan acknowledges its aspirational context and states that the boundaries shown on the future Land Use Map can be adjusted with further analysis and neighborhood context.

Rezoning 1330 E. Centre Avenue

Staff support rezoning this property from OS-1 Office Service District to B-1 Local Business District based on the following:

- Consistent with the Comprehensive Plan guidelines for supporting new/ redevelopment investments at established commercial nodes.
- Consistency with the future commercial districts
- Land use classification can be adjusted within the Future Land Use Map.
- Impacts to adjacent residences to the south will be lessened by required fence and trees and lighting restrictions (Sec 42-572 & -594) for any future parking lot.
- B-1 uses are limited in size and intensity level, as shown earlier.
- Continued commercial investment in an existing commercial intersection node.

Planning Commission Public Hearing

At the February 1, 2024, meeting, the Planning Commission reviewed and discussed rezoning application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to facilitate future commercial development. The applicant, Harbahajan Multani, Gobind Reality LLC, and his realtor, Pat O'Brien, were present to discuss the rezoning. There was no public comment on this item at the meeting. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

After careful consideration, the Planning Commission voted unanimously (7-0) to recommend to City Council the approval of rezoning application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to facilitate future commercial development.

Recommendation

It is therefore recommended that the City Council receive Rezoning Application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to facilitate future commercial development, and set a Public Hearing on March 19, 2024.

FUNDING: Not Applicable

- Attachments:**
1. Rezoning Application
 2. Vicinity Map
 3. Proposed Zoning District Map
 4. Future Land Use Map
 5. Site Pictures
 6. Planning Commission Transmittal
 7. Planning Commission meeting February 1, 2024 Minutes

8. 1st Reading

APPLICATION FOR ZONING AMENDMENT

Application number _____

Date 11/13/2023

APPLICATION INFORMATION:

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

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

TO THE PLANNING COMMISSION:

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

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at 1330 E Centre Ave, Portage, MI 49002 between Lovers Ln Street and Portage Rd Street on the South side of the street, and is known as Lot Number(s) _____ of _____ Plat (Subdivision). It has a frontage of 132 feet and a depth of 330 feet.

b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number). SEC 22-3-11 BEG AT PT ON N LI SEC 22 24 R E OF NW COR OF NE1/4 NE1/4 TH S 20 R TH W 8 R TH N 20 R TH E 8 R TO BEG 1 A - Parcel# 00022-030-O 1.0 acre

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

b. Name of the owner of the property to be rezoned: Harbahajan S & Paramjit Multani

Address 5299 Snowbird Ct, Kalamazoo, MI 49009

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: Continuity with adjacent parcels to allow better commercial development to benefit the community and be in line with the master plan.

4. CURRENT ZONING: OS-1 PROPOSED ZONING: B-1

ZONING TEXT AMENDMENT

1. The proposed language to be considered is (attach additional sheets as necessary):

2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.

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

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

Shamulani

(Signature of Applicant)

(Signature of Applicant)

5299 Snowbird Ct, Kalamazoo, MI 49009

(Address)

(Address)

269-267-5560

(Phone)

(Phone)

