

7:30 p.m. Call to Order.

Invocation: Ms. Sujatha Krishnamurthy and students of the Indo American Cultural Center and Temple of Portage.

Pledge of Allegiance.

Roll Call.

Proclamations:

A. Approval of City Council Meeting Minutes.

1. Regular Meeting Minutes of February 28, 2017.
2. Pre-Meeting Notes of March 13, 2017.
3. Special Students Meeting of March 14, 2017.

* B. Approval of Consent Agenda Motions.

* C. Accounts Payable Register:

1. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of March 14, 2017 as presented.

D. Public Hearings:

1. Communication from the City Manager recommending that City Council:
 1. adopt Resolution No. 4-17, approving the Industrial Facilities Exemption Certificate for Stryker Corporation, Instruments Division; and
 2. approve the tax abatement agreement and affidavit between the City of Portage and Stryker Corporation, Instruments Division.
2. Communication from the City Manager recommending that City Council, subsequent to the public hearing, approve Rezoning Application #16/17-3 and rezone 715 West Osterhout Avenue from R-1C, one family residential, to PD, planned development.

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

1. Communication from the City Manager recommending that City Council confirm the appointment of Nicholas J. Arnold as the Director of Public Safety - Police/Fire Chief, effective March 15, 2017.

* 2. Communication from the City Manager recommending that City Council adopt the:

1. Bond Resolution authorizing the sale of Capital Improvement Bonds, Series 2017, in the amount of \$3,570,000; and
2. Resolution approving the Undertaking to Provide Continuing Disclosure by the City of Portage for the Capital Improvement Bonds, Series 2017.

* 3. Communication from the City Manager recommending that City Council:

1. approve Contract #16-5592 between the Michigan Department of Transportation and the City of Portage for the new water main, new fire hydrants, American with Disabilities Act pedestrian improvements and pavement reconstruction work on Shaver Road from Vanderbilt Avenue to West Centre Avenue;
2. adopt a Resolution authorizing the City Manager to sign Contract #16-5592, and

authorize the City Manager to sign all other documents related to this project on behalf of the city.

- * 4. Communication from the City Manager recommending that City Council approve the Final Plan for Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue.
- * 5. Communication from the City Manager recommending that City Council adopt a Resolution of Support for submittal of Transportation Economic Development Fund Category A Grant Application and authorize the City Manager to sign all documents related to this grant application on behalf of the city.
- * 6. Communication from the City Manager recommending that City Council approve the purchase of network switches and related equipment from IP Consulting through the NASPO cooperative purchasing program in the amount of \$61,899.22 and authorize the City Manager to execute all documents related to this action on behalf of the city.
- 7. Communication from the City Manager recommending that City Council adopt the Resolution in Support of the Creation of a Kalamazoo County Identification Card Program.

G. Communications:

- 1. Presentation by Kalamazoo County Consolidated Dispatch Authority Executive Director Jeff Troyer regarding the May 2, 2017 Proposition and 9-1-1 Consolidation.

H. Unfinished Business:

* I. Minutes of Boards and Commissions Meetings:

- 1. Portage Public Schools Board of Education Policy Governance and Regular Business of December 12, 2016, Board Retreat and Organizational of January 9, Special of February 6 and Committee of the Whole Work Session of February 13, 2017.
- 2. Human Services Board of February 2, 2017.
- 3. Planning Commission of February 2, 2017.
- 4. Youth Advisory Committee of February 6, 2017.
- 5. Park Board of February 8, 2017.

J. Council Committee Reports:

K. New Business:

- 1. 2017 Community Survey.

L. Bid Tabulations:

M. Other City Matters:

- 1. Statements of Citizens.
- 2. From City Council and City Manager.

* 3. Reminder of Meetings:

- a. Wednesday, March 15, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.
- b. Thursday, March 16, 7:00 p.m., District Library Board, Portage District Library.
- c. Thursday, March 16, 7:00 p.m. Planning Commission, Council Chambers.
- d. Friday, March 17, 8:15 a.m., Utility Rate Committee, City Hall Room No. 1.
- e. Thursday, March 23, 4:30 p.m., Public Media Network Board of Directors, 3rd floor, 359 South Kalamazoo Mall, Epic Center, Kalamazoo.

* N. Materials Transmitted.

- * 1. Materials Transmitted of February 28, 2017.

Adjournment.

CITY COUNCIL MEETING MINUTES FROM FEBRUARY 28, 2017

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

At the request of Mayor Strazdas, Pastor David Moffett-Moore of the Portage United Church of Christ gave an invocation and the City Council and two Boy Scouts from Troop 284 led the City Council and the audience in the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Richard Ford, Jim Pearson, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Also in attendance were City Manager Laurence Shaffer, City Attorney Randy Brown and City Clerk James R. Hudson.

PROCLAMATION: Mayor Strazdas issued a Proclamation Celebrating 50 Years of Portage Rotary Club received by Jim Martin, 4340 Bronson Blvd, Kalamazoo.

APPROVAL OF MINUTES: Motion by Reid, seconded by Randall, to approve the Regular Meeting Minutes of February 14, 2017, as presented. Upon a voice vote, motion carried 7 to 0.

Motion by Pearson, seconded by Ansari, to approve the Pre-Council Meeting Minutes of February 27, 2017, as presented. Upon a voice vote, motion carried 5 to 0 with Councilmembers Ford and Urban abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Ford to read the Consent Agenda. Motion by Ford, seconded by Reid, to approve the Consent Agenda Motions as presented. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF FEBRUARY 28, 2017:** Motion by Ford, seconded by Reid, to approve the Accounts Payable Register of February 28, 2017, as presented. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

INDUSTRIAL TAX ABATEMENT APPLICATION: STRYKER INSTRUMENTS (6520 PORTAGE ROAD): Mayor Strazdas reviewed the request, explained the public hearing process, and asked City Manager Shaffer for his input regarding the Facilities Exemption Certificate for real and personal property investments in the estimated amount of \$154.6 million with the creation of Industrial Development District No. 92. Mr. Shaffer noted that the two actions before Council are to create the District and to set a public hearing on the Tax Exemption Certificate. He outlined the project that includes a 485,000 facility located off Portage Road, and the development of approximately 75 out of the 288 acres available. He noted that this will result in the creation of 90 plus jobs and the preservation of well over 950 jobs. He expressed his excitement over the project, introduced Community Development Director Vicki Georgeau to fill in some of the details and asked Council to consider the two Resolutions before them with favor.

Ms. Georgeau showed a couple of maps of the project, outlined the purposes of the two Resolutions, described the process with the approval to be in effect in 2019 as requested by the applicant, and explained the location and concept of the project. She referred to the report in the Council Agenda Packet and summarized the details of the request, including the investment of \$225 million, the Environmental Impact Analysis, eligibility of Brownfield status, the long term financial impact analysis, and the tax impact on local taxing units if there was no tax abatement award. She indicated that whenever the percentage of the Industrial Facilities Tax roll exceeds five percent of the

DRAFT

total tax base, the City council must find that approving the tax abatement will not have the effect of substantially impeding the operation of the local governmental unit or impair the financial soundness of the taxing unit; with this Industrial Tax Abatement (IFT) approved in 2017, the percentage of the total city tax base, or State Equalized Valuation (SEV), would equal 7.08%; however, the tax abatement would not go into effect until 2019. Since Portage is expecting a 5% increase in property tax revenue which will be finalized after the March 2017 Board of Review, she said the IFT roll as a percent of the total tax base is estimated at 6.02%. She also anticipated continued growth in 2018 which would bring their SEV down to 6%; and, in 2019 there are four other IFT's that will go on to the Ad Valorem tax roll, so the anticipated percent of the total tax base which will further reduce the IFT roll as a percent of total tax base and could be much closer to the 5 %. Discussion followed. City Manager Shaffer explained that 5% of the over \$2 billion dollar tax base, the largest in the County, is not as significant as it would be for some of the smaller jurisdictions in the County with a very low tax base of one fifth or one fourth the size of the City of Portage.

In answer to Councilmember Pearson, Ms. Georgeau indicated that construction would start in Spring 2017, so the reason the applicant is asking for 2019 is that there is a significant amount of site clearing and preparation initially, so the value added would not be that much by the end of the tax year. She also said that in 2018 the applicant expects that the building will be more substantially complete, so by 2019 a substantial value of the facility will be realized since it is projected to be ready for operation by Summer 2019.

Mayor Strazdas opened the public hearing for input from the audience. There being none, he asked the representative of the applicant to come forward and share any comments. Vice President of Quality and Facilities for Stryker Instruments, Brent Lalomia, 7551 Dunros Drive, expressed his appreciation to City Council and staff for their partnership on a great journey through the process. He recognized the efforts of Jill Bland from Southwest Michigan First, who is traveling and could not be here, Pete Mitchell from Rockford Construction, Dean Uminski with Crow Financial, and Project Manager Jill VanDyken from Stryker Corporation. He mentioned that his meeting with the State earlier in the day went very well and expressed his excitement over the project, future growth and mentioned that the facility would house 300 employees. He thanked Mr. Shaffer for fostering a great relationship between Stryker Corporation and the City of Portage and discussion followed.

With the understanding that this facility could have been built anywhere in the world, Mayor Strazdas asked Mr. Lalomia, "Why Portage?" Mr. Lalomia responded Stryker sells in over 100 countries worldwide and when Stryker looked at Portage, along with the State, it proved to be very attractive owing to the rich tradition. He mentioned that Stryker has a lot of employees and their families here and wants to continue that. He also said because Mr. Shaffer and his team were so easy to work with, there is the desire to continue that relationship; and Stryker feels very fortunate to be a part of the great things happening in the community at the present time and explained. Discussion followed.

Motion by Pearson, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 7 to 0. Discussion followed.

Motion by Pearson, seconded by Randall, to adopt Resolution No. 2-17 creating Industrial Development District No. 92 for 6520 Portage Road, and adopt Resolution No. 3-17 setting a public hearing on March 14, 2017, at 7:30 p.m. or as soon thereafter as may be heard, for an Industrial Facilities Exemption Certificate for real and personal property investments in the estimated amount of \$154.6 million within IDD No. 92. Upon a roll call vote, motion carried 7 to 0.

ANGLING ROAD SANITARY SEWER PROJECT #417-S: Mayor Strazdas introduced the item and deferred to City Manager Shaffer, who mentioned that City Council has had the opportunity to review this matter on four other occasions and, with the permission of Mayor Strazdas, invited Director of Transportation and Utilities Chris Barnes to provide Council with an update.

Mr. Barnes explained that Resolution No. 5, the approval of the Special Assessment Roll for the Angling Road Sanitary Sewer Project #417-S, is before City Council for consideration and confirmation at this public hearing. He then provided a detailed overview of the process thus far. He cited January 10, 2017, as the date City Council adopted Resolution No. 3, which found that the sanitary

DRAFT

sewer was a necessity for the 48 properties in the District, and he outlined the location of the sewer along Angling Road in West Portage. He stated that there is no mandatory hook-up until and unless the Kalamazoo County Health Department mandates it. He explained the two charges: the sanitary sewer main line in the street at \$43.77 per front footage on the property with an 80 foot cap, and the 6" hook-up service lateral charge at \$1,536.67 which provides the individual home connections from the street to the property line. He mentioned that the numbers in the Resolution provided to Council are the preliminary numbers, and referred Council to the breakdown he provided for them on the dais. He indicated that there is no change in the project cost, but he cited a change in the breakdown: Special Assessments total \$241,618, or 18.3%; the City Waste Water Utility will be charged \$779,382, or 59%; Municipal Street Fund will be charged \$165,000, or 12.5%; and the Federal Transportation Fund administered through the Michigan Department of Transportation (MDOT) will fund \$134,000, or 10.2% of the total project cost. He noted that the total project cost is estimated at \$1,320,000. Discussion followed and he indicated that the project would be scheduled for bidding in Spring 2017 with the project start date in late Spring 2017 and will continue through the Summer 2017. Discussion followed.

In answer to Mayor Strazdas, City Assessor Ed VanderVries indicated that the property values would go up slightly as a result of the project after looking at the historical sales of properties; so, the impact will not be discernible until there is a series of sales that show the property values have increased. He noted that relying on past history where this has happened, he finds that typically the values do go up, and he responded to Councilmember Pearson that the benefit to the property owner is supposed to be equal to the assessment. City Attorney Brown interjected that it does not have to be exact, just close. Discussion followed.

In answer to Councilmember Randall, Mr. VanderVries indicated that the tax burden for the current owner of the property would stay under the cap formula, even though the assessed values went up owing to the other properties on the road increased. Discussion followed and Mr. VanderVries indicated that it would go up only if there was room within the cap value.

In answer to Councilmember Ansari, Mr. Barnes explained that Extension Districts is a term used in Portage where plats with wells were joined by adjoining water districts back in the 1960's; moreover, because the water main passed by properties that did not have service, they were not assessed and became known as extension districts because the water was extended past them. Mr. Barnes prefers to call them deferred districts because once the property receives a benefit, the property must pay the deferred assessment at the time of connection and explained the payment requirements. Mayor Pro Tem Ansari attempted to make the case for an Extension District to be formed for the Angling Road Project. Mr. Barnes explained the downside of an Extension District. Mayor Pro Tem Ansari responded in favor of an amendment to the motion to establish an Extension District for the Angling Road properties.

Councilmember Reid emphasized that even though the assessment of the properties probably would not go up, there are additional costs to the property owner such as the line to the 6" lateral from the building and the monthly bill for the service thereafter. Mr. Barnes acknowledged plumbing fees, a plumbing permit and the sewer use fees. Discussion followed regarding how to create an Extension District once this Special Assessment District is finalized.

Mayor Strazdas opened the public hearing for input from the audience and explained the parameters for presentation by the public.

Gary Taylor, 7642 Angling Road, asked all of the Angling Road residents to stand and be recognized, expressed appreciation to Mayor Pro Tem Ansari for his efforts on their behalf, and thanked Mr. Barnes for providing a trailer kiosk on Angling Road to let motorists know how fast they are traveling. He spoke in favor of a Deferred District and Mayor Strazdas stressed that the discussion at this time should focus on the accuracy of the Special Assessment Roll as presented.

Joshua Jordon, 7139 Angling Road, introduced his son, Josh, asked what extra steps are required with the septic system after the hook-up to contain the nitrates, etc. He also asked if the Deferred Assessment and the prevailing rate is the same thing (18%) and will the deferred rate be higher or lower, and Councilmember Randall indicated that it will be higher. In the definition of the reconstruction of the road, the City included lamp posts and sidewalks, so he asked if the City is going

DRAFT

to install these or just widen the road for a bike trail. He also questioned if he will have to pay \$250 a month on top of the Special Assessment amount. Discussion followed.

Mr. Shaffer responded that there are a number of reconstruction costs in the project that are in addition to the sewer line which is only 18.3% of the project; the City Waste Water Utility will be charged \$779,382, or 59%; Municipal Street Fund will be charged \$165,000, or 12.5%; and the Federal Transportation Grant administered through the Michigan Department of Transportation (MDOT) will fund \$134,000, or 10.2% of the total project cost.

Mr. Barnes restated that usually the percent breakdown is 1/3 each for the property owners on both sides of the street and the City at large; however, the amount in this Special Assessment for the property owner is only 18.3% for various reasons. He said historically the construction cost rate has gone up by 4 to 4 ½% per year based upon the national construction index for increased costs, so owing to compound interest, the rate would double over about 12 to 18 years or so. He reiterated that there is no mandatory hook-up if the septic system is working properly, unless the Kalamazoo County Health Department mandates it. Regarding the septic tank, Mr. Barnes indicated that the standard practice is “crush and fill” which usually happens when the plumber connects to the house, he or she takes the top off of the septic tank, fills it with pea gravel, crushes it and removes the top which eliminates the release of nitrates in the yard. He outlined the road reconstruction as consisting of the reconstruction of the pavement, a uniform shoulder, a bike lane, a storm sewer for drainage improvement, a curb section in some areas, and the restoration of driveways and yards. He said there is no sidewalk proposed for this project and there was no consensus with regard to streetlights; some people wanted additional streetlights and some did not; and, there is no sidewalk or trail system anticipated. Discussion followed.

In answer to Mayor Pro Tem Ansari, City Attorney Randy Brown indicated that there can be no amendment to the Special Assessment Resolution to include an Extension District or a Deferred Assessment as it cannot be appropriate in the context of the adoption of Resolution No. 5, the subject of this public hearing, and the approval of the Special Assessment Roll. He said if Council desires to look into this Extension District idea, he recommended tabling Resolution No. 5 to allow him to work with staff to determine what an extension is and how it can be used, if at all, and come back with the information while the Resolution remains pending. Mayor Pro Tem Ansari advocated a Deferred Assessment, and Mr. Brown restated that he simply cannot see how such a motion could be a part of a Resolution No. 5. Mayor Strazdas emphasized that the accuracy and amount of the Special Assessment Roll does not change and deferring payment until it is twice as much, for example, is a separate topic and has no bearing on the accuracy of the Roll which is before Council at this time. Mr. Brown concurred with Mayor Strazdas that it is totally separate and explained it might be added “down the road.” Discussion followed.

Councilmember Ford offered an opinion that Paragraph 3 of Resolution No.5 could be re-written to accommodate Mayor Pro Tem Ansari and his request. He asked Mr. Barnes that if the deferred assessment were to work, would it all still be in equal installments for the residents. Mr. Barnes said the first payment on an Extension District “just happens.” He defined an Extension District, replied that there is no process to establish an Extension District, so there are no specific properties, no specific cost and it does not carry the finality of a Special Assessment District. He explained that it is just deferred, hence some of the ambiguity because it is not established by City Council, so they become very difficult to track and maintain. Mr. Brown stressed that an Extension District is a misnomer because it is not a “district” at all since it is just an idea of putting in utilities and deferring payment on a case by case basis; secondly, he answered Councilmember Ford by saying that the payment schedule in Paragraph 3 of Resolution No.5 is mandated by ordinance, so it cannot be changed. Discussion followed.

Mayor Strazdas pointed out that no one spoke out against the accuracy of the Special Assessment Roll which is the focus of the public hearing; the side bar issue that surfaced was to delay payment which is a totally different topic; that Paragraph 3 of Resolution No.5 is in the Code of Ordinances, and explained Council does not change Ordinances “on the fly” in one evening because there is a process that Council has to follow; further, he indicated that he is interested in having the discussion, but it is not appropriate here “on the fly” in one evening.

DRAFT

Motion by Urban, seconded by Reid, to close the public hearing.

Joshua Jordon spoke in opposition to the Special Assessment Roll and the assessment fee.

Gary Taylor, 7642 Angling Road, pointed out that the residents who signed against this item, signed against the Special Assessment Roll of 18.3% that equals approximately \$5,032 per homeowner which does not include hooking up to the home which is approximately another \$4-5,000. He cited a letter about this meeting tonight from Mr. Shaffer that did not go to every resident.

Upon a voice vote, motion carried 7 to 0. Discussion followed.

Councilmember Urban reviewed the process as conducted by City Council thus far. Because there were no objections to the accuracy of the Special Assessment Roll, motion by Urban, seconded by Ford, to adopt Resolution No. 5 for the Angling Road Sanitary Sewer Project #417-S, confirming the Special Assessment Roll, including the corrected final project funding numbers as supplied by City Engineer Chris Barnes on the dais this evening.

Councilmember Pearson expressed his appreciation to the residents for coming and being diligent to address all five resolutions, and that he had not thought about deferred assessments. He thanked Mayor Pro Tem Ansari for speaking to the residents and expressed a need to discuss this matter further. In response to Councilmember Pearson, Mr. Barnes pointed out that if the matter was tabled or delayed, there would be a loss of Federal funding because, with a question on the project, he would feel obligated to pull the project from the MDOT bid process, and the project would not be built this year. Secondly, he indicated that Council would not go back to Resolution No. 1 because there would simply be deferred assessment, so Portage would lose the bidding schedule with MDOT and the \$134,000 would go somewhere else. Discussion followed.

In answer to Councilmember Reid, he indicated that the Waste Water Utility would have to pay for the loss of the \$134,000. He confirmed for her that the Taser Rating on Angling Road is a 3 which is poor, and he would recommend a patch if the contract did not go through, but it is hard to predict how bad it will get, but he knows that roads tend to depreciate fast and they tend to go ½% per year. Discussion followed.

Mayor Strazdas called for the question. Upon a roll call vote, motion carried 7 to 0. Discussion followed.

REPORTS FROM THE ADMINISTRATION:

* **COMPREHENSIVE LIABILITY, PROPERTY AND AUTO FLEET INSURANCE:**

Motion by Ford, seconded by Reid, to 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 \$495,476 for the period of March 1, 2017, to March 1, 2018, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **KALAMAZOO COUNTY CONSOLIDATED DISPATCH AUTHORITY SURCHARGE REVENUES:** Motion by Ford, seconded by Reid, to authorize the City Manager to enter into the *First Amendment to Agreement for the Distribution of County 911 Surcharge Revenues*. Upon a roll call vote, motion carried 7 to 0.

KALAMAZOO COUNTY IDENTIFICATION PROGRAM: Mayor Strazdas introduced the item, invited the spokesperson for the group to come forward and explained the process.

Launda Wheatley, 5671 North Westnedge Avenue, provided a PowerPoint presentation regarding the Kalamazoo County ID Task Force efforts to assist individuals in the County who do not have a form of identification. She reviewed cost, ID card design, the reality of not having an ID, security features, administration of the service, the variety of reasons for not having an ID, other communities that have successfully implemented such a program, local support agencies such as Public Safety and a sample Resolution of Support. Discussion followed.

The following individuals spoke in support of the ID Program: Dr. Francisco Vegas,

DRAFT

1504 Sherry Drive, Kalamazoo; Father Ken Schmidt, St. Catherine of Siena Church, 1150 Centre Avenue; Pastor Barry Petrucci, Chapel Hill United Methodist Church, 7028 Oakland Drive; and Sally Fuentes, 5440 Parkview Avenue, Kalamazoo.

Mayor Strazdas asked City Manager Shaffer if he had any comment at this time, and he pointed out that this matter is before City Council in part because of City staff participation on the Kalamazoo County ID Task Force; Chief Richard White had assigned Deputy Chief Dan Mills to participate and both crafted a draft letter which is contained in the Council Agenda Packet. He pointed out that traditionally City Council has not weighed in on topics that are outside its own direct authority, but Council can indeed do that, so he included the Resolution of Support from the City of Kalamazoo for consideration, also. He cited a couple of issues: does Council wish to break with its tradition of having a position of not supporting any activity that falls outside its direct authority; and what are the merits of this issue and what is your disposition towards supporting the merits of this issue.

Mayor Strazdas said that this is an excellent program; that City Council has a long standing past practice of not creating Resolutions asking other unit of governments to hire staff or how to spend money; nor has Council had other units of government come and say hire staff, or spend your money this way. He said it would be good for the citizens of Portage and Council to advocate as you individually think; Council will not vote; and there are County Commissioners who represent Portage. He advocated all 47,000 residents of Portage tell the two Commissioner how you would like them to vote; and even have the County Commission have a town hall meeting in Portage to discuss this matter and explained.

Mayor Pro Tem Ansari concurred that as individuals, we all have the choice to support it. He shared his experience with Michigan Works and the need for ID Cards with that effort. He said he would approach the County Commissioners with his support, and mentioned the local United Way effort (to get fee waivers from Kalamazoo County to enable access to vital records by those who cannot afford it for State ID's, and successful efforts in Calhoun County).

Councilmember Randall challenged City Council to do more than give their personal support and opinion. She pointed out that Council is not dictating how to spend tax dollars, only saying that we believe that this is the humanitarian issue that we find affects citizens within our city. She indicated that law enforcement and Fire support the effort, and asked that Council be unified in the message to the County Commission. She commended the Chief of Police for writing the letter, and noted it is now a part of the public record. She listed school ID's to protect students, work ID's, City employee ID's when they go out to people's homes, and explained.

Councilmember Reid thanked those who came out and presented. She cited prisoners without ID's who cannot get an ID from the State. She advocated the State ID, that Chief White send the letter, and that Department Heads to do the same. She encouraged citizens to speak with their County Commissioners and State Representatives on this matter and indicated Council may be limited owing to the legal aspects of the matter.

City Attorney Randy Brown interjected that his opinion on this issue deals with ballot questions and elections and, even though Council has never adopted a Resolution regarding a ballot question and election, Council could do so legally as long as public resources are not used. He noted that when it comes to other matters, such as matters pending before other agencies, those are not included in that prohibition; so, Council can discuss it individually or Council can adopt a Resolution in favor or against, unless it is so far afield of the interests of the City. Discussion followed.

Mayor Strazdas encouraged the group to pursue the State ID card because these people are still underprivileged when compared to the rest of the community when it comes to services because of not having the State ID card. Discussion followed.

Motion by Randall, seconded by Reid, to adopt a Resolution from the Portage City Council simply expressing support for the Kalamazoo County Identification Program. City Attorney Brown asked in terms of the Resolution which would have to be drafted, is it the intent to copy the wording of the Resolution that Kalamazoo City passed? Councilmember Randall answered in the affirmative. Councilmember Ford expressed his opinion earlier that it is not appropriate to tell other units of

DRAFT

government how they should be spending their money or how they should be acting. He advocated focusing on issues of Portage citizens, some of whom are still trying to speak tonight; he said he thinks this is a County issue and the concerns should be expressed to their County Commissioner.

Councilmember Reid suggested that the Resolution not be the Resolution that Kalamazoo City passed, but one in support of this effort, so there is no directive for the Kalamazoo Commission to act one way or the other. Councilmember Randall concurred with the proposed Amendment. Mayor Strazdas concurred.

Councilmember Pearson objected to adopting a Resolution “on the fly.” He noted that he is only now finding out about this, does not know anything beyond what he knew Friday, so he concurred with Councilmember Ford.

Councilmember Urban offered a suggestion for a motion that the minutes reflect that this Council is in full support of the creation of a County Identification Program and that a copy of those minutes be sent to the County Commission. He expressed his support and cited his experience with the ID requirements at the Chapel Hill United Methodist Food Pantry. He recommended the Task Force expend their efforts on getting State ID’s and explained. Discussion followed.

Mr. Brown concurred with Councilmember Urban that there needs to be some specific words attached to the motion since the Resolution that Kalamazoo City passed will not be used. Discussion followed.

Motion by Randall, seconded by Reid, that the Portage City Council expresses support for the Kalamazoo County Identification Card Program. At the suggestion of Mayor Strazdas, the motion maker included the word, “humanitarian” in the motion:

Motion by Randall, seconded by Reid, that the Portage City Council expresses humanitarian support for the Kalamazoo County Identification Card Program. Mayor Strazdas asked that the minutes reflect that the Portage City Council is not directing or suggesting that another unit of government hire people for a program or spend their money a certain way. Discussion followed.

Motion by Pearson, seconded by Ford, to substitute the motion with a motion to table. Upon a roll call vote, motion failed. No: Councilmembers Randall, Reid, Urban and Mayor Pro Tem Ansari. Yeas: Councilmembers Ford, Pearson and Mayor Strazdas. Discussion followed.

Mayor Strazdas called for the question and upon a roll call vote, motion carried 6 to 0 with Councilmember Pearson abstaining.

Motion by Urban, seconded by Pearson, to bring a prepared Resolution of Support for the Kalamazoo County Identification Card Program at the next City Council meeting. Upon a roll call vote, motion carried 7 to 0.

* **JANUARY 2017 ENVIRONMENTAL SUMMARY REPORT:** Motion by Reid, seconded by Randall, to receive the communication from the City Manager regarding the January 2017 Environmental Summary Report as information only. Upon a roll call vote, motion carried 7 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes of the Portage Historic District Commission of December 7, 2016, and January 11, 2017.

COUNCIL COMMITTEE REPORT: Councilmember Reid indicated that Public Media Network Director Hap Haasch is leaving on June 30, 2017, and a search committee for a company to begin the process to find a replacement has been formed.

BID TABULATIONS:

* **PORTAGE SENIOR CENTER BUS TRIPS:** Motion by Ford, seconded by Reid, to approve the low bid for motor coach services from Gail Andrus Travel, LLC, for the period July 1, 2017, through December 31, 2017, in the amount of \$22,659 and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITIZENS: Christine Petersen, 2607 Chopin Avenue, expressed her dissatisfaction with the Special Assessment process as implemented for the Chopin Avenue and Mozart Street Water main Project #317W. Discussion followed.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: City Manager Shaffer thanked Deputy City Clerk Adam Herringa and the Youth Advisory Committee in connection with their work on the Diversity Event at the Fetzer Center, Western Michigan University and the Living the Dream Concert Tribute to Martin Luther King, Jr. He also thanked Mary Beth Block and Erica Eklov for their assistance with the Living the Dream Concert Tribute to Martin Luther King, Jr. Mayor Pro Tem Ansari concurred.

Mayor Strazdas indicated that he was pleased with the conversation on diversity at the Diversity Event as it was very civil, and he said that the Living the Dream Concert Tribute to Martin Luther King, Jr. was excellent. He couched it as a peaceful celebration and great for the County as it was nonviolent and respectful.

MATERIALS TRANSMITTED:

* **DEPARTMENTAL MONTHLY REPORTS:** Motion by Ford, seconded by Reid, to receive the Departmental Monthly Reports. Upon a roll call vote, motion carried 7 to 0.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:35 p.m.

James R. Hudson, City Clerk

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

**NOTES FROM THE SPECIAL PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF MARCH 13, 2017**

Mayor Strazdas called the meeting to order at 8:00 a.m. Councilmember Claudette Reid was present via the conference phone line. Councilmembers, Richard Ford, Jim Pearson, Patricia M. Randall and Terry Urban and Mayor Pro Tem Nasim Ansari were absent with notice and excuse. Also in attendance were City Manager Larry Shaffer, Deputy City Manager Rob Boulis and City Clerk James Hudson.

Mayor Strazdas began reading the Agenda Outline to determine if there were any questions or concerns with the Agenda for March 14, 2017.

Councilmember Reid asked about the letter from Mitch Clark, 706 West Osterhout, who expressed a concern about the density of the development, and whether the Administration had reached out to him. City Manager Shaffer responded that he personally had not contacted him and would check with Community Development Director Vicki Georgeau on this. In answer to her question of when the letter was presented to the City, City Clerk James Hudson indicated that it came after the Planning Commission Meeting.

Councilmember Reid highlighted Item F.1, in anticipation of the confirmation of the appointment of Nicholas J. Arnold as the Director of Public Safety – Police Chief/Fire Chief.

Councilmember Reid asked about the Bond in Item F.2, and using the bond mechanism to purchase some items with a life of only ten years, and vehicles and equipment with a life of only five years, when the language in the document calls for items with at least a 20-year life span. City Manager Shaffer indicated he would check with Finance Director Bill Furry to see if the language needs to be “tuned up.” He noted that Portage can borrow for all of these items using the bond approach and, typically within the bond itself, each item is paid off at different rates; for example, the vehicles will be paid off in ten years (he later corrected himself and indicated five years), the technology items in ten years, and the longer term issues in twenty years; and he said that the bond payment is scheduled to meet the life of the investment. He promised a formal answer to her inquiry.

Councilmember Reid asked if the maximum life of the bond is twenty-five years, will any of the items reach the twenty-fifth year, and Mr. Shaffer explained that if the life of the investment is twenty five years, then the bond will extend to the full twenty-five years.

Councilmember Reid asked if the City is mortgaging the vehicles for ten years, knowing their life is only five years, and Mr. Shaffer indicated that the vehicles will all be paid off in five years. He said he would have Mr. Furry set up a schedule for Council review. She asked if Mr. Furry could also provide where the best windows might present themselves for refinancing the Bonds or paying them off depending on the financial status of the City at a given time. Mr. Shaffer assured her that he would ask Mr. Furry to provide that schedule and indicate which bonds are callable and which are

DRAFT

not (term bonds, for example), recognizing that over the past two or three years, the City has been pulling callable bonds forward and refinancing them.

Mayor Strazdas asked about the overarching plan between the Administration and City Council to get more cash, to reduce debt, to take on less debt and to avoid going on the debt plan. Mr. Shaffer responded that seven years ago, the City had \$107 million in debt and now has about \$67 million in debt; also, this year the City will retire about \$7 million in debt principle even though the City was originally scheduled to borrow over \$6 million and the proposed amount is slightly over \$3.5 million. Mayor Strazdas thanked Councilmember Reid and Mr. Shaffer for their explanations that show the City is still on a tremendous path to being debt free.

Councilmember Reid asked for a bid tabulation of the quotes obtained by Director of Technology Services Devin Mackinder, who obtained prices from three other vendors in his quest to find the lowest cost for network switches in Item F.6 in order to see what other vendors were considered compared to the NASPO cooperative purchasing program. Mr. Shaffer responded he would get that for her. Deputy City Manager Rob Boulis agreed with Mr. Shaffer and indicated that this was not done through the typical Request for Proposal (RFP) procedure as part of the reason for not providing the bid tabulation. She recognized that it was an informal search for comparable items to make sure that the NASPO price was a good one, and she recalled talking about these switches seven years ago.

Mayor Strazdas recalled the discussion of a Council Policy with regards to a single source as a heads up of the need for a draft of a Single Source Policy for Council to consider perhaps within the next month that would include single source to cooperatives.

Councilmember Reid indicated that she was befuddled because she did not recall the motion from Councilmember Urban, seconded by Councilmember Pearson, to bring a prepared Resolution of Support for the Kalamazoo County Identification Card Program at the next City Council Meeting. She did recall the short motion “that the Portage City Council expresses humanitarian support for the Kalamazoo County Identification Card Program.” She complained that the draft Resolution is very large with a bunch of “Whereas” and a “Now, Therefore” and that it does not include all of the reasons why Council would support this. She supported a smaller Resolution that states Council supports this concept. Deputy City Manager Boulis noted the motion at the end of the item from Councilmember Urban, seconded by Councilmember Pearson, to bring a prepared Resolution of Support for the Kalamazoo County Identification Card Program to the next City Council meeting, and Councilmember Reid did not acknowledge it, but recounted some of what Councilmember Urban said at the meeting regarding the importance of the Card Program. Mr. Hudson recounted the motion as he recalled it at the meeting and indicated that he would check his recording to confirm what happened.

Councilmember Reid objected to the draft Resolution because it needs to be very simple, plus it would be “more convoluted to bring everything in.” Mayor Strazdas recounted his recollection of the meeting and said Council agreed to “put it down in words” and indicated that the document as presented is more than the direction Council was headed. He noted Council agreed to go in this direction, wanted it to be short and

DRAFT

sweet, yet in a resolution format. He contended that Council requested it be in a Resolution format. He felt that there is no reason to weigh in on matters where someone wants to do social good for the world, especially in our back yard, the County, the State or a neighboring community as a persuasion for action.

Councilmember Reid agreed that it should be less rather than more, and pointed out that Council was going to come up with a policy in cases where people are asking for support that may not have any impact on the City of Portage. She recognized that Portage has a history of how we have been doing that, but we really do not have a policy. Mayor Strazdas concurred that it would help the Mayor and the City Clerk because he gets asked for a Resolution for “whatever from who knows what group.” He mentioned that he reviews the requests and may find that he has to reject them, or he may find that the request is more local, good for Portage and does not put Portage in a negative position. He pointed out that Mr. Hudson also does some vetting of the request; or, a Councilmember may champion a cause, and he has no problem bringing those requests to Council for consideration. He agreed a policy is needed and asked that the Administration work on a policy that can help make the decisions in these matters. Where the request is borderline, he said the policy should indicate which ones should be brought to Council to determine whether or not a Resolution is warranted. He said that Council did decide in this case to adopt a Resolution, but a policy would be helpful.

Under G.1, Presentation by Kalamazoo County Consolidated Dispatch Authority Executive Director Jeff Troyer, Councilmember Reid indicated that Mr. Troyer will be by himself speaking as the Executive Director of the Authority so he cannot ask people to vote in favor of this ballot question. As a member of the Campaign Committee, she wanted to be able to ask for the vote, so as a matter of process, she asked if it was appropriate that she relinquish her position at the dais, go to the podium to ask for the vote, and return to the dais. Mayor Strazdas deferred to City Attorney Randy Brown for her answer. Mr. Shaffer offered to call Mr. Brown, work with him on it, and have her call him afterwards.

ADJOURN: Mayor Strazdas adjourned the meeting at 8:20 a.m.

James Hudson, City Clerk

**MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL
STUDENT MAYOR AND CITY COUNCIL FOR THE DAY OF MARCH 14, 2017**

Mayor Peter Strazdas called the meeting to order at 8:00 a.m. in Council Chambers and provided a summary of the planned activities of the day. The following members of City Council were present: Councilmembers Richard Ford, Claudette Reid, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Councilmember Terry Urban arrived at 8:10 a.m. Councilmembers Jim Pearson and Patricia M. Randall were absent with notice and excuse. Also in attendance were City Manager Laurence Shaffer and City Clerk James Hudson.

Present from Portage Northern High School were: Jessie Beadle, Scotty Fargo, Sarah Headapohl, Zachary Pierangeli and Francesca Riehl. Also present was Student Advisor Kelli Pittman.

Present from Portage Central High School were: Jenna Braford, Ella Hoffman, Devin Jaqua, Emma Kite, Minh Le, Colin Palmer and Cristina Postula.

Mayor Strazdas discussed the role of the City Council as policymakers and the various taxing entities in the County. At the request of Mayor Strazdas, City Manager Larry Shaffer reviewed the role of the City Manager. Each Councilmember and Mayor Strazdas provided a discussion of how he or she perceives his or her duties and responsibilities as members of Council and outside Board memberships. At the request of Mayor Strazdas, City Clerk Hudson discussed elections, voter registration and encouraged the students to consider helping citizens through a career in government. Discussion and a question and answer session followed.