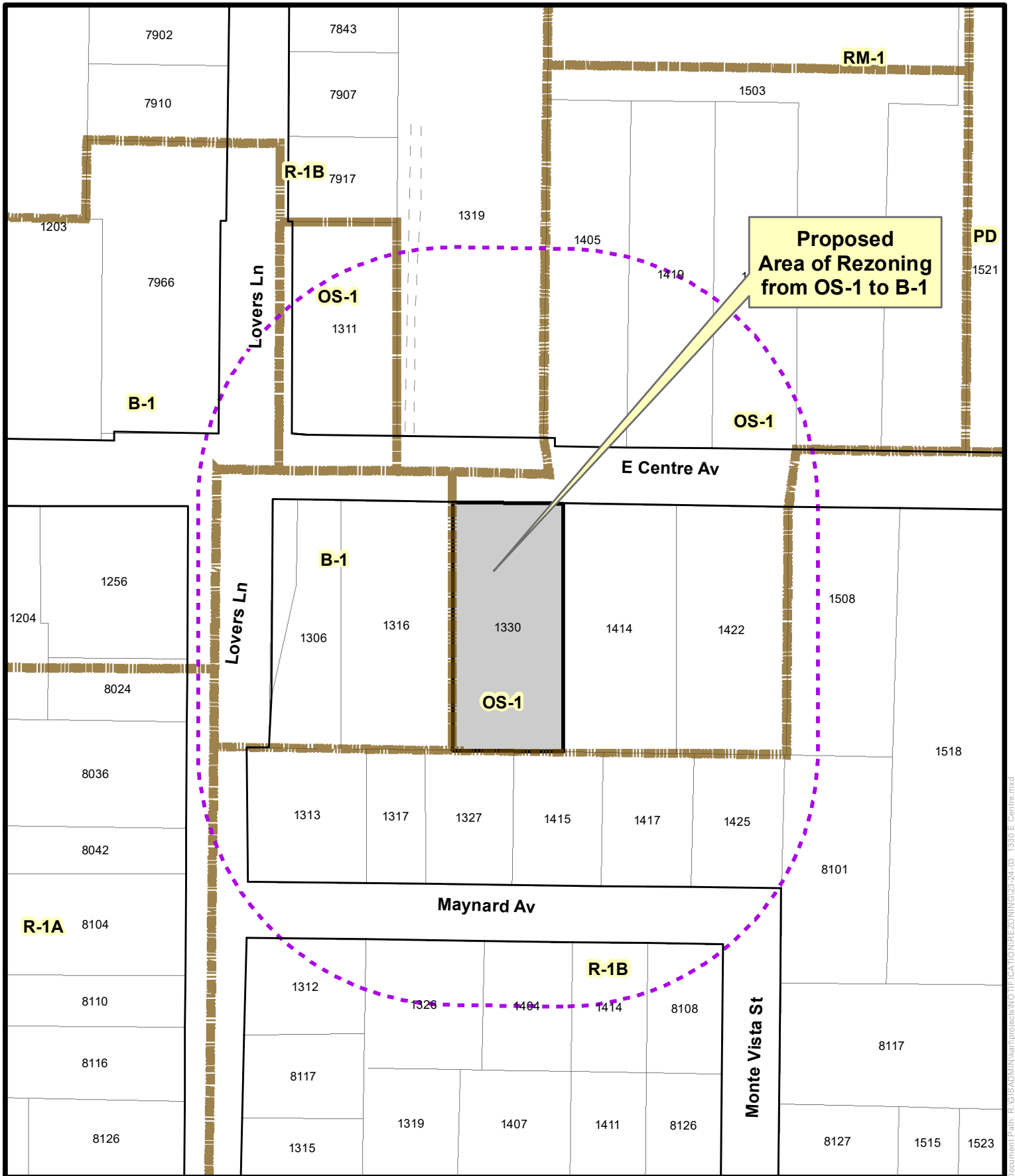
A copy of all actions taken regarding this application shall be attached and shall be considered a part of this application.



**Aerial Photography Map
Rezoning: 23/24 - 3
1330 East Centre Avenue**



1 inch = 100 feet
Date: 1/9/2024
(65)