At the request of Mayor Strazdas, City Manager Larry Shaffer reviewed the various Departments of the City and discussion followed.

RECESS: 9:30 a.m.

Mayor Strazdas, the City Councilmembers and the students went on a tour of the Portage City Hall.

RECONVENE: 9:50 a.m.

City Councilmembers and the students met in Council Chambers and Mayor Strazdas asked the students to tell everyone what they felt are the important issues for the community.

RECESS: 10:16 a.m.

City Councilmembers and the students went on a tour of the Portage Police Station and Portage Fire Station No. 1.

RECONVENE: 11:20 a.m.

After a discussion of the tour of the City of Portage Public Safety Department, Mayor Strazdas invited the student participants to eat lunch. He asked each student to campaign in

DRAFT

anticipation of the vote for Student Mayor and Student Councilmember for the Day and to disclose whether they could attend the City Council Meeting later at 7:30 p.m. Discussion followed.

Following the student speeches, City Clerk James Hudson and Deputy City Clerk Adam Herringa led the process for voting in the Mayor and City Councilmember for the Day Election.

The election for Student Mayor for the Day followed, and Ella Hoffman was declared the winner of the Student Mayor for the Day position. Discussion followed.

The election for Student Councilmembers for the Day followed. Discussion followed.

The following students were elected Student Councilmembers for the Day from Portage Northern High School: Scotty Fargo, Sarah Headapohl and Zachary Pierangeli as Student Councilmembers for the Day; and, from Portage Central High School: Devin Jaqua, Colin Palmer and Cristina Postula as Student Councilmembers for the Day. Discussion followed.

Mayor Strazdas thanked all of the students for participating and wished them success and asked each of them to give it their “all” each day so the community can get better and thanked City Council for participating.

ADJOURN: Mayor Strazdas adjourned the meeting at 12:40 p.m.

James R. Hudson, City Clerk

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of March 14, 2017 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks and auto-pay payments. The attached Accounts Payable Register covers the period February 12, 2017 through February 26, 2017 and notes \$599,104.20 in automated clearing house payments, \$191,989.06 in paper checks and \$80,742.68 in auto-pay payments for a grand total of \$871,835.94.

FUNDING: N/A

Attachments: 1. Accounts Payable Register

ACCOUNTS PAYABLE REGISTER
Check Dates From: 2/12/2017 To: 2/26/2017

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
02/15/2017	6383(A)	MAICO INDUSTRIES, INC.	TRAFFIC SIGNAL POLES	153,873.00
02/24/2017	6384(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SERVICES	22,779.28
02/24/2017	6385(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMP SERVICES	4,204.09
02/24/2017	6386(A)	AIRGAS GREAT LAKES	CLINDER RENTAL	87.08
02/24/2017	6387(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARDS	2,804.22
02/24/2017	6388(A)	ALL-TRONICS, INC.	FIRE ALARM MONITORING	81.00
02/24/2017	6389(A)	ALRO STEEL CORPORATION	FLEET MAINTENANCE	253.17
02/24/2017	6390(A)	APOLLO FIRE APPARATUS REPAIR	VEHICLE REPAIRS	302.28
02/24/2017	6391(A)	APOLLO FIRE EQUIPMENT COMPANY	VEHICLE SUPPLIES	2,316.49
02/24/2017	6392(A)	APPROVED PROTECTION SYSTEMS	DPS DOOR REPAIR	575.00
02/24/2017	6393(A)	ARGUS-HAZCO	MAINTENANCE SUPPLIES	15.20
02/24/2017	6394(A)	ARROW UNIFORM RENTAL	ENTRY RUG RENTAL	93.79
02/24/2017	6395(A)	BILL'S LOCK SHOP, INC.	LOCK REPAIRS	3,495.00
02/24/2017	6396(A)	BLUE CARE NETWORK-GREAT LAKES	HEALTH INSURANCE	164,256.12
02/24/2017	6397(A)	BRENNER OIL CO.	GASOLINE	17,558.59
02/24/2017	6398(A)	C D W GOVERNMENT, INC.	COMPUTER MONITOR	7,632.82
02/24/2017	6399(A)	C M P DISTRIBUTORS, INC.	BULLET PROOF VESTS	3,649.00
02/24/2017	6400(A)	CARRIER & GABLE	TRAFF SIG MAINT SUPP	6,471.50
02/24/2017	6401(A)	CHARTER COMMUNICATIONS	CABLE TV SERVICES	100.58
02/24/2017	6402(A)	CONTINENTAL LINEN SERVICES	RUG SERVICE	118.22
02/24/2017	6403(A)	CPS HR CONSULTING	FIRE PROMOTION TEST	349.60
02/24/2017	6404(A)	CROWN TROPHY	PLAQUE	70.00
02/24/2017	6405(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	18,014.21
02/24/2017	6406(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC REPAIRS	4,092.78
02/24/2017	6408(A)	EG WORKFORCE SOLUTIONS	TEMP SERVICES	480.08
02/24/2017	6409(A)	ENGINEERED PROTECTION SYSTEMS, INC.	ALARM SYSTEM MONITOR	413.01
02/24/2017	6410(A)	ETNA SUPPLY, INC.	PLUMBING SUPPLIES	145.38
02/24/2017	6411(A)	EXTREME POWER EQUIPMENT, INC.	REPAIR PLOW	90.00
02/24/2017	6412(A)	FARM N GARDEN	FENCING SUPPLIES	459.80
02/24/2017	6413(A)	FURRY, WILLIAM	OPERATING SUPPLIES	834.75

ACCOUNTS PAYABLE REGISTER
Check Dates From: 2/12/2017 To: 2/26/2017

Check Date	Check	Vendor Name	Description	Amount
02/24/2017	6414(A)	GORDON WATER SYSTEMS	BOTTLED WATER	220.00
02/24/2017	6415(A)	GRIFFIN PEST SOLUTIONS, INC.	BLDG REPAIR/MAINT	260.00
02/24/2017	6416(A)	HOFFMAN BROTHERS, INC.	RETAINAGE RELEASE	1,014.84
02/24/2017	6417(A)	INDUSCO SUPPLY CO., INC.	ICE MELT	378.92
02/24/2017	6418(A)	INTERNATIONAL CODE COUNCIL, INC	BUILDING CODE REGS	128.00
02/24/2017	6419(A)	JACK DOHENY SUPPLIES INC.	VACTOR TUBES	220.08
02/24/2017	6420(A)	JONES & HENRY ENGINEERS, LTD	ENGINEERING SERVICES	2,020.03
02/24/2017	6421(A)	KAHN, WILMA	INSTRUCTOR PAYMENT	192.00
02/24/2017	6422(A)	KUSHNER & COMPANY, INC.	MONTHLY FEES	288.88
02/24/2017	6423(A)	LAWSON PRODUCTS, INC	MAINTENANCE SUPPLIES	1,088.70
02/24/2017	6424(A)	MAIN STREET PORTRAITS INC	COMPOSITE PHOTOS	2,416.00
02/24/2017	6425(A)	MATERIALS RESOURCES	MATERIALS RESOURCES	373.75
02/24/2017	6426(A)	MAURER'S TEXTILE RENTAL SERVICES	UNIFORM RENTALS	162.16
02/24/2017	6427(A)	MEEKHOF TIRE SALES & SERVICE INC.	VEHICLE MAINT/REPAIRS	1,306.00
02/24/2017	6428(A)	MEJEUR ELECTRIC LLC	ELECTRICAL MAINT	88.00
02/24/2017	6429(A)	MICHIGAN ELECTION RESOURCES, LLC	VOTER ID CARDS	460.00
02/24/2017	6430(A)	NEW FRESH CLEANING SERVICE	JANITORIAL SERVICES	1,253.00
02/24/2017	6431(A)	NORMAN CAMERA CO.	CAMERAS	964.50
02/24/2017	6432(A)	O'BOYLE-COLWELL-BLALOCK & AS.	ENGINEERING SERVICES	2,676.00
02/24/2017	6433(A)	PARADIGM DESIGN, INC.	PROFESSIONAL SERVICE	1,475.00
02/24/2017	6434(A)	PCM SALES, INC.	MEDIA CONVERTERS	224.30
02/24/2017	6435(A)	PORTAGE FIREFIGHTERS	IAFF DUES FEB	1,726.08
02/24/2017	6436(A)	PORTAGE ON-CALL FIREFIGHTERS	ON CALL FF DUES FEB	80.00
02/24/2017	6437(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA DUES FEB	756.00
02/24/2017	6438(A)	PREIN & NEWHOF	ENGINEERING SERVICES	585.00
02/24/2017	6439(A)	R P M MACHINERY, LLC	REPAIR SUPPLIES	468.09
02/24/2017	6440(A)	RIDGE AUTO NAPA	FIRE APPARATUS MAINT	1,285.22
02/24/2017	6442(A)	RIETH-RILEY CONSTRUCTION CO., INC	COLD PATCH	311.20
02/24/2017	6443(A)	ROAD EQUIPMENT PARTS CENTER	REPAIR/MAINT	425.55
02/24/2017	6444(A)	ROE-COMM, INC.	ANTENNA	236.50
02/24/2017	6445(A)	S B F ENTERPRISES, INC.	PRINTING & PROCESSING	2,614.21

ACCOUNTS PAYABLE REGISTER
Check Dates From: 2/12/2017 To: 2/26/2017

Check Date	Check	Vendor Name	Description	Amount
02/24/2017	6446(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL WORK	43,091.10
02/24/2017	6447(A)	SIMMONS FORD	REPAIR/MAINTENANCE	208.51
02/24/2017	6448(A)	SNELL, DEBRA	INSTRUCTOR PAYMENT	168.00
02/24/2017	6449(A)	TRI-COUNTY INTERNATIONAL TRUCKS INC	DUMP TRUCK	105,340.00
02/24/2017	6450(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UNION DUES FEB	450.56
02/24/2017	6451(A)	UNITED PETROLEUM	FUEL PUMP MAINTENANCE	1,179.00
02/24/2017	6452(A)	VANDERVEEN, LAUREN	EMPLOYEE TRAINING	99.00
02/24/2017	6453(A)	VISION SERVICE PLAN (OH)	VISION PLAN	2,158.42
02/24/2017	6454(A)	W W GRAINGER INC	HAND TOOLS	611.40
02/24/2017	6455(A)	WESTERN MICHIGAN INT'L TRUCKS	FUEL FILTER UNIT 150	1,455.86
02/24/2017	6456(A)	WOLVERINE LAWN SERVICE, INC.	SNOW PLOWING	2,634.56
02/24/2017	6457(A)	XEROX CORPORATION	XEROX SERVICE AGREEM	393.74
			ACH SUBTOTAL:	599,104.20

Check Type: Paper Check

02/14/2017	301402	CVS CAREMARK	BOR TAX REFUND	705.09
02/14/2017	301403	NATIONAL COUNCIL ON THE AGING	CLASS FEE	1,200.00
02/14/2017	301404	NICK HUFFMAN	PROFESSIONAL SERVICE	300.00
02/14/2017	301405	STATE OF MICHIGAN (DEPT LABOR)	ACT 54 LICENSING	100.00
02/15/2017	301406	GRAMPAS PASTYS LLC	CATERING SERVICES	304.00
02/21/2017	301407	A T & T	TELEPHONE SERVICE	4,517.48
02/24/2017	301408	4IMPRINT, INC.	HR JOB FAIR DISPLAY	353.15
02/24/2017	301409	A PIZZA YEN	EVENT MEAL PAYMENT	58.76
02/24/2017	301410	A T & T LONG DISTANCE	LONG DISTANCE - CENTREX	12.62
02/24/2017	301411	ADP, INC.	PAYROLL PROCESSING	867.10
02/24/2017	301412	ALLEGRA PRINT & IMAGING	CHORAL FLYER PRINTING	671.40
02/24/2017	301413	AUTOBODY USA - SOUTHSIDE	VEHICLE MAINT/REPAIRS	1,526.21
02/24/2017	301414	BLUE CROSS/BLUE SHIELD OF MICH	HEALTH INSURANCE	3,132.61
02/24/2017	301415	BORGESS HEALTH ALLIANCE	CLANDESTINE PHYSICAL	727.00
02/24/2017	301416	BRINK'S, INC	BANK DEPOSIT DELIVERY	310.29
02/24/2017	301417	BRINKMAN, SALLY	ACTIVITY REFUND	55.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 2/12/2017 To: 2/26/2017

Check Date	Check	Vendor Name	Description	Amount
02/24/2017	301418	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAWS	200.00
02/24/2017	301419	CAMPBELL AUTO SUPPLY	AUTO SUPPLIES	102.50
02/24/2017	301420	CARLETON EQUIPMENT CO.	CUTTING EDGE	1,869.85
02/24/2017	301421	CORE TECHNOLOGY CORP.	TALON SOFTWARE RENEW	3,410.00
02/24/2017	301422	DOSTER, KYLE	TRAINING REIMBURSEME	229.90
02/24/2017	301423	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	5,667.13
02/24/2017	301424	FIRE DEPARTMENT TRAINING NETWORK	ANNUAL MEMBERSHIP	240.00
02/24/2017	301425	FLOWER SHOW PRODUCTIONS INC	TRIP PAYMENT	393.00
02/24/2017	301426	FREDERICKSEN, RONALD W	REFUND DUP PYMT	40.59
02/24/2017	301427	GOLDEN WEST INDUSTRIAL SUPPLY, INC.	REFLECTIVE TAPE	173.49
02/24/2017	301428	GORNO FORD	NEW FIRE VEHICLE	45,967.00
02/24/2017	301429	GRAHAM, JUDY	WATER DIST SYSTEM OP	112.00
02/24/2017	301430	GREAT NORTHERN POPCORN CO	EVENT EQUIPMENT	279.97
02/24/2017	301431	GREATER KALAMAZOO COMMUNITY SERVICE	SENIOR EXPO TABLE	100.00
02/24/2017	301432	GREATER KALAMAZOO FOP LODGE 98	FEBRUARY 2017 UNION	3,459.96
02/24/2017	301433	GREATER KALAMAZOO UNITED WAY	UNITED WAY FEB	855.84
02/24/2017	301434	HALT FIRE, INC.	FIRE APPARATUS MAINT	112.66
02/24/2017	301435	HAMILTON, PAUL & PATRICIA	RENTAL DEPOSIT REFUND	100.00
02/24/2017	301436	HEALY, EDWARD & BARBARA	TRIP REFUND	154.00
02/24/2017	301437	HEARD, TERESA	RENTAL DEPOSIT REFUND	100.00
02/24/2017	301438	HOME DEPOT	BUILDING MAINT SUPPL	377.03
02/24/2017	301439	INT'L ASSOC OF FINANCIAL CRIMES INV	MEMBERSHIP - DYLHOFF	65.00
02/24/2017	301440	INT'L ASSOC OF FINANCIAL CRIMES INV	MEMBERSHIP -TAFEE	100.00
02/24/2017	301441	INT'L ASSOC OF FIRE CHIEFS	FIRE OPS TRAINING	1,190.00
02/24/2017	301442	INT'L PUBLIC MGT ASSOC FOR HR	POLICE CORP/SGT TEST	183.35
02/24/2017	301443	J & B PROFESSIONAL TREE SERVIC	ZYLMAN DEAD TREE REM	3,500.00
02/24/2017	301444	J J KELLER & ASSOCIATES, INC.	PUBLIC SAFETY SIGNS	126.14
02/24/2017	301445	JC PENNEY CORPORATION, INC.	2016 MTT REFUND	11,310.18
02/24/2017	301446	KALAMAZOO COUNTY TREASURER	TAX REFUND	564.46
02/24/2017	301447	KENDALL AUTO REPAIR, INC.	VEHICLE ALIGNMENT	76.50
02/24/2017	301448	KNOX CO.	KEY SECURE REPAIR	88.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 2/12/2017 To: 2/26/2017

Check Date	Check	Vendor Name	Description	Amount
02/24/2017	301449	KOZAR, MARIE	ACTIVITY REFUND	45.00
02/24/2017	301450	KUIPER BROTHERS MOVING INC.	STORAGE RENTAL	376.00
02/24/2017	301451	KZOO CO ADVOCATES FOR SENIOR ISSUES	ANNUAL MEMBERSHIP	50.00
02/24/2017	301452	KZOO TIRE COMPANY	PD VEH TIRES	135.00
02/24/2017	301453	MARTINEZ, IVAN	RENTAL DEPOSIT REFUND	34.00
02/24/2017	301454	MCNALLY ELEVATOR CO.	BLDG REPAIR/MAINT	126.15
02/24/2017	301455	MED EXPRESS URGENT CARE, PC MICH	DOT PHYSICALS	190.00
02/24/2017	301456	MEDILODGE OF PORTAGE	EVENT VENDOR PAYMENT	325.50
02/24/2017	301457	MENARDS, INC	DPS BUILDING SUPPLIE	46.36
02/24/2017	301458	MI DEPT OF LICENSING & REGULATORY AFF	TRADEMARKING-CITY LOGO	50.00
02/24/2017	301459	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR	4,047.42
02/24/2017	301460	MICHIGAN STATE TAX COMMISSION	TRAINING FEES	1,000.00
02/24/2017	301461	MIDWEST ENERGY COOPERATIVE	STREETLIGHT COSTS	279.24
02/24/2017	301462	MIGALA CARPET ONE, INC.	PPD ANEX CARPET	16,925.67
02/24/2017	301463	MILLS, DANIEL	TRAINING REIMBURSEMENT	339.60
02/24/2017	301464	MLIVE MEDIA GROUP	CLASSIFIED ADS	1,100.42
02/24/2017	301465	MMTA	2017 MMTA MEMBERSHIP	50.00
02/24/2017	301466	MUSKEGON COUNTY EQUALIZATION	CONTINUING EDUCATION	60.00
02/24/2017	301467	NASON, RICHARD	FIRE OPS TRAINING	543.26
02/24/2017	301468	NATIONAL FIRE PROTECTION ASSOC	FIRE PREVENTION SUPP	250.25
02/24/2017	301469	NOBLE, LINDA	TRIP REFUND	79.00
02/24/2017	301470	NORTHERN TOOL & EQUIPMENT CATALOG	TRUCK TOOL BOXES	749.66
02/24/2017	301471	NYE UNIFORMS	UNIFORMS	1,344.93
02/24/2017	301472	O'REILLY AUTO PARTS	REPAIR SUPPLIES	259.87
02/24/2017	301473	OFFICE DEPOT, INC.	OFFICE SUPPLIES	611.47
02/24/2017	301475	OUTERWEARS, INC.	PREFILTERS	253.90
02/24/2017	301476	PURE FISHING, INC.	FISHING FAIR SUPPLIES	2,209.22
02/24/2017	301477	RATHCO SAFETY SUPPLY, INC.	SIGNAGE COSTS	1,271.50
02/24/2017	301478	RENEWED EARTH, INC.	LEAF/BRUSH REMOVAL	7,916.66
02/24/2017	301479	SCHMITT, TRACY	HR CERTIFICATION	1,095.00
02/24/2017	301480	SKILLPATH SEMINARS	EMPLOYEE TRAINING	499.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 2/12/2017 To: 2/26/2017

Check Date	Check	Vendor Name	Description	Amount
02/24/2017	301481	SNAP-ON INDUSTRIAL	SCBA MAINTENANCE	795.92
02/24/2017	301482	SOS TECHNOLOGIES	EMS SUPPLIES	4,459.80
02/24/2017	301483	SPARKLE BUGGY CAR WASH, INC	CAR WASHES	46.00
02/24/2017	301484	SPARTAN DISTRIBUTORS INC.	CASTOR BUSHINGS	124.53
02/24/2017	301485	STATE OF MICHIGAN	PPD TRAINING -TACKETT	40.00
02/24/2017	301486	STATE OF MICHIGAN (DOT)	TS ENERGY CHARGES	824.16
02/24/2017	301487	STATE SYSTEMS RADIO, INC	TOWER RENTAL	1,887.50
02/24/2017	301488	STEVE TANNER	FIRE OPS TRAINING	539.43
02/24/2017	301489	SUPERIOR BUSINESS SOLUTIONS	CUSTOMIZED PORTFOLIO	520.18
02/24/2017	301490	SWT EXCAVATING, INC	SEWER REPAIRS	4,574.67
02/24/2017	301491	TRACTOR SUPPLY CORP.	ELIASON SUPPLIES	67.96
02/24/2017	301492	TREYSTAR HOLDINGS LLC	TAX OVERPAYMENT	74.91
02/24/2017	301493	U S POSTAL SERVICE	POSTAGE METER	3,000.00
02/24/2017	301494	ULINE, INC.	SAFETY SUPPLIES	913.82
02/24/2017	301495	UNION STREET HYDRAULICS	DUMP BOX CYLINDER	4,876.36
02/24/2017	301496	UNITED PARCEL SERVICE	WEEKLY DELIVERY SERV	17.36
02/24/2017	301497	USABLUBOOK	HYDRANT METERS	2,601.80
02/24/2017	301498	VARIDESK LLC	OFFICE EQUIPMENT	15,345.40
02/24/2017	301499	VARTEC, LLC	DICTATORS	907.90
02/24/2017	301500	VERIZON WIRELESS SERVICES, LLC	WIRELESS SERVICES DE	1,928.34
02/24/2017	301501	W MICH CRIMINAL JUSTICE TRAINING CO	SPRING DISTRIBUTION	1,866.69
02/24/2017	301502	WELLER TRUCK	VEHICLE MAINT/REPAIRS	590.00
02/24/2017	301503	WESTERN MICH ASSOC OF FIRE CHIEFS	ANNUAL MEMBERSHIPS	75.00
02/24/2017	301504	WITMER PUBLIC SAFETY GROUP	GENERATOR (NEW 1241)	1,603.97
02/24/2017	301505	WRAPS N SIGNS	C-MAX COLOR WRAPS	3,016.00
02/24/2017	301506	XEROX CORPORATION	STAPLE REPLACEMENT	184.00
02/24/2017	301507	YEO & YEO	AUDIT SERVICES	2,000.00
02/24/2017	301508	YOUNGS, POLLY	TRIP REFUND	99.00
02/24/2017	10063	PETTY CASH-DEREK HENSON	REPLENISHMENT CHECK	235.92
02/24/2017	10064	PETTY CASH-HOLLY CERNY	REPLENISHMENT CHECK	519.10
			PAPER CHECK SUBTOTAL:	191,989.06

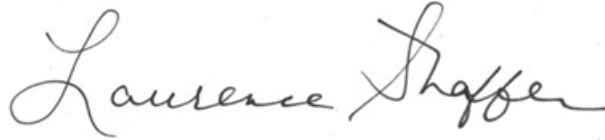
ACCOUNTS PAYABLE REGISTER
Check Dates From: 2/12/2017 To: 2/26/2017

Page 7 of 7

Check Date	Check	Vendor Name	Description	Amount
Check Type: Auto-Pay Payments				
2/13/2017	4506	CONSUMERS AUTO-PAY	GAS-ELECTRICITY	2,483.93
2/14/2017	4512	CONSUMERS AUTO-PAY	GAS-ELECTRICITY	2,614.64
2/15/2017	4462	RANDALL BROWN & ASSOC.	ATTORNEY PAYMENT	18,810.00
2/17/2017	4541	CONSUMERS AUTO-PAY	GAS-ELECTRICITY	50,351.20
2/22/2017	4565	CONSUMERS AUTO-PAY	GAS-ELECTRICITY	6,393.04
2/23/2017	4570	CONSUMERS AUTO-PAY	GAS-ELECTRICITY	89.87
			AUTO-PAY SUBTOTAL:	80,742.68
			GRAND TOTAL:	871,835.94

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Industrial Tax Abatement Application: Stryker Instruments (6520 Portage Road)

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council:

1. adopt Resolution No. 4-17, approving the Industrial Facilities Exemption Certificate for Stryker Corporation, Instruments Division; and
2. approve the tax abatement agreement and affidavit between the City of Portage and Stryker Corporation, Instruments Division.

On February 14, 2017, City Council accepted a request from the Stryker Corporation, Instruments Division to create an Industrial Development District (IDD) at 6520 Portage Road and an associated PA 198 tax abatement application for a real and personal property tax abatement. On February 28, 2017, City Council approved Resolution No. 2-16 to create IDD No. 92. At this meeting, Council was also provided a preliminary analysis of the tax abatement application package, a review of the approval process, as well as the environmental analysis, project impact and property tax issues associated with the application.

As indicated in the application, Stryker Instruments plans to construct a 485,000-square-foot research and development facility over a two-year period, with a total investment of \$154,581,216 (\$143,718,466 in real property and \$10,862,750 in personal property improvements). As a result of the project, Stryker Instruments will retain 966 full-time equivalent employees and will add an additional 105 jobs within two years of project completion. The average annual salary of the existing and new employees is \$68,000.

The application is consistent with the adopted industrial tax abatement policy, and the significant investment being made with the project is acknowledged by the City Administration, which includes both building and site improvements. To facilitate this important R&D facility, approval of the tax abatement is recommended. In addition to approval of the industrial facilities exemption certificate, approval of the Affidavit with Regard to Fees and the Tax Abatement Agreement for a twelve year real property and a six-year personal property abatement period is also recommended.

FUNDING: Not Applicable

Attachments: 1. Resolution No. 4-17

2. Tax Abatement Agreement
3. Affidavit With Regard to Fees

**CITY OF PORTAGE, MICHIGAN
RESOLUTION NO. 4-17**

**APPROVING THE APPLICATION OF
STRYKER CORPORATION, INSTRUMENTS DIVISION
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR THE FACILITY IN PORTAGE INDUSTRIAL DEVELOPMENT
DISTRICT NO. 92**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on the day of _____, 2017 at 7:30 p.m., local time at the City Hall in the City of Portage.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember _____, and supported by

Councilmember _____.

WHEREAS, pursuant to 1974 PA 198, MCLA Sec. 207.551 et seq., after a duly noticed public hearing held on the _____ day of _____, 2017, this Council by resolution, established Portage Industrial Development District No. 92 as requested by STRYKER CORPORATION, INSTRUMENTS DIVISION sole owners of the property therein described; and;

WHEREAS, by resolution adopted _____, 2017, the City Council accepted the application of STRYKER CORPORATION, INSTRUMENTS DIVISION for an Industrial Facilities Exemption Certificate for a new facility and equipment to be installed in the Portage Industrial Development District No. 92, and directed the City Clerk to notify the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes on the property located within said Industrial Development District No. 92, that the application for the Facilities Exemption Certificate would be considered at a meeting of the City

Council on _____, 2017, and that an opportunity to be heard would be provided to the Assessor and to a representative of each of the bodies so notified; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Portage after granting this certificate **will exceed 5%** of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property exempted.

WHEREAS, during a regular meeting of the City Council held _____, 2017, the applicant, the Assessor and representative of the affected taxing units were afforded an opportunity to be heard:

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That this City Council finds:

- (a) That the construction of the facility had not begun earlier than six (6) months before _____, the date of acceptance of the application for the Industrial Facilities Exemption Certificate;
- (b) That the application relates to a program which when completed will constitute a new facility within the meaning of 1974 PA 198 and will be situated in Portage Industrial Development District No. 92 (STRYKER CORPORATION, INSTRUMENTS DIVISION) established in Portage on _____, 2017 by resolution of the City Council;
- (c) That completion of facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment, retain employment, or prevent a loss of employment in the City of Portage.
- (d) That the application applies to a new facility and equipment;
- (e) That the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Portage, after granting this certificate, will be _____ percent of an amount equal to the sum of SEV of the City plus the SEV of personal and real property thus exempted; however, the City Council specifically finds that the granting of the exemption applied for will not have the effect of substantially impeding the operation of the City of Portage, or impairing the financial soundness of any taxing unit that levies an ad valorem property tax in the City of Portage.

That the application of STRYKER CORPORATION, INSTRUMENTS DIVISION for an Industrial Facilities Exemption Certificate with regard to the construction of a new facility and equipment located in Portage Industrial Development District No. 92 (STRYKER CORPORATION, INSTRUMENTS DIVISION) be and is hereby approved for a period of ____ years for the machinery and equipment (personal property) with an ending date of _____, and ____ years for the building (real property) with an ending date of _____, and is conditioned upon execution of an agreement between STRYKER CORPORATION,

INSTRUMENTS DIVISION and the City. STRYKER CORPORATION, INSTRUMENTS DIVISION may, within the final year in which the certificate is effective, apply for another certificate. If the City disapproves of said application, there is no right of appeal of that decision.

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

ADOPTED: AYES: COUNCILMEMBER _____

NAYS: COUNCILMEMBER _____

ABSENT: COUNCILMEMBER _____

James R. Hudson, City Clerk

Certificate

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on the _____ day of _____, 2017, the original of which is in the official proceedings of the City Council.

James R. Hudson, City Clerk

PREPARED BY:
Randall L. Brown
Portage City Attorney
1662 East Centre Avenue
Portage, Michigan 49002

Approved as to Form:

Date: 2/16/2017

By: [Signature]

City Attorney

Z:\JODY\PORTAGE\INDUSTRIAL\STRYKER #92\RESOLUTION #4.012617.DOCX

TAX ABATEMENT AGREEMENT

This Agreement is made between THE CITY OF PORTAGE, a Michigan Municipal Corporation, of 7900 South Westnedge Avenue, Portage, Michigan 49002, hereinafter referred to as "CITY", and STRYKER CORPORATION, INSTRUMENTS DIVISION, a Michigan Corporation, of 6520 Portage Road, Portage, Michigan 49002, hereinafter referred to as "APPLICANT."

THE PARTIES AGREE AS FOLLOWS:

1. The CITY has established an industrial development district #92 in which the APPLICANT proposes to locate a facility in the City of Portage, County of Kalamazoo, State of Michigan and which is described as follows:

See attached.

2. The APPLICANT has filed an application (which is incorporated herein by reference) with the CITY requesting an industrial facilities exemption certificate ("certificate") for personal property and the building improvements located at 6520 Portage Road, Portage, Michigan, within Industrial Development District #92.

3. The APPLICANT has represented that the application relates to a new or replacement facility within the meaning of Public Act 198 of 1974, MCLA 207.551, et seq.

4. The term of the certificate granted by the CITY shall be six (6) years for personal property (machinery and equipment) and twelve (12) years for real property (building). This agreement shall remain in force as to each certificate granted for the term of said certificate.

5. The APPLICANT has represented to the CITY that granting of the certificate will enable the facility to be completed, which will have the reasonable likelihood to create employment, retain employment, and prevent a loss of employment within the CITY.

6. The APPLICANT agrees to maintain at least 966 existing employees and hire at least 105 new employees during the term of the certificate. Failure to hire and maintain these positions shall be considered a material breach of this Agreement unless APPLICANT can show by clear and convincing evidence that the breach was caused by unfavorable economic business conditions, loss of business, or some other reason beyond the control of APPLICANT.

7. The APPLICANT agrees to maintain the facility for the entire period of the Certificate within the CITY and not to move or relocate the facility, business, or any portion of either outside the industrial development district without first obtaining the permission of the CITY. If APPLICANT relocates the facility, business, or any portion of either outside of the industrial development district during the period in which the industrial facilities exemption certificate is in effect, the APPLICANT is liable to the CITY for an amount equal to the difference between the industrial facilities tax to be paid by the owner or lessee of that facility for that facility for the tax years remaining under the industrial facilities exemption certificate that is in effect and the general ad valorem property tax that the Applicant would have paid if the Applicant did not have an industrial facilities exemption certificate in effect for those years. The payment provided in this section shall be distributed in the same manner as the industrial facilities tax is distributed.

8. The APPLICANT agrees that during the term of the certificate, all CITY taxes shall be timely paid. Further, APPLICANT agrees that by accepting the benefits of the tax abatement, it waives appeal of personal and/or real property tax assessments concerning property which is the subject of the certificate. Appeal of the personal and/or real property taxes which is the subject of the certificate during the term of the certificate shall result in revocation of the certificate and/or termination of the district and APPLICANT shall repay to the CITY and all taxing authorities the amount of taxes that were abated by reason of the certificate.

9. The APPLICANT further agrees that during the term of the certificate, the APPLICANT shall be in full compliance with all applicable CITY codes.

10. The APPLICANT further agrees that during the term of the certificate, the APPLICANT shall not discriminate against any person on the basis of race, creed, color, sex, religious orientation, or other criteria not reasonably related to the job.

11. The APPLICANT further agrees to submit an annual project performance report to the CITY, addressed to City Council, provided under oath, setting forth the progress in attaining and maintaining the requirements of this Agreement and the provisions of the certificate application. Such reports shall be furnished in duplicate on or before July 1 of each year and shall contain, at minimum, the following:

- (a) The number of new jobs promised in the certificate and the actual number of new jobs created.
- (b) The number of employees at the time of the application and the current number of employees.
- (c) If projection for creation or retention of jobs was not reached, give explanation.
- (d) The estimated project cost given in the application and the actual project cost.
- (e) If actual project costs differ substantially from projected cost, give explanation.

12. The APPLICANT agrees that if employment has not been retained or reached as represented, the construction and/or expansion project has not been completed or expenditures made as described in the Application, or if APPLICANT fails to fulfill any other provision of this Agreement as well as the provisions of Act 198 of 1974, the CITY shall have the right to reduce the term or revoke the certificate and APPLICANT shall repay to the CITY and all taxing authorities the amount of taxes that were abated by reason of the certificate plus all accrued interest, penalties and administrative fees applicable to said tax exemptions in the amount as would be collected if the same were considered delinquent. Any payments due under this paragraph may be collected by either court proceedings or by adding to the next taxes due against the APPLICANT'S property on the next tax roll of the CITY.

13. After the certificate is issued, the CITY agrees to maintain the same in full force and effect during the term of the certificate, subject to any regulations and requirements of state law, and subject to any breach of the provisions of this agreement by APPLICANT.

14. The parties agree that the CITY, in approving the tax abatement, has relied on the actions, representations and promises (including the Application) of the APPLICANT. Default of any of the provisions of this Agreement may be enforced in law or equity. The parties agree that exclusive jurisdiction to resolve any disputes on this contract shall be Kalamazoo County, Michigan.

15. If the various sections and provisions of this Agreement shall be deemed to be declared by any court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of the Agreement as a whole or any section or provision hereof other than the section or provision so declared to be unconstitutional or invalid.

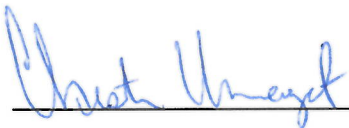
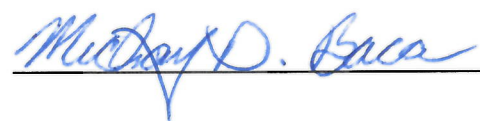
16. The benefits herein shall accrue to and the obligations hereof shall bind the successors, assignees, and transferees of the APPLICANT.

17. The APPLICANT further agrees that should ownership of the business and/or facility for which the Public Act 198 exemption certificate is issued be changed in the future, thereby requiring a hearing in front of the City of Portage Council under state law, that the transferee or new owner shall abide by all the terms and conditions of this Agreement, and that APPLICANT will communicate all terms and conditions of this Agreement to the transferee or new owner and assist the City in obtaining the signature of the authorized agent of the transferee or new owner on this Agreement or an identically worded Agreement.

By signatures of representatives of both the APPLICANT and the CITY below, it is understood that both the APPLICANT's investment in the project and the CITY's investment through the granting of a certificate is to encourage economic growth. It is also acknowledged that certain economic conditions can, at times, prohibit the maintenance of the APPLICANT's targeted status. It is understood that if such conditions exist at the time of the designated APPLICANT reports, the governing body of the CITY will carefully evaluate the APPLICANT's situation, and will inform the APPLICANT if any action is considered in order to give the APPLICANT an opportunity for correction.

Dated: 2-Mar-2017, 2017

WITNESSED:

STRYKER CORPORATION, INSTRUMENTS
DIVISION

By: 
Brent Lalomia
Its Vice President, Quality and Facilities
and on behalf of Stryker Corporation,
Instruments Division

CINDY L. WIBORN
NOTARY PUBLIC – STATE OF MICHIGAN
COUNTY OF KALAMAZOO
My Commission expires Oct. 9, 2017
Acting in the County of Kalamazoo

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

On this 2 day of March, 2017 before me personally came the above named Brent Lalomia, as Vice President, and on behalf of Stryker Corporation, Instruments Division, who acknowledges that he has read the foregoing Tax Abatement Agreement by him subscribed and knows the contents thereof, and that he has the authority of said corporation to execute this Agreement, and acknowledges that he executed the same as his free act and deed.

Cindy L. Wiborn
_____, Notary Public
Kalamazoo County, Michigan
My Commission Expires: Oct 9, 2017
Acting in Kalamazoo County, Michigan

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

CITY OF PORTAGE, a Michigan Municipal
Corporation

By: _____
Peter J. Strazdas
Its: Mayor

By: _____
James R. Hudson
Its: Clerk

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

On this _____ day of _____, 2017 before me personally came the above named Peter J. Strazdas and James R. Hudson, to me personally known, who being duly sworn, did and each for himself say that they are respectively the Mayor and Clerk of the municipal corporation named in and who executed the within instrument and that said instrument was signed on behalf of said corporation by authority of its City Council; and said Peter J. Strazdas and James R. Hudson acknowledge said instrument to be the free act and deed of said municipal corporation.

_____, Notary Public
Kalamazoo County, Michigan
My Commission Expires: _____

Prepared by:
Randall L. Brown
Portage City Attorney
1662 East Centre Avenue
Portage, Michigan 49002

Approved as to Form:
Date: 2/20/17
By: [Signature]
City Attorney

z:\jody\portage\industrial\stryker #92\tax abatement agreement.012617.docx

**AFFIDAVIT WITH REGARD TO FEES
OF 198 APPLICATION FOR
STRYKER CORPORATION, INSTRUMENTS DIVISION**

STATE OF MICHIGAN)
)ss.
COUNTY OF KALAMAZOO)

NOW COME Affiants, James R. Hudson and Brent Lalomia, and state as follows:

1. James R. Hudson is the City Clerk and an official for the City of Portage.
2. Brent Lalomia is the Vice President of the applicant, Stryker Corporation, Instruments Division, who is an applicant for an industrial facilities exemption certificate.

3. Affiants are aware of the following provision, being Section 5(3) of Act No. 198 of the Public Acts of 1974:

The local government unit may charge the applicant an application fee to process an application for an industrial facilities exemption certificate. The application fee shall not exceed the actual cost incurred by the local government or unit in processing the application or 2% of the total property taxes stated under this Act for the term that the industrial facilities exemption certificate is in effect, whichever is less. A local government unit shall not charge an applicant any other fee under this Act.

4. Affiants state that no payment of any kind in excess of the fee allowed by the above provision of Act 198 as amended has been made or promised in exchange for favorable consideration of an exemption certificate application.

5. Affiants realize that any fee, payment in lieu of taxes, donations, or any other such payments as a condition precedent to approving industrial facilities exemption certificates would be contrary to the legislative intent of Act 198.

6. Each affiant has the authority to make this affidavit on behalf of the entity he or she represents.

CITY OF PORTAGE, a Michigan Municipal
Corporation

Date: _____, 2017

By: _____
JAMES R. HUDSON
Its: City Clerk

Subscribed and sworn to before me this _____ day of _____, 2017.

APPROVED AS TO FORM
DATE 2/20/17

CITY ATTORNEY

Notary Public
Kalamazoo County, Michigan
My commission expires: _____
Acting in Kalamazoo County, Michigan

Stryker, Instruments Division,
a Michigan Corporation

Date: 2-March, 2017

By: Brent Lalomia
Brent Lalomia
Its: Vice President, Quality and Facilities
and on behalf of Stryker Corporation,
Instruments Division

Subscribed and sworn to before me this 2 day of March, 2017.

CINDY L. WISORN
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF KALAMAZOO
My Commission expires Oct. 9, 2017
Acting in the County of Kalamazoo

Cindy L. Wisorn

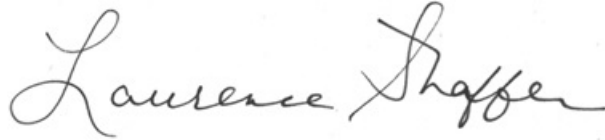
Notary Public
Kalamazoo County, Michigan
My commission expires: Oct 9, 2017
Acting in Kalamazoo County, Michigan

Prepared by:
Randall L. Brown
Randall L. Brown & Associates, PLC
City Attorney
1662 East Centre Avenue
Portage, MI 49002

Z:\JODY\PORTAGE\INDUSTRIAL\STRYKER #92\AFFIDAVIT FOR AGREEMENT.012617.DOCX

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Rezoning Application #16/17-3 (715 West Osterhout Avenue)

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council, subsequent to the public hearing, approve Rezoning Application #16/17-3 and rezone 715 West Osterhout Avenue from R-1C, one family residential, to PD, planned development.

A PD, planned development rezoning application and associated tentative plan/narrative has been submitted by SDV Development, LLC requesting to rezone an approximate 39-acre tract of land from R-1C, one family residential to PD, planned development. The applicant is proposing to construct a mixed residential condominium project consisting of 102 single family detached and attached residential dwellings. The project would have an overall density of approximately 2.6 units/per acre based on the entire 39-acre site; 3.5 units/per acre when excluding wetlands and upland areas along east side of wetlands. The project will include a clubhouse/pool, private streets, sidewalks, on-site trails and preservation of natural areas for the enjoyment of the residents

Condominium dwellings will range in size between 1,550 to 1,850 square feet and will maintain a minimum 40-foot building setback around the perimeter of the property, a minimum 20-foot separation and will be setback at least 25 feet from the interior private streets. To provide a peripheral transition area to future phases of the Stateland Park subdivision to the west, the applicant will construct single family detached condominium units along the western portion of the planned development.

In a report dated January 12, 2017, the Department of Community Development recommends approval of the PD rezoning request and tentative plan. The PD district and tentative plan submitted by SDV Development, LLC is consistent with the Comprehensive Plan/Future Land Use Map designations and surrounding zoning/land use pattern along West Osterhout Avenue.

The Planning Commission convened a public hearing during the January 5 and 19, 2017 meetings. The applicant was present to support the request and explain the development project. No citizens spoke during the public hearing and no citizen communications have been received. At the conclusion of the January 19 meeting, the Commission voted unanimously to recommend to City Council approval of Rezoning Application #16/17-3 with the same findings contained in the staff report. A letter from a citizen on West Osterhout Avenue was received by the City Clerk on March 8, 2017 and is attached as information for the Council.

Attached find the Planning Commission transmittal, Department of Community Development report and related materials for review.

FUNDING: Not Applicable

- Attachments:**
1. Ordinance Amendment
 2. February 3, 2017 Planning Commission transmittal
 3. January 5 and 19, 2017 Planning Commission Minutes
 4. January 12, 2017 Department of Community Development report
 5. March 8, 2017 communication from Mitch Clark

**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 _____, 20____, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 20____, at 7:30 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:

Parcel of land described as follows:

A parcel of land located in Section 33, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

Street Address

Parcel ID Numbers

715 West Osterhout Avenue

00033-160-O

From R-1C, one family residential, to PD, planned development, or any other classification permitted by law.

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: _____

James R. Hudson, City Clerk

(App #16/17-03)

Z:\JODY\PORTAGE\ORD\REZONE\16-17-03.DOCX

TO: Honorable Mayor and City Council
FROM: Planning Commission
DATE: February 3, 2017
SUBJECT: Rezoning Application #16/17-3, 715 West Osterhout Avenue

The Planning Commission convened a public hearing during the January 5th and 19th, 2017 meetings to consider the PD rezoning application submitted by SDV Development, LLC to rezone 715 West Osterhout Avenue from R-1C, one family residential to PD, planned development. The Commission also reviewed the development plan that proposes 102 single-family detached and attached residential condominium on approximately 39 acres. Mr. Pat Flanagan of Ingersoll, Watson & McMachen (applicant's engineer) and Mr. Mike Seeley of SDV Development, LLC were present at both meetings to support the proposed rezoning application and explain the development project. No citizens spoke at either meeting and no citizen communications have been received regarding the proposed rezoning and residential development.

After careful consideration, a motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to recommend to City Council that Rezoning Application #16/17-3 be approved and 715 West Osterhout Avenue be rezoned from R-1C, one family residential to PD planned development. The motion included the analysis and findings contained in the Department of Community Department including that the PD district and associated tentative plan/narrative submitted by SDV Development, LLC is consistent with the Comprehensive Plan/Future Land Use Map designations and surrounding zoning/land use pattern along West Osterhout Avenue. The motion was unanimously approved 8-0.

Sincerely,



Wayne Stoffer
Vice-Chairman



PLANNING COMMISSION

January 5, 2017

The City of Portage Planning Commission meeting of January 5, 2017 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Six citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Welch led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Senior City Planner; and Randall Brown, City Attorney.

ROLL CALL:

Mr. Forth called the role: Stoffer (yes), Welch (yes), Schimmel (yes), Dargitz (yes), Richmond (yes), Shoup (yes) and Joshi (yes). A motion was offered by Commissioner Stoffer, seconded by Commissioner Schimmel, to approve the role excusing Commissioners Patterson and Bosch. The motion was unanimously approved 7-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the December 1, 2016 meeting minutes contained in the agenda packet. A motion was made by Commissioner Dargitz, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved 7-0.

PUBLIC HEARINGS:

1. **Preliminary Report; Rezoning Application #16/17-3, 715 West Osterhout Avenue (Streamsong Residential Condominium).** Mr. Forth summarized the preliminary staff report dated December 30, 2016 regarding a request from SDV Development LLC to rezone 715 West Osterhout Avenue from R-1C, one family residential to PD, planned development. Mr. Forth stated the PD rezoning would facilitate construction of 102 single-family detached and attached residential condominium dwellings on approximate 39 acres. Mr. Forth summarized various elements of the proposed tentative plan including access, private street design/layout, sidewalks and walking trails, wetlands and open space preservation, phasing and overall density of the development. Mr. Forth stated the request was very similar to the PD rezoning request and tentative plan that was submitted by Landmark Development Partners and reviewed and recommended for approval by the Planning Commission in May 2016: Applicant withdrew the request after Planning Commission review and before City Council consideration. Mr. Forth discussed minor differences between the two proposals including access changes and the inclusion of a clubhouse and pool with the SDV Development application.

Mr. Pat Flanagan of Ingersoll, Watson & McMachen (applicant's engineer) and Mr. Mike Seelye (SDV Development) were present to support the rezoning application and explain the planned development project. Mr. Flanagan discussed various elements of the planned development proposal including house sizes and construction styles, private streets, sidewalks, trails and the inclusion of a clubhouse/pool. Mr. Seelye discussed the similarities between this project and the Sterling Oaks planned development located between South Shore Drive and Bacon Avenue.

The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed rezoning and condominium development. After additional discussion, a motion was made by Commissioner Schimmel, seconded by Commissioner Dargitz, to adjourn the public hearing for Rezoning Application #16/17-3, 715 West Osterhout Avenue, to the January 19, 2017 meeting. The motion was unanimously approved 7-0.

PLANNING COMMISSION

January 19, 2017

The City of Portage Planning Commission meeting of January 19, 2017 was called to order by Vice-Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Two citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

Michael West, Senior City Planner; and Bryan Beach, Assistant City Attorney.

ROLL CALL:

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

APPROVAL OF MINUTES:

Vice-Chairman Stoffer referred the Commission to the January 5, 2017 meeting minutes contained in the agenda packet. A motion was made by Commissioner Dargitz, seconded by Commissioner Schimmel, to approve the minutes as submitted. The motion was unanimously approved 8-0.

PUBLIC HEARINGS:

1. **Final Report; Rezoning Application #16/17-3, 715 West Osterhout Avenue (Streamsong Residential Condominium).** Mr. West summarized the final staff report dated January 12, 2017 regarding a request from SDV Development LLC to rezone 715 West Osterhout Avenue from R-1C, one family residential to PD, planned development. Mr. West stated the PD rezoning would facilitate construction of 102 single-family detached and attached residential condominium dwellings on approximate 39 acres. Mr. West reviewed various aspects of the proposed tentative plan and also summarized the final analysis included in the staff report. Mr. West stated the proposed PD rezoning and tentative plan/narrative was consistent with the Future Land Use Map, Comprehensive Plan and surrounding zoning/land use pattern and was recommended for approval.

Mr. Pat Flanagan of Ingersoll, Watson & McMachen (applicant's engineer) was present to support the rezoning application and answer questions regarding the planned development project. The public hearing was opened by Vice-Chairman Stoffer. No citizens spoke regarding the proposed rezoning and condominium development. A motion was then made by Commissioner Bosch, seconded by Commissioner Schimmel, to close the public hearing. The motion was unanimously approved 8-0.

After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to recommend to City Council that Rezoning Application #16/17-3 be approved and 715 West Osterhout Avenue be rezoned from R-1C, one family residential to PD planned development. The motion included the analysis and findings contained in the Department of Community Department including that the PD district and associated tentative plan/narrative submitted by SDV Development, LLC is consistent with the Comprehensive Plan/Future Land Use Map designations and surrounding zoning/land use pattern along West Osterhout Avenue. The motion was unanimously approved 8-0.

SITE/FINAL PLANS:

None

TO: Planning Commission

DATE: January 12, 2017

FROM: Vicki Georgeau, ^hDirector of Community Development

SUBJECT: Final Report: Rezoning Application 16/17-3, 715 West Osterhout Avenue (Streamsong residential condominium PD)

APPLICATION INFORMATION:

A PD, planned development rezoning application has been received from SDV Development, LLC involving an approximate 39 acre parcel addressed as 715 West Osterhout Avenue. SDV Development, LLC has recently purchased the subject property and is requesting to change the zoning from R-1C, one-family residential to PD, planned development to accommodate a residential condominium project (Streamsong) consisting of single family detached and attached homes. Attached is the rezoning application, narrative and tentative plan.

EXISTING CONDITIONS:

The table below summarizes the existing conditions in this general area.

Existing Land Use/ Zoning	• <u>Rezoning Site</u>: Approximate 39 acre vacant property. The former single family dwelling was recently razed. • <u>North</u>: Across West Osterhout Avenue, single family residences and Schrier Park zoned R-1C. • <u>South</u>: Gourdneck State Game Area zoned R-1C. • <u>East</u>: A single family dwelling and vacant land zoned R-1C. • <u>West</u>: A single family dwelling and vacant land zoned R-1C.
Zoning/Development History	A similar PD application (Rezoning Application #15/16-5) involving 715 West Osterhout Avenue was considered by the Planning Commission in May 2016. The application also proposed a mix of attached and detached single family residential condominium units (102 units total). While this PD rezoning was recommended for approval by both staff and the Planning Commission, the applicant withdrew the application prior to City Council consideration. No other recent rezoning activities in the surrounding area.
Historic District/ Structures	This property is not located in a historic district and does not contain any historic structures.
Environmental	The eastern/southeastern portion of the subject property (approximately 6.3 acres) has been identified as regulated wetlands. The applicant hired a wetland consultant who performed a wetland assessment of the property and the wetland boundary is identified on the tentative plan drawing. No encroachment into the wetlands is proposed with the residential condominium development.
Public Streets	West Osterhout Avenue is classified as a 2-lane minor arterial roadway with a 2012 average daily traffic count of 4,436 vehicles. The capacity of this section of West Osterhout Avenue is 16,500 vehicles per day (level of service "D").
Public Utilities	Sanitary sewer and municipal water are available within the West Osterhout Avenue to serve the proposed development project.

ZONING CODE/PLANNED DEVELOPMENT PROCEDURES/REGULATIONS:

The PD, planned development chapter establishes a two-part review and approval process: Tentative plan review and final plan review for each phase of the development. The applicant is required to submit a tentative plan that outlines the development concept (phases) for the entire project. Although conceptual in nature, specific statements, proposals, plans and a schedule for development of the site are required. The submission of both written and graphic information constitutes a tentative plan.

The Planning Commission will provide a recommendation to City Council regarding the tentative plan. If approved, the planned development must proceed in accordance with the tentative plan. Approval of the tentative plan by Council constitutes rezoning of the land to PD and allows the submission of a final plan for Administrative, Planning Commission and City Council review. A final plan is submitted in detailed form and is subject to a review process similar to a site plan. If no final plan for development is submitted within two years from the date of approval of the tentative plan, Council may either extend the approval for a period not to exceed two years or initiate rezoning proceedings to re-designate the property to an alternate zoning classification. Under the terms of the ordinance, any change to the tentative plan, such as modifying an approved land use class or adding a land use class, will require formal review and approval, with public hearings, in a manner similar to a rezoning procedure.

In the PD district:

- The applicant must demonstrate that the plan cannot be developed under other sections of the Zoning Code or must provide a mixture of housing types.
- Up to 20% of the total land area can be utilized for nonresidential uses.
- The overall density may not exceed seven units per acre and density in any one phase may not exceed 12 units per acre.
- Single family lots cannot average less than 6,500 square feet with a minimum of 5,000 square feet.

PROPOSED TENTATIVE PLAN:

As indicated by the applicant, the objective of the planned development is to create an attractive, high quality neighborhood of single family detached and attached homes with a clubhouse/pool, private streets, sidewalks, on-site trails and preservation of natural areas for the enjoyment of the residents. A total of 102 residential dwelling units are proposed resulting in an overall development density of approximately 2.6 units/per acre based on the entire 39 acre site. When the density is calculated based on approximately 29 acres of usable land area available for development, density increases to 3.5 units/per acre. The applicant anticipates that approximately 70-80% of the residential structures will be single-family detached dwellings and the remainder will be single-family attached dwellings. Residential condominium units will include two and three bedroom floor plans and range between 1,550–1,850 square feet of living area, excluding any basement area and an attached two-car garage. Other features of the proposed planned development project include:

- Pedestrian Walkway/Trailway – Concrete sidewalks will be constructed on at least one side of the interior private streets. Additionally, a walking trail (stone or wood chip) will be constructed on an upland area along the east side of the property between the east property line and identified wetland area. This trail will also provide pedestrian access to the Gourdneck State Game Area located to the south. Additionally and for enhancement of the interior pedestrian circulation system, a pathway is also planned at the end of the cul-de-sac labeled “F” Drive. Finally, a pedestrian/vehicular connection is planned to connect this development to a future phase of the Stateland Park subdivision located immediately to the west.

- Open Space Features – Open space will be preserved to serve as an amenity to the development and to provide active and passive recreation options for the residents. Primary natural areas that will be preserved include the approximate 6.3 acres of wetlands located along the northeast and southeast portions of the property and an additional approximate 3.9 acres of upland located east and southeast of the wetland areas. A clubhouse/pool is also proposed near the main entry to the development which will offer active recreation for the residents. Finally, the applicant has indicated that mature trees and natural areas present around the perimeter of the property will be preserved to serve as a natural buffer and to provide visual screening.
- Storm Water Management - Storm water runoff associated with the project will be collected and disposed by a combination of infiltration swales and discharge to natural wetland areas. Additional information concerning the design of the storm water system, along with any necessary permits/approvals from the Michigan Department of Environmental Quality will be submitted with the final (site) plan.
- Vehicular Access/Private Streets – Access to the development will be provided through a single access drive from West Osterhout Avenue, along the western portion of the property opposite the Schrier Park entrance. A temporary emergency access drive will be constructed near Lloy Street. This temporary emergency access drive will be installed when the number of dwelling units within the development exceeds 30 and will be abandoned when a connection to the future phase of the Stateland Park subdivision (to the west) is completed. A network of curbed private streets will be provided within the interior of the development with a minimum drivable width of 26-feet.
- Building Setbacks – A minimum 40-foot building setback will be maintained around the perimeter of the property. Additionally and to provide a peripheral transition area to future phases of the Stateland Park subdivision to the west, the applicant has agreed to only construct single family detached condominium units along the western portion of the planned development. Residential condominium buildings will maintain a minimum 20-foot separation and will be setback at least 25-feet from the interior private streets.
- Project Phasing – The applicant envisions that the overall development project will be constructed in four phases with between 18-33 dwelling units constructed within each phase. Phase I of the development is anticipated to begin in 2017 and the last phase in 2023.

PUBLIC HEARING/COMMENTS:

The Planning Commission convened a public hearing to consider the PD rezoning and tentative plan/narrative during the January 5, 2017. Mr. Pat Flanagan of Ingersoll, Watson & McMachen (applicant's engineer) and Mr. Mike Seelye (SDV Development) were present to support the PD rezoning request and explain the planned development project. No citizens spoke during the meeting regarding the proposed PD rezoning and development and no citizen communications have been received.

FINAL ANALYSIS:

The final analysis has been prepared based on the Comprehensive Plan, traffic conditions, surrounding development patterns and general land use considerations. Issues to be analyzed include consistency with the Future Land Use Plan Map and Development Guidelines, suitability of the existing zoning classification and the impacts of the proposed zoning classification.

Comprehensive Plan

Prior to recommending a zoning amendment, a determination that the proposed change is consistent with the Comprehensive Plan is appropriate. In the case of a rezoning, consistency is evaluated based on the Future Land Use Plan Map and also the Development Guidelines.

Future Land Use Plan Map -- The Future Land Use Plan Map component of the Comprehensive Plan designates the subject property, along with the majority of the surrounding properties, as appropriate for Low Density Residential land use. The adjacent State-owned property to the south is designated as the Gourdneck State Game Area, while the adjacent city-owned property to the north (Schrier Park) is designated for Park/Recreation land use. The Comprehensive Plan identifies the purpose of the Low Density Residential classification (1 to 4 units per acre) to establish areas for future low density, single family residential development, to protect existing established residential neighborhoods from the intrusion of incompatible land uses and to encourage new housing development to take advantage of available attractive natural features and other amenities. The Low Density Residential classification generally corresponds to the R-1B, R-1C, R-1D, R-1E and single-family residential uses in the PD zoning districts. The proposed PD zoning and single-family residential condominium development is consistent with the Future Land Use Map and Comprehensive Plan.

Development Guidelines -- The Development Guidelines are intended to be used by the Commission and staff when reviewing private development projects, infrastructure improvement programs (i.e. public expenditures on streets, sewers, water mains and others that influence the location, intensity and timing of development) and public programs that affect the physical environment. The guidelines also provide direction and underpinning for regulations that affect land use (e.g. zoning, subdivision, parking, landscaping and others), may suggest incentives to influence community development and preservation and may suggest adjustments to other policies which influence the use of land for consistency with community development and preservation objectives. The proposed PD zone and associated tentative plan/narrative is consistent with applicable Development Guidelines contained in the Comprehensive Plan (see attached).

Suitability of Existing R-1C Zone /Impacts of Proposed PD Zone

Both the existing R-1C zoning and the proposed PD zoning/tentative plan are consistent with the Comprehensive Plan/Future Land Use Map and suitable for the subject property. Traditional single family residential developments (subdivisions/plats) under the R-1C zoning district are required to provide a minimum lot size of 12,000 square feet (14,400 square feet for corner lots). This minimum lot size requirement generally results in a development density between 2-3 units/acre. Based on approximately 29 acres of usable land area available for development and the location of the wetland areas, the R-1C zone would yield approximately 78 single-family lots (2 units per acre). As proposed by the applicant, 102 dwelling units are planned if the property is rezoned to PD, planned development and tentative plan approved. The approximate 30% increase in the number of dwelling units under the PD district is primarily

attributed to the proposed mixture of housing types (single-family attached, single-family detached and duplexes) and more narrow, private streets (public streets require a 60-foot wide right-of-way) within a condominium form of development. While the PD ordinance establishes a maximum overall development density of 7 units/acre, the proposed PD rezoning and tentative plan/narrative proposes an overall development density of approximately 2.6 units/acre (3.5 units/acre on 29 acres of developable land) consistent with a low density residential development pattern in the vicinity.

Traffic Considerations

According to The ITE Trip Generation Manual, Eighth Edition, a single family residence will generate between 5-6 vehicle trips (10-12 vehicle trip ends) on an average weekday, 24-hour period. At full build-out, a total of 102 single family residences will generate between 510-612 vehicle trips on an average weekday, 24-hour period (1,020-1,224 vehicle trip ends). For Commission information, vehicle trip ends count each car that visits a site twice, once for entering and once for exiting. In conjunction with this residential development, a left-turn lane in West Osterhout Avenue will be required.

Environmental Impacts

As indicated previously, approximately 6.3 acres located along the eastern portion of the subject property have been identified as regulated wetlands. The tentative plan does not identify any construction activities (homes, private streets, utilities) occurring within designated wetland areas. Additional review of regulated wetlands, including any proposed discharge of storm water from the development, will be considered with submittal of the final (site) plan for each phase of the project.

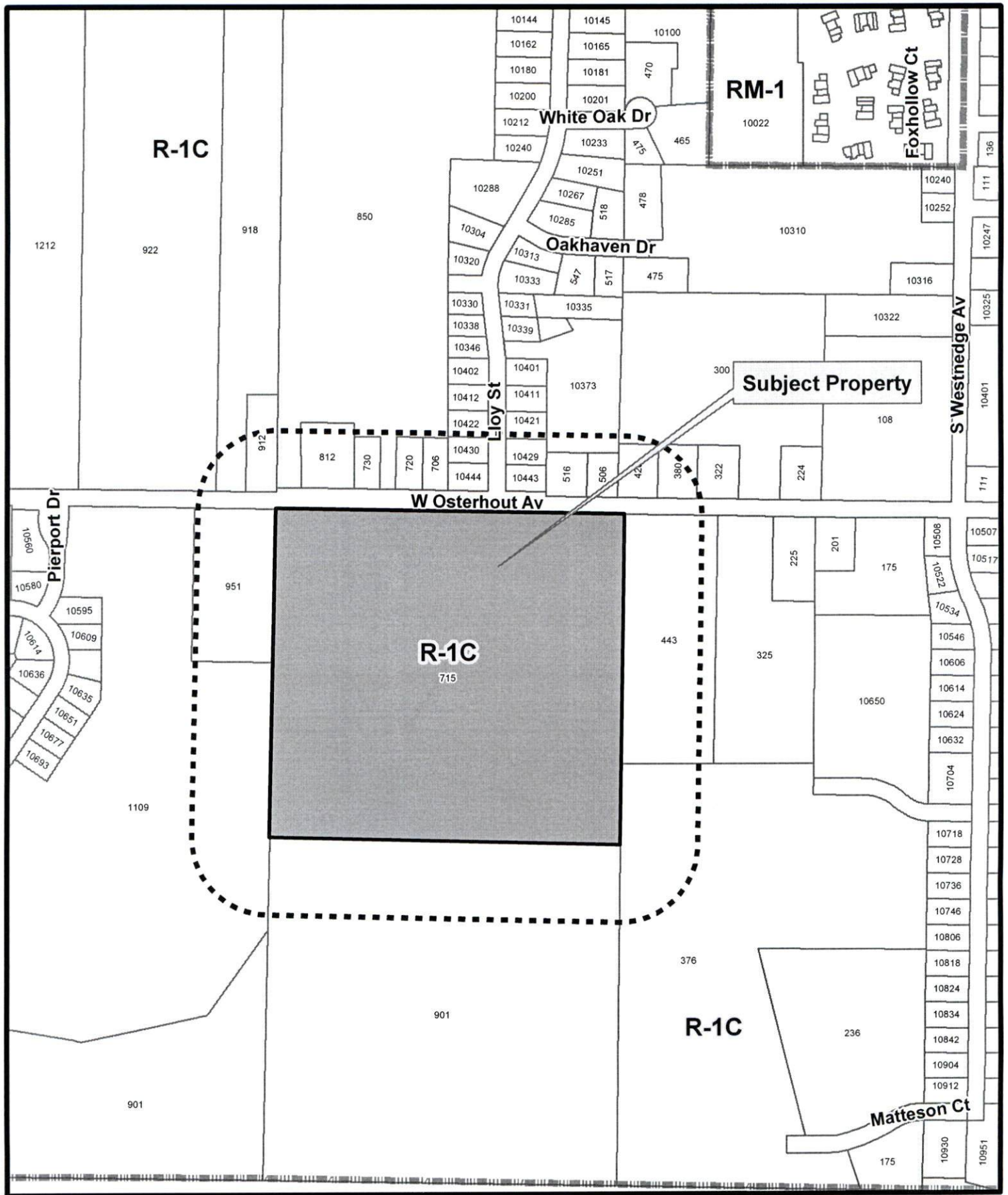
RECOMMENDATION:

Subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #16/17-3 be approved and 715 West Osterhout Avenue be rezoned from R-1C, one family residential to PD planned development.

The PD district and proposed residential condominium development is appropriate in this area of the City and will provide assurances to surrounding property owners on the specific type of development that will be built on the property while providing design flexibility to the developer. The PD district and associated tentative plan/narrative submitted by SDV Development, LLC is consistent with the Comprehensive Plan/Future Land Use Map designations and surrounding zoning/land use pattern along West Osterhout Avenue.

Attachments: Zoning/Vicinity Map
Future Land Use Map
Aerial Photo Map
Development Guidelines Table (PD)
Rezoning Application
December 29, 2016 Narrative and Tentative Plan

T:\COMMDEV\2016-2017 Department Files\Board Files\Planning Commission\PC reports\Rezoning\2017 01 12 Rezoning 16-17-3, 715 West Osterhout Avenue (PD - residential condominium)\final.docx



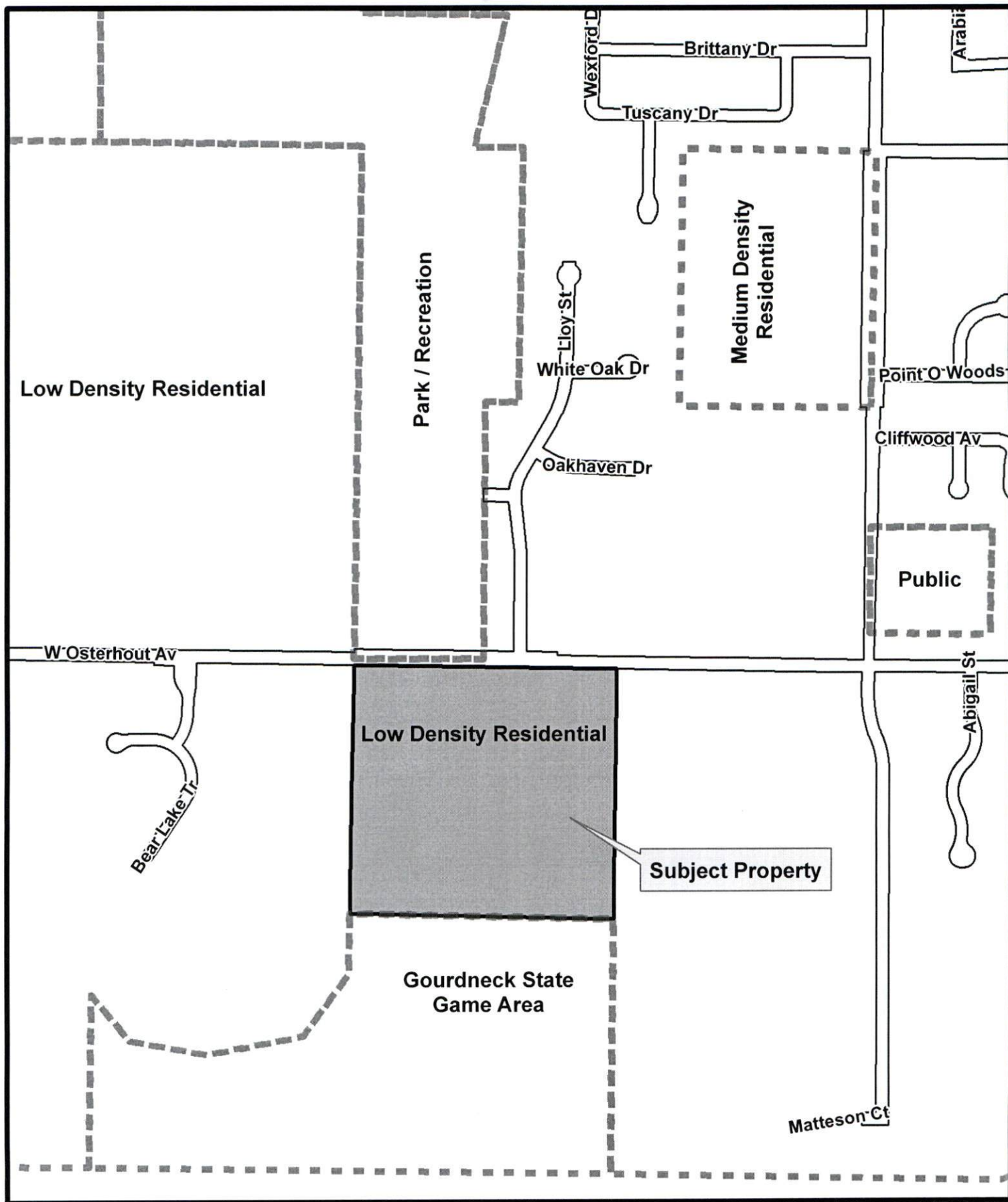
-  300' Notification For Subject Property
-  Subject Property
-  Zoning Boundary

Rezoning: 16/17 - 3

715 West Osterhout Avenue



1 inch = 500 feet



 Future Land Use
 Subject Property

Future Land Use Map 715 West Osterhout Avenue



1 inch = 667 feet



 Subject Property

Rezoning: 16/17 - 3
715 West Osterhout Avenue



1 inch = 500 feet
(48)

DEVELOPMENT GUIDELINES

Rezoning Application #16/17-03

(Planned Development, PD)

Guideline	Description	Consistent	Comments
Rezoning – 1	Rezoning Request	Yes	Future Land Use Map designates rezoning site, along with the majority of the surrounding properties, as appropriate for low density residential land use. The proposed PD zone and associated tentative plan/narrative is consistent with this designation. The residential condominium project proposes a combination of single family detached and attached dwellings with an overall development density of approximately 2.6 units/acre.
Residential – 1	Protection of Residential Neighborhoods	Yes	The proposed single-family residential PD is consistent and compatible with the surrounding zoning and land use pattern: Non-residential land uses are not proposed with the PD.
Residential – 2	Residential Development along Arterial Roadway	Yes	The proposed single-family residential PD project will be situated along West Osterhout Avenue (minor arterial) with access provided from West Osterhout Avenue.
Residential – 3a	Locational Criteria for Residential Uses	Yes	Rezoning site has locational criteria consistent with the low density residential category (1-4 units/acre): Overall development density for single-family residential PD will be approximately 2.6 units/acre with access from a minor arterial roadway, municipal water/sanitary sewer and underground private utilities.
Residential – 4	Compatibility with Adjacent Land Use	Yes	The single-family residential PD and related development density is consistent and compatible with the surrounding low density residential zoning and land use pattern.
Residential – 5	Open Space and Natural Resource Protection	Yes	The single-family residential PD will preserve approximately 6.3 acres of wetlands located along the northeast/southeast portions of the property, and an additional 3.9 acres of upland area located east and southeast of the wetland areas. A clubhouse/pool is also proposed near the main entry to the development. Mature trees and natural areas present around the perimeter of the property will also be preserved to serve as an amenity to the development and also provide natural screening and buffering.
Residential – 6	Streets and Pedestrian Systems	Yes	Access will be provided from West Osterhout Avenue, a minor arterial street. Concrete sidewalks will be constructed on at least one side of the interior private streets. Additionally, a walking trail (wood chips/stone) will also be constructed on the upland portion of the property, between the east property line and wetland areas, which will also provide access to the Gourdneck State Game Area (to the south). Finally, a pedestrian connection is also planned along the west side of the site to connect with a future phase of the Stateland Park subdivision.

Guideline	Description	Consistent	Comments
Residential – 9	Residential Planned Unit Development	Yes	The PD project will create an attractive, high quality neighborhood of single-family detached and attached homes with private streets, sidewalks, trails and preservation of natural areas for the enjoyment of the residents. Each home will feature high quality construction, maintenance free materials and energy efficient features. Floor plans (two and three bedroom) will range from 1,550 – 1,850 square feet, exclusive of any basement area, and include a two-car attached garage. Most, if not all, homes will also have a front porch and either a deck, patio or 4-season room attached to the rear of the dwelling. No nonresidential uses are proposed with the PD.
Natural & Historic Resources – 1	Environmental Protection	Yes	A wetlands assessment of the 39 acre property has identified approximately 6.3 acres of wetlands along the northeast and southeast portions of the site. These wetland areas, plus an additional approximate 3.9 acres of uplands located along the eastern portion of the property will be preserved as an amenity for the development. Additionally, mature trees and natural areas present around the perimeter of the property will also be preserved for the enjoyment of the residents.
Natural & Historic Resources – 2	Floodplain	N/A	The rezoning site is not encumbered by floodplain areas.
Natural & Historic Resources – 3	Water Quality	Yes	Storm water from the project will be collected and disposed by a combination of infiltration swales and discharge to natural wetland areas. Additional information regarding the design of these systems, along with any necessary permits/approvals from the Michigan Department of Environmental Quality will be submitted with the final (site) plan.
Natural & Historic Resources - 4	Noise	N/A	The rezoning site is not situated near excessive noise generators such as the Kalamazoo/Battle Creek International Airport or major freeway arteries.
Natural & Historic Resources - 5	Historic Resource Preservation	N/A	The subject site is not located within a historic district and does not contain any historic structures.
Natural & Historic Resources – 6	Open Space Preservation	Yes	See Residential – 5 and Natural & Historic Resources – 1 comments above
Transportation – 1	Transportation Systems	Yes	West Osterhout Avenue is a 2-lane minor arterial street with 4,436 vehicles per day (2012) and a capacity of 16,500 vehicles per day (level of service D). Anticipated traffic generation from the PD can be accommodated. In conjunction with the residential condominium project, a left-turn lane in West Osterhout Avenue will be constructed by the developer.
Transportation – 2	Street Design	Yes	Access to the development will be provided through a single access drive from West Osterhout Avenue, along the western portion of the property opposite the Schrier Park entrance drive. A temporary emergency access drive will be constructed near Lloy Street when the number of dwelling units within the development exceed 30 and will be abandoned when a connection to the future phase of the Stateland Park

			subdivision to the west is completed. A network of curbed private streets with a minimum drivable width of 26-feet will be provided within the interior of the development. Final design will be further evaluated with the final/site plan submittal.
Transportation – 3	Access Management	Yes	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	Yes	See Residential – 6 above.
Municipal Facilities & Services – 1	Sound Fiscal Growth	Yes	Existing and proposed public infrastructure is adequate to accommodate planned development.
Municipal Facilities & Services – 2	Sanitary Service	Yes	Sanitary sewer is available and will serve the planned development.
Municipal Facilities & Services – 3	Underground Utilities	Yes	Underground utilities will serve the planned development.

s:\commdev\2016-2017 department files\board files\planning commission\pc reports\development guideline tables\guideline table 16-17-03 (pd).doc

RECEIVED
DEC 08 2016
COMMUNITY DEVELOPMENT

APPLICATION FOR ZONING AMENDMENT

Application number #16/17-3

Date 12-8-16

APPLICATION INFORMATION:

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

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 2, 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: n/a

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

- b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number). #715 West Osterhout Ave. / Parcel # 00033-160-0
The northwest 1/4 of the Southeast 1/4 of Section 33, Town 3 South,
Range 11 West, City of Portage, Kalamazoo County, Michigan.
Area = 39 acres

2. a. Do you own the property to be rezoned? Yes _____ No X (Have signed sales agreement)

- b. Name of the owner of the property to be rezoned: SDV Development, LLC

Address 3820 Stadium Drive, Kalamazoo, MI 49008

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

4. CURRENT ZONING: R-1C PROPOSED ZONING: PD

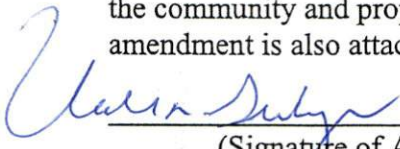
ZONING TEXT AMENDMENT n/a

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.