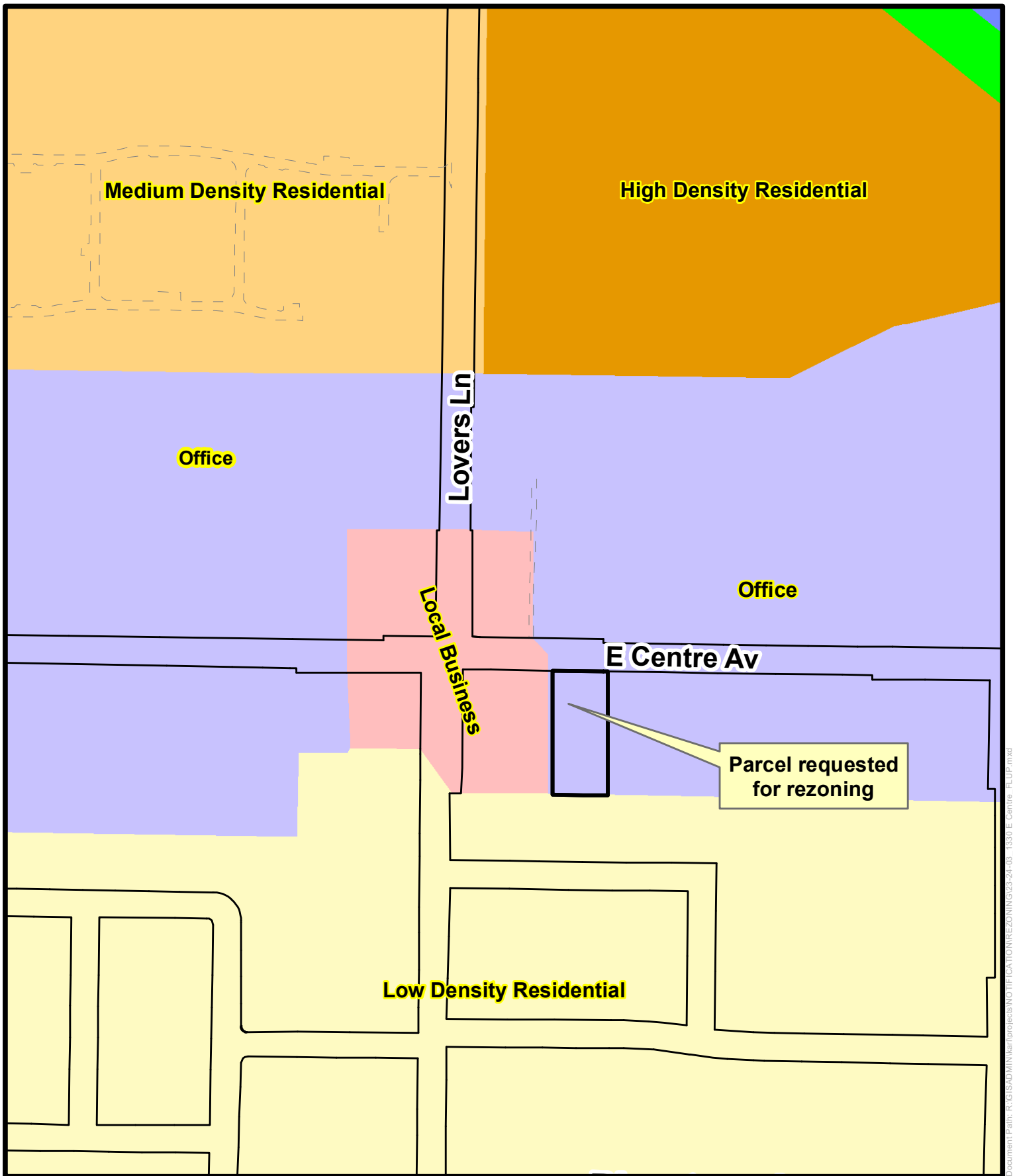
Document Path: R:\GIS\ADMIN\Map\project\NO TIFICATION\REZONING\23-24-03_1330 E Centre.mxd

-  Subject Parcels
-  Zoning Boundary
-  300' Notification Area

Notification Map Rezoning: 23/24 - 3 1330 East Centre Avenue



1 inch = 150 feet
Date: 1/9/2024
(66)



Proposed Rezoning

- Proposed Rezoning
- Low Density Residential
- Single-Family Detached-Medium Density Residential
- Medium-Density Residential
- High Density Residential
- Local Business
- Regional Business
- General Business

- Office
- Shaver Road Business Corridor
- Research, Development & Technology
- General Industrial
- Park / Recreation
- Gourdneck State Game Area
- Public
- City Centre

Future Land Use Map Rezoning: 23/24 -3 1330 East Centre Avenue



1 inch = 300 feet
Date: 1/9/2024

Site Pictures: 1330 E. Centre Avenue

All pictures provided via Google Earth, taken August 2023



Figure 1. Looking west along E. Centre Avenue. Subject house on left. Street intersection light at Lovers Lane seen in background.



Figure 2. Looking west along E. Centre Avenue. Subject house in middle. West Wind Dental (1414 E. Centre Ave.) shown in far left.



Figure 3. Looking south at subject house and detached garage.



Department of Community Development

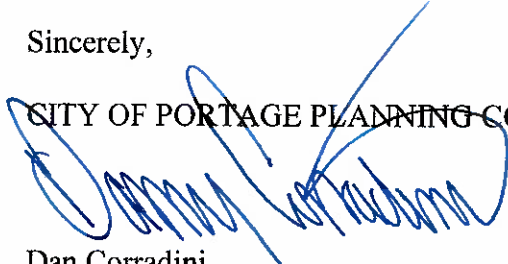
TO: Honorable Mayor and City Council
FROM: City of Portage Planning Commission
DATE: February 15, 2024

SUBJECT: Rezoning Application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District.