**Mike Seelye,
SDV Development, LLC**

(Signature of Applicant)

(Signature of Applicant)

**3820 Stadium Drive
Kalamazoo, MI 49008**

(Address)

(Address)

(269) 375-3820

(Phone)

(Phone)

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

December 29, 2016

RECEIVED
DEC 29 2016
COMMUNITY DEVELOPMENT

**NARRATIVE for Proposed
'STREAMSONG' PLANNED DEVELOPMENT
Located on Osterhout Avenue
in The City of Portage**

**DEVELOPER:
SDV DEVELOPMENT, LLC
Attn: MIKE SEELYE
3820 STADIUM DRIVE
KALAMAZOO, MI 49008**

INTRODUCTION:

This proposed Planned Development, or PD, is situated on the south side of Osterhout Avenue, approximately 3/8 mile west of South Westnedge Avenue, in Section 33, City of Portage, Michigan. The subject property contains 39.0 acres (excluding Osterhout Avenue right-of-way) and measures one quarter mile east/west by one quarter mile north/south. The site is mostly wooded, and is surrounded by properties that are mostly wooded. Despite the property having a rural feel to it, it is located less than 10 minutes from many City of Portage businesses and other City amenities. Proposed on site are approximately 102 dwellings of high quality, energy efficient construction. Each dwelling will be served by a private road network. This PD will offer a variety of dwelling floor plans along with a mixture of housing types (single family detached, single family attached, and possibly duplex dwellings).

PURPOSE & OBJECTIVES:

The objectives of this PD development are as follows:

- 1) To create an attractive, high quality neighborhood of single family homes for couples, small families, and single individuals.
- 2) To eliminate many maintenance duties and responsibilities for homeowners such as mowing, weed control, raking of leaves, cleaning of gutters, snow shoveling, tree trimming, etc.
- 3) To provide a single family neighborhood with high quality, energy efficient homes, but at the same time eliminate much of the maintenance that comes with home ownership.
- 4) To create a neighborhood with typical densities, but at the same time provide permanent open space, on-site natural areas, walking trails, and a clubhouse that can be enjoyed by the residents.

CONDOMINIUM / OWNERSHIP:

The PD will be developed as a condominium with the residents owning and maintaining the inside of the dwelling (the condominium "unit"). The condominium association will own and maintain everything exterior to each unit, including yard areas ("limited common areas") and streets / natural areas ("general common areas"). Exterior maintenance that will be provided by the Condominium Association will include the exterior of the dwellings, gutters, lawns, sidewalks, driveways, private streets, natural areas, etc. The yard area surrounding each dwelling be "limited common area" and will be for the use and enjoyment of that unit owner. The private streets, sidewalks, on site trails, and natural areas will be designated as "general common areas." The clubhouse/pool area that will be constructed as part of phase one will also be a general common area. These general common areas will be for the use and enjoyment of all residents.

THE SITE:

This PD is located on the south side of Osterhout Avenue in the Southeast quarter of Section 33. The property address is 715 West Osterhout Avenue. Situated east of the subject property are two large parcels, each with a home on it. South of the subject property is land owned by the State of Michigan. West of the subject property is a large parcel with a home on it, as well as some vacant land (future development area for the "Stateland Park" subdivision). North of the property, on the north side of Osterhout Avenue, are single family dwellings and Schrier Park. All adjoining properties, as well as the subject property, are currently zoned R-1C per the City's Zoning Map. The subject property is covered by mature trees and younger trees, with the mature trees being spread out. The site is unique with nice hardwoods and rolling terrain, and the intent is to preserve as many trees as possible. Within the southeasterly and easterly portions of the property is land that is significantly lower than the northwesterly portion of the property. A wetland assessment of the property has been completed and the conservative wetland boundary has been shown on the Tentative Plan. The Wetland Assessment report has been provided to the City for reference. The northerly and westerly portions of the property are relatively high. Along the entire north edge of the property is Osterhout Avenue, a City of Portage public street. Soils within the proposed building areas are Oshtemo Sandy Loam per the USDA's Soil Survey of Kalamazoo County.

PHASING:

It is anticipated that the development will be constructed in four phases, with each phase consisting of between 18 and 31 dwellings. Construction of utilities, roadways, and dwellings for phase one is planned to commence during 2017. Construction for each subsequent phase is anticipated to commence approximately every two years. The currently anticipated size, limits, and density of each phase has been shown on the submitted Tentative Plan. Phase one is anticipated to include 28 units on 8.4 acres. Phase one will also include the clubhouse/pool area. Phase two is anticipated to include 31 units on 9.0 acres. Phase three is anticipated to include 25 units on 16.7 acres. Phase four is anticipated to include 18 units on 4.9 acres. Please note that the proposed phasing could be altered based on utility routing, final design, City requirements, etc.

ON-SITE DWELLINGS:

The proposed dwellings within this PD will typically measure approximately 44 feet wide and 60 to 70 feet deep. Each dwelling will have between approximately 1550 square feet and 1850 square feet of living area (excluding any basement area), an attached two-car garage, and the dwellings will typically be single story with a basement. It is anticipated that three dwelling sizes will be offered (1550-1650, 1650-1750, and 1750-1850 square feet). Most or all dwellings will have a front porch. Most dwellings will have a deck, patio, or 4-season room on the rear of the dwelling. A mixture of housing types will be included.

ON-SITE DWELLINGS: (cont.)

It is anticipated that approximately 70 % to 80% of the on site units will be single family detached dwellings and that approximately 20% to 30% of the on site units will be single family attached dwellings. Single family attached dwellings and duplexes shall comply with City requirements. All dwelling construction shall comply with City and State construction codes. Each home will feature quality construction, maintenance free materials, and various energy efficient features. Conceptual Front Building Elevations have been attached to this Narrative for general review. Final Building Plans will be prepared after the property has been rezoned to 'PD'. The units will be constructed to meet and exceed energy codes. The look from the street will be a blend of craftsman, cottage, and New England styles. While the front elevations will be different, the look will have an intentional feel with design consistency among the various building fronts throughout the development. It is anticipated the dwelling prices will start in the \$200,000 range for smaller units. For the larger units with a finished walkout basement and other upgrades, dwelling costs will likely approach or exceed the \$350,000 range.

STREETS, SIDEWALKS, and DRIVEWAYS:

On site paved streets will be private and will incorporate concrete roll curb on each edge and will have a minimum drivable pavement width of 26.1 feet. It is intended that the streets will be wide enough to allow parking on one side of the street per Fire Department requirements. All streets shall be designed and constructed in accordance with City requirements. Access to and from the site will be from one location and shall include one entry lane (14 feet wide) and two exit lanes (lane widths equal 11 feet). A landscaped island may be incorporated into the access drive. A 20 foot wide temporary emergency access drive from Osterhout Avenue will be constructed when the number of units exceeds 30. The temporary emergency access drive will be abandoned when a 20 foot wide permanent emergency access drive is constructed to "Stateland Park." Lighting along each street will be from a yard light within each front yard. Concrete sidewalks will be constructed on at least one side of each street. The sidewalks will be set back from the back of curb a minimum of 3.0 feet. Also incorporated within the development will be a nature trail within the easterly, undeveloped portion of the property. This nature trail will extend southerly to the State owned property adjoining to the south. Other concrete walkways and nature trails may be incorporated into the development. Driveways for each dwelling will be constructed of concrete and will have a length of at least 25.0 feet as measured from the back of curb. The length of the driveways will allow temporary vehicle parking for one or two vehicles depending on driveway width. Off-street parking areas may be incorporated into the PD. All streets, walks, trails, driveways, and parking areas will be maintained by the Condominium Association.

STORM SEWER SYSTEM and DRAINAGE:

Crowned, paved roadways and concrete curb and gutter will direct storm water run-off to the proposed private storm sewer drains and pipes. The storm water run-off will be disposed of by a combination of infiltration and discharge to the on site lowland areas. The storm water system will comply with City requirements. Design of the system will be subject to City review and approval, as well as review and permitting through the State of Michigan MDEQ if required.

WATER MAINS, FIRE HYDRANTS, and SANITARY SEWERS:

Installed along all private roads will be City Portage public water mains and sanitary sewers, including house leads to each dwelling. Fire hydrants will be installed at locations approved by the City of Portage. These utilities shall be designed and installed in accordance with City requirements, and appropriate utility easements shall be granted to the City. Note that there is an existing 20 inch public water main on the north side of Osterhout Avenue, and an existing 8 inch public sanitary sewer near the center line of Osterhout Avenue.

PRIVATE UTILITIES:

The site will be served with underground natural gas, electric, telephone, and cable TV lines. It is anticipated that these underground lines will be situated on the side of the street opposite the public water main. There is an overhead power line within the northerly portion of the property (see Tentative Plan). We are currently working with Consumers Energy to relocate this power line underground or re-route it above ground. We are not proposing that this overhead power line be left in it's current location.

OPEN SPACE and NATURAL AREAS:

A significant portion of the property will be designated as a permanent natural area. This includes the far easterly and southeasterly portions of the property. The area of the subject property is 39.0 acres excluding the Osterhout Avenue right-of-way area. We currently estimate that approximately 6.3 acres of the property is wetland area, and that approximately 3.9 acres of the property (east and southeast of the wetland area) will remain as a permanent natural area. Within this permanent natural area will be a nature trail that extends southerly to the State of Michigan land. Around the perimeter of the development, natural areas and trees will be preserved to serve as a natural buffer and visual screening. A clubhouse and pool area will be included within phase one of this PD project.

ZONING, BUILDING SETBACKS, and DENSITY:

The property is currently zoned R-1C single family residential. Typical lot sizes within R-1C are 12,000 square feet and larger. City required building setbacks for R-1C are 30 feet (front yard), 12 feet (side yard), and 40 feet (rear yard). Typical densities for subdivisions within R-1C are 2 - 3 lots per acre. With this PD development, we are proposing a 40 foot perimeter setback (abutting adjoining properties), a minimum 20.0 feet between buildings, and a minimum distance of 25.0 feet between the back of the concrete curb and the front of the dwelling. Note that any duplex buildings, if incorporated, would share a common building wall, and that any attached single family dwellings would be connected with an architectural wall. With this PD, the density will be approximately 2.6 dwellings per acre. Per the City's Ordinance, the maximum allowable density for a PD is 7 dwellings per acre.

CONDOMINIUM MASTER DEED:

The typical "plat restrictions" or "deed restrictions" for a subdivision will be replaced with the Condominium Master Deed. The Master Deed shall also include survey plans, house plans, rules of ownership, mapping of general common areas, limited common areas, and unit areas, and other rules and regulations. Within the Master Deed, the streets and utilities for each phase will be designated as "need to be built," while each unit will be designated as "need not be built." The Master Deed will be prepared by a local real estate Attorney, and the Survey Plans within the Master Deed will be prepared by a local Land Surveying Office. The Master Deed will be subject to City review and comment prior to recording.



TENTATIVE PLAN for PROPOSED CONDOMINIUM in PORTAGE, MICHIGAN



GENERAL NOTES:

- 1) SUBJECT PROPERTY CONTAINS 35.0 ACRES AND IS CURRENTLY ZONED R-1C.
- 2) THE PROPOSED DEVELOPMENT IS LOCATED ON THE WESTERN PORTION OF THE TRACT AND IMPROVEMENTS TAKEN FROM PRIOR TO THE ACQUISITION OF THE TRACT ARE TO BE MAINTAINED.
- 3) SURVEY WORK BY THE OFFICIALS OF THE COUNTY ENGINEER'S OFFICE SHALL BE BASED ON THE TOPOGRAPHIC MAP PREPARED BY OTHERS.
- 4) EXISTING 8' HIGH PUBLIC SANITARY STREET IS LOCATED ON THE APPROXIMATE CENTERLINE OF THE TRACT AND SHALL BE MAINTAINED.
- 5) EXISTING 20' HIGH PUBLIC WATER MAIN IS LOCATED ON THE NORTH SIDE OF THE TRACT AND SHALL BE MAINTAINED.
- 6) SITE SHALL BE SERVED BY PROPOSED PUBLIC WATER MAINS AND SANITARY SEWERS.
- 7) ALL PROPOSED ROWWAYS SHALL HAVE A MINIMUM WIDTH OF 28.1 FEET.
- 8) BETWEEN EACH OF CONCRETE AND CEMENT SHALL BE PRIVATE.
- 9) THE PROPOSED DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY REQUIREMENTS.
- 10) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED STREETS.
- 11) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED ROADS.
- 12) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED DRIVEWAYS.
- 13) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED ALLEYS.
- 14) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED SIDEWALKS.
- 15) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED PARKING AREAS.
- 16) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED TRAILS.
- 17) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED PATHS.
- 18) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED FENCES.
- 19) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED BARRIERS.
- 20) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED GATES.
- 21) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED WALLS.
- 22) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED FLOORS.
- 23) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED ROOFS.
- 24) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED FOUNDATIONS.
- 25) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED STRUCTURES.
- 26) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED EQUIPMENT.
- 27) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED UTILITY.
- 28) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED INFRASTRUCTURE.
- 29) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED FACILITIES.
- 30) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED SERVICES.
- 31) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED OPERATIONS.
- 32) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED ACTIVITIES.
- 33) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED EVENTS.
- 34) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED OCCASIONS.
- 35) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED CELEBRATIONS.
- 36) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED FESTIVALS.
- 37) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED CONFERENCES.
- 38) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED MEETINGS.
- 39) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED DISCUSSIONS.
- 40) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED DEBATES.
- 41) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED ARGUMENTS.
- 42) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED DISAGREEMENTS.
- 43) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED CONFLICTS.
- 44) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED DISPUTES.
- 45) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED LITIGATIONS.
- 46) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED SUITS.
- 47) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED CASES.
- 48) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED MATTERS.
- 49) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED ISSUES.
- 50) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED QUESTIONS.
- 51) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED ANSWERS.
- 52) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED SOLUTIONS.
- 53) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REMEDIES.
- 54) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED CURES.
- 55) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED TREATMENTS.
- 56) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED INTERVENTIONS.
- 57) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED ACTIONS.
- 58) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 59) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 60) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 61) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 62) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 63) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 64) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 65) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 66) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 67) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 68) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 69) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 70) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 71) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 72) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 73) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 74) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 75) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 76) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 77) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 78) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 79) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 80) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 81) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 82) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 83) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 84) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 85) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 86) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 87) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 88) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 89) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 90) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 91) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 92) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 93) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 94) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 95) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 96) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 97) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 98) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.
- 99) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED RESPONSES.
- 100) THE PROPOSED DEVELOPMENT SHALL BE PROVIDED ON AT LEAST ONE SIDE OF ALL PROPOSED REACTIONS.

NOTE DATA:

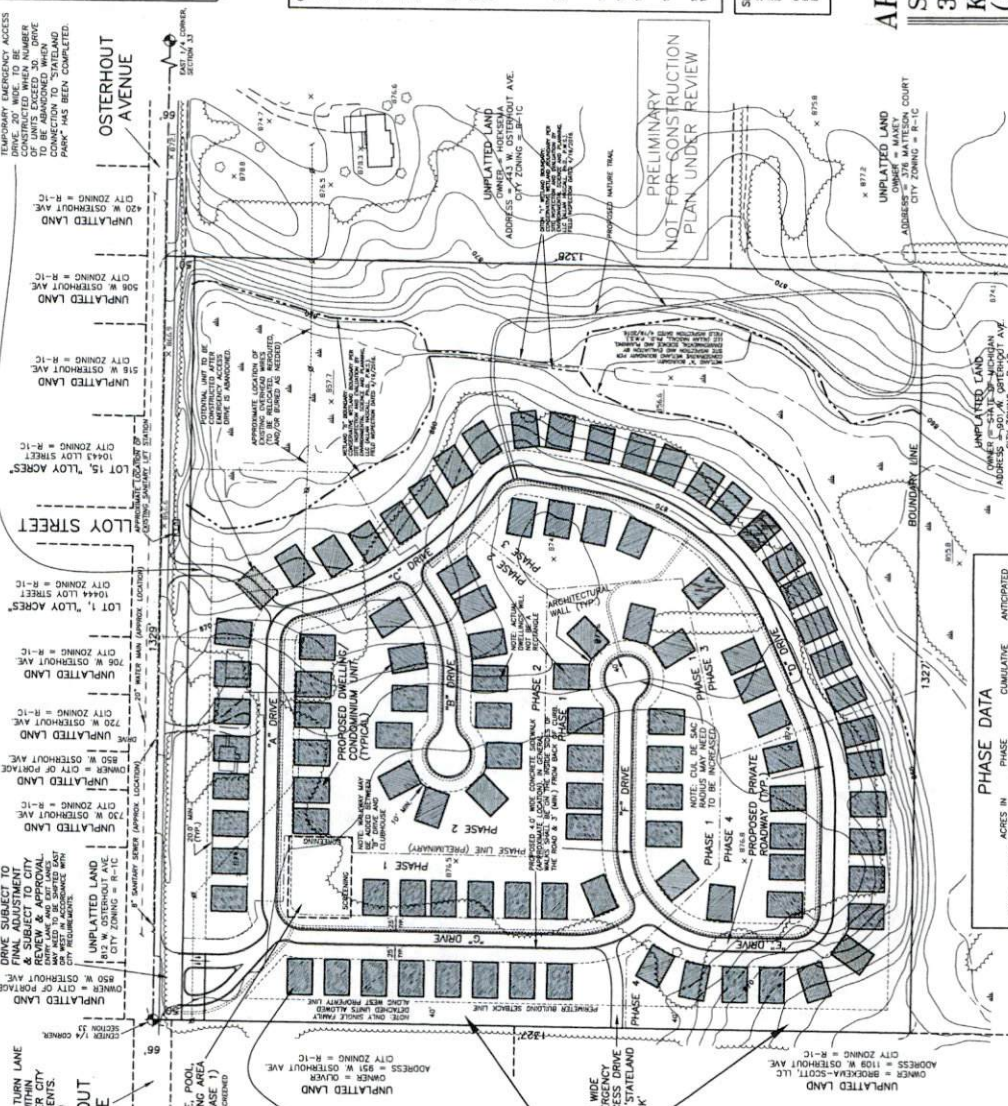
SITE AREA = 35.0 ACRES
ADJACENT HIGHWAY DEDUCTIBLE AREA = 10.7 ACRES
NET DENSITY = 102 DWELLINGS/39.0 ACRES = 2.62 DWELLINGS PER ACRE

EXCLUDES ESTIMATED AVENUE RIGHT-OF-WAY AREA

CONDOMINIUM UNIT AREA = INTERIOR OF DWELLINGS
COMMON AREA = ROADSWAYS, NATURAL AREAS, AND NON YARD AREAS
LIMITED COMMON AREAS = YARD AREAS AROUND EACH DWELLING

APPLICANT:
SDV DEVELOPMENT, LLC
3820 STADIUM DRIVE
KALAMAZOO, MI 49008
(269) 375-3820

TENTATIVE PLAN	
PROPOSED CONDOMINIUM	
MAP 1/4 OF THE 1/4 OF SEC. 33, T. 3 S., R. 11 W., CITY OF PORTAGE, MICHIGAN	
DATE:	11/16/2016
SHEET:	1
JOB NO.	36555
Ingersoll, Watson & McMachen, Inc. CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 1337 East William Road • Portage, Michigan 49801 • Phone 269 544-5655 • Fax 269 544-5655	



PHASE DATA			CUMULATIVE DENSITY*	ANTICIPATED CONSTRUCTION
PHASE	ACRES IN	PHASE DENSITY		
	UNITS			
1	28	8.4	3.3 UNITS/AC.	2017-2019
2	31	9.0	3.3 UNITS/AC.	2019-2021
3	25	16.7	3.4 UNITS/AC.	2021-2023
4	18	4.9	1.5 UNITS/AC.	2021-2023
5	18	4.9	2.6 UNITS/AC.	2023-2025

NOTE: TYPE OF UNIT AND NUMBER OF EACH TYPE OF UNIT WITHIN EACH PHASE HAS NOT YET BEEN DETERMINED.

*PHASE HAS NOT BEEN DETERMINED.

PHASE CUMULATED AVERAGE RIGHT-OF-WAY AREA HAS BEEN EXCLUDED.

PARCEL DESCRIPTION:
A parcel of land situated in the Southeast quarter of Section 33, T. 3 S., R. 11 W., City of Portage, Kalamazoo County, Michigan being more particularly described as follows:
The Northwest 1/4 of the Southeast 1/4 of Section 33, Town 3 South, Range 11 West.

AREA INFORMATION:
 AREA (EXCLUDING OSTERHOUT AVE) = 39.0 ACRES
 AREA OF CONSERVATIVE WETLAND = ± 6.35 ACRES
 UNDEVELOPED AREA EAST OF CONSERVATIVE WETLAND = ± 3.92 ACRES
 DEVELOPMENT AREA WEST OF CONSERVATIVE WETLAND = ± 28.73 ACRES

[illegible]

SUBJECT PROPERTY = 39.0 ACRES
ADDRESS = 715 W. OSTERHOUT AVE.
CURRENT ZONING = R-1C
PROPOSED ZONING = PD

R-1C ZONING INFORMATION:
(SUBJECT PROPERTY IS CURRENTLY ZONED R-1C)
MINIMUM 12,000 SQ.FT. AREA WITH SEWER & WATER
MINIMUM 100' LOT WIDTH WITH SEWER & WATER
MINIMUM 30' FRONT YARD SETBACK
MINIMUM 12' SIDE YARD SETBACK
MINIMUM 40' REAR YARD SETBACK
MAXIMUM BUILDING COVERAGE OF LOT = 25%
(ALSO SEE D.C. 42-551 & 42-552 OF CITY OF
PORTAGE LAND DEVELOPMENT REGULATIONS)

*** PROPOSED SETBACK INFORMATION:**
 MINIMUM DISTANCE BETWEEN BUILDINGS: 20.0'
 MINIMUM DISTANCE BETWEEN BACK OF CURB
 AND FRONT OF BUILDING/GARAGE: 25.0'
 MINIMUM PERMETER REAR YARD SETBACK: 40.0'

* ASSUMING REZONING TO "p20"

FIRE DEPT. NOTES

THE FIRE FLOW FOR EACH BUILDING IS 1000 GPM FROM BUILDING. THE FLOW IS BASED ON THE FLOOR AREA OF ALL FLOORS INCLUDING BASEMENT FOR A BUILDING OF TYPE V-SUB-B CONSTRUCTION. SHOULD A BUILDING EXCEED 3600 SQUARE FEET, THE MINIMUM FIRE FLOW WILL BE BASED ON THE SIZE AND TYPE OF CONSTRUCTION FOR THAT BUILDING.

FIRE APPARATUS ACCESS ROUTES 28.1 TO 32 FEET WIDE SHALL BE POSTED ON ONE SIDE AS A FIRE LANE.

IT IS INTENDED THAT ALL STREETS WILL BE WIDE ENOUGH TO ALLOW PARKING ON ONE SIDE OF THE STREET FOR THE FIRE CODE.

AREA INFORMATION:

AREA (EXCLUDING OSTERIA)
AREA OF CONSERVATIVE
UNDEVELOPED AREA EAST
DEVELOPMENT AREA WEST

To Whom It May Concern,



I have lived at 706 West Osterhout Ave for almost 16 years now. One of the biggest reasons why I have never sold my house is the fact that I have a public park as a backyard neighbor and beautiful woods across the street.

My house sits north east of 715 West Osterhout. This piece of land is being considered for rezoning to Planned Development. Unfortunately because of my work schedule I was unable to attend the city planning meetings but I was able to watch the meetings online and have stayed up to date on this possible project. It is my understanding that the land in consideration consists of 40 acres, which contains approximately 6.5 acres of wetland. It is also my understanding that the interested party would like to construct 102 condominium units along with a clubhouse and pool. With just over 33 acres to build on that seems like a very aggressive proposal.

I would like the City of Portage and the interested party to know that I'm not completely against the proposal but I would like to see a lower density build, perhaps half to three quarters of that. The Osterhout area is one of the last semi-rural places to live in South Portage. I think it would be a shame if such an aggressive development overshadowed the natural environment Portage is able to boast so much about.

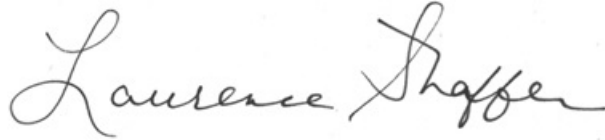
Thank you for your time,

A handwritten signature in black ink that reads "Mitch Clark". The signature is written in a cursive, slightly slanted style.

Mitch Clark

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Director of Public Safety - Police/Fire Chief Appointment

SUPPORTING PERSONNEL: Rob Boulis, Deputy City Manager

ACTION RECOMMENDED: That City Council confirm the appointment of Nicholas J. Arnold as the Director of Public Safety - Police/Fire Chief, effective March 15, 2017.

In November 2016, Director of Public Safety - Police/Fire Chief, Richard White, announced plans for his retirement from the City of Portage in March 2017. Chief White had been a city employee for more than twenty-one (21) years. In 2011, given Chief White's abilities, the city had the opportunity to consolidate the administration aspect of the Police and Fire departments, creating the Department of Public Safety.

Following a review of candidates and careful consideration, I am pleased to announce the appointment of Nicholas J. Arnold to the position of Director of Public Safety - Police/Fire Chief for the City of Portage, effective upon confirmation by the City Council. Chief Arnold presently serves as the Senior Deputy Police Chief of Operations for the Portage Department of Public Safety, a position he has held since 2014. Chief Arnold has twenty-three (23) years of experience with the Huntington Woods' Department of Public Safety, achieving the position of Deputy Director and manager of accreditation during his tenure with that community. Chief Arnold has a significant amount of experience in both police and the fire service presently holding certification in both fields. Chief Arnold was granted the Franklin M. Kreml Leadership Award by the Northwestern University Center for Public Safety and was named Officer of the Year, as well as Distinguished Employee of the Year by the City of Huntington Woods. Chief Arnold has a Bachelor's of Science degree in criminal justice from Lake Superior State University. I am confident that Chief Arnold will continue to advance the professional services provided by the Portage Department of Public Safety.

Consistent with the City Charter, Section 6.3 "City Manager" subsection B.2, which states, "*The City Manager shall Appoint such of the administrative officers, subject to confirmation by the Council, as are not required by this Charter to be appointed by the Council,*" it is recommended that City Council confirm the appointment of Nicholas J. Arnold as the Director of Public Safety - Police/Fire Chief.

FUNDING: Funding of the position of Director is included as part of the FY 2016-2017 Public Safety Department budget.

Attachments: 1. N/A

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Adoption of Bond Resolutions

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: That City Council adopt the:

1. Bond Resolution authorizing the sale of Capital Improvement Bonds, Series 2017, in the amount of \$3,570,000; and
2. Resolution approving the Undertaking to Provide Continuing Disclosure by the City of Portage for the Capital Improvement Bonds, Series 2017.

As a funding mechanism to pay for needed projects contained in the approved 2016-2026 Capital Improvement Program (CIP), the issuance of bonds is being proposed in the amount of \$3.570 million to finance various projects. Funding of other projects in the 2016-2026 CIP will be from available cash reserves.

The total borrowed is \$3.069 less than the \$6.639 million in debt issuance originally budgeted in the 2016-2026 CIP. A schedule of debt balances since 2007-2008 with projections to 2019-2020 is included to demonstrate the reduction over the last ten years. A slight increase would be anticipated in 2018-2019 if a new water storage facility and a fire house are constructed simultaneously. In the 2016-2017 fiscal year, \$6.915 million in debt principal will be retired, reducing the overall balance to \$67.530 million.

The attached bond resolutions provide for the initiation of the legal process required to issue bonds for the funding of Fiscal Year 2016-2017 CIP projects. The resolutions were prepared by the city's Bond Counsel John Axe.

Projects for which the bonds are to be issued include the following:

Playground Improvements	\$ 80,000
Park Perimeter Fencing	50,000
Court Resurfacing/Relocation	97,000
Crash/Crime/Fire Scene Illustrator	84,000
Fire Aerial Apparatus	900,000
Fire Station #3 Facility Improvements	47,000
Radio Infrastructure Equipment Replacement	156,000
Intersection Improvements	235,000

Railroad Crossing Upgrades	115,000
Major Street Reconstruction Program	754,000
Bikeway Trail System Improvements	50,000
Eliason Nature Reserve Development	200,000
Integrated Access Control and Camera System	270,000
Vehicles and Equipment	
• Backhoe, Streets Maintenance	91,000
• Backhoe, Transportation & Utilities	91,000
• Front End Loader, Streets Maintenance	125,000
• Dump Truck, Streets Maintenance	225,000
Total bond issue:	\$ 3,570,000

FUNDING: N/A

Attachments:

1. Bond Resolution
2. Continuing Disclosure Resolution
3. Debt Reduction Schedule

CITY OF PORTAGE

At a _____ meeting of the City Council of the City of Portage, Michigan, held on the ____ day of _____, 2017, at ____:____.m., Eastern Daylight Savings Time, at the City Hall in Portage, Michigan there were:

PRESENT: _____

ABSENT: _____

The following preambles and resolution were offered by _____ and _____ seconded by _____:
_____:

**BOND RESOLUTION
City of Portage
Capital Improvement Bonds, Series 2017**

WHEREAS, there have been prepared and presented to the City Council (the "Council") of the City of Portage, Michigan (the "City"), a description of improvements to the City of Portage (the "Capital Improvement Project"), all as more fully described in EXHIBIT A, pursuant to the terms of Section 517 of Act No. 34, Public Acts of Michigan, 2001 as amended ("Act 34"); and

WHEREAS, it has been estimated that the period of usefulness of the Capital Improvement Project is not less than 20 years and that the total cost of the Capital Improvement Project and issuing the Bonds will not exceed \$3,570,000 to be provided by the proceeds from the sale of bonds by the City pursuant to Act 34; and

WHEREAS, the City proposes to undertake the Capital Improvement Project and to incur taxable or tax-exempt debt (the "Reimbursement Obligations") to finance all or a portion of the costs of the Capital Improvement Project; and

WHEREAS, the City may make certain expenditures for said Capital Improvement Project prior to issuance of the Reimbursement Obligations and may wish to use the proceeds of the Reimbursement Obligations to reimburse all or a portion of said expenditures; and

WHEREAS, it is in the public interest and for the public benefit that the City designate an authorized officer for the purposes of declaring official intent of the City with respect to expenditures; and

WHEREAS, there has been prepared and attached hereto as APPENDIX I a form of notice entitled "NOTICE OF INTENTION OF THE

CITY OF PORTAGE TO ISSUE CAPITAL IMPROVEMENT BONDS AND NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON" (the "Notice of Intention").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORTAGE, MICHIGAN, AS FOLLOWS:

1. **Approval of Plans:** The preliminary plans and estimates relating to the Capital Improvement Project and identified in EXHIBIT A hereto are hereby approved and ordered filed with the City Clerk.

2. **Insertion of Notice of Intent:** It is hereby determined that the Notice of Intention provides information sufficient to adequately inform the electors and taxpayers of the City of the nature of the obligations to be undertaken by the City by the issuance of the bonds and of their right under Act 34 to file a petition requesting a referendum election on the issuance of the bonds.

3. **Form of Notice of Intent:** The form and content of the Notice of Intention as set forth in Appendix I, are hereby approved, and the City Clerk is hereby authorized and directed to cause the Notice of Intention to be published once in the *Kalamazoo Gazette*, a newspaper of general circulation within the City which is hereby determined to be the newspaper reaching the largest number of electors and taxpayers of the City. The notice shall be inserted in an advertisement at least one-quarter of a page in size.

4. **Referendum Period:** The referendum period within which voters and taxpayers shall have the right to circulate petitions is 45 days after publication of the notice of intention authorized in paragraph 2.

5. **Official Intent:** The Finance Director of the City is hereby authorized to declare official intent of the City with respect to reimbursement.

6. **Individual Declarations of Intent:** Each declaration of official intent shall be substantially in the form set forth in APPENDIX II attached hereto and by this reference incorporated herein, and said form may be modified from time to time on the advice of bond counsel to the City and as necessary to conform to requirements of the reimbursement regulations as the same may be adopted by the Internal Revenue Service or amended from time to time, or with the requirements of applicable rulings or regulations relating to tax-exempt borrowings.

7. **Filing Official Intent:** The Finance Director of the City is hereby directed to file each declaration of official intent in the office of the Clerk of the City of Portage, which location constitutes the customary location of the records of the City which are available to the general public.

8. **Declarations of Intent Available:** The City Clerk is further directed to assure that each declaration of intent is continuously available during normal business hours of the City on every business day of the period beginning the earlier of 10 days after the date of execution of said declaration of intent and ending on the date of issuance of the Reimbursement Bonds.

9. **Bond Details:** Pursuant to Section 517 of Act 34, the bonds of the City, aggregating not to exceed the principal sum of \$3,570,000, shall be issued for the purpose of defraying the City's portion of the cost of the Capital Improvement Project. The bonds shall be known as "City of Portage Capital Improvement Bonds, Series 2017" (the "Bonds") and shall be dated June 1, 2017 or such later date not more than twelve calendar months thereafter as the Finance Director of the City shall provide in the Award Order. The Bonds shall be fully registered Bonds, both as to principal and interest, in any one or more denominations of \$5,000 or a multiple of \$5,000 numbered from 1 upwards as determined by the Finance Director of the City, regardless of rate and maturity date. The Bonds may mature on January 1 in each year as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
2019	\$280,000	2026	\$180,000	2033	\$125,000
2020	280,000	2027	180,000	2034	125,000
2021	285,000	2028	180,000	2035	125,000
2022	285,000	2029	125,000	2036	130,000
2023	285,000	2030	125,000	2037	130,000
2024	175,000	2031	125,000	2038	130,000
2025	175,000	2032	125,000		

The Bonds shall be in substantially the form attached hereto as Exhibit B with such changes, additions or deletions as are not inconsistent with this resolution.

10. **Discount:** The Bonds may be offered for sale at a price of not less than 98% of the face amount thereof, and the Finance Director of the City is authorized, in his or her discretion, to provide for a higher minimum purchase price in the Request for Proposal for the Bonds.

11. **Interest Payment and Date of Record:** The Bonds shall bear interest payable January 1, 2018 and each July 1 and January 1 thereafter, until maturity, which interest shall not exceed 6% per annum. Interest shall be paid by check or draft mailed to the registered owner of each Bond as of the applicable date of record, provided, however, that the Finance Director of the City may agree with the bond registrar on a different method of payment. If interest is paid differently, the Bond form attached as EXHIBIT B and Request for Proposal form attached as EXHIBIT C shall be changed accordingly.

The date of record for each interest payment shall be the 15th day of the calendar month preceding the date such payment is due.

12. **Prior Redemption:** Bonds maturing prior to January 1, 2026, shall not be subject to redemption prior to maturity. Bonds maturing on and after January 1, 2026 shall be subject to redemption in whole or in part on any date on and after January 1, 2025, and in any order, at the option of the City, at par, plus accrued interest to the date fixed for redemption.

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion and the amount not being redeemed each constitutes an authorized denomination. In the event that less than the entire principal amount of a bond is called for redemption, upon surrender of the Bond to the bond registrar, the bond registrar shall authenticate and deliver to the registered owner of the Bond a new bond in the principal amount of the principal portion not redeemed.

Notice of redemption shall be sent to the registered holder of each Bond being redeemed by first class mail at least thirty (30) days prior to the date fixed for redemption, which notice shall fix the date of record with respect to the redemption if different than otherwise provided in the resolution authorizing the issuance of the Bonds. Any defect in such notice shall not affect the validity of the redemption proceedings. Bonds so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the bond registrar to redeem the same.

13. **Capitalized Interest:** As the Finance Director of the City so orders prior to the time of delivering the Bonds, up to two years of the interest payable on the Bonds is to be capitalized.

14. **Reduction in Aggregate Amount of Bonds:** In the event the cost of acquiring and constructing the Capital Improvement Project shall be less than the current cost estimates and after this bond resolution has been adopted it shall be determined by the Finance Director of the City that the Capital Improvement Project cost shall be less than such estimates, the Finance Director of the City shall reduce the principal amount of the Bonds by \$5,000 denominations, one such denomination for each maturity in any order of maturity, to the extent required to avoid the issuance of more Bonds than will be required in light of the proposals received, and the Request for Proposal shall be correspondingly altered.

15. **Bond Registrar and Paying Agent/Book Entry Depository Trust:** The Finance Director of the City shall designate, and may enter into an agreement with, a bond registrar and paying

agent for the Bonds (sometimes referred to as the "Bond Registrar") which shall be a bank or trust company located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The Finance Director of the City from time to time as required may designate a similarly qualified successor bond registrar and paying agent. The Bonds shall be deposited with a depository trustee designated by the Finance Director of the City who shall transfer ownership of interests in the Bonds by book entry and who shall issue depository trust receipts or acknowledgments to owners of interests in the Bonds. Such book entry depository trust arrangement, and the form of depository trust receipts or acknowledgments, shall be as determined by the Finance Director of the City after consultation with the depository trustee. The depository trustee may be the same as the Bond Registrar otherwise named by the Finance Director, and the Bonds may be transferred in part by depository trust and in part by transfer of physical certificates as the Finance Director may determine.

16. Transfer or Exchange of Bonds: Any bond shall be transferable on the bond register maintained by the Bond Registrar with respect to the Bonds upon the surrender of the Bond to the Bond Registrar together with an assignment executed by the registered owner or his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon receipt of a properly assigned Bond the Bond Registrar shall authenticate and deliver a new Bond or Bonds in equal aggregate principal amount and like interest rate and maturity to the designated transferee or transferees.

Bonds may likewise be exchanged for one or more other Bonds with the same interest rate and maturity in authorized denominations aggregating the same principal amount as the Bond or Bonds being exchanged. Such exchange shall be effected by surrender of the Bond to be exchanged to the Bond Registrar with written instructions signed by the registered owner of the Bond or his or her attorney in form satisfactory to the Bond Registrar. Upon receipt of a Bond with proper written instructions the Bond Registrar shall authenticate and deliver a new Bond or Bonds to the registered owner of the Bond or his or her properly designated transferee or transferees or attorney.

Any service charge made by the Bond Registrar for any such registration, transfer or exchange shall be paid for by the City, unless otherwise agreed by the City and the Bond Registrar. The Bond Registrar may, however, require payment by a bondholder of a sum sufficient to cover any tax or other governmental charge payable in connection with any such registration, transfer or exchange.

17. Mutilated, Lost, Stolen or Destroyed Bonds: In the event any Bond is mutilated, lost, stolen or destroyed, the Mayor and the Clerk of the City may, on behalf of the City,

execute and deliver, a new Bond having a number not then outstanding, of like date, maturity and denomination as that mutilated, lost, stolen or destroyed.

In the case of a mutilated Bond, a replacement Bond shall not be delivered unless and until such mutilated Bond is surrendered to the Bond Registrar. In the case of a lost, stolen or destroyed Bond, a replacement Bond shall not be delivered unless and until the City and the Bond Registrar shall have received such proof of ownership and loss and indemnity as they determine to be sufficient, which shall consist at least of (i) a lost instrument Bond for principal and interest remaining unpaid on the lost, stolen or destroyed Bond; (ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the Bond lost, stolen or destroyed and the circumstances under which it was lost, stolen or destroyed; (iii) the agreement of the owner of the Bond (or his or her attorney) to fully indemnify the City and the Bond Registrar against loss due to the lost, stolen or destroyed Bond and the issuance of any replacement Bond; and (iv) the agreement of the owner of the Bond (or his or her attorney) to pay all expenses of the City and the Bond Registrar in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the City.

18. **Execution and Delivery:** The Mayor (or the Mayor Pro Tem, in the absence of the Mayor) and the Clerk of the City are hereby authorized and directed to execute the Bonds for and on behalf of the City by manually executing the same or by causing their facsimile signatures to be affixed. If facsimile signatures are used, the Bonds shall be authenticated by the Bond Registrar before delivery. The Bonds shall be sealed with the City's seal or a facsimile thereof shall be imprinted thereon. When so executed and (if facsimile signatures are used) authenticated, the Bonds shall be delivered to the Finance Director of the City, who is hereby authorized and directed to deliver the Bonds to the purchaser upon receipt in full of the purchase price for the Bonds.

19. **Source of Repayment:** The City agrees to pledge its full faith and credit for the repayment of the Bonds and will pledge sufficient amounts of City taxes levied each year provided that the amount of taxes necessary to pay the principal and interest on the Bonds, together with the other taxes levied for the same year, shall not exceed the limit authorized by law.

20. **Principal and Interest Fund:** All monies set aside by the City toward the cost of the Capital Improvement Project shall be kept by the City in a separate fund hereby established, to be known as the "Principal and Interest Fund." All moneys in the Principal and Interest Fund shall be kept in a separate depository account with one or more banks or trust companies where the principal of and interest on the bonds are payable, and such moneys shall be used solely for the payment of the

principal of and interest on the Bonds and expenses incidental thereto. All accrued interest and the premium, if any, received from the purchaser of the Bonds shall be deposited in the Principal and Interest Fund upon receipt. Capitalized interest, as determined pursuant to Section 6, shall be deposited in the Principal and Interest Fund.

21. **Acquisition and Construction Fund:** There is hereby established an Acquisition and Construction Fund into which all proceeds of the borrowing shall be deposited, except the accrued interest on the Bonds and premium, if any, received from the purchaser of the Bonds and any capitalized interest. All moneys in the Acquisition and Construction Fund shall be used solely for the payment in full of costs of the Capital Improvement Project, including the costs of issuing the Bonds. Surplus moneys remaining in the Acquisition and Construction Fund after completion of the Capital Improvement Project and payment in full of the costs of the Capital Improvement Project (or provision for such payment) shall be deposited in the Principal and Interest Fund.

22. **Investments:** Moneys in the Principal and Interest Fund and the Acquisition and Construction Fund may be continuously invested and reinvested in the United States government obligations, obligations the principal of and interest on which are unconditionally guaranteed by the United States government, or in interest-bearing time deposits selected by the Finance Director of the City which are permissible investments for surplus funds under Act No. 20 of the Public Acts of 1943, as amended. Such investments shall mature, or be subject to redemption at the option of the holder, not later than (a) in the case of the Principal and Interest Fund, the dates moneys in such fund will be required to pay the principal of and interest on the Bonds, and (b) in the case of the Acquisition and Construction Fund, the estimated dates when moneys in such fund will be required to pay costs of the Capital Improvement Project. Obligations purchased as an investment of moneys in the Principal and Interest Fund or the Acquisition and Construction Fund, as the case may be, shall be deemed at all times to be a part of such fund, and the interest accruing thereon and any profit realized from such investment shall be credited to such fund.

23. **Depositories:** All of the banks located in the State of Michigan are hereby designated as permissible depositories of the moneys in the funds established by this Resolution, except that the moneys in the Principal and Interest Fund shall only be deposited in such banks where the principal of and interest on the Bonds are payable. The Finance Director of the City shall select the depository or depositories to be used from those banks authorized in this Section.

24. Arbitrage and Tax Covenants: Notwithstanding any other provision of this resolution, the City covenants that it will not at any time or times:

(a) Permit any proceeds of the Bonds or any other funds of the City or under its control to be used directly or indirectly (i) to acquire any securities or obligations, the acquisition of which would cause any Bond to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or (ii) in a manner which would result in the exclusion of any Bond from the treatment afforded by Section 103(a) of the Code by reason of the classification of any Bond as a "private activity bond" within the meaning of Section 141(a) of the Code, as a "private loan bond" within the meaning of Section 141(a) of the Code or as an obligation guaranteed by the United States of America within the meaning of Section 149(b) of the Code; or

(b) Take any action, or fail to take any action (including failure to file any required information or other returns with the United States Internal Revenue Service or to rebate amounts to the United States, if required, at or before the time or times required), within its control which action or failure to act would (i) cause the interest on the Bonds to be includible in gross income for federal income tax purposes, cause the interest on the Bonds to be includible in computing any alternative minimum tax (other than the alternative minimum tax applicable to interest on all tax-exempt obligations generally) or cause the proceeds of the Bonds to be used directly or indirectly by an organization described in Section 501(c)(3) of the Code, or (ii) adversely affect the exemption of the Bonds and the interest thereon from the State of Michigan income taxation.

25. Qualified Tax-Exempt Obligations: The Bonds are designated as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code, unless, at the time the Request for Proposal is circulated, the Bonds have been determined to be ineligible to be so designated on the basis of the City's reasonable expectations at the time of such circulation. In such event, the Request for Proposal shall be changed appropriately and the Bond shall there be so designated.

26. Defeasance or Redemption of Bonds: If at any time,

- (a) the whole amount of the principal of and interest on all outstanding Bonds shall be paid, or
- (b) (i) sufficient moneys, or Government Obligations (as defined in this Section) not callable prior to maturity, the principal of and interest on which when due and payable will provide sufficient moneys, to pay the whole amount of the

principal of and premium, if any, and interest on all outstanding Bonds as and when due at maturity or upon redemption prior to maturity shall be deposited with and held by a trustee or an escrow agent for the purpose of paying the principal of and premium, if any, and interest on such Bonds as and when due, and (ii) in the case of redemption prior to maturity, all outstanding Bonds shall have been duly called for redemption (or irrevocable instructions to call such Bonds for redemption shall have been given)

then, at the time of the payment referred to in clause (a) of this Section or of the deposit referred to in clause (b) of this Section, the City shall be released from all further obligations under this resolution, and any moneys or other assets then held or pledged pursuant to this resolution for the purpose of paying the principal of and interest on the Bonds (other than the moneys deposited with and held by a trustee or an escrow agent as provided in clause (b) of this Section) shall be released from the conditions of this resolution, paid over to the City and considered excess proceeds of the Bonds. In the event moneys or Government Obligations shall be so deposited and held, the trustee or escrow agent holding such moneys or Government Obligations shall, within 30 days after such moneys or Government Obligations shall have been so deposited, cause a notice signed by it to be given to the registered holders hereof not more than sixty (60) days nor less than forty-five (45) days prior to the redemption setting forth the date or dates, if any, designated for the redemption of the Bonds, a description of the moneys or Government Obligations so held by it and that the City has been released from its obligations under this Resolution. All moneys and Government Obligations so deposited and held shall be held in trust and applied only to the payment of the principal of, premium, if any, and interest on the Bonds at maturity or upon redemption prior to maturity, as the case may be, as provided in this Section.

The trustee or escrow agent referred to in this Section shall (a) be a bank or trust company permitted by law to offer and offering the required services, (b) be appointed by resolution of the City, and (c) at the time of its appointment and so long as it is serving as such, have at least \$25,000,000 of capital and unimpaired surplus. The same bank or trust company may serve as trustee or escrow agent under this Section and as Bond Registrar so long as it is otherwise eligible to serve in each such capacity.

As used in this Section, the term "Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

27. **Filing with Municipal Finance Division:** If necessary the City Manager, or if there is no City Manager, the Mayor is authorized and directed to:

- (a) apply to the Municipal Finance Division of the Michigan Department of Treasury for approval of the sale of the Bonds;
- (b) file with such application all required supporting material; and
- (c) pay all fees required in connection therewith.

28. **Negotiated Sale - Request for Proposal:** The City hereby determines that in order to save the cost of publication of an official Notice of Sale that it will sell the bonds at a negotiated sale after solicitation of proposals from prospective purchasers by its Financial Consultant. The City's Financial Consultant is authorized to solicit proposals from at least twenty-five prospective purchasers and to circulate a Request for Proposal at least seven days prior to the date fixed for receipt of proposals for the purchase of the Bonds. The Request for Proposal shall be in substantially the form attached to this resolution as Exhibit C with such changes therein as are not inconsistent with this resolution and as are approved by the City Finance Director after conferring with Bond Counsel. Once all proposals are received, the City Finance Director shall determine the lowest true interest cost proposed and thereafter award the Bonds to the proposer meeting that criteria. The Financial Consultant is hereby designated to act for and on behalf of the City to receive proposals for the purchase of the Bonds and to take all other steps necessary in connection with the sale and delivery thereof.

29. **Bond Anticipation Notes:** Prior to the issuance of the Bonds but after expiration of the referendum period set forth in paragraph 4 above, the City may issue its Bond Anticipation Notes (the "Notes") in an amount not to exceed 50% of the entire issue in anticipation of the proceeds of the Bonds as authorized by Section 413 of Act 34. The Notes shall also be payable from other revenues of the City.

The City may declare the possibility of issuing the Notes which will be used to pay the costs of Capital Improvement Project falling due prior to the issuance of the Bonds.

The Notes, if issued, shall be dated June 1, 2017 or on the first day of any month thereafter in 2017 or 2018 as the City Finance Director shall order.

The Notes, if issued, shall bear interest payable at maturity, semi-annually or at other intervals as the City Finance Director shall order.

The Notes, if issued, shall mature on or before July 1, 2018. An earlier or later maturity date may be established by order of the City Finance Director.

30. **Retention of Bond Counsel.** The firm of Clark Hill PLC, attorneys of Detroit, Michigan, is hereby retained to act as bond counsel for the City in connection with the issuance, sale and delivery of the Bonds.

31. **Retention of Financial Consultants.** Municipal Financial Consultants Incorporated, Detroit, Michigan, is hereby retained to act as financial consultant and advisor to the City in connection with the sale and delivery of the Bonds.

32. **Conflicting Resolutions.** All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

33. **Effective Date.** This Resolution shall become effective immediately upon its adoption and shall be recorded in the minutes of the City as soon as practicable after adoption.

A roll call vote on the foregoing resolution was then taken, and was as follows:

YES: _____

NO: _____

ABSTAIN: _____

The resolution was declared adopted.

las.r1-por223

STATE OF MICHIGAN)
)ss.
CITY OF PORTAGE)

The undersigned, being the duly qualified and acting Clerk of the City of Portage, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the City of Portage City Council at its _____ meeting held on the _____ day of _____, 2017, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the City. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

Clerk, City of Portage

DATED: _____, 2017

las.r1-por223

EXHIBIT A

DESCRIPTION OF PROJECT

Please see attached.

TOTAL COST ESTIMATES

Construction Costs, Acquisition Costs,
Engineering Costs, Equipment Costs,
& Contingency

\$3,570,000

las.r1-por223

EXHIBIT A
CAPITAL IMPROVEMENT PROJECT PROFILES

Playground Improvements \$80,000

Replacement of play structures and swing sets at Central park and West Lake Nature Preserve. The current structures were installed prior to 1993 and do not meet current codes. 20 years

Park Perimeter Fencing \$50,000

Replacement of split rail fencing at Oakland Drive, Haverhill, and Westfield Parks, and replace chain link fencing at Central Park. 20 years

Court Resurfacing/Relocation \$97,000

At Lakeview Park, removal of existing court and construction of one tennis/pickleball court with addition of two pickleball courts. The project also includes existing basketball court removal and construction of new courts. 20 years

Crash/Crime/Fire Scene Illustrator \$84,000

Upgrade and replace ten year old and outdated evidence mapping equipment. New systems capture and measure more accurately traffic accident scenes, fire scenes, and crime scenes with laser technology. The new scanning equipment provides an exact record of the scene, replacing crime sketches and reconstruction with 3D imaging. Also, forensic scientists can accurately analyze line of sight, blood splatter, and bullet trajectories. 10 years

Fire Aerial Apparatus \$900,000

Replacement of a 17 year old aerial tower approaching the end of its useful life. Replacement of the vehicle is in accord with the Fire Department Apparatus Strategic Plan, which specifies the replacement of each fire apparatus at the end of its useful life. The 107' Pierce Ascendant Fire Apparatus incorporates advances in fire apparatus design and will be compliant with all current standards and ISO requirements. 20 years

Fire Station #3 Facility Improvements \$47,000

A 2013 facility audit evaluated needed repairs within Fire Station #3 and recommended repairs and upgrades throughout the facility. Windows and hardware are rapidly deteriorating, and new carpet and painting are also needed. Asphalt repairs are

necessary due to depressions and cracks which are rapidly expanding due to the continuous apparatus traffic in and out of the station. The project will maintain the facility in good working order, allowing safe occupancy and keeping the building within current applicable codes. 20 years

Intersection Improvements \$235,000

Project to include installation of a traffic signal and related roadway improvements at Cooley Drive and West Centre Avenue. Increased development in recent years in the area has led to increased traffic in the vicinity of this intersection and upgrades to Cooley Drive and West Centre Avenue will facilitate existing and planned development. Traffic warrants have been met for the installation of a traffic signal at West Centre Avenue/Cooley Drive intersection which will improve traffic flow and improve side street access. 20 years

Railroad Crossing Upgrades \$115,000

Project will improve the safety and rideability of existing street crossings of the Grand Elk Railroad tracks at the Romence Road Parkway crossing. Existing railroad crossing would be replaced with new asphalt crossing. Replacement of the existing crossings improves the safe use of the crossing for both drivers and pedestrians and reduce maintenance costs. 20 years

Major Street Reconstruction Program \$754,000

Reconstruction of major streets that were previously strip paved, or where heavy maintenance activities have been applied, that are anticipated to require a greater level of sub-base and pavement rehabilitation to ensure long-term serviceability. Improvements will also include localized storm drainage improvements, necessary curb and gutter or paved shoulder replacement/repair, repair of necessary drive approaches and lawn restoration as appropriate. This project involves reconstructing the following street sections in FY 2016-2017:

- Rockford Street, Romence Road to Schuring Road
- Shaver Road, Vanderbilt Avenue to West Centre Avenue
- Angling Road, Squire Heath Lane to Romence Road
- Old Kilgore Road, South Westnedge Avenue to West Kilgore Road
- Portage Road, East Osterhout Avenue to Mandigo Avenue
- Vanderbilt Avenue, Angling Road to Hampton Creek

These projects will be designed to include "complete street" enhancements such as crosswalk improvements and widened bike

lanes where appropriate, and are part of the "Natural Place to Move" initiative.

These roadway projects will be constructed during the 2017 construction season. 20 years

Bikeway Trail System Improvements \$50,000

Comprehensive asphalt overlay program to enhance off road bikeway trail segments of the Garden Lane Bikeway (Lovers Lane to 7451 Garden Lane). When the bikeway surface gets beyond preventative maintenance it requires removal followed by the addition of a new layer of asphalt. Maintaining the integrity and safety of the system continues the viability of this resource. 20 years

Integrated Access Control and Camera System \$270,000

The project replaces an access control and surveillance camera systems consisting of at least four different systems built over a ten-year period in a nonintegrated fashion. A new integrated system is required to maintain efficient and reliable building security and surveillance and extend the system to all primary city buildings, ensuring a reliable working security and surveillance system at primary city facilities and integrating disparate systems to a single platform on modern .net software. A new integrated system will accomplish several important goals:

1. The consolidation of systems to one integrated system using a standard platform.
2. Expands system coverage to currently unsupported facilities.
3. Incorporates many new integrated features and technologies for remote access, video capture and retention, pop-up alarms and intrusion detection, dispatch integration, and sophisticated management reporting.
4. Cost reductions in key tracking and replacement.

10 years

Radio Infrastructure Equipment Replacement \$156,000

Replace and upgrade aging receiver and transmitter equipment at five tower sites, replace the repeater voter system and the 800 MHz base equipment. Current equipment is no longer supported by the manufacturer and replacement parts are not available. 10 years

Eliason Nature Reserve Development	\$200,000
---	------------------

The project continues development of the southern trailhead with construction of a restroom facility at the Osterhout Trail Head.
20 years

Vehicles and Equipment

- | | |
|---|-----------|
| • Backhoe, Streets Maintenance | \$ 91,000 |
| • Backhoe, Transportation & Utilities | \$ 91,000 |
| • Front End Loader, Streets Maintenance | \$125,000 |
| • Dump Truck, Streets Maintenance | \$225,000 |

5 years

Total All Projects: \$3,570,000

Las.r1-por223

APPENDIX I

NOTICE OF INTENTION OF THE CITY OF PORTAGE
TO ISSUE NOT TO EXCEED \$3,570,000 IN
CAPITAL IMPROVEMENT BONDS AND
NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON

TO ALL ELECTORS AND TAXPAYERS OF
THE CITY OF PORTAGE:

NOTICE IS HEREBY GIVEN that the City Council of the City of Portage, Michigan (the "City"), has authorized the issuance of not to exceed \$3,570,000 in Capital Improvement Bonds to provide for the acquisition and construction of improvements to the City of Portage located in the City described in Exhibit A attached hereto (the "Capital Improvement Project"). The Bond Resolution provides further that the City will finance all or a portion of the total cost of the Capital Improvement Project by the issuance of one or more series of capital improvement bonds (the "Bonds") pursuant to the provisions of Section 517 of Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34"). The maximum amount of Bonds to be issued in one or more series shall not exceed \$3,570,000, the term of the Bonds shall not exceed 25 years and the Bonds shall bear interest at a rate or rates that will result in a net interest cost of not more than 6% per annum. The maximum Capital Improvement Project cost is estimated at not to exceed \$3,570,000.

FULL FAITH AND CREDIT AND TAXING POWER OF
THE CITY OF PORTAGE WILL BE PLEDGED

NOTICE IS FURTHER GIVEN that in the Bond Resolution the City will obligate itself to make payments to the Bond Holder in amounts sufficient to pay the principal of and interest on the Bonds. The limited tax full faith and credit of the City will be pledged for the making of such bond payments. Pursuant to such pledge of its full faith and credit, the City will be obligated to levy such ad valorem taxes upon all taxable property in the City as shall be necessary to make bond payments, which taxes, however, will be subject to applicable statutory and constitutional limitations on the taxing power of the City. In addition to its obligation to make payments on the Bonds, the City will agree in the Bond Resolution to pay all costs and expenses of operation and maintenance of the Capital Improvement Project and all expenses of the City incidental to the issuance and payment of the Bonds, to the extent such expenses are not payable from the proceeds of the Bonds.

RIGHT TO PETITION FOR REFERENDUM

NOTICE IS FURTHER GIVEN to the electors and taxpayers of the City to inform them of the right to petition for a referendum on the question of issuing the Bonds. The City intends to issue the Bonds without a vote of the electors thereon. If, within 45-days after publication of this notice, a petition for referendum requesting an election on the Bonds, signed by not less than 10% or 15,000 of the registered electors of the City, whichever is less, has been filed with the City Clerk, the Bonds shall not be issued unless and until approved by a majority of the electors of the City voting thereon at a general or special election.

This notice is given by order of the City Council pursuant to Act 34. Further information may be obtained at the office of the City of Portage City Clerk, 7900 S. Westnedge Avenue, Portage, Michigan 49002.

EXHIBIT A

CAPITAL IMPROVEMENT PROJECT PROFILES

Playground Improvements \$80,000

Replacement of play structures and swing sets at Central park and West Lake Nature Preserve. The current structures were installed prior to 1993 and do not meet current codes. 20 years

Park Perimeter Fencing \$50,000

Replacement of split rail fencing at Oakland Drive, Haverhill, and Westfield Parks, and replace chain link fencing at Central Park. 20 years

Court Resurfacing/Relocation \$97,000

At Lakeview Park, removal of existing court and construction of one tennis/pickleball court with addition of two pickleball courts. The project also includes existing basketball court removal and construction of new courts. 20 years

Crash/Crime/Fire Scene Illustrator \$84,000

Upgrade and replace ten year old and outdated evidence mapping equipment. New systems capture and measure more accurately traffic accident scenes, fire scenes, and crime scenes with laser technology. The new scanning equipment provides an exact record of the scene, replacing crime sketches and reconstruction

with 3D imaging. Also, forensic scientists can accurately analyze line of sight, blood splatter, and bullet trajectories. 10 years

Fire Aerial Apparatus \$900,000

Replacement of a 17 year old aerial tower approaching the end of its useful life. Replacement of the vehicle is in accord with the Fire Department Apparatus Strategic Plan, which specifies the replacement of each fire apparatus at the end of its useful life. The 107' Pierce Ascendant Fire Apparatus incorporates advances in fire apparatus design and will be compliant with all current standards and ISO requirements. 20 years

Fire Station #3 Facility Improvements \$47,000

A 2013 facility audit evaluated needed repairs within Fire Station #3 and recommended repairs and upgrades throughout the facility. Windows and hardware are rapidly deteriorating, and new carpet and painting are also needed. Asphalt repairs are necessary due to depressions and cracks which are rapidly expanding due to the continuous apparatus traffic in and out of the station. The project will maintain the facility in good working order, allowing safe occupancy and keeping the building within current applicable codes. 20 years

Intersection Improvements \$235,000

Project to include installation of a traffic signal and related roadway improvements at Cooley Drive and West Centre Avenue. Increased development in recent years in the area has led to increased traffic in the vicinity of this intersection and upgrades to Cooley Drive and West Centre Avenue will facilitate existing and planned development. Traffic warrants have been met for the installation of a traffic signal at West Centre Avenue/Cooley Drive intersection which will improve traffic flow and improve side street access. 20 years

Railroad Crossing Upgrades \$115,000

Project will improve the safety and rideability of existing street crossings of the Grand Elk Railroad tracks at the Romence Road Parkway crossing. Existing railroad crossing would be replaced with new asphalt crossing. Replacement of the existing crossings improves the safe use of the crossing for both drivers and pedestrians and reduce maintenance costs. 20 years

Major Street Reconstruction Program \$754,000

Reconstruction of major streets that were previously strip paved, or where heavy maintenance activities have been applied, that are anticipated to require a greater level of sub-base and pavement rehabilitation to ensure long-term serviceability. Improvements will also include localized storm drainage improvements, necessary curb and gutter or paved shoulder replacement/repair, repair of necessary drive approaches and lawn restoration as appropriate. This project involves reconstructing the following street sections in FY 2016-2017:

- Rockford Street, Romence Road to Schuring Road
- Shaver Road, Vanderbilt Avenue to West Centre Avenue
- Angling Road, Squire Heath Lane to Romence Road
- Old Kilgore Road, South Westnedge Avenue to West Kilgore Road
- Portage Road, East Osterhout Avenue to Mandigo Avenue
- Vanderbilt Avenue, Angling Road to Hampton Creek

These projects will be designed to include "complete street" enhancements such as crosswalk improvements and widened bike lanes where appropriate, and are part of the "Natural Place to Move" initiative.

These roadway projects will be constructed during the 2017 construction season. 20 years

Bikeway Trail System Improvements \$50,000

Comprehensive asphalt overlay program to enhance off road bikeway trail segments of the Garden Lane Bikeway (Lovers Lane to 7451 Garden Lane). When the bikeway surface gets beyond preventative maintenance it requires removal followed by the addition of a new layer of asphalt. Maintaining the integrity and safety of the system continues the viability of this resource. 20 years

Integrated Access Control and Camera System \$270,000

The project replaces an access control and surveillance camera systems consisting of at least four different systems built over a ten-year period in a nonintegrated fashion. A new integrated system is required to maintain efficient and reliable building security and surveillance and extend the system to all primary city buildings, ensuring a reliable working security and surveillance system at primary city facilities and integrating disparate systems to a single platform on modern .net software. A new integrated system will accomplish several important goals:

5. The consolidation of systems to one integrated system using a standard platform.

APPENDIX II

FORM OF DECLARATION OF OFFICIAL INTENT

I, the undersigned _____ of the City of Portage, Michigan, do hereby certify as follows:

1. I am an officer of the City authorized to declare official intent of the City to reimburse expenditures made, prior to the issuance of debt, from the proceeds of said debt.

2. This Declaration relates to the following expenditures (the "Expenditures"):

Amount

General Purpose

3. The Expenditures are with respect to property (the "Property") having:

(A) the following general character, type or purpose:

_____;

(B) the following size, quantity or cost: _____

; and

(C) a reasonably expected economic life at least one (1) year.

4. I understand that a substantial deviation between the above description of the Property for which the Expenditures are being made and the actual Property which is acquired or constructed will invalidate this declaration of official intent with the result that any proceeds of tax-exempt debt which are used to reimburse for the Expenditures will not be deemed to have been expended upon such reimbursement.

5. The City intends to reimburse the Expenditures by incurring taxable or tax-exempt debt (the "Reimbursement Obligations").

6. The expected source of funds that will be used to pay the Expenditures is as follows: _____

7. The expected source of funds to be used to pay debt service on the Reimbursement Obligation is as follows:

8. This declaration of intent is consistent with the budgetary and financial circumstances of the City as of the date hereof in that there are no funds which are now or are reasonably expected to be, (A) allocated on a long-term basis, (B) reserved, or (C) otherwise available pursuant to the City's budget, to pay the Expenditure.

9. The City does not have a pattern of failure to reimburse expenditures for which official intent has been declared in that at least seventy-five percent (75%) of all expenditures made after _____, for which the City has declared an intent to reimburse from the proceeds of taxable or tax-exempt debt have been, or are expected to be, so reimbursed.

10. I acknowledge that in the event that the City fails to use the proceeds of Reimbursement Obligations issued within three (3) years of the date hereof to reimburse expenditures the same may adversely affect the ability of the City to use the proceeds of tax-exempt obligations in the future to reimburse for expenditures made prior to the issuance of such obligations.

11. I further acknowledge that unless the Expenditures constitute preliminary expenditures (in the nature of architect services and soil testing but excluding land acquisition) for the Property not in excess of ten percent (10%) of the expected cost of the Capital Improvement Project of which the Property constitutes a part, the Expenditures will be paid within not in excess of two (2) years following the date hereof or, as an alternative, this declaration of intent will be renewed.

12. I further acknowledge that it is expected that the proceeds of Reimbursement Obligations will be used for reimbursement of each Expenditure not later than (A) the date that is one (1) year after the date on which such Expenditure is paid, or (B) the date that is one (1) year after the date on which the Property is placed in service.

13. I further acknowledge that I will assure that the allocation referenced in item 12 (A) will be evidenced by an entry on the records of the City maintained with respect to the Reimbursement Obligations, (B) will specifically identify the Expenditure being reimbursed, and (C) on the advice of the appropriate counsel will be sufficient to relieve the allocated proceeds of the Reimbursement Obligations covered by such entry from any restrictions under the relevant legal documents and applicable state law that apply only to unspent proceeds of Reimbursement Obligations.

14. I further acknowledge that I will assure that except as referenced in item 15 the proceeds of the Reimbursement

Obligations that are used to reimburse the Expenditures will not be used, directly or indirectly, (A) to pay debt service on an issue of tax-exempt obligations, (B) to create or increase the balance in a sinking fund established for the payment of debt service on the Reimbursement Obligations or another issue of tax-exempt obligations of the City or to replace funds that have been, are being, or will be so used for reserve or replacement fund purpose, or (C) to reimburse any expenditures or any payment with respect to financing of an expenditure that was originally paid with proceeds of any tax-exempt obligations of the City to any person or entity other than the City.

15. I understand that item 14 does not prohibit the use of those proceeds of the Reimbursement Obligations that are used to reimburse the Expenditures for (A) deposit in a bona fide debt service fund (that is, a fund established to pay debt service on any tax-exempt obligation of the City, other than the Reimbursement Obligation, which is depleted annually except for a reasonable carry over amount not in excess of one (1) year's interest earnings on said fund or one-twelfth (1/12th) of annual debt service), (B) to pay current debt service coming due within the next succeeding one-year period on any tax-exempt obligation of the City, other than the Reimbursement Obligations, or (C) to reimburse for expenditures originally made from the proceeds of a tax-exempt obligation of the City which were not reasonably expected by the City, on the date of issue of such obligation, to be used for such expenditure.

IN WITNESS WHEREOF, the undersigned has executed this declaration of official intent this _____ day of _____, ____.

las.r1-por223

EXHIBIT B

[FORM OF BOND]

UNITED STATES OF AMERICA - STATE OF MICHIGAN -
CITY OF PORTAGE

CITY OF PORTAGE
CAPITAL IMPROVEMENT BOND, SERIES 2017

No. _____

<u>RATE</u>	<u>MATURITY DATE</u>	<u>DATE OF ISSUANCE</u>	<u>CUSIP</u>
-------------	----------------------	-------------------------	--------------

_____ 1, _____

=====

REGISTERED OWNER:

PRINCIPAL AMOUNT:

=====

FOR VALUE RECEIVED, the City of Portage, County of Kalamazoo (the "City"), State of Michigan, hereby acknowledges itself indebted and promises to pay (but only from the sources referred to herein) on the Maturity Date specified above, unless paid prior thereto as hereinafter provided, to the Registered Owner specified above, or its registered assigns, the Principal Amount specified above upon presentation and surrender of this Bond at the principal corporate trust office of _____, Michigan, as paying agent and bond registrar (the "Bond Registrar"), together with interest thereon to the Registered Owner of this Bond, as shown on the books of the City maintained by the Bond Registrar, on the applicable date of record from the Date of Issuance specified above, or such later date through which interest has been paid, at the Rate per annum specified above, commencing _____ 1, _____, and semiannually thereafter on the first day of _____ and _____ in each year to and including the Maturity Date or earlier redemption of this Bond. The date of record for each payment of interest shall be the 15th day of the month preceding the date such payment is due. Interest is payable by check or draft mailed by the Bond Registrar to the Registered Owner at the address shown on the books of the City maintained by the Bond Registrar on the applicable date of record and shall be calculated on the basis of a 360-day year consisting of twelve (12) thirty (30) day months.

This Bond is one of a series of bonds of like date and tenor except as to denomination, date of maturity and interest rate, numbered from 1 upwards, aggregating the principal sum of _____ Dollars (\$_____),

issued by the City, pursuant to and in full conformity with the Constitution and Statutes of the State of Michigan and especially Section 517 of Act No. 34, Public Acts of Michigan, 2001, as amended (the "Act"), for the purpose of

which is located in _____, Michigan (the "Capital Improvement Project").

This Bond and the series of which this is one are payable as follows:_____

which are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the bonds. To secure payment of the principal of, premium, if any, and interest on the bonds. The _____ pledged to the payment of the principal of, premium, if any, and interest on the bonds shall be and remain subject to the statutory lien until the principal of, premium, if any, and interest on the bonds have been paid in full. The limited tax full faith and credit of the City has been pledged for the making of such payments, and the City is obligated to levy ad valorem taxes in such amounts as shall be necessary for the making of such cash rental payments. HOWEVER, NO TAXES MAY BE LEVIED IN EXCESS OF CONSTITUTIONAL AND STATUTORY LIMITS.

Bonds maturing prior to _____ 1, _____ shall not be subject to redemption prior to maturity. Bonds maturing on or after _____ 1, _____ shall be subject to redemption prior to maturity at the option of the City, in any order, in whole or in part, on any interest payment date on or after _____ 1, _____. Bonds so called for redemption shall be redeemed at par, plus accrued interest to the date fixed for redemption.

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion as well as the amount not being redeemed each constitutes an authorized denomination. In the event that less than the entire principal amount of a bond is called for redemption, upon surrender of the bond to the Bond Registrar, the Bond Registrar shall authenticate and deliver to the Registered Owner of the bond a new bond in the principal amount of the principal portion not redeemed.

Notice of redemption shall be sent to the registered holder of each bond being redeemed by first class mail at least thirty (30) days prior to the date fixed for redemption, which notice shall fix the date of record with respect to the redemption, if different than otherwise provided in the resolution authorizing the issuance of the bonds. Any defect in such notice shall not affect the validity of the redemption proceedings. Bonds so

called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the Bond Registrar to redeem the same.

This Bond shall be transferable on the books of the City maintained by the Bond Registrar upon surrender of this Bond to the Bond Registrar together with an assignment executed by the Registered Owner or his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon receipt of a properly assigned bond, the Bond Registrar shall authenticate and deliver a new bond or bonds in authorized denominations in equal aggregate principal amount and like interest rate and maturity to the designated transferee or transferees.

This Bond may likewise be exchanged for one or more other bonds with the same interest rate and maturity in authorized denominations aggregating the same principal amount as the bond or bonds being exchanged. Such exchange shall be effected by surrender of the bond to be exchanged to the Bond Registrar with written instructions signed by the Registered Owner of the bond or his or her attorney in form satisfactory to the Bond Registrar. Upon receipt of a bond with proper written instructions the Bond Registrar shall authenticate and deliver a new bond or bonds to the Registered Owner of the bond or his or her properly designated transferee or transferees or attorney.

The Bond Registrar is not required to honor any transfer or exchange of bonds during the fifteen (15) days preceding an interest payment date. Any service charge made by the Bond Registrar for any such registration, transfer or exchange shall be paid for by the City (subject, however, to reimbursement by the City pursuant to the Lease), unless otherwise agreed upon by the City and the Bond Registrar. The Bond Registrar may, however, require payment by a bondholder of a sum sufficient to cover any tax or other governmental charge payable in connection with any such registration, transfer or exchange.

This Bond and the bonds of this series have ____ been designated as "qualified tax-exempt obligations" for purposes of Paragraph 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit until the certificate of authentication hereon has been duly executed by the Bond Registrar, as authenticating agent.

It is hereby certified, recited and declared that all things, conditions and acts required to exist, happen and be performed precedent to and in connection with the issuance of this Bond and the other bonds of this series, existed, have happened and have been performed in due time, form and manner as required by the Constitution and Statutes of the State of Michigan, and that the total indebtedness of the City, including

this series of bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Portage, State of Michigan by its City Council has caused this Bond to be executed in its name with the facsimile signatures of its Mayor and its Clerk and has caused a facsimile of its seal to be affixed hereto, and has caused this Bond to be authenticated by the Bond Registrar, as the City's authenticating agent, all as of the Date of Issuance set forth above.

CITY OF PORTAGE

By: Mayor

[SEAL]

By: Clerk

DATE OF AUTHENTICATION:

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the series of bonds designated "City of Portage Capital Improvement Bonds, Series 2017."