At the February 1, 2024 meeting, the Planning Commission reviewed and discussed rezoning application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to facilitate future commercial development. The applicant, Harbahajan Multani, Gobind Reality LLC, and his realtor Pat O'Brien, were present to discuss the rezoning. There was no public comment on this item at the meeting. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

The Planning Commission voted unanimously (7-0) to recommend to City Council the approval of rezoning application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to facilitate future commercial development.

Sincerely,


CITY OF PORTAGE PLANNING COMMISSION

Dan Corradini
Chairman

Attachments: February 1, 2024 Planning Commission meeting minutes.

CITY OF PORTAGE PLANNING COMMISSION

**Thursday, February 1, 2024
7:00 PM Portage
Portage City Hall Council Chamber**

The City of Portage Planning Commission meeting of February 1, 2024, was called to order by Vice Chair Baldwin at 7:00 p.m.

IN ATTENDANCE

- Biqi Zhao, Deputy Director of Planning and Zoning
- Eric Feldt, Senior City Planner

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (absent); Vice Chair Baldwin (yes); Secretary Freiman (yes), Adams (yes); Pezzoli (yes); Joshi (yes); Fries (yes); Youngs (absent); and Longjohn (yes). 7-Present; 2-Absent.

Motion by Commissioner Fries, seconded by Commissioner Pezzoli to approve the excused commissioners. Motion carried 7-0.

APPROVAL OF MINUTES

1. Minutes dated January 18, 2024.

Motion by Commissioner Longjohn, seconded by Secretary Freiman to approve the January 18, 2024, meeting minutes, as submitted. Motion carried 7-0.

PUBLIC HEARINGS

1. Rezoning application No. 23/24-3 to rezone 1330 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to facilitate future commercial development.

Mr. Feldt provided a PowerPoint presentation addressing the applicant's proposed rezone, describing the overall neighborhood, showed various pictures of the site and neighborhood, showed the existing zoning map, described the 2014 Comprehensive Plan Future Land Use Map classification of the neighborhood, showed a zoning table comparison between the existing and proposed zoning districts, and presented staff analysis. He indicated that staff supports the proposed rezoning because it is consistent with the Comprehensive Plan Guidelines, future commercial development impacts towards existing adjacent residences will be limited by required buffering and limitations on commercial uses within the B-1 district. Mr. Feldt indicated that public notice was provided to adjacent property owners, and no public comment was received by staff as of the day of meeting. Further, he indicated that the applicant provided a neighborhood meeting to inform adjacent residents of the proposed rezone. Mr. Feldt concluded his presentation by stating the following: If no additional public comment is requested by and the Commission is supportive of the proposed rezoning, staff recommends the Planning Commission to City Council the approval of the Rezoning #23/24-3 from OS-1 Office Service District to B-1 Local Business District to facilitate future development at 1330 E. Centre Avenue.

Various Commissioners asked about the new City Public Participation Plan policy requiring applicants to provide a neighborhood meeting for certain projects. Many Commissioners were surprised to hear about it. At least one commissioner found it unnecessary; some supported it. Commissioner Adams suggested staff notify the Commission of time/date/location of future neighborhood meetings for upcoming projects

so they could attend and gain an understanding of any comments from the neighborhood and report back to the whole Commission.

Mr. Feldt indicated that the new Plan was established sometime in the Fall and was to provide an initial neighborhood commenting opportunity before certain projects go in front of the Commission. He explained that the applicant would be responsible for finding a meeting location and time.

Secretary Freiman asked about any tree preservation requirement for the B-1 district, and if there are lighting standards. He suggested the applicant preserve more trees on the site, especially near the back close to existing homes.

Mr. Feldt indicated there is no B-1 specific tree requirement but there is an overall commercial landscaping requirement involving trees around parking lots and along shared lot lines between commercial and residential uses. He stated that there are lighting standards such as maximum light pole height and brightness.

The applicant, Harbahajan Multani, same as property owner -Gobind Reality LLC, was represented by his realtor Pat O'Brien. Mr. O'Brien indicated that the proposed rezone to B-1 would enhance the marketability of the subject lot and the western lots which are also owned by applicant. He stated that five members of the public attended the neighborhood meeting and were generally in support of the proposed rezone. He stated that the subject house and the applicant's house to the west are currently rented.