By: _____, Michigan
as Bond Registrar and Authenticating Agent
Authorized Representative

CERTIFICATE

The above is a true copy of the legal opinion of Clark Hill PLC, a true copy of which was delivered on the date of delivery of the Bonds to which it relates.

BY:

Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____ this Bond and all rights hereunder and hereby irrevocably constitutes and appoints _____ attorney to transfer this Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature:

Notice: The signature(s) to this assignment must correspond with the name as it appears upon the face of this Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

The transfer agent will not effect transfer of this Bond unless the information concerning the transferee requested below is provided:

Name and Address: _____

(Include information for all joint owners if bond is held by joint account)

PLEASE INSERT SOCIAL SECURITY NUMBER OR OTHER IDENTIFYING NUMBER OF TRANSFeree

(Insert number for first named transferee if held by joint account)

las.r1-por223

[FORM OF REQUEST FOR PROPOSAL]

\$ _____

CITY OF PORTAGE, STATE OF MICHIGAN

CITY OF PORTAGE
CAPITAL IMPROVEMENT BONDS, SERIES 2017

SEALED OR ELECTRONIC PROPOSALS: Sealed written proposals for the purchase of the bonds described herein (the "Bonds") will be received by the undersigned on behalf of the City of Portage (the "City"), at the office of the City Finance Director, 7900 South Westnedge Ave., Portage, Michigan, 49002 on _____, _____, until ____:____.m., Eastern _____ Time, at which time and place the proposals will be publicly opened and read.

In the alternative, sealed written proposals will also be received on the same date and until the same time by an agent of the undersigned at the Municipal Advisory Council of Michigan, Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan 48226, where they will be publicly opened simultaneously. Proposals received at Portage, Michigan will be read first followed by proposals received at the alternate location. Proposers may choose either location to present proposals and good faith checks, but not both locations.

Any proposer may submit a proposal in person to either proposing location. However, no proposer is authorized to submit a FAX proposal to Portage, Michigan.

Also in the alternative, electronic proposals will also be received on the same date and until the same time by an agent of the undersigned Bidcomp/Parity. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Eric Washington, 1359 Broadway, 2nd floor, New York, New York 10018, (212) 849-5021.

If any provision of this Request for Proposal shall conflict with information provided by Bidcomp/Parity as the approved provider of electronic proposing services, this Request for Proposal shall control.

The Bonds will be awarded or all proposals will be rejected by the City at a meeting to be held within twenty-four hours of the sale.

BOND DETAILS: The Bonds will be fully registered bonds, both as to principal and interest, in any one or more denominations of \$5,000 or a multiple of \$5,000, not exceeding the aggregate principal amount for each maturity, dated _____ 1, _____, numbered from 1 upwards and will bear interest from their date

of issuance payable on _____ 1, _____ and semiannually thereafter on each _____ 1 and _____ 1 until maturity. The Bonds will mature on _____ 1 of each year as follows:

<u>YEAR</u>	<u>PRINCIPAL</u>	<u>YEAR</u>	<u>PRINCIPAL</u>
-------------	------------------	-------------	------------------

PRIOR REDEMPTION: Bonds maturing prior to _____ 1, _____ shall not be subject to redemption prior to maturity. Bonds maturing on or after _____ 1, _____ shall be subject to redemption prior to maturity at the option of the City, in any order, in whole or in part, on any date on or after _____ 1, _____. Bonds so called for redemption shall be redeemed at par, plus accrued interest to the date fixed for redemption.

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion as well as the amount not being redeemed each constitutes an authorized denomination. In the event that less than the entire principal amount of a bond is called for redemption, upon surrender of the bond to the Bond Registrar, the Bond Registrar shall authenticate and deliver to the Registered Owner of the bond a new bond in the principal amount of the principal portion not redeemed.

Notice of redemption shall be sent to the registered holder of each bond being redeemed by first class mail at least thirty (30) days prior to the date fixed for redemption, which notice shall fix the date of record with respect to the redemption, if different than otherwise provided in the resolution authorizing the issuance of the bonds. Any defect in such notice shall not affect the validity of the redemption proceedings. Bonds so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the Bond Registrar to redeem the same.

INTEREST RATE AND PROPOSAL DETAILS: The Bonds shall bear interest at a rate or rates not exceeding ____% per annum, to be fixed by the proposals therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. THE INTEREST RATE BORNE BY BONDS MATURING IN ANY YEAR SHALL NOT BE AT A RATE LOWER THAN THE RATE BORNE BY BONDS MATURING IN ANY PRECEDING YEAR. No proposal for the purchase of less than all of the Bonds, at a price less than ____% of their par value or at an interest rate or rates that will result in a net interest cost of more than ____% per annum, will be considered.

TERM BOND OPTION: Bonds maturing in the years _____-_____, inclusive, are eligible for designation by the original

purchaser at the time of sale as serial Bonds or term Bonds, or both. There may be more than one Term Bond maturity. However, principal maturities designated as Term Bonds shall be subject to mandatory redemption, in part, by lot, at par and accrued interest on _____ 1st of the year in which the Bonds are presently scheduled to mature. Each maturity of Term Bonds and Serial bonds must carry the same interest rate. Any such designation must be made at the time the proposals are submitted.

BOOK-ENTRY-ONLY: The Bonds will be issued in book-entry-only form as one fully-registered bond per maturity and will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, ("DTC"), New York, New York. DTC will act as securities depository for the Bonds. Purchase of the Bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in Bonds purchased. The book-entry-only system is described further in the nearly final official statement for the Bonds.

BOND REGISTRAR, PAYING AGENT AND DATE OF RECORD:

_____, _____, Michigan has been selected as bond registrar and paying agent (the "Bond Registrar") for the Bonds. The Bond Registrar will keep records of the registered holders of the Bonds, serve as transfer agent for the Bonds, authenticate the original and any re-issued bonds and pay interest by check or draft mailed to the registered holders of the Bonds as shown on the registration books of the City kept by the Bond Registrar on the applicable date of record. The date of record for each interest payment shall be the 15th day of the month before such payment is due. The principal of and redemption premium, if any, on the Bonds will be paid when due upon presentation and surrender thereof to the Bond Registrar. As long as DTC, or its nominee Cede & Co., is the registered owner of the Bonds, payments will be made directly to such registered owner. Disbursement of such payments to DTC participants is the responsibility of DTC and disbursement of such payments to the beneficial owners of the Bonds is the responsibility of DTC participants and indirect participants as described in the nearly final official statement for the Bonds. The City may from time to time as required designate a successor bond registrar and paying agent.

PURPOSE AND SECURITY: The Bonds are to be issued pursuant to Section 517 of Act No. 34, Public Acts of Michigan, 2001, as amended (the "Act"), for the purpose of acquiring and constructing improvements to the City of Portage located in the City of Portage, Michigan (the "Capital Improvement Project"). The City agrees to pledge for the repayment of the Bonds sufficient amounts of City taxes levied each year provided that the amount of taxes necessary to pay the principal of and interest on the Bonds, together with the other taxes levied for

the same year, shall not exceed the limit authorized by law and the Michigan Constitution.

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the proposer/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser. Any additional rating agency fees shall be the responsibility of the purchaser. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.

GOOD FAITH: A certified or cashier's check drawn upon an incorporated bank or trust company or a wire transfer in an amount equal to 2% (\$_____) of the face amount of the Bonds, and payable to the order of the City will be required of the successful proposer as a guarantee of good faith on the part of the proposer, to be forfeited as liquidated damages if such proposal be accepted and the proposer fails to take up and pay for the Bonds. If a check is used, it must accompany each proposal. If a wire transfer is used, the successful proposer is required to wire the good faith deposit not later than Noon, prevailing Eastern Time, on the next business day following the sale using the wire instructions provided by Municipal Financial Consultants Incorporated. The good faith deposit will be applied to the purchase price of the Bonds. No interest shall be allowed on the good faith checks, and checks of each unsuccessful proposer will be promptly returned to such proposer's representative or by registered mail. The good faith check of the successful proposer will be cashed immediately, in which event, payment of the balance of the purchase price of the Bonds shall be made at the closing.

AWARD OF THE BONDS - TRUE INTEREST COST: The Bonds will be awarded to the proposer whose proposal produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on _____ 1, _____ and semi-annually thereafter) necessary to discount the debt service payments from their respective payment dates to _____ 1, _____ in an amount equal to the price proposed, excluding accrued interest. _____, _____ is the anticipated date of delivery of the Bonds.

LEGAL OPINION: Proposals shall be conditioned upon the approving opinion of Clark Hill PLC, Detroit, Michigan (the "Bond Counsel"), a copy of which will be printed on the reverse side of each bond and the original of which will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The fees of Bond Counsel for its services in connection with such approving opinion are expected to be paid

from Bond Proceeds. Except to the extent necessary to issue such opinion and as described in the Official Statement, Bond Counsel has not been requested to examine or review, and has not examined or reviewed, any financial documents, statements or other materials that have been or may be furnished in connection with the authorization, marketing or issuance of the Bonds and, therefore, has not expressed and will not express an opinion with respect to the accuracy or completeness of the Official Statement or any such financial documents, statements or materials.

TAX MATTERS: In the opinion of Bond counsel, subject, however to certain qualifications described herein, under existing law, the interest on the Bonds is excluded from gross income for federal income tax purposes, such interest is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, although for the purpose of computing the alternative minimum tax imposed on certain corporations, such interest is taken into account in determining certain income and earnings. In the further opinion of Bond Counsel, the Bonds and the interest thereon are exempt from all taxation in the State of Michigan except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof.

THE BONDS HAVE _____ BEEN DESIGNATED AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" WITHIN THE MEANING OF SECTION 265 (b)(3) OF THE INTERNAL REVENUE CODE OF 1986.

CERTIFICATE REGARDING "ISSUE PRICE": The Purchaser will be required, as a condition of delivery of the Bonds, to certify the "issue price" of the Bonds within the meaning of Section 1273 of the Code, which will include a representation that at least 10 percent of each maturity of the Bonds has been sold to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at a price not exceeding the stated initial offering price. In addition, if the successful proposer will obtain a municipal bond insurance policy or other credit enhancement for the Bonds in connection with their original issuance, the successful proposer will be required, as a condition of delivery of the Bonds, to certify that the premium therefor will be less than the present value of the interest expected to be saved as a result of such insurance or other credit enhancement. The form of an acceptable certificate will be provided by bond counsel.

DELIVERY OF BONDS: The City will furnish Bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the Bonds, will be delivered at the time of delivery of the Bonds. If the Bonds are not tendered for delivery by twelve o'clock noon, Eastern Time, on the 45th day

following the date of sale or the first business day thereafter if the 45th day is not a business day, the successful proposer may on that day, or any time thereafter until delivery of the Bonds, withdraw its proposal by serving written notice of cancellation on the undersigned, in which event the City shall promptly return the good faith deposit. Payment for the Bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the Bonds shall be paid by the purchaser at the time of delivery. Unless the purchaser of the Bonds furnishes the Bond Registrar with a list of names and denominations in which it wishes to have the Bonds issued at least ten (10) business days before delivery of the Bonds, the Bonds will be delivered in the form of one bond for each maturity, registered in the name of the purchaser. **Notwithstanding the foregoing, the successful proposer will be required to pay for and accept delivery of the Bonds on**

UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE: In order to assist the winning proposer in complying with SEC Rule 15c2-12, as amended, the City will covenant to undertake (pursuant to a resolution adopted or to be adopted by its governing body), to provide annual reports and timely notice of certain events for the benefit of beneficial owners of the Bonds. The details and terms of the undertaking are set forth in a Continuing Disclosure Certificate to be executed and delivered by the City, a form of which is included in the nearly final official statement and in the final official statement.

OFFICIAL STATEMENT:

Hard Copy

A copy of the nearly final Official Statement (the "Nearly Final Official Statement") may be obtained by contacting Municipal Financial Consultants Incorporated at the address listed below. The Nearly Final Official Statement is in a form deemed final as of its date by the City for purposes of SEC Rule 15c2-12(b)1, but is subject to revision, amendment and completion of a final Official Statement (the "Final Official Statement"). The successful proposer shall supply to the City, within twenty-four hours after the award of the Bonds, all pricing information and any underwriter identification determined by Bond Counsel to be necessary to complete the Final Official Statement.

Internet

In addition, the City has authorized the preparation and distribution of a Nearly Final Official Statement containing information relating to the Bonds via the Internet. The Nearly Final Official Statement can be viewed and downloaded at www.i-dealprospectus.com/PDF.asp?doc=_____ or at www.tm3.com.

The City will furnish to the successful proposer, at no cost, ____ copies of the Final Official Statement within seven (7) business days after the award of the Bonds. Additional copies will be supplied upon the proposer's agreement to pay the cost of the City for those additional copies.

The City shall deliver, at closing, an executed certificate to the effect that as of the date of delivery the information contained in the Final Official Statement, including revisions, amendments and completions as necessary, relating to the City and the Bonds is true and correct in all material respects, and that such Final Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

CUSIP NUMBERS: It is anticipated that CUSIP numbers will be printed on the Bonds, but neither the failure to print such numbers nor any improperly printed number shall constitute cause for the purchaser to refuse to accept delivery of, or to pay for the Bonds. All expenses for printing CUSIP numbers on the Bonds will be paid by the City, except that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and paid for by the purchaser.

ADDITIONAL INFORMATION: Further information may be obtained from Meredith A. Shanle, Municipal Financial Consultants Incorporated, 500 Woodward Ave., Suite 3500, Office #3559, Detroit, Michigan 48226 (telephone (313) 884-1550 or (313) 408-5990).

THE RIGHT IS RESERVED TO REJECT ANY OR ALL PROPOSALS.

ENVELOPES: Envelopes containing the proposals should be plainly marked "Proposal for City of Portage Capital Improvement Bonds, Series 2017."

William K. Furry
Finance Director,
City of Portage

las.r1-por223

CITY OF PORTAGE

At a _____ meeting of the City Council of the City of Portage held at 7900 South Westnedge Ave., Portage, Michigan, 49002 on _____, 2017 at ____:____.m. Eastern Daylight Savings Time, there were:

PRESENT: _____

ABSENT: _____

The following preamble and resolution were offered by _____ and seconded by _____.

**RESOLUTION APPROVING THE UNDERTAKING TO PROVIDE CONTINUING
DISCLOSURE BY THE CITY OF PORTAGE FOR THE
CAPITAL IMPROVEMENT BONDS, SERIES 2017**

WHEREAS, the City of Portage (the "City") by resolution of its Council has approved the issuance of the City of Portage Capital Improvement Bonds, Series 2017 in the principal amount of not to exceed \$3,570,000 (the "Bonds"); and

WHEREAS, Bond Counsel, in order to comply with federal securities regulations, has prepared this resolution.

NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE CITY OF PORTAGE as follows:

1. This Council, for and on behalf of the City of Portage, hereby covenants and agrees, for the benefit of the beneficial owners of the Bonds to be issued by the City of Portage for the Project, to enter into a written undertaking (the "Undertaking") required by Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be substantially in the form attached to the official statement for the Bonds. The Undertaking shall be enforceable by the beneficial owners of the Bonds or by the Underwriter on behalf of such beneficial owners (provided that the Underwriter's right to enforce the provisions of the Undertaking shall be limited to a right to obtain specific enforcement of the City's obligations hereunder and under the Undertaking), and any failure by the City to comply with the provisions of the Undertaking shall not be deemed a default with respect to the Bonds.

The Mayor, City Finance Director, City Clerk and/or other officer of the City charged with the responsibility for issuing the Bonds shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the terms of the City's Undertaking.

2. The Disclosure Certificate as attached to the official statement for the Bonds is hereby approved as is the execution thereof by the designated officials.

3. All resolutions, or portions thereof, insofar as they may be in conflict with the foregoing, are hereby rescinded.

A vote on the foregoing resolution was taken and was as follows:

YES: _____

NO: _____

ABSTAIN: _____

CERTIFICATION

The undersigned, being the duly qualified and acting Clerk of the City of Portage, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Council of the City of Portage at a _____ meeting held on _____, 2017, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the City, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 2026, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Clerk, City of Portage

SEAL

las.rc-por223

DEBT REDUCTION**Governmental (non-utility)**

Fiscal year	Balance	Change
07/08	69,920,713	2,804,068
08/09	68,115,304	(1,805,409)
09/10	64,767,108	(3,348,196)
10/11	61,488,805	(3,278,303)
11/12	59,470,138	(2,018,667)
12/13	56,001,989	(3,468,149)
13/14	53,092,130	(2,909,859)
14/15	48,619,844	(4,472,286)
15/16	44,684,645	(3,935,199)
16/17	43,500,041	(1,184,604)
17/18	41,827,690	(1,672,351)
18/19	42,317,488	489,798
19/20	43,425,638	1,108,150

Business-type (utility)

Fiscal year	Balance	Change
07/08	35,334,287	7,798,949
08/09	33,749,696	(1,584,591)
09/10	33,592,892	(156,804)
10/11	32,611,195	(981,697)
11/12	30,589,862	(2,021,333)
12/13	29,548,011	(1,041,851)
13/14	29,237,871	(310,140)
14/15	28,910,156	(327,715)
15/16	26,190,355	(2,719,801)
16/17	24,029,959	(2,160,396)
17/18	21,160,060	(2,869,899)
18/19	20,839,762	(320,298)
19/20	18,701,612	(2,138,150)

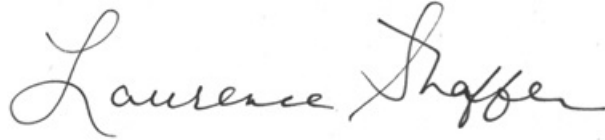
Total debt

Fiscal year	Balance	Change
07/08	105,255,000	10,603,017
08/09	101,865,000	(3,390,000)
09/10	98,360,000	(3,505,000)
10/11	94,100,000	(4,260,000)
11/12	90,060,000	(4,040,000)
12/13	85,550,000	(4,510,000)
13/14	82,330,001	(3,219,999)
14/15	77,530,000	(4,800,001)
15/16	70,875,000	(6,655,000)
16/17	67,530,000	(3,345,000)
17/18	62,987,750	(4,542,250)
18/19	63,157,250	169,500
19/20	62,127,250	(1,030,000)

fiscal years 17/18 thru 19/20 estimated

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: MDOT Contract #16-5592 (Shaver Road from Vanderbilt Avenue to West Centre Avenue)

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

ACTION RECOMMENDED: That City Council:

1. approve Contract #16-5592 between the Michigan Department of Transportation and the City of Portage for new water main, new fire hydrants, Americans with Disabilities Act pedestrian improvements and pavement reconstruction work on Shaver Road from Vanderbilt Avenue to West Centre Avenue;
2. adopt a Resolution authorizing the City Manager to sign Contract #16-5592, and

authorize the City Manager to sign all other documents related to this project on behalf of the city.

The 2016-2017 Capital Improvement Program budget contains a project for the reconstruction of Shaver Road from Vanderbilt Avenue to West Centre Avenue, which consists of new water main, new fire hydrants, Americans with Disabilities Act pedestrian improvements and pavement reconstruction.

Major street reconstruction projects are selected based on pavement condition, average daily traffic and federal aid eligibility, as well as potential adjacent development activities.

On September 6, 2016, OMM Engineering was awarded an engineering services contract in the amount of \$145,600 for design and construction engineering for this project. The bid opening by MDOT for the construction was held on on March 3, 2017. MDOT requires that an agreement with the local government agency be executed prior to construction award. The estimated total cost of the project is \$3,175,000, with \$822,000 utilizing Federal Safety funds and the balance of \$2,353,000 will be funded by the 2016-2017 Capital Improvement Program budget major streets account. Because the project involves Federal Surface Transportation funding, MDOT is involved as a facilitator.

Following the contract award by MDOT, construction will likely commence in Spring 2017. Construction completion is scheduled for summer 2017.

Therefore, it is recommended that City Council approve Contract #16-5592 between the Michigan Department of Transportation and the City of Portage for Shaver Road from Vanderbilt Avenue to

West Centre Avenue, adopt a Resolution authorizing the City Manager to sign Contract #16-5592 and authorize the City Manager to sign all documents related to this project on behalf of the city.

FUNDING: The estimated total cost of the project is \$3,175,000 with \$822,000, utilizing Federal Surface Transportation funds and the balance of \$2,353,000 will be funded by the 2016-2017 Capital Improvement Program budget major streets account.

Attachments: 1. Resolution for Contract #16-5592

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 _____, 2017 at 7:30 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, Laurence Shaffer, to sign Contract 16-5592 between the City of Portage and the Michigan Department of Transportation. This contract is for reconstruction work along Shaver Road from Vanderbilt Avenue to West Centre Avenue including water main replacement, concrete sidewalk, resurfacing restoration work; and all together necessary related work.

ADOPTED: YEAS:

NAYS:

ABSENT:

James R. Hudson, City Clerk

CERTIFICATION

I hereby certify this _____ day of _____, 2017 that the foregoing is a true and complete copy of the original on file in my office.

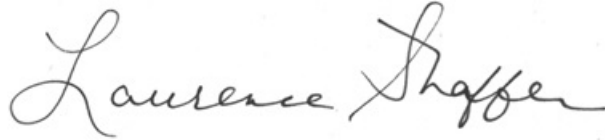
James R. Hudson, City Clerk

APPROVED AS TO FORM
2/25/17

CITY CLERK

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Greenspire Retail (Phase V-R-1) - 3413 West Centre Avenue

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council approve the Final Plan for Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue.

A final plan has been submitted by Greenspire Retail, LLC to construct an approximate 12,000-square-foot retail building and associated site improvements at 3413 West Centre Avenue. The project represents the second retail building within the overall Greenspire Planned Development. The final plan has been designed in substantial compliance with the amended tentative plan that was approved by City Council on January 24, 2017.

Primary access to the site will be provided through the existing full service driveway at the West Centre Avenue/Cooley Drive intersection with two secondary, right-in/right-out only driveways proposed further to the west. Cross access connections will be maintained and provided within the interior of the development, between the retail and apartment portions of the planned development. Sidewalks will be installed along the West Centre Avenue frontage and within the interior of the development. Storm water from the development will be collected and conveyed to a treatment cell located along the southwest portion of the site prior to being discharged to adjacent wetland area. The proposed discharge to the adjacent wetland area will require review and approval by the Michigan Department of Environmental Quality (MDEQ).

In a Department of Community Development report dated February 24, 2017, staff recommends approval of the Final Plan for Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue. During the March 2, 2017 meeting, the Planning Commission reviewed and also recommended to City Council approval of the Final Plan.

FUNDING: Not Applicable

Attachments:

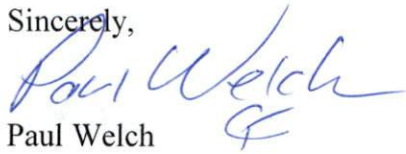
1. Planning Commission transmittal dated March 3, 2017
2. Planning Commission minutes dated March 2, 2017 (DRAFT)
3. Department of Community Development staff report dated February 24, 2017 with attachments

TO: Honorable Mayor and City Council
FROM: Planning Commission
DATE: March 3, 2017
SUBJECT: Final Plan for Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue

During the March 2, 2017 meeting, the Planning Commission reviewed and discussed the Final Plan for the above captioned development project. Mr. Greg Dobson of American Village Builders (applicant representative) was present to support the application and explain the development project. No citizens spoke regarding the project.

The final plan for Greenspire Retail (Phase V-R-1) has been designed in substantial compliance with the approved tentative plan amendment for the Greenspire Planned Development. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to recommend to City Council that the Final Plan for Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue, be approved. The motion was unanimously approved 6-0.

Sincerely,

A handwritten signature in blue ink that reads "Paul Welch". The signature is fluid and cursive, with a stylized "P" and "W".

Paul Welch
Chairman

SITE/FINAL PLANS:

1. Final Plan: Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue. Mr. Forth summarized the staff report dated February 24, 2017 regarding a final plan submitted by Greenspire Retail, LLC to construct an approximate 12,000 square foot retail building and associated site improvements on property addressed as 3413 West Centre Avenue. Mr. Forth stated the project represents the second retail building within the overall Greenspire Planned Development (PD). Mr. Forth discussed the recent January 2017 tentative plan amendment that was approved by City Council and stated the final plan for the second retail building has been designed in substantial compliance with the amended tentative plan. Mr. Forth briefly discussed proposed access to the site, building setback and storm water management.

Mr. Greg Dobson of American Village Builders (applicant's representative) was present to explain and support the proposed development. Mr. Dobson discussed the wetland delineation completed along the western portion of the property and indicated the appropriate storm water discharge permit/approval will be secured from the Michigan Department of Environmental Quality. Mr. Dobson also discussed proposed access to the site and how the project would be integrated into the existing retail and apartment portions of the Greenspire PD. The Commission, Mr. Dobson and staff next discussed various aspects of the proposed project and overall PD including access, parking, phasing for future apartment buildings and the feasibility of using performance bonds to ensure the tentative plan is developed as approved. Commissioner Dargitz asked if performance bonds or other measures can be used to ensure that the development project is completed as envisioned and approved with the PD zoning and tentative plan. Attorney Brown and Mr. Forth discussed provisions of the PD ordinance, how performance bonds have been used in past PD projects and how the ordinance allows for modifications to previously approved tentative plan with City Council review/approval. Mr. Dobson indicated that PD projects typically involve large tracts of land with construction of multiple phases over time and modifications to the tentative plan are often needed to address changing economic/market conditions.

After additional discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to recommend to City Council that the Final Plan for Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue, be approved. The motion was unanimously approved 6-0.

7:40 p.m. - The Commission took a short recess.

7:45 p.m. - The Commission reconvened the meeting in City Hall Conference Room No. 1

OLD BUSINESS:

1. 2017-2018 Neighborhood and Community Enhancement Program Process. Mr. Forth referred the Commission to the March 2, 2017 Department of Community Development report contained in the final agenda packet. Since Commission discussion during the February 16th meeting, Mr. Forth stated that staff had revised the project application form and prepared preliminary project evaluation criteria. Mr. Forth also stated that a revised timeline for outreach efforts and application review and processing was also included in the staff report. Mr. Forth asked for initial review comments from the Commission.

Commissioners Dargitz and Stoffer asked if funding for the program could be included in FY2018-19 and not just FY2017-18. Mr. Forth stated that this could be considered during next year's review of the CIP and modified accordingly based on the interest received in the pilot year of the program. Attorney Brown suggested that the project application form be revised to clearly indicate that projects must be located on public property or on private with an appropriate easement granted to the city. Mr. Forth clarified that construction of the project would be accomplished either with city staff or a private contractor selected by the city. The Commission and staff next discussed the preliminary review criteria and point system for evaluating project and making recommendations to City Council. When completing the application, Commissioner Dargitz asked if the applicant would need to list both material and labor costs and how that should be calculated, especially if city staff was used

TO: Planning Commission**DATE:** February 24, 2017**FROM:** Vicki Georgeau, ^hDirector of Community Development**SUBJECT:** Final Plan for Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue**I. INTRODUCTION:**

A final plan has been submitted by Greenspire Retail, LLC to construct an approximate 12,000 square foot retail building and associated site improvements on property addressed as 3413 West Centre Avenue. The project represents the second retail building within the overall Greenspire Planned Development (PD).

On January 24, 2017, City Council approved an amendment to the previously approval Greenspire PD tentative plan that: 1) rezoned and added a 1.42 acre parcel (8546 Shirley Court) into the overall Greenspire PD; 2) increased the total number of apartments by 12 units (from 692 to 704 total units); 3) reconfigured the size and location of the proposed retail/office buildings along West Centre Avenue; and 4) revised the anticipated phasing/construction schedule. The final plan for the Greenspire Retail (Phase V-R-1) project has been designed in substantial compliance with the amended tentative plan.

II. FINAL PLAN:

Consistent with the recently approved tentative plan amendment and the first retail building constructed to the east, the second retail building will be setback approximately 90 feet from West Centre Avenue right-of-way. Storm water from the development will be collected and conveyed to a treatment cell located along the southwest portion of the site prior to being discharged to adjacent wetland area. The proposed discharge to the adjacent wetland area will require review/approval by the Michigan Department of Environmental Quality (MDEQ).

Primary access to the site will be provided through the existing full service driveway at the West Centre Avenue/Cooley Drive intersection which is in the process of being signalized. Additionally, the current Shirley Court gravel drive to West Centre Avenue will be improved as a paved access drive and an additional access drive to West Centre Avenue will be constructed along the western portion of the property. Given the presence of the West Centre Avenue boulevard, these two additional access drives will function as limited turning access (right-in/right-out) for eastbound West Centre Avenue traffic. Cross access connections will be maintained and provided within the interior of the development, between the retail and apartment portions of the planned development. Concrete sidewalks will also be installed along the West Centre Avenue frontage and within the interior of the development so as to provide pedestrian connections between the existing/planned apartments, existing/planned retail buildings and West Centre Avenue.

Existing mature trees and natural vegetation will be preserved along the southern portion of the property, between the retail portion of the project and the interior apartment buildings. Perimeter and interior landscaping will also be installed. Finally, outdoor lighting units associated with the project will contain shielded ("sharp cut-off" style) fixtures and comply with applicable ordinance requirements.

II. RECOMMENDATION:

The final plan has been reviewed by the City Administrative departments and is consistent with the 2017 amended tentative plan for the Greenspire Planned Development. Staff advises the Planning Commission to recommend to City Council approval of the Final Plan for Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue.

Attachments: Final Plan Sheets for Greenspire Retail (Phase V-R-1)
City Council approved Amended Tentative Plan/Narrative (approved January 24, 2017)

T:\COMMDEV\2016-2017 Department Files\Board Files\Planning Commission\PC reports\Site Plans\Greenspire Retail (Phase V-R-1), 3413 West Centre Avenue-FP.doc

FINAL SITE PLAN SUBMITTAL

Greenspire Retail - Phase V-R-1

OWNER

GREENSPIRE RETAIL, LLC
W. CENTRE AVE
PORTAGE, MI 49002

CONSTRUCTION MANAGER



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

ARCHITECT

TowerPinkster

242 East Kalamazoo Avenue, Suite 200
Kalamazoo, Michigan 49007-5828
269.343.6133 PHONE
269.343.6633 FAX

PLANS PREPARED BY:



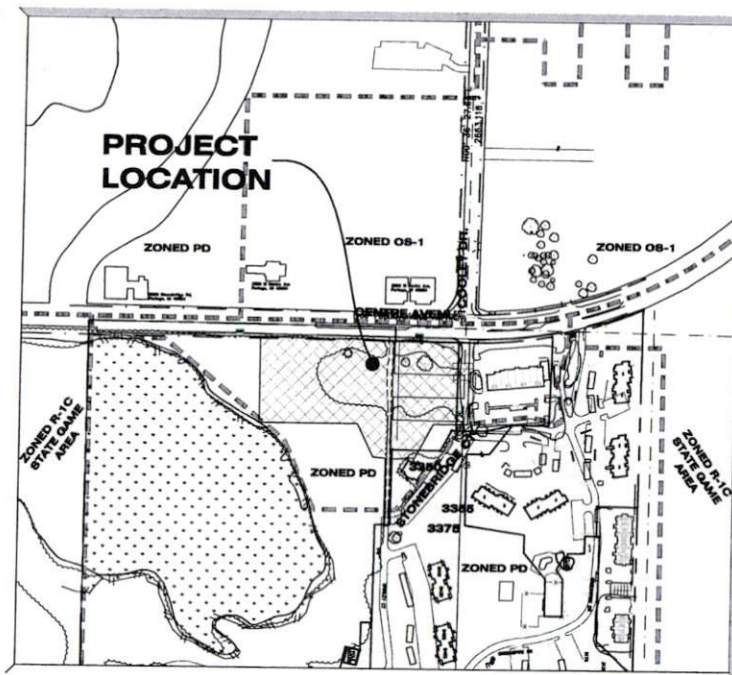
hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4960 fax 552.4961
www.hurleystewart.com



UTILITY CONTACTS:

CONSUMERS ENERGY CO. JESSE BURNS 2500 E. CORK STREET KALAMAZOO, MI 49001 269.337.2248	ELECTRIC
CONSUMERS ENERGY CO. RYLE DAK 2500 E. CORK STREET KALAMAZOO, MI 49001 269.337.2248	GAS
CHARTER COMMUNICATIONS MARK BURKE 4176 COMMERCIAL AVE. PORTAGE, MI 49002 269.217.8152	CABLE TELEVISION
AT&T TODD SHIBAYAMA 2919 HILLCORN ST. KALAMAZOO, MI 49001 269.384.4436	TELEPHONE
CITY OF PORTAGE BOB MILLER-SUEZ 7719 S. WESTNEDGE AVENUE PORTAGE, MI 49024 269.324.9235	WATER/SANITARY

WEST CENTRE AVE
PORTAGE, MI
02/22/17



SITE LOCATION MAP

SCALE: 1" = 200'



DRAWING INDEX

SHT # DESCRIPTION

- C-0 - TITLE SHEET
- C-1 - EXISTING CONDITIONS PLAN
- C-2 - DEMOLITION PLAN
- C-3 - SITE LAYOUT PLAN
- C-4 - UTILITY PLAN
- C-5 - GRADING PLAN
- C-6 - SITE DETAILS
- C-7 - SITE DETAILS
- C-8 - STORM WATER DETAILS
- C-9 - GRADING-SESC DETAILS
- C-10 - UTILITY PROFILES
- L-1 - LANDSCAPE PLAN
- L-2 - LANDSCAPE ENLARGEMENT

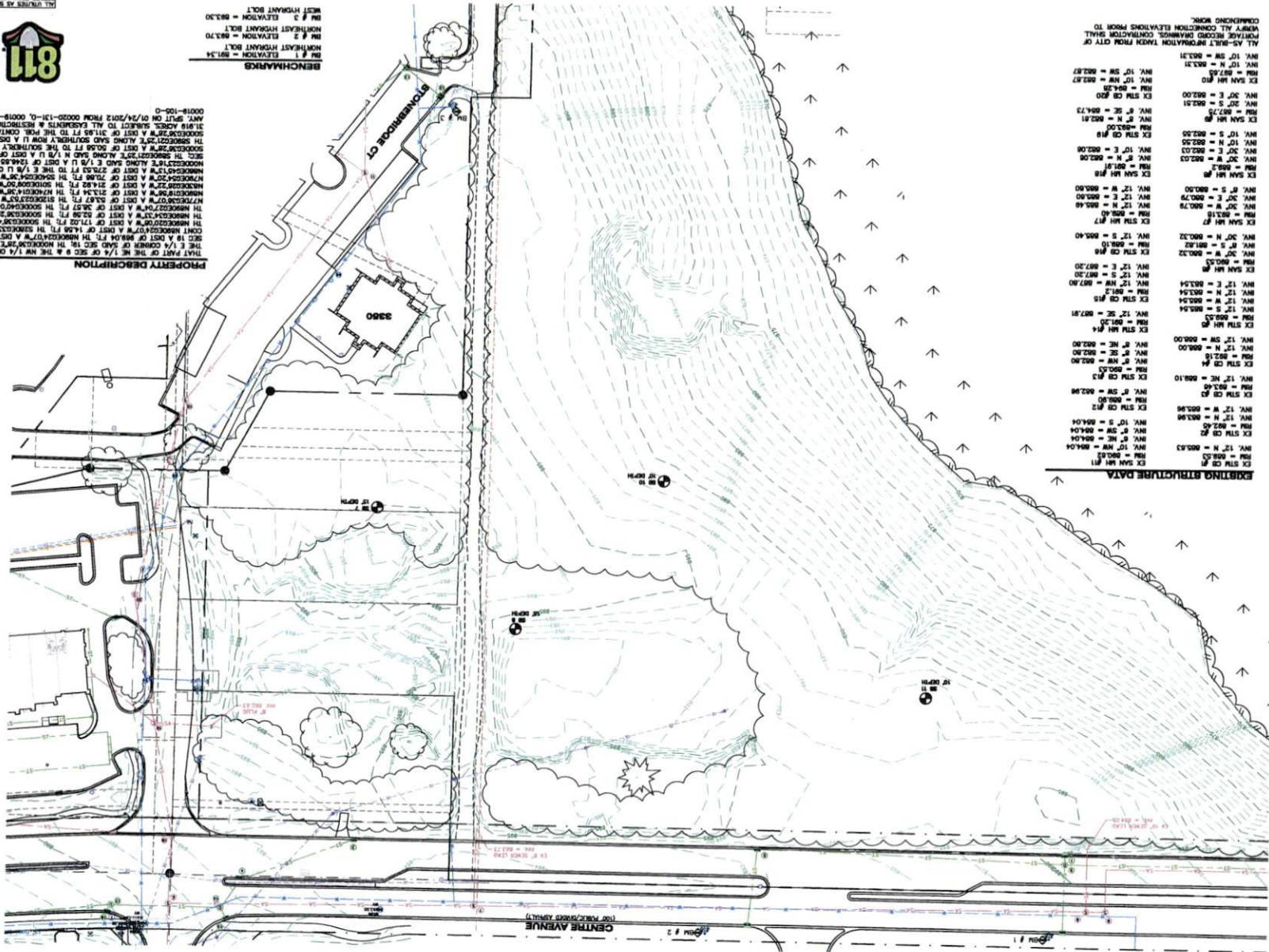
RECEIVED
FEB 23 2017
COMMUNITY DEVELOPMENT



Know what's below.
Call before you dig.