Commission Longjohn asked Applicant's representative if the zoning would lend itself to develop all three applicant-owned parcels. And what would the development setback be from the sidewalk on City-owned property along Lovers Lane.

Mr. O'Brien indicated that it would be best for a future development to use all three parcels but would like the opportunity to sell individually.

Mr. Feldt indicated that the setback from the City-owned property could be 27' if the property is treated as a right-of-way. If not, the setback would be considered a side yard setback and be less than 27'. Mr. Feldt added that it would be best if future development would connect to it to increase overall site connectivity.

Commissioner Joshi commented about the narrowness of the applicant's other westerly lot.

Mr. Feldt indicated that its narrowness and odd shape would like to lend to a multi-parcel sale and development instead of a single parcel development.

Commissioner Pezzoli asked how the house at 1316 W. Centre Avenue came to be if located in a zoning district not allowing residential development.

Mr. Feldt indicated that the house was likely built under a previous zoning code allowing residential development. And new residential development would not be allowed under the existing nor proposed zoning district.

Vice Chair opened public hearing.

No public comment was received.

Motion by Commissioner Pezzoli, seconded by Commissioner Joshi to close public hearing. Motion carried 7-0.

Motion by Commissioner Pezzoli, seconded by Commissioner Fries to recommend to the City Council approval of Rezoning #23/24-3 from OS-1 Office Service District to B-1 Local Business District to facilitate future development at 1330 E. Centre Avenue.

SITE/FINAL PLANS

None.

OLD BUSINESS

None.

NEW BUSINESS

None

STATEMENT OF CITIZENS

None

STATEMENT OF COMMISSIONERS/ STAFF

Mr. Feldt informed the Commission that on Tuesday, February 6, 2024, the Council is expected to vote on rezoning application 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One Family Residential to B-3 General Business and P-1 Vehicular Parking to facilitate future redevelopment. During that same meeting, the Council is expected to vote on pursuing a new historic district study for the 37 lots within the residential Glenbrook Village (located west of the intersection S. Westnedge Avenue and E. Milham Avenue), which was recently supported by the Historic District Commission on January 29, 2024. Two lots within this Village are the subject lots of the rezone application. Related to the historic district study, the Council is also expected to vote on approving a new 6-month long moratorium to freeze development within those 37 lots while the historic study is underway. If approved, this would have the effect of temporarily preventing demolition of the two houses of the subject rezone. Staff has received supporting and opposing communication from residents within the Glenbrook Village about the rezone and historic district study, as well as opposition of the study from the rezone applicant.

Commissioner Joshi welcomed new Planning Commissioner member Matt Longjohn.

Commissioners Adams indicated that during a previous meeting an applicant's representative used the term 'retarded' when trying to adjust his presentation slide, which he found to be offensive and not aligned with the City of Portage Planning Commission values. He stated that some communities start their meetings with a state of values and suggested creating one for the Portage Planning Commission. Other commissioners supported this suggestion. Mr. Feldt stated that he could assist with some draft language to present to the Commission.

Commissioner Longjohn suggested that neighborhood meetings should be held nearby subject project neighborhoods for accessibility purposes. He asked Mr. Feldt if there are any standards by which neighborhood meetings should follow.

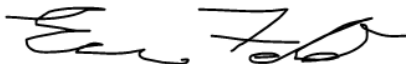
Mr. Feldt indicated that the City's Public Participation Plan is new and its required neighborhood meetings are meant to be an informal setting. At this time, there are no standards for these neighborhood meetings. The City does try to assist applicants in suggesting nearby meeting locations, but the time and place is up to the applicant.

Commissioner Fries indicated his absence for the February 15th Planning Commission meeting.

ADJOURNMENT

There being no further business to come before the Commission, Vice Chair Baldwin adjourned the meeting at 7:46 p.m.

Respectfully submitted,

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

Eric Feldt, AICP, CFM
Senior City Planner

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF
PORTAGE, MICHIGAN BY AMENDING ARTICLE 4 OF CHAPTER 42,
LAND DEVELOPMENT REGULATIONS OF THE CODIFIED ORDINANCES
OF PORTAGE, MICHIGAN**

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Street Address

Parcel ID Numbers

1330 E. Centre Avenue

00022-030-0

as more specifically described: SEC 22-3-11 BEG AT PT ON N LI SEC 22 24 R E OF NW COR OF NE1/4 NE1/4 TH S 20 R TH W 8 R TH N 20 R TH E 8 R TO BEG 1 A

From OS-1 Office Service District to B-1 Local Business District.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Patricia M. Randall, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage, and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2024.

Erica Eklov, City Clerk

Approved as to Form:

Date:

By:

City Attorney

2/14/2024
Andrew Ruffalo

**FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE**

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2024, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2024, at 7:00 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Street Address

Parcel ID Numbers

1330 E. Centre Avenue

00022-030-O

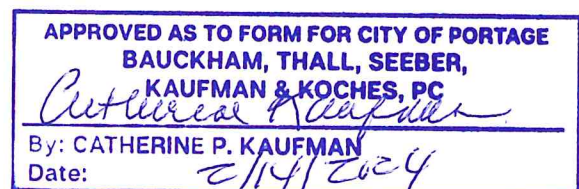
as more specifically described: SEC 22-3-11 BEG AT PT ON N LI SEC 22 24 R E OF NW COR OF NE1/4 NE1/4 TH S 20 R TH W 8 R TH N 20 R TH E 8 R TO BEG 1 A

From OS-1 Office Service District to B-1 Local Business District.

PLEASE TAKE FURTHER NOTICE that if the owners of at least twenty percent (20%) of the area of land included in the proposed zoning change, or if the owners of at least twenty percent (20%) of the area of land included within an area extending outward one hundred feet (100') from any point on the boundary of the land included in the proposed change, excluding public right-of-way or other publicly owned land, file a written protest petition against the proposed amendment presented to the City Council before final legislative action on the amendment, a two-thirds vote of the City Council will be required to pass the amendment.

Dated: _____

Erica Eklov, City Clerk



**ADOPTION OF ZONING ORDINANCE
CITY OF PORTAGE, MICHIGAN
NOTICE**

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was adopted by the City Council at a regular meeting held on the _____ day of _____, 2024, and will become effective _____, 2024.

NOTICE IS FURTHER GIVEN that Article 4 (Zoning) of Chapter 42, Land Development Regulations, of the Codified Ordinance of Portage, Michigan, has been amended as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Street Address

Parcel ID Numbers

1330 E. Centre Avenue

00022-030-O

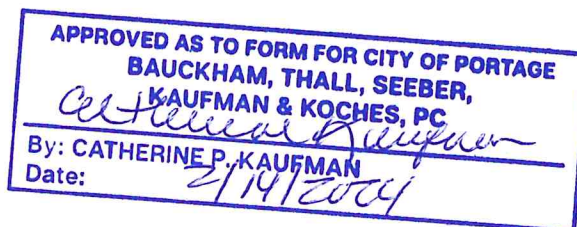
as more specifically described: SEC 22-3-11 BEG AT PT ON N LI SEC 22 24 R E OF NW COR OF NE1/4 NE1/4 TH S 20 R TH W 8 R TH N 20 R TH E 8 R TO BEG 1 A

From OS-1 Office Service District to B-1 Local Business District.

PLEASE TAKE NOTICE that a copy of the Ordinance as amended may be purchased or inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. Further, a copy of a map showing the property rezoned is also available at the time and days noted above.

Dated: _____

Erica Eklov, City Clerk



TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: First reading regarding the 2021 International Property Maintenance Code

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Receive for first reading the proposed ordinance to adopt the 2021 International Property Maintenance Code providing for future updates and schedule the ordinance for final adoption at the regular City Council meeting on March 5, 2024.

The International Property Maintenance Code (IPMC) is a model code developed by the International Code Council to establish minimum maintenance requirements for existing buildings and structures. The Code was developed to serve as a companion code to the International Construction Codes (Building, Plumbing, etc.) that the City of Portage is required to administer and enforce by the State of Michigan. The purpose of the IPMC is to ensure the health, safety, and welfare of the occupant of a building and the public by establishing minimum standards for items such as structure and property conditions, lighting, ventilation, heating, sanitation, and fire safety.