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

ISSUED FOR:
FINAL SITE PLAN SUBMITTAL
02/22/17



BENCHMARKS

BM # 1	ELEVATION = 891.54
NORTHEAST HYDRANT BOLT	
BM # 2	ELEVATION = 893.70
NORTHEAST HYDRANT BOLT	
BM # 3	ELEVATION = 893.30
WEST HYDRANT BOLT	

811 Know what's below. Call before you dig.

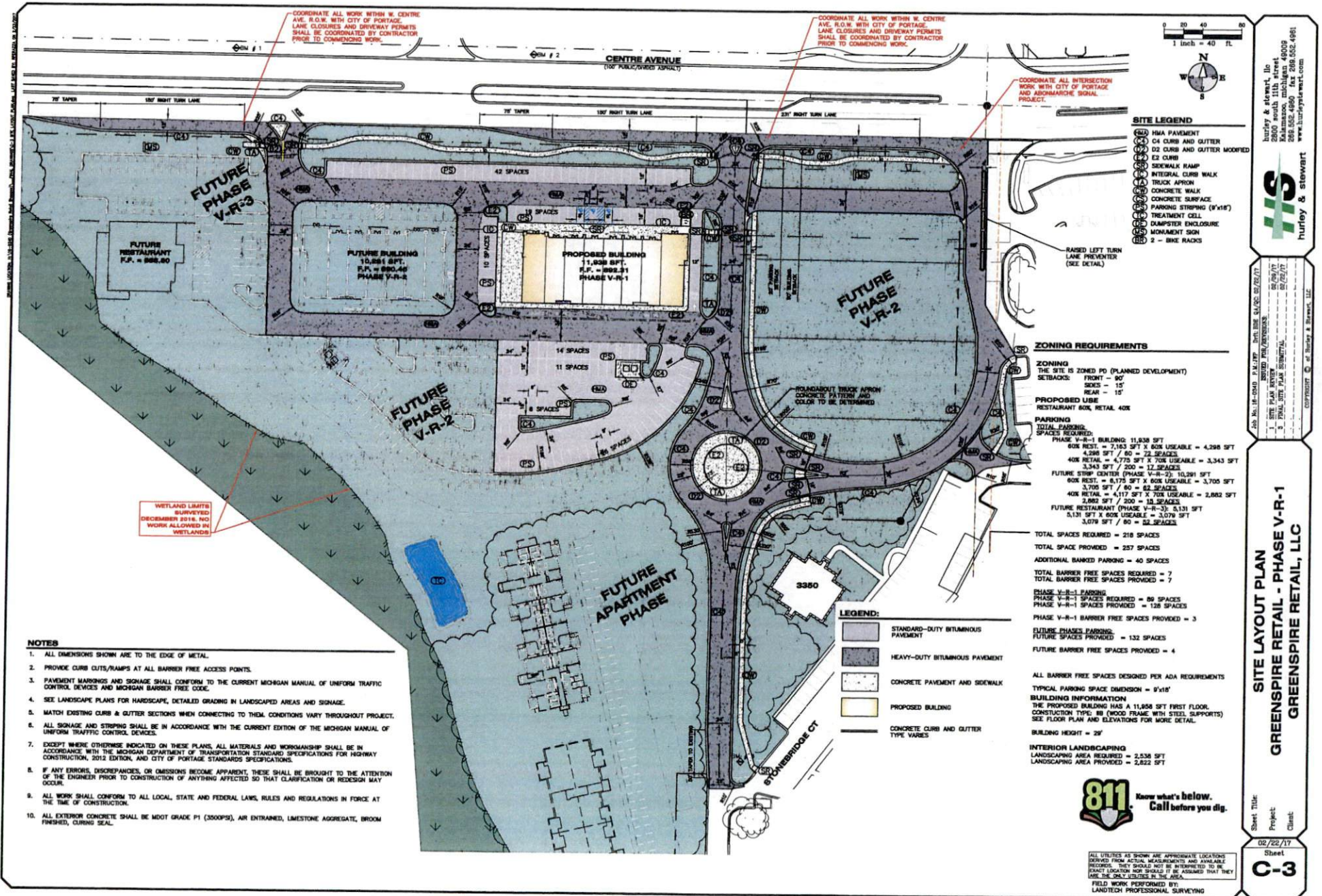
[illegible]

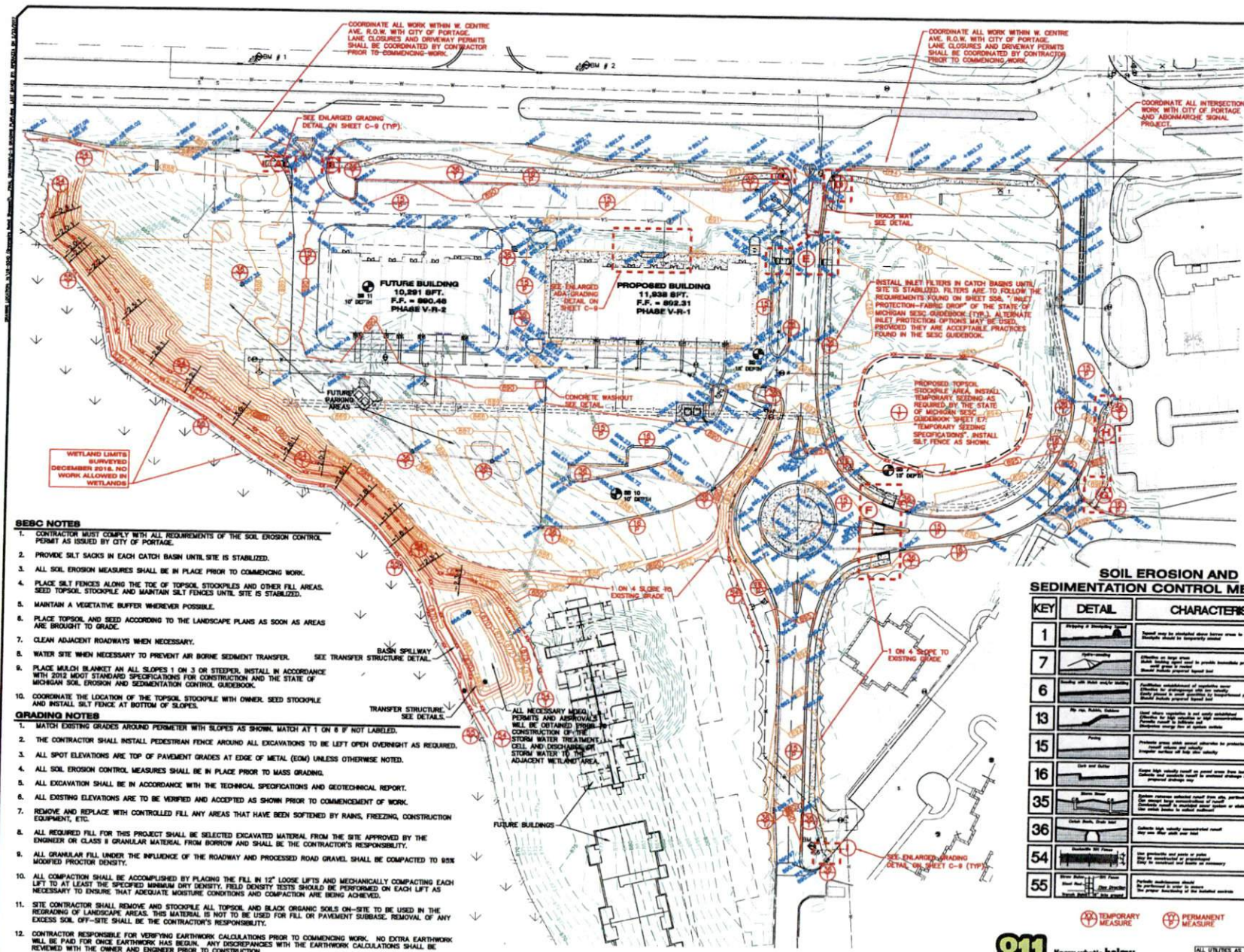
**EXISTING CONDITIONS PLAN
GREENSPIRE RETAIL - PHASE V-R-1
GREENSPIRE RETAIL, LLC**

Job No.: 13-004D		P. M. / YR	DATE SENT	QA/QC:	02/22/17
ISSUED FOR REVIEW					
1	SITE PLAN REVIEW		02/29/17		
3	TOTAL SITE PLAN SUBMITTAL		02/22/17		

hurlay & stewart
2600 south 11th street
kansas city, missouri 64609
269.552.4090 fax 269.552.4961
www.hurlaystewart.com

Sheet Title:	Sheet
Project:	02/22/17
Client:	C-1





SEBC NOTES

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

GRADING NOTES

1. MATCH EXISTING GRADES AROUND PERIMETER WITH SLOPES AS SHOWN. MATCH AT 1 ON 8 IF NOT LABELED.
2. THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
3. ALL SPOT ELEVATIONS ARE TOP OF PAVEMENT GRADES AT EDGE OF METAL (EOM) UNLESS OTHERWISE NOTED.
4. ALL SOIL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO MASS GRADING.
5. ALL EXCAVATION SHALL BE IN ACCORDANCE WITH THE TECHNICAL SPECIFICATIONS AND GEOTECHNICAL REPORT.
6. ALL EXISTING ELEVATIONS ARE TO BE VERIFIED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.
7. REMOVE AND REPLACE WITH CONTROLLED FILL ANY AREAS THAT HAVE BEEN SOFTENED BY RAINS, FREEZING, CONSTRUCTION EQUIPMENT, ETC.
8. ALL REQUIRED FILL FOR THIS PROJECT SHALL BE SELECTED EXCAVATED MATERIAL FROM THE SITE APPROVED BY THE ENGINEER OR CLASS 1 GRANULAR MATERIAL FROM BORROW AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
9. ALL GRANULAR FILL UNDER THE INFLUENCE OF THE ROADWAY AND PROCESSED ROAD GRAVEL SHALL BE COMPACTED TO 85% MODIFIED PROCTOR DENSITY.
10. ALL COMPACTION SHALL BE ACCOMPLISHED BY PLACING THE FILL IN 12" LOOSE LIFTS AND MECHANICALLY COMPACTING EACH LIFT TO AT LEAST THE SPECIFIED MINIMUM DRY DENSITY. FIELD DENSITY TESTS SHOULD BE PERFORMED ON EACH LIFT AS NECESSARY TO ENSURE THAT ADEQUATE MOISTURE CONDITIONS AND COMPACTION ARE BEING ACHIEVED.
11. SITE CONTRACTOR SHALL REMOVE AND STOCKPILE ALL TOPSOIL AND BLACK ORGANIC SOILS ON-SITE TO BE USED IN THE REGRADING OF LANDSCAPE AREAS. THIS MATERIAL IS NOT TO BE USED FOR FILL OR PAVEMENT SUBBASE. REMOVAL OF ANY EXCESS SOIL OFF-SITE SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
12. CONTRACTOR RESPONSIBLE FOR VERIFYING EARTHWORK CALCULATIONS PRIOR TO COMMENCING WORK. NO EXTRA EARTHWORK WILL BE PAID FOR ONCE EARTHWORK HAS BEGUN. ANY DISCREPANCIES WITH THE EARTHWORK CALCULATIONS SHALL BE REVIEWED WITH THE OWNER AND ENGINEER PRIOR TO CONSTRUCTION.
13. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.

SOIL EROSION AND SEDIMENTATION CONTROL MEASURES

KEY	DETAIL	CHARACTERISTICS
1	Straw Bale Barrier	Used as a temporary barrier to prevent erosion on a slope. Must be installed in a straight line.
7	Silt Fence	Used to prevent sediment from leaving the site. Must be installed in a straight line.
6	Silt Fence with Straw Bale Barrier	Used to prevent sediment from leaving the site. Must be installed in a straight line.
13	Silt Fence with Straw Bale Barrier	Used to prevent sediment from leaving the site. Must be installed in a straight line.
15	Silt Fence	Used to prevent sediment from leaving the site. Must be installed in a straight line.
16	Silt Fence	Used to prevent sediment from leaving the site. Must be installed in a straight line.
35	Silt Fence	Used to prevent sediment from leaving the site. Must be installed in a straight line.
36	Silt Fence	Used to prevent sediment from leaving the site. Must be installed in a straight line.
54	Silt Fence	Used to prevent sediment from leaving the site. Must be installed in a straight line.
55	Silt Fence	Used to prevent sediment from leaving the site. Must be installed in a straight line.



Know what's below.
Call before you dig.

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM AVAILABLE RECORDS AND FIELD SURVEY. FIELD SURVEY SHOULD NOT BE INTERPRETED TO BE THE EXACT LOCATION NOR SHALL IT BE ASSUMED THAT THEY ARE. THE ONLY TRUTH IS THE AREA. FIELD WORK PERFORMED BY: LANDTECH PROFESSIONAL SURVEYING

hurry & steward, llc
2800 south 11th street
ann Arbor, michigan 48106
734.769.8800
www.hurryandsteward.com

Job No. 16-040 P.M. 07/17/17
Drawn By: J. H. H. 07/17/17
Check By: J. H. H. 07/17/17
Scale: 1" = 40'

Copyright © of Hurry & Steward, LLC

GRADING PLAN
GREENSPIRE RETAIL - PHASE V-R-1
GREENSPIRE RETAIL, LLC

Sheet: C-5
Project: Greenspire Retail - Phase V-R-1
Date: 02/22/17

SITE DETAILS
GREENSPIRE RETAIL - PHASE V-R-1
GREENSPIRE RETAIL, LLC

Case No.	16-0348	P.M./JP	Date Rec'd	9/10/02
				02/28/03
FILED FOR REVIEW				02/28/03
FINAL SITE PLAN SUBMITTAL				02/28/03
ISSUED FOR APPROVAL				

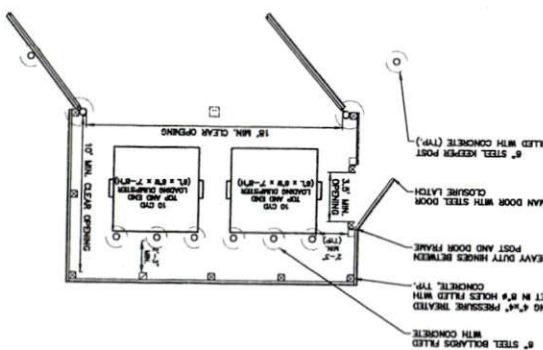
COPYRIGHT © of Burley & Stewart, LLC



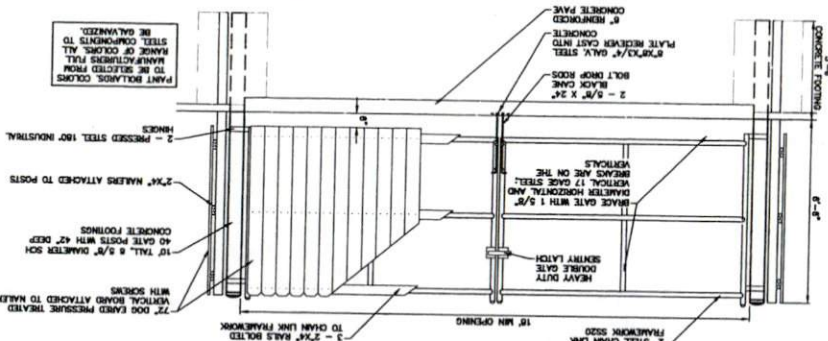
hurley & stewart

burley & stewart, llc
2600 south 11th street
Kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.burleystewart.com

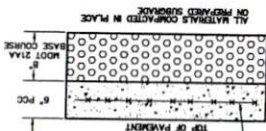
DOUBLE DUMPSTER ENCLOSURE PLAN
SCALE: 1"=4'-0"



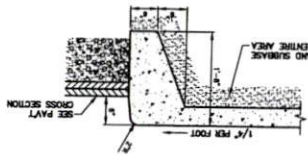
DOUBLE DUMPSTER ENCLOSURE SECTION
SCALE: 1"=2'-0"



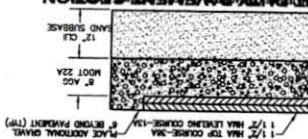
HEAVY DUTY CONCRETE
NOT TO SCALE



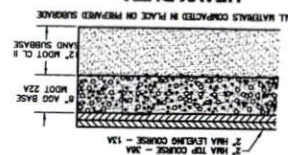
INTEGRAL SIDEWALK/CURB
NOT TO SCALE



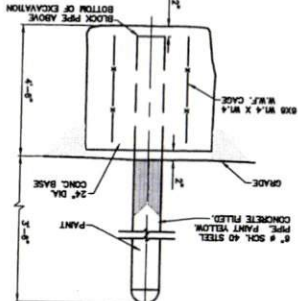
NOT TO SCALE



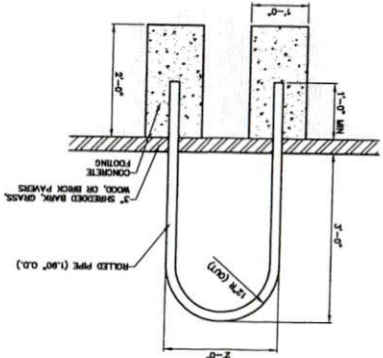
PAVEMENT SECTION



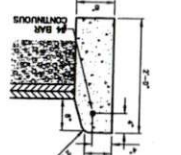
6" Ø PIPE BOLLARD



BICYCLE RACK DETAIL



2. CURB DETAIL
NOT TO SCALE



-.C4' CURB DETAIL

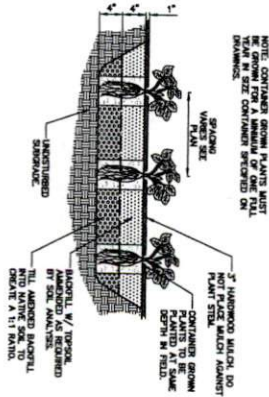


MODIFIED

[illegible]

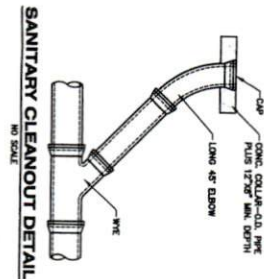
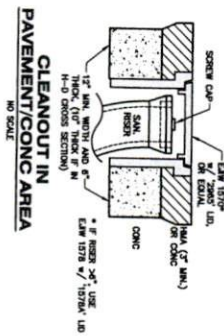
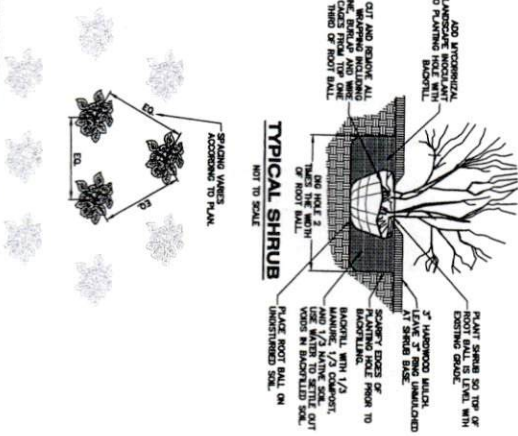
PERENNIAL AND GROUNDCOVER PLANTING DETAIL

NOT TO SCALE



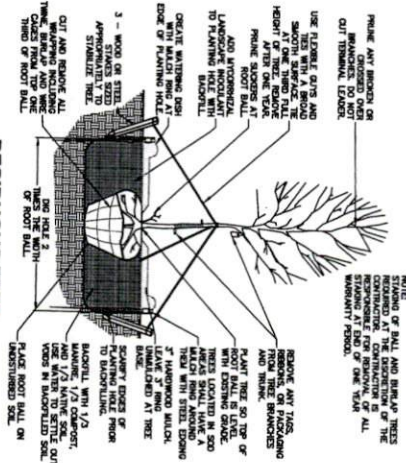
PERENNIAL AND GROUNDCOVER PLANT SPACING DETAIL

NOT TO SCALE



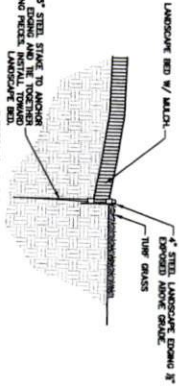
DECIDUOUS TREE

NOT TO SCALE



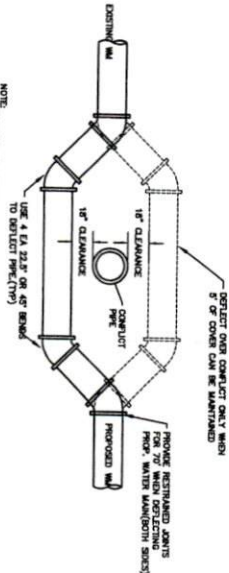
STEEL LANDSCAPE EDGING DETAIL

NOT TO SCALE



WATER MAIN DEFLECTION DETAIL

NOT TO SCALE



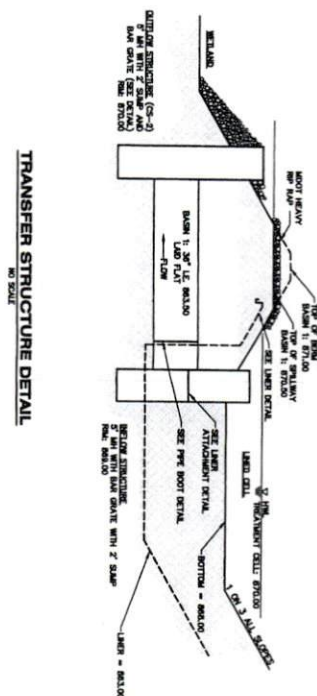
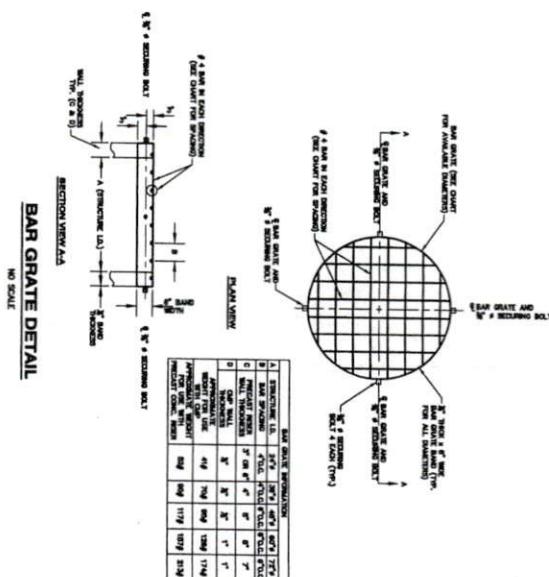
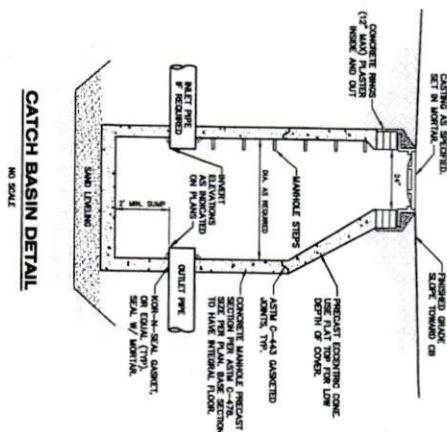
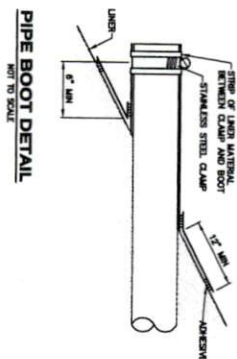
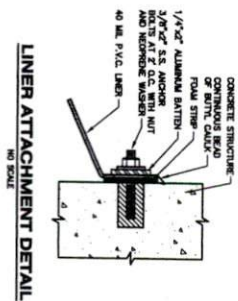
C-7

Sheet Title:
Project:
Client:

SITE DETAILS
GREENSPIRE RETAIL - PHASE V-R-1
GREENSPIRE RETAIL, LLC

Job No: 18-0048 P.M./JWP Date: 08/02/17
1 SITE PLAN REVIEW 08/09/17
2 FINAL SITE PLAN SUBMITTAL 08/09/17

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



GRADING-SESC DETAILS
GREENSPIRE RETAIL - PHASE V-R-1
GREENSPIRE RETAIL, LLC

1	SITE PLAN REVIEW	02/29/17
2	FINAL SITE PLAN SUBMITTAL	02/29/17
3	FINAL SITE PLAN SUBMITTAL	02/29/17

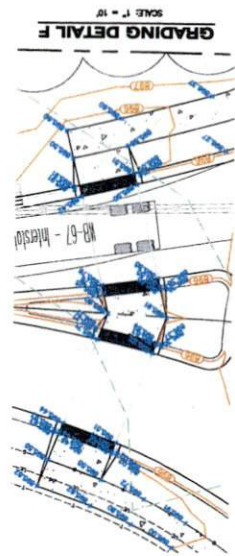
ISSUED FOR NETWORKS

JOB No.: 16-0340 P.M.: JMD DTH: BSC QA/QCC: B2/22/17

COPYRIGHT © of Hulsley & Stewart, LLC



hurlay & stewart
hurlay & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurlaystewart.com



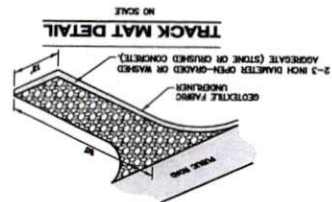
GRADING DETAIL F



GRADING DETAIL B
SCALE 1" = 10'



GRADING DETAIL A
SCALE 1" = 10'



TRACK MAT DETAIL



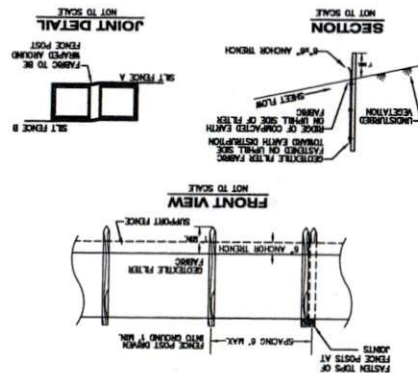
GRADING DETAIL I



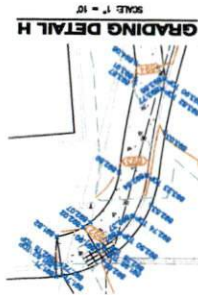
GRADING DETAIL G
SCALE: 1" = 10'



GRADING DETAIL C
SCALE: 1" = 10'



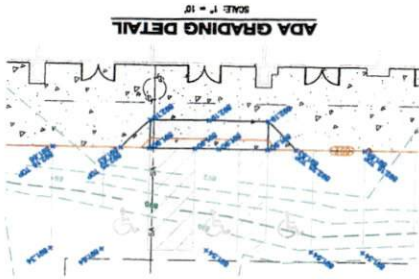
SILT FENCE DETAILS



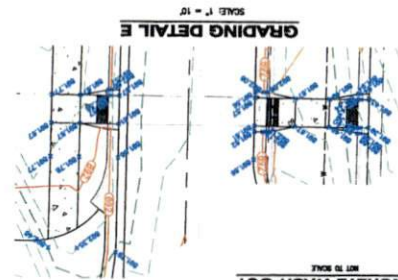
GRADING DETAIL H
SCALE: 1" = 10'



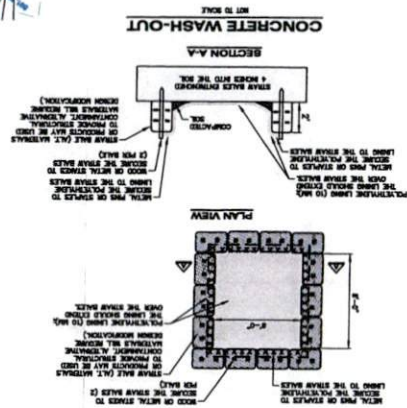
GRADING DETAIL D
SCALE: 1" = 10'



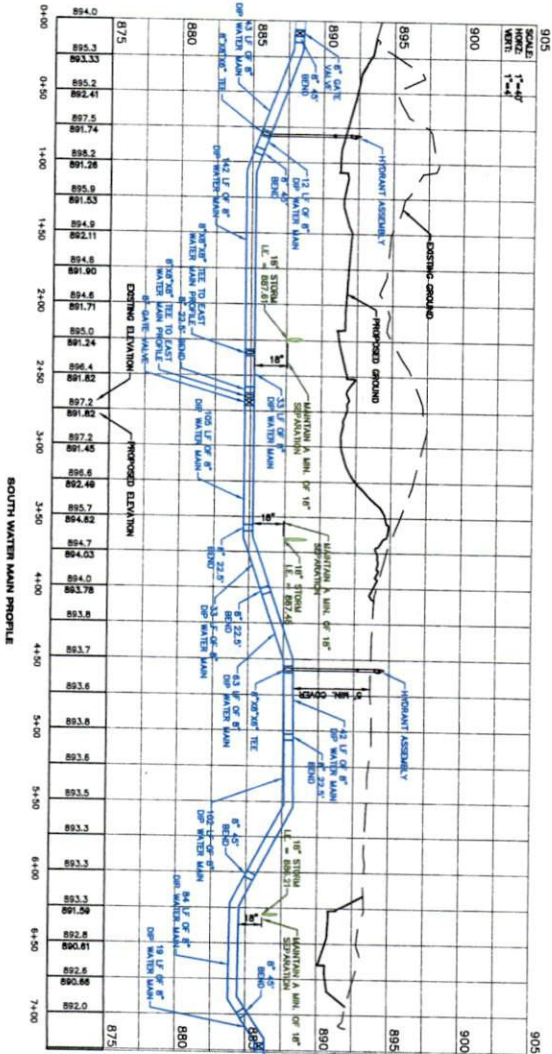
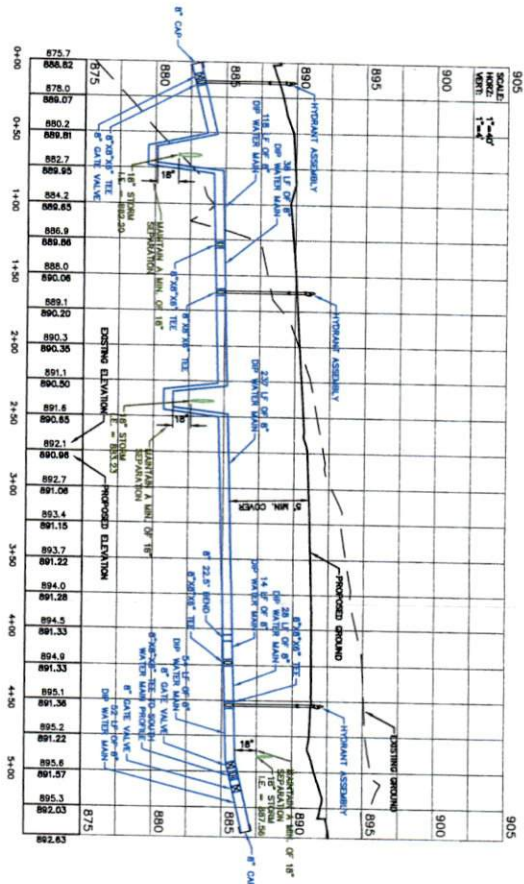
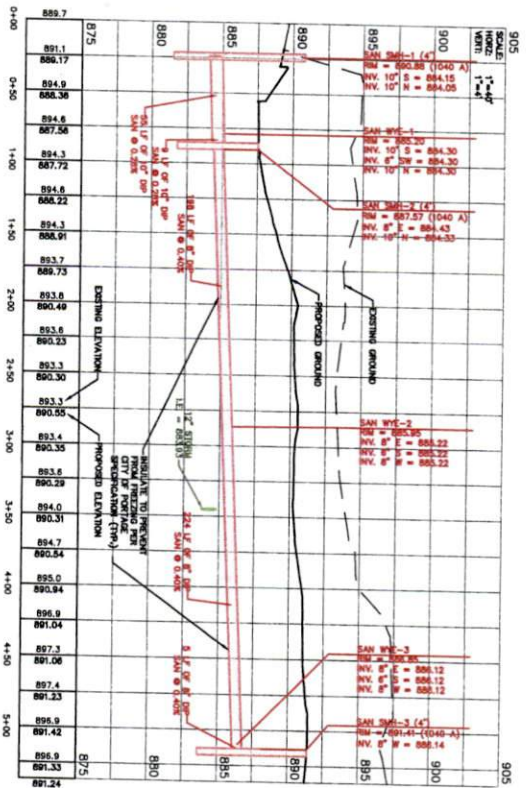
ADA GRADING DETAIL
SCALE: 1" = 10'



GRADING DETAIL E
SCALE: 1" = 10'



CONCRETE WASH-OUT



C-10

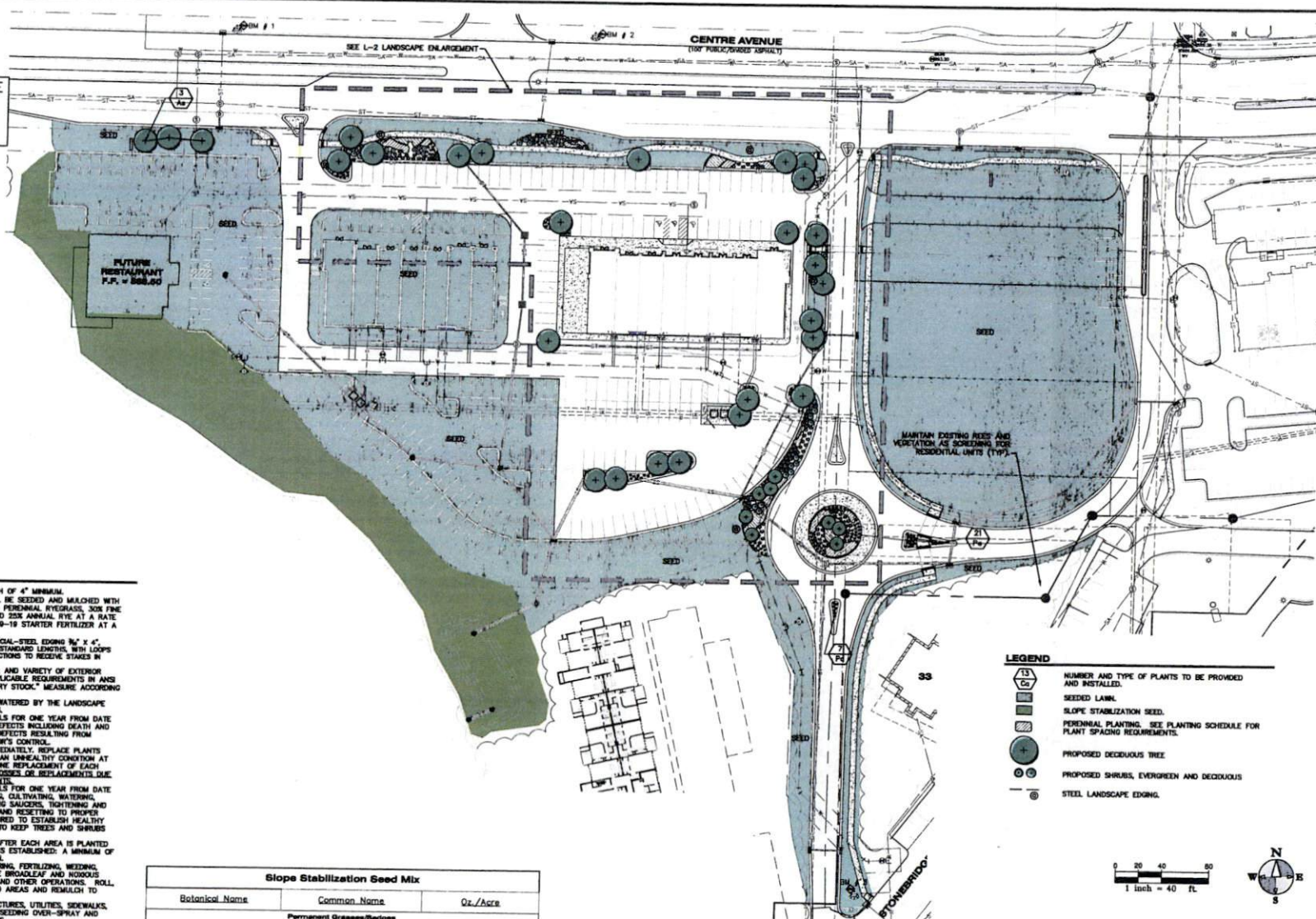
Sheet Title:
Project:
Client:

UTILITY PROFILES
GREENSPIRE RETAIL - PHASE V-R-1
GREENSPIRE RETAIL, LLC

Job No: 18-0340 P.M./JWP DTL SIDE QA/QC 02/02/17
DESIGNED FOR REVIEWERS
SITE PLAN REVIEW 02/09/17
FINAL SITE PLAN SUBMITTAL 02/22/17
COPYRIGHT © of Hurley & Stewart, LLC



hurley & stewart, llc
2800 south 11th street
Kalamazoo, michigan 49009
269.552.4900 fax 269.552.4961
www.hurleystewart.com

[illegible]

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

Slope Stabilization Seed Mix		
Botanical Name	Common Name	Oz./Acres
Permanent Grasses/Sedges		
Andropogon gerardi	Big Bluestem	48.00
Bouteloua curtipendula	Side Oats Grass	16.00
Carex spp.	Prairie Sedge Mix	4.00
Elymus canadensis	Canada Wild Rye	32.00
Elymus virginicus	Virginia Wild Rye	24.00
Panicum virgatum	Switch Grass	12.00
Schizachyrium scoparium	Little Bluestem	32.00
Sorghastrum nutans	Indian Grass	32.00
Temporary Cover		
Avena sativa	Common Oat	512.00
Lolium multiflorum	Annual Ryegrass	240.00

1. NATIVE SEED TO BE SOWN FROM OCTOBER 1 - NOVEMBER 15 OR MAY 1 - JUNE 15.
2. NATIVE GRASSES AVAILABLE FROM CARNO PH: (574)506-2412
3. TWO WEEKS PRIOR TO PLANTING APPLY BROAD SPECTRUM HERBICIDE TO EXISTING GROUND IN AREAS TO BE PLANTED WITH NATIVE SEED. REPEAT TREATMENT FOUR TO FIVE DAYS PRIOR TO PLANTING.
4. PLANT PRAIRIE SEEDS WITH A NO-TILL SEED DRILL FOLLOWING MANUFACTURERS RECOMMENDATIONS. DO NOT COVER SEED MORE THAN 1/4" DEEP. APPLY EROSION BLANKET TO AREAS WITH A GREATER THAN 1% SLOPE.
5. APPLY SEED AT 50.5 LBS POUNDS PER ACRE.