Benefits of adopting the 2021 edition of the IPMC include:

- Providing a nationally recognized code that is widely used and commonly accepted and understood throughout the United States, including the State of Michigan and several local communities that have adopted and enforce the IPMC.
- The property maintenance standards contained within the IPMC cover the subject matters that are currently addressed in different ordinances and codes created by the City of Portage. The IPMC will help by providing a single, comprehensive, and recognized resource for building and property maintenance standards. These standards are reviewed and developed by national experts in the field. The adoption of the IPMC will replace the previously adopted property maintenance codes of the City.
- The IPMC is directly tied to the State of Michigan Construction Codes to simplify administration, terminology, and procedures.
- The IPMC ensures that buildings, structures, and properties are maintained to a recognized and reasonable degree, thereby helping safeguard the occupants and the public.
- The IPMC will help maintain property values by utilizing nationally adopted standards and procedures to address neglected buildings, structures, and properties.
- The IPMC is designed to balance costs and welfare and not to unnecessarily increase construction and repair costs while still prioritizing public welfare.

The adoption of the 2021 International Property Maintenance Code will ensure the City of Portage continues to take the necessary steps to safeguard its citizens and maintain property values. City code enforcement staff has already been trained on the provisions of the IPMC and is ready to utilize the

standards contained in the IPMC. These standards are updated every three years, and this ordinance provides for future adoption as updates are made. It is therefore recommended that City Council vote to receive for first reading the proposed ordinance to adopt the 2021 International Property Maintenance Code providing for future updates and schedule the ordinance for final adoption at the regular City Council meeting on March 5, 2024.

FUNDING: Not Applicable

Attachments: 1. IPMC adoption

THE CITY OF PORTAGE

KALAMAZOO COUNTY, MICHIGAN

ORDINANCE NO. _____

ADOPTED: _____

EFFECTIVE: _____

An Ordinance adopting the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures by providing standards to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use; and the demolition of such existing structures in the City of Portage ; to provide sanctions for violation(s) thereof; and to repeal all Ordinances or parts of Ordinances in conflict herewith.

**THE CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN**

ORDAINS:

**SECTION I
PURPOSE**

The purpose of this Ordinance is to adopt a standardized property maintenance code to regulate and govern the conditions and maintenance of structures within the City by providing standards to ensure that structures are safe, sanitary and fit for occupation and use; to provide for the condemnation of unsafe buildings and structures; and to allow for the demolition of unsafe and dangerous structures within the City.

**SECTION II
DEFINITIONS**

“International Property Maintenance Code” means a document/pamphlet/code book promulgated by the International Code Council and updated from time-to-time with designation of the year of update.

“State Construction Code” means the Construction Code for the State of Michigan promulgated by the State Construction Code Commission pursuant to Act 230 of 1972, as amended (being MCL 125.1504 et seq).

“Adopted Codes” shall mean the International Residential Code, the International Building Code, the International Mechanical Code, the International Plumbing Code, the International Existing Building Code, and the International Energy Conservation Code published by the International Code Council and the National Electrical Code published by

the National Fire Prevention Association, with the amendments, additions and deletions thereto as deemed appropriate by the State.

SECTION III **ADOPTION OF CODE**

A. Pursuant to the provisions of section 3(k) of Act No. 279 of the Public Acts of Michigan of 1909 (MCL 117.13K), as amended, and the City Charter of the City of Portage, the International Property Maintenance Code promulgated by the International Code Council (hereinafter referred to as the "Property Maintenance Code") is hereby found and declared to be an acceptable code and is hereby adopted by reference, as in this article modified for the purpose of protecting the health, safety and welfare in buildings in the city and on the premises hereinafter provided by:

(1) Establishing minimum maintenance standards for all existing structures, residential and non-residential and on all existing premises for basic equipment and facilities for light, ventilation, space, heating and sanitation, protection from the elements, life safety, for safety from fire; for space, use and location; and for safe and sanitary maintenance of all structures and premises; and

(2) Fixing the responsibilities of owner, operators and occupants of all structures; and

(3) providing for administration enforcement and penalties.

B. Identification of Current Code, continuing administration and enforcement of current code and changes to the code(s). A certain document, three (3) copies of which are on file in the office of the City Clerk, being marked and designated as the International Property Maintenance Code, 2021 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Portage, Kalamazoo County, Michigan. All of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section IV this ordinance.

C. Successor Codes.

1. The 2021 International Property Maintenance Code, as adopted by reference herein with the changes incorporated into this Ordinance is the property maintenance code of the City of Portage and will remain so until both of the following occur:

- The Adopted Codes making up the State Construction Code are amended to reflect a 2021 or later version of the International Code Council's International Property Maintenance Code; and

- A subsequently-issued International Property Maintenance Code with a future year-designation (IE 2024, 2027) is incorporated into the Adopted Codes in the State Construction Code.

2. Effect of Incorporation of 2021 International Property Maintenance Code into the Referenced Codes making up the State Construction Code. Once the Adopted Codes have incorporated references to the 2021 International Property Maintenance Code the City of Portage Property Maintenance Code shall match those referenced in the Adopted Codes and the State Construction Code by reference.

3. Subsequent International Property Maintenance Codes incorporated into the State Construction Code's Adopted Codes are the Property Maintenance Code for the City of Portage. As subsequent International Property Maintenance Code revisions made after the 2021 Code adopted herein are incorporated into the Adopted Codes making up the State Construction Code, each subsequent revision will become the Property Maintenance Code of the City, effective on the date the same is effective in the Adopted Codes.

4. City's Obligation to Keep and Use Up-to-Date Subsequent Codes. As the International Property Maintenance Code is updated after the 2021 version adopted herein and as the subsequent revisions thereto are referenced in the Adopted Codes, the City shall keep the up-to-date documents on hand and authorizes the Building Official and Ordinance Enforcement Officer to utilize the current-version of the International Property Maintenance Code when a newer version is referenced in the Adopted Codes.

5. Modification of Subsequent Codes by Resolution. If code sections within the International Property Maintenance Code future versions change, the City reserves the authority to update code sections in the new International Property Maintenance Code if it is incorporated into the Adopted Codes by resolution referencing this Ordinance.

SECTION IV **AMENDMENTS TO ADOPTED CODE**

A. The following sections of the 2021 International Property Maintenance Code are hereby amended as follows:

Section 101.1 Remove "[Name of jurisdiction]" and insert "City of Portage".

Section 103.1 Remove "[Name of Department]" and insert "Department of Community Development".

Section 104.1 Remove the paragraph and replace it with the following: "Fees shall be set in amounts approximating the costs to the City thereof via resolution which shall be adopted by the City Council and may be amended from time to time as the Council deems necessary."

All of the wording in Section 302.4 is eliminated and replaced with the following sentence:

“ 302.4 reserved for future expansion. “

Section 304.14 Remove the first instance of the phrase “[DATE]” and replace it with “May 1”. Remove the second instance of the phrase “[DATE]” and replace it with “September 30”.

Section 602.3 remove the first instance of the phrase “[DATE]” and replace it with “October 15”. Remove the second instance of the phrase [DATE] and replace it with “May 15”.

Section 602.4 remove the first instance of the phrase “[DATE]” and replace it with “October 15”. Remove the second instance of the phrase [DATE] and replace it with “May 15”.

Remove Section 109.2 and replace it with “This section reserved for future expansion”.

Remove Section 109.4 and replace it with the following:

“109.3 Violation and Penalties. Any person, firm, association, partnership, corporation or governmental entity that violates any of the provisions of this Ordinance, shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
-1 st Offense	\$ 150.00	\$ 500.00
-2 nd Offense*	\$ 300.00	\$ 500.00
-3 rd Offense*	\$ 425.00	\$ 500.00
-4 th or More Offense*	\$ 500.00	\$ 500.00

*within 3-year period determined on the basis of the date of commission of the offense(s).

An owner, tenant, occupant, land contract vendor or vendee who causes allows or permits a violation to exist or continue shall be liable as a principal.

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the City of Portage has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$10.00 or more than \$500 be ordered. In addition, the City shall have the right to proceed in any court of competent

jurisdiction for the purpose of obtaining an injunction, restraining order, compliance order or other appropriate remedy to compel compliance with this ordinance. Each day that a violation of this ordinance exists shall constitute a separate violation of this ordinance”.

B. As subsequent International Property Maintenance Codes are adopted, the numbering system within it may change. The city shall establish within each new version what section number accomplishes that which is modified by this Section and shall adopt such necessary changes by resolution, which shall be attached to the front cover of the current International Property Maintenance Code in circulation within the City.

SECTION V **SEVERABILITY**

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

SECTION VI **REPEAL OF CONFLICTING ORDINANCES**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. Any proceedings pending, including prosecutions for violations, under any previous ordinance provision being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to said previous Ordinance provisions.

SECTION VII EFFECTIVE DATE

This ordinance shall take effect 10 days following publication of a summary thereof, following adoption.

City of Portage
Erica Eklov, Clerk