	NUMBER AND TYPE OF PLANTS TO BE PROVIDED AND INSTALLED.
	SEEDED LAWN.
	SLOPE STABILIZATION SEED.
	PERENNIAL PLANTING. SEE PLANTING SCHEDULE FOR PLANT SPACING REQUIREMENTS.
	PROPOSED DECIDUOUS TREE.
	PROPOSED SHRUBS, EVERGREEN AND DECIDUOUS
	STEEL LANDSCAPE EDGING.



36" SCREENING OF PARKING FROM ROW (NOT APPLICABLE, PARKING IS MORE THAN 30" LOWER THAN ROAD SURFACE)
1 SF OF INTERIOR LANDSCAPE PER 15 SF OF PARKING
2,536 SF REQUIRED
2,822 SF PROVIDED
1 TREE PER 150 REQUIRED INTERIOR SF = 17 TREES

1 TREE PER 150 REQUIRED INTERIOR SF = 17 TREES

811 Know what's below.
Call before you dig.

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

FIELD WORK PERFORMED BY:
LANDTECH PROFESSIONAL SURVEYING

**LANDSCAPE PLAN
GREENSPIRE RETAIL - PHASE V-R-1
GREENSPIRE RETAIL, LLC**

Sheet Title
Project
Client
02/22/17
Sheet
L-1

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



Stewart & Stewart

ISSUED FOR REVISION		DATE
PLAN REVIEW	02/09/17	
SITE PLAN SUBMITTAL	02/02/17	

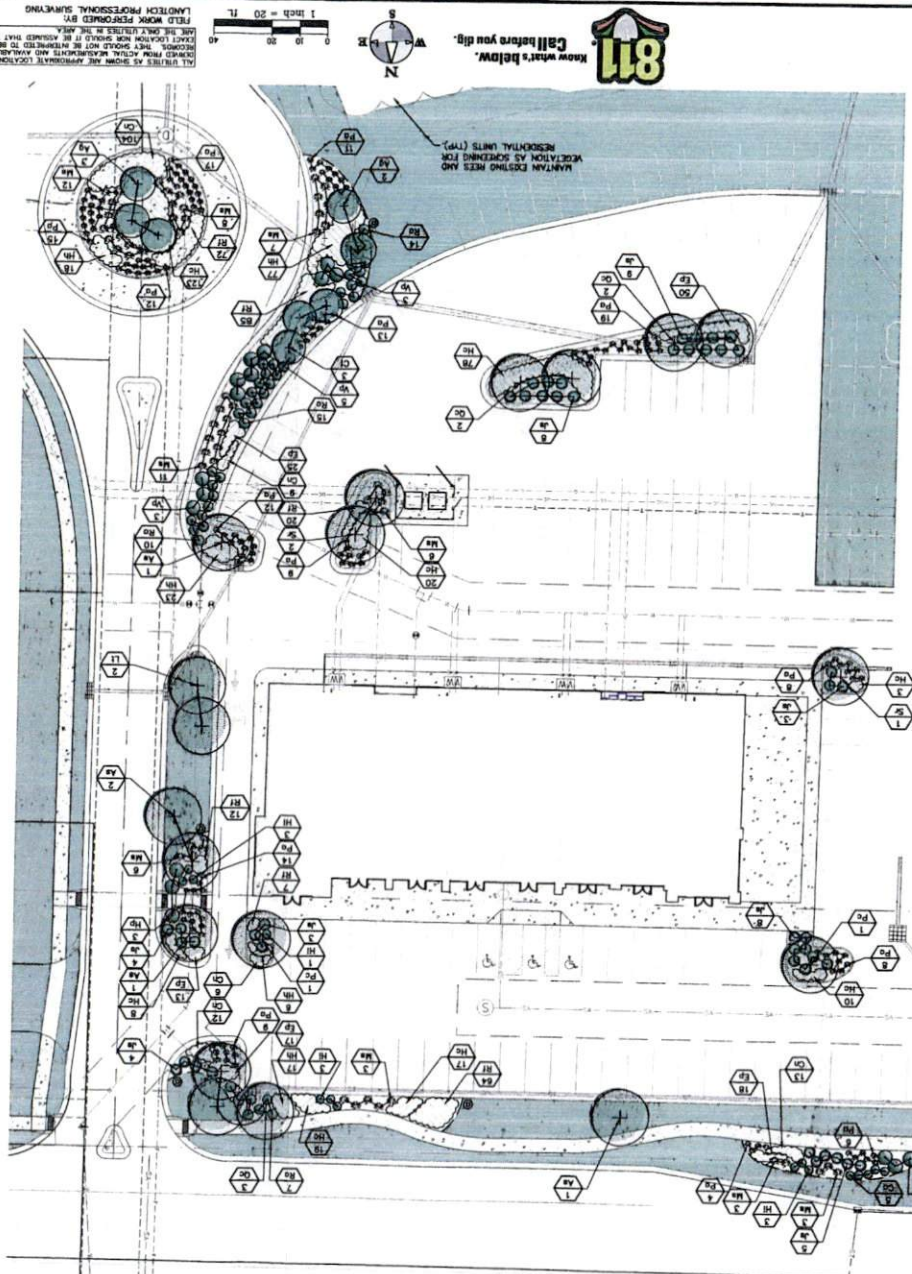
PL. 16-1

Symbol	Latin Name	Common Name	Size	Container Type	Comments
Ch	Codonanthopsis repens 'Blue Cloud'	Blue Cloud Codonanthopsis	24" o.c.	Cont.	
Ep	Echinacea purpurea	Purple Coneflower	18" o.c.	Cont.	
Hu	Hemerocallis 'Chicago Apache'	Chicago Apache Daylily	24" o.c.	Cont.	
Hb	Hemerocallis 'Happy Returns'	Happy Returns Daylily	24" o.c.	Cont.	
Hk	Habrocarpa 'Kasper King'	Kasper King	24" o.c.	Cont.	
Ma	Macranthus sinensis 'Orchidaceae'	Orchidaceae	24" o.c.	Cont.	
Pu	Pennisetum setosum 'Hemlock'	Hemlock	24" o.c.	Cont.	
Ru	Rubus 'Little Suzi Black-eyed'	Little Suzi Black-eyed	18" o.c.	Cont.	
Wb	Wiburnum 'Wiburnum'	Wiburnum	24" o.c.	Cont.	
Yp	Yucca 'Yucca'	Yucca	24" o.c.	Cont.	

Symbol	Latin Name	Common Name	Size	Container Type	Comments
Ca	Calluna vulgaris 'Winter Conifer'	Winter Conifer	30" Ht.	Cont.	
Eu	Eumecurus 'Eumecurus'	Eumecurus	30" Ht.	Cont.	
Hy	Hydrangea 'Hydrangea'	Hydrangea	30" Ht.	Cont.	
Li	Little Lime Hydrangea	Little Lime Hydrangea	30" Ht.	Cont.	
Br	Broomrape	Broomrape	24" spread	Cont.	
Gr	Gr-Low Fragrant Sunset	Gr-Low Fragrant Sunset	30" Ht.	Cont.	
Yp	Yucca 'Yucca'	Yucca	30" Ht.	Cont.	
Wb	Wiburnum 'Wiburnum'	Wiburnum	30" Ht.	Cont.	

Symbol	Latin Name	Common Name	Size	Container Type	Comments
Ag	Acer 'Acer'	Acer	2 1/2' Cal.	Cont.	
La	Lagotis 'Lagotis'	Lagotis	2 1/2' Cal.	Cont.	
Co	Cornus 'Cornus'	Cornus	2 1/2' Cal.	Cont.	
Li	Little Lime Hydrangea	Little Lime Hydrangea	2 1/2' Cal.	Cont.	
Yp	Yucca 'Yucca'	Yucca	2 1/2' Cal.	Cont.	
Wb	Wiburnum 'Wiburnum'	Wiburnum	2 1/2' Cal.	Cont.	
Sc	Scilla 'Scilla'	Scilla	2 1/2' Cal.	Cont.	
Sp	Syringa 'Syringa'	Syringa	2 1/2' Cal.	Cont.	

Symbol	Latin Name	Common Name	Size	Container Type	Comments
As	Aster 'Aster'	Aster	2 1/2' Cal.	Cont.	
Co	Cornus 'Cornus'	Cornus	2 1/2' Cal.	Cont.	
Li	Little Lime Hydrangea	Little Lime Hydrangea	2 1/2' Cal.	Cont.	
Yp	Yucca 'Yucca'	Yucca	2 1/2' Cal.	Cont.	
Wb	Wiburnum 'Wiburnum'	Wiburnum	2 1/2' Cal.	Cont.	
Sc	Scilla 'Scilla'	Scilla	2 1/2' Cal.	Cont.	
Sp	Syringa 'Syringa'	Syringa	2 1/2' Cal.	Cont.	



- 1. NUMBER AND TYPE OF PLANTS TO BE PROVIDED AND INSTALLED.
- 2. SEEDS LAM.
- 3. SLOPE STABILIZATION SEED.
- 4. PERMANENT PLANTING SET PLANTING SCHEDULE FOR PLANT SHADING REQUIREMENTS.
- 5. PROPOSED DECIDUOUS TREE.
- 6. PROPOSED SHRUBS, EVERGREENS AND DECIDUOUS.
- 7. PROPOSED ORNAMENTAL GRASS.
- 8. STEEL LANDSCAPE EDDING.

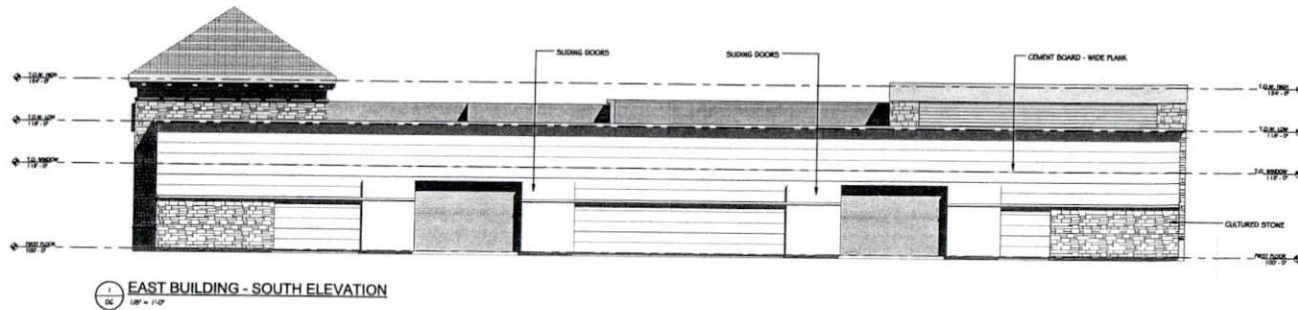
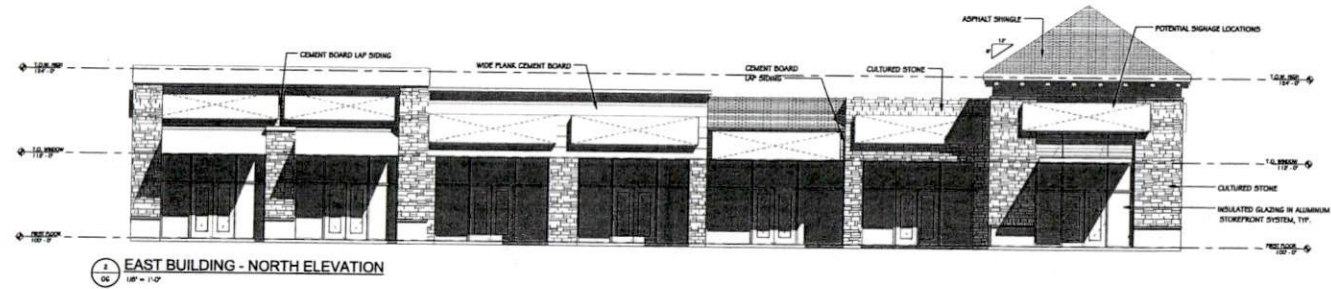
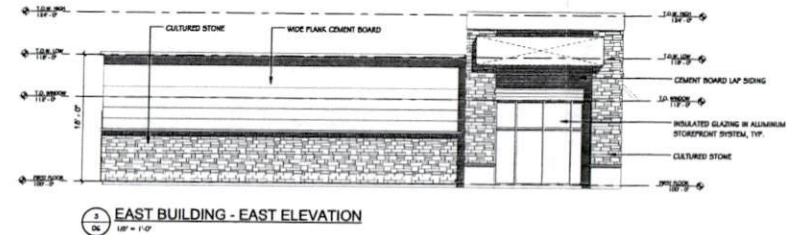
LEGEND

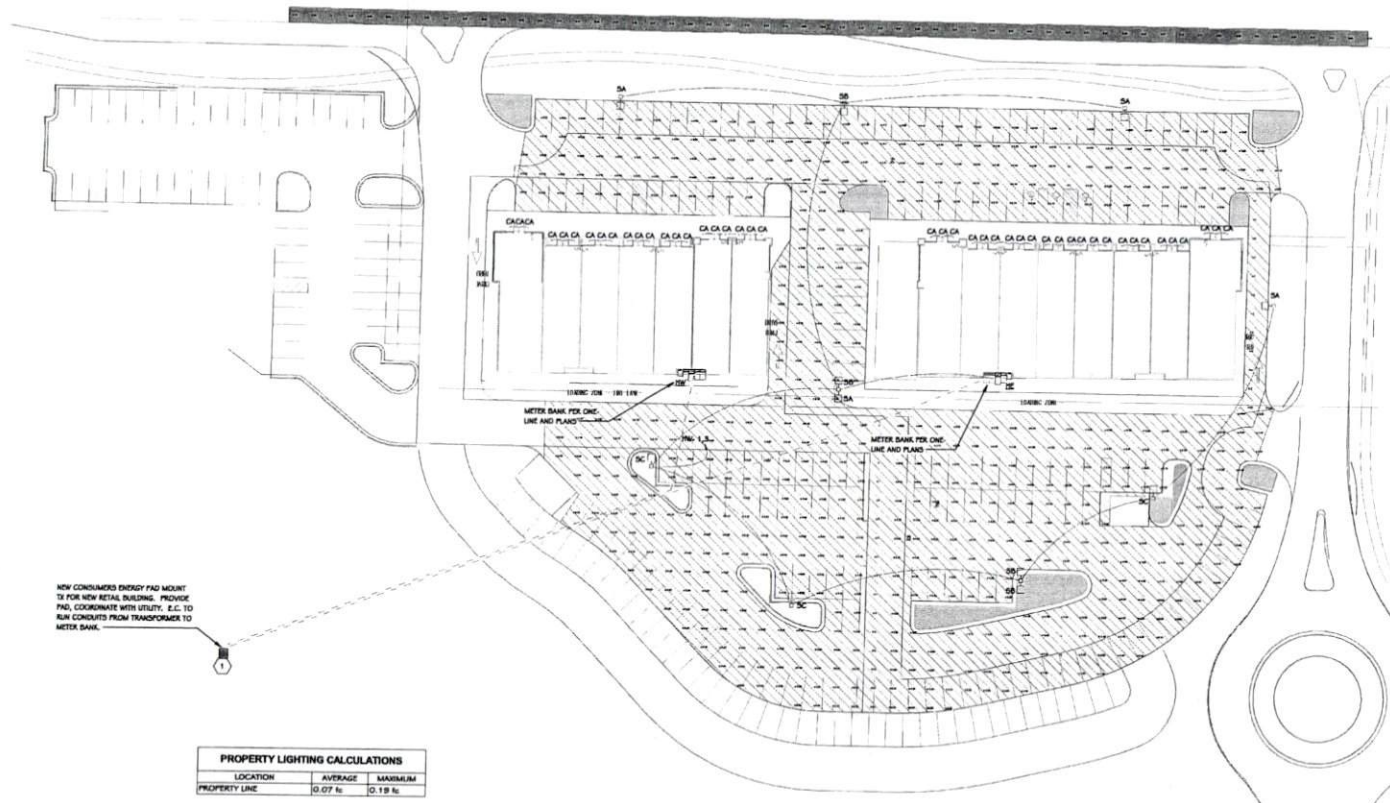
L-2

Sheet Title: LANDSCAPE ENLARGEMENT GREENSPIRE RETAIL - PHASE V-R-1 GREENSPIRE RETAIL, LLC

DATE: 02/22/17
PROJECT: GREENSPIRE RETAIL, LLC
SHEET: L-2

hurry & stewart
2800 South 11th Street
Kalamazoo, Michigan 49008
269.552.4961 Fax 269.552.4961
www.hurryandstewart.com





NEW CONSUMERS ENERGY AND METER
TO BE MOUNTED TO NEW RETAIL BUILDING. PROVIDE
FMS, COORDINATE WITH UTILITY, ETC. TO
RUN CONDUITS FROM TRANSFORMER TO
METER BANK.

PROPERTY LIGHTING CALCULATIONS		
LOCATION	AVERAGE	MAXIMUM
PROPERTY LINE	0.07 fc	0.19 fc

EXTERIOR LIGHTING CALCULATIONS		
LOCATION	AVERAGE	MINIMUM
DRIVE	4.1 fc	1.2 fc
NORTH PARKING	2.6 fc	0.6 fc
SOUTH PARKING	2.2 fc	0.6 fc

SITE LIGHT FIXTURE SCHEDULE					
TYPE	DESCRIPTION	MOUNTING	WATTS	MANUFACTURER	NOTES
CA	4" DOWNLIGHT	RECESSED	17 VA	GOTHAM #ICO-4Q10-4AR-LD-450-180, CM CONNECT TO INVERTER	1, 2, 3
SA	TYPE 3 ROAD TYPE	25' POLE	225 VA	EATON #GLEON-AP-04-LED-E1-138-GM IN ROUND TAPERED ALLI. POLE	
PA	TYPE 4 FORWARD THROWN SHIELD	25' POLE	225 VA	EATON #GLEON-AP-04-LED-E1-184-GM IN ROUND TAPERED ALLI. POLE	
SC	TYPE 5 MED DISTRIBUTION	25' POLE	225 VA	EATON #GLEON-AP-04-LED-E1-184-GM IN ROUND TAPERED ALLI. POLE	



ELECTRICAL SITE PLAN - APPROVE
1" = 30'-0"

TowerPinkster
ARCHITECTS | ENGINEERS

TowerPinkster Titus Associates Inc.

201 East Kalamazoo Avenue, Suite 300
Kalamazoo, Michigan 49001-0828
269.343.8133 phone 269.343.8633 fax

4 East Fulton Street, Suite 200
Grand Rapids, Michigan 49503
616.458.8844 phone 616.458.8828 fax

towerpinkster.com

© 2017 All Rights Reserved

DATE

FEBRUARY 7, 2017

PROJECT TITLE

**GREENSPIRE
RETAIL**

AVB

Portage, Michigan

ISSUED FOR

DATE

SHEET TITLE

**ELECTRICAL
SITE FOR
APPROVE**

PRELIMINARY
NOT FOR CONSTRUCTION

SHEET NUMBER

E 001

16-212.00



BUILD SOMETHING BETTER.

November 10, 2016

Mr. Christopher Forth
Deputy Director of Planning and Community Development
City of Portage
2900 S. Westnedge Ave.
Portage, MI 49002

RE: Greenspire Planned Development "PD" Tentative Plan

AVB and The Hinman Company are pleased to submit to you an updated plan for our property on the south side of West Centre Avenue as depicted on the attached site plan. The majority of the property (98.6%) is already zoned PD - Planned Development. The following tentative plan (the "Tentative Plan") is consistent with the City of Portage Land Development regulations. This application seeks to revise and update the overall Tentative Plan. The following items have materially changed since the last Tentative Plan was approved by the City of Portage City Commission.

- Added the 1.42 acre Dillon parcel (8546 Shirley Court) bringing the total acreage from 102.56 to 103.98.
- Increased the total number of housing units by 12 units from 692 to 704 units as a result of adding the Dillon parcel to the overall development area. This is equal to the previously approved density of 8.45 units/acre.
- Changed the location and sized of the retail or office footprints. The overall commercial land area remains the same and well below the allowed 20% of the property at 10.9 acres total.
- Shifted a building to extend over the wetlands to take advantage of the scenic views on the western edge of the commercial area. The proper MDEQ permits would be applied for and received before any construction within the wetland.
- Changed phase VI from five buildings to six buildings, while keeping the unit counts unchanged at 104 units.

The proposed Tentative Plan provides for the continuation of an excellent development. Further, the proposed approach allows this property to achieve its highest and best use

while remaining true to the development principles that were originally established at Greenspire over 40 years ago.

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

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

1. The PD area will include residential and commercial uses that are designed to integrate well with the adjacent existing residential and commercial uses.
2. The proposed PD development area is on all of the approximately 103.98 acres identified as Greenspire, on the property that is commonly referred to as Greenspire Apartments and more recently Greenspire Shoppes. In the proposed PD area we plan to develop a combination of multi-family, retail and office uses. Phase V A is under construction and consists of three multi-family apartment buildings containing 76 apartment units. Following the initial Phase V A construction, construction of the 5 remaining apartment buildings and 104 units in Phase V B would commence in the falls of 2018 and 2019. Future developments would include multi-family expansion (Phase VI) that would consist of approximately 104 new multi-family apartment units. Additional office and retail uses would be expanded as shown on the attached site plan as demand allows.

Using a cluster development allows us to provide in excess of 30 acres of open space within the development. The same care that has gone into the existing development of Greenspire to harness the natural beauty of this special land will continue in the PD area with first-rate landscaping and natural screening where appropriate. Additionally we will take advantage of the natural features and topography of this site by site planning to allow views of the beautiful forests, waterways, wetlands and sensitive areas that border this property.

3. The Greenspire Apartments development started in the early 1970's when Roger Hinman and Joe Gesmundo first began acquiring the property now known as Greenspire Apartments. Phase I began construction in 1976 on 8.015 acres and included the boulevard entrance from Centre Avenue, four apartment buildings, the clubhouse, the pool and the first tennis court. In 1978 Phase II was constructed and included seven additional apartment buildings and an additional

tennis court on 14.96 acres. In 1981 Phase III was constructed and included six new buildings on 21.84 acres. In total Phase I through Phase III included 17 buildings, 384 units (187 one beds, 144 two beds, and 53 three beds) over 44.815 acres. For density purposes the 384 units over 44.815 acres equals 8.57 units/acre. Phase IV was constructed in 2014 and 2015 and includes 36 units (12 one beds and 24 two beds) over 3.05 acres, bringing the average density to 8.77 units/acre.

Greenspire Phases V through VI will be developed in approximately five sub-phases beginning the Spring of 2016.

- a. Summer 2016. The first three buildings of the Phase V multi-family residential development commenced construction.
- b. Fall 2018. Two more buildings of the Phase V multi-family residential development are planned to commence construction.
- c. Spring 2017. The second retail building (shown as Phase V-R on the tentative plan) is scheduled to commence construction.
- d. Fall 2019. The last two buildings of the Phase V multi-family residential development are planned to commence construction.
- e. The timeline for construction of the multi-family buildings (Phase VI) and the office and retail buildings west of Shirley Court is unknown at this time. It is expected that construction would take place after the Spring 2018.

4. The time schedule is proposed in #3 above.
5. The site plan and its associated phasing lines show how each stage of the development is independent, yet designed to integrate well into the development as well as the existing development pattern. Importantly, each phase of the Greenspire plan has been meticulously designed to integrate into the existing Greenspire Apartments master plan. The Cooley Drive entrance drive has been completed to provide an additional means of ingress and egress into the development. In a shared investment project with the City of Portage, the new traffic signal at Cooley and Centre Ave. which is slated to be completed in the spring 2017, will further improve ingress and egress to the Greenspire development. Additionally, when the area west of Cooley is developed, this area will be benefited by the right in/right out drive, at Shirley Court.

As we plan for pedestrian circulation throughout the site, we are leveraging miles of existing sidewalks through the existing Greenspire Phases I, II, III and IV as well as the newly constructed 13,000 sq. ft. retail center along Centre Ave. As we constructed the new entry drive from Centre Avenue west of the 13,000-square foot retail building, we constructed a sidewalk to provide a pedestrian entrance from Centre Ave. into the existing phases of Greenspire. By providing access to Centre Avenue to the entire PD via these new sidewalks, we are able to

get pedestrians to the under-construction signaled intersection at Cooley and Centre Ave. From this point, pedestrians can cross to the north side of Centre Avenue where sidewalks connect the full distance of Centre Avenue east and west. Phases V A, V B and VI all include additional sidewalks and pedestrian circulation as well.

Shirley Court presently provides legal access, via access easements recorded in 1953, 1962, and 1974, to the homes between Tozer Ct. and Shirley Ct. This access is presently a dirt two-track over the northern most 500' +/- and most of its distance south of Fawn Cove Lane. Improvement of the northern 500' +/- section of Shirley Court is not necessary for proper development of Greenspire through Phase V and Phase V-R. Additionally, improving this section of Shirley Court is not required or necessary to provide access to the Greenspire development, nor is it required by the City of Portage Fire Department. Therefore we do not plan to substantially improve the northernmost 500' +/- of Shirley Court until the construction of either Phase VI or the construction of the retail in Phase V-R. The exact timing of the Shirley Court improvements depends on the final plan site locations of the building labeled Phase V-R.

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

Phase V will also include, as shown in the attached Tentative Plan, a new entry statement that will direct residents and guests into Phase V. Additionally, as a part of the development of Phase V A the proposed screening on the west side of Phase V will be installed. The berm that is shown just west of our southwesternmost building in Phase V A, has been constructed and the 8' pine trees have been planted. Additionally, we would be willing to include some "private property" signs to remind our residents of the difference between Greenspire Property and the privately owned properties between Tozer Ct. and Shirley Ct.

6. The Tentative Plan land is located on the south side of Centre Avenue, east of Moorsbridge Road and west of Oakland Drive. The parcel is 103.98 acres in total. This 103.98 acres includes 9.76 acres of Hampton Lake. Entities owned and controlled by Joseph Gesmundo and Roger Hinman presently own all of this property under a variety of entity names and is commonly referred to as Greenspire Apartments.

It should be noted that we have done a fair amount of due diligence recently in regards to the property, in addition to our over 30 years of experience in owning the land. Specifically, the south end of Phase V is near some low-lying land. We have had this property evaluated recently in three manners. First, Tim Bureau of Tim Bureau Consulting, LLC, a former long-time MDEQ staffer, reviewed the area

in person to assure us that our buildings were not in any wetlands. Mr. Bureau has assured us that none of our buildings are in a wetland. Additionally, PSI was hired to conduct soil borings in the area of the southernmost building footprints in Phase V A. The PSI borings show an abundance of sand, down the full 25' of the borings' depth. Finally, our civil engineers have confirmed that these buildings are not within the floodplain.

7. The chart below demonstrates the land use and density for each phase. Please note that at final build out, our plan exceeds the 7.0 units per acre by 1.45 units per acre. This 8.45 units per acre is equal to the previous tentative plan approval for the Greenspire PD. If one were to revert to the previous RM-1 zoning, our density would allow 89 to 133 more units than we are requesting under this plan. In other words, RM-1 zoning would allow 793 to 837 units and we are only requesting 704 in this PD application. Owing to a portion of the property being Hampton Lake, and a portion of our property being dedicated to commercial use, our calculations use 83.32 acres to calculate residential density though the property being rezoned is 103.98 acres. For density comparison purposes the existing 420 units (Phase I through IV) over 47.865 acres equals 8.77 units/acre. Although 12 additional units are being added to the overall development project by incorporating Dillon parcel, we will maintain the same overall density of 8.45 units per acre (after Dillon house is demolished) as previously approved by the City of Portage, which is the combined residential unit per acre density shown on our Tentative Plan for Phases I through VI.

Phases	Density Units/Acre		Phase Acreage	Total Acreage
	Proposed Units	Not Including Hampton Lake or Commercial Area PD Calc		
Existing Buildings:				
Phase I	96	11.98	8.015	
Phase II	168	11.23	14.960	22.975
Phase III	120	5.49	21.840	44.815
Combined Phase I-III	384	8.57	44.815	
Phase IV	36	11.80	3.050	47.865
Combined Phase I-IV	420	8.77	47.865	
Proposed Buildings:				
Phase V A	76	8.25	9.210	57.075
Phase V B	104	11.29	9.210	66.285
Combined Phase V	180	9.77	18.420	66.285
Combined Phase I-V A & B	600	9.05	66.285	66.285
Phase VI	104	6.11	17.035	83.320
Phase I, II, III, IV, V, & VI Combined	704	8.45	83.320	

Retail/Office 10.9 acres

It should be noted that the allowable non-residential acreage is 20.79 acres at 20% of 103.98 acres.

45,000 to 60,000 sq. ft. of retail and up to 30,400 sq. ft. of office

Up to 90,400 sq. ft./10.9 acres = 8,293 sq. ft./acre

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

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

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

Six - One-story retail buildings, 25' high, between 6,000 sq. ft. and 25,000 sq. ft. each

Potentially office buildings 40' high, 30,400 sq. ft.

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

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

We have used a 30' set back around the entire perimeter of the property except for the two buildings in Phase IV of the Multi-Family development where a 15' set back was necessary in order to facilitate our site plan. The 15' set back, only

for two buildings (36 units of Phase IV), was previously approved and allowed us to set the buildings back an appropriate distance from Greenspire Drive. For clarification purposes the decks/patios are now set at 10' from the property line in Phase IV and the building face will be 15' from the property line. In addition we have maintained 30' between each building and a 25' front setback from the edge of road.

The commercial/retail building heights will not exceed those which are allowed within the PD zoning district. The multi-family buildings are designed at approximately 40'.

We are executing a screening plan for the homes to the west of Tozar with transplanted white pine trees, to further shield their residences and associated view lines from our proposed development as shown on the attached Tentative Plan. We are presently executing this screening plan concurrently with the construction of Phase V A.

10. Storm water will be treated and piped via underground structures to the most appropriate common open space area in accordance with City of Portage requirements. In addition, some storm water capacity may be integrated into the design of the office sites. Storm water will be pre-treated according to City of Portage regulations and then released for infiltration into the previously mentioned lowland. These low-lying areas within the development provide plenty of space for this purpose and this plan will be developed to allow for natural looking rain basins/wetlands as opposed to typical, fenced off, deep and unsightly storm systems. Sanitary sewer will be connected to the available City of Portage sanitary sewer system which is available at Centre Avenue and at the Fawn Cove lift station.
11. The previous Tentative Plan was approved subject to seven conditions contained in the report from the City Manager to Council on 3-10-10. These same seven conditions would carry forward to this Tentative Plan submission.
12. Parking will be provided according to the City Ordinance. If feasible, we will try to bank some of the retail parking as typically the City requirements exceed those of our tenants. We expect to build out all of the required spaces for the residential multi-family units. The existing and proposed road widths are included and dimensioned on the attached site plan. Single story pitched roof garages and/or carports may be implemented into the site plan. The quantity of garages / carports shall not exceed 50% of total number of bedrooms. The construction finishes / materials will be complimentary to that of the Phase IV apartment building conceptual elevation submitted with this narrative. The specific quantity, location, and materials of the garages / carports will be detailed on the final site plan.

13. We do not anticipate the need for any other modifications to allow the subject property to be developed as presented herein.
14. As noted in #4 above, we intend to make our final submittal for the last planned phase in 2018.
15. Since the successful implementation of the plan is required both by the ordinance and by our own standards, we do not feel that any performance bonds are necessary. We have a long-standing reputation for successful completion of our projects and the meticulous management of our developments after build-out.

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

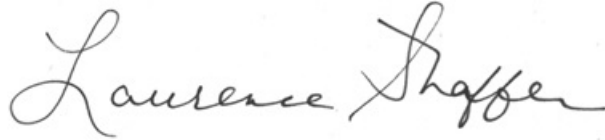
Sincerely,

Greg Dobson

cc: Joe Gesmundo, Rich MacDonald, Roger Hinman

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Transportation Economic Development Fund Category A Grant

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

ACTION RECOMMENDED: That City Council adopt a Resolution of Support for submittal of Transportation Economic Development Fund Category A Grant Application and authorize the City Manager to sign all documents related to this grant application on behalf of the city.

The Michigan Department of Transportation (MDOT) maintains a grant program to support transportation projects associated with economic development activity. The grant program, known as the Transportation Economic Development Fund (TEDF) - Category A, is intended for business, manufacturing, research and development transportation projects and provides up to an 80 percent state construction grant with a 20 percent local match. Grants are awarded to successful applications several times per year. The next round of applications are due on March 15, 2017 and are scheduled to be reviewed by MDOT on May 31, 2017. City Council support is requested for a grant application for installation of a traffic signal at the future intersection of Portage Road and Stryker Way.

As Council is aware, Stryker Corporation intends to construct a 485,000-square-foot research and development facility at 6520 Portage Road. Stryker Way will be an east-west public road and the primary entrance to the Stryker Instruments facility. The new facility will generate a significant amount of motor vehicle turning movements into the facility and onto Portage Road. To accommodate these movements, the installation of a traffic signal is proposed. Stryker Instruments intends to construct the necessary acceleration and de-acceleration lanes for the facility along Portage Road.

The project is estimated to cost \$450,000. The MDOT grant application request totals \$270,000 with a local match of \$180,000 to be borne by Stryker Instruments. The application anticipates no direct cost to the city, but the grant and project administration would be performed by city staff. If the grant application is approved, construction of the project would be scheduled for summer 2018.

Therefore, it is recommended that City Council approve a Resolution of Support for submittal of a Transportation Economic Development Fund (TEDF) Category A Grant Application and authorize the City Manager to sign all documents related to this grant application on behalf of the city.

FUNDING: The total project is estimated at \$450,000. The MDOT grant would pay \$270,000 with the development partner, Stryker Instruments, funding the remaining \$180,000.

Attachments: 1. Resolution

**CITY OF PORTAGE, MICHIGAN
RESOLUTION IN SUPPORT OF A TRANSPORTION ECONOMIC DEVELOPMENT
FUND (TEDF) PROGRAM CATEGORY (A) GRANT APPLICATION**

At a regular meeting of the City Council for the City of Portage, Kalamazoo County, Michigan held at the City Hall in said City on the _____ day of March 14, 2017 at 7:30 p.m. local time.

PRESENT:

ABSENT:

The following resolution was offered by:

COUNCILMEMBER: _____ and seconded by

COUNCILMEMBER: _____.

RESOLVED that the Portage City Council does hereby support the following project:

City of Portage grant application submitted to the Michigan Department of Transportation Economic Development fund program for \$270,000 in construction grant funds for the installation of a traffic signal at the intersection of Portage Road and Stryker Way in the vicinity of 6520 Portage Road to facilitate traffic movements generated by the Stryker Instruments facility. The grant application includes the amount of \$180,000 of local match funds to be provided by in-kind and cash contributions.

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

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

RESOLUTION DECLARED ADOPTED:

James R. Hudson, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 14th day of March, 2017 the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of March, 2017.

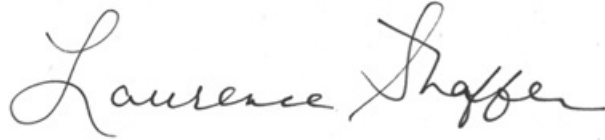
JAMES R. HUDSON, City Clerk

Prepared by:
Randall L. Brown
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002

Approved as to form:
Date: 3/6/2017
[Signature]
City Attorney

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Purchase of Technology Network Switches

SUPPORTING PERSONNEL: Devin Mackinder, Director of Technology Services

ACTION RECOMMENDED: That City Council approve the purchase of network switches and related equipment from IP Consulting through the NASPO cooperative purchasing program in the amount of \$61,899.22 and authorize the City Manager to execute all documents related to this action on behalf of the city.

The city technology infrastructure consists of 18 network switches, which allow the sending and receiving of data between network devices such as computers, printers and servers, as well as the accessing of shared resources in an efficient manner. Network switches also assist with the city technology network security.

The current network switches are seven years old and no longer useful in terms of providing the required networking security and data transfer responsibilities consistent with the new Information Technology (IT) landscape of cloud services, mobile devices, big data analytics and sophisticated cyber threats. The new Cisco Meraki switches are considered “next generation” devices designed to handle the new Information Technology landscape challenges detailed. Additionally, the new Cisco Meraki switches are expected to increase efficiency associated with the day-to-day management of the city network switching activities by approximately 60 percent due to the new cloud-based interface dashboard, which replaces the cumbersome “command line” system; the enhanced configuration and deployment processes; and an updated management console to quickly monitor real-time data flows and problems.

IP Consulting offers the Cisco Meraki “Gold Certified” equipment through the National Association of State Procurement Officials (NASPO) cooperative purchasing program. For comparison purposes, prices were also obtained from three other vendors, with the price of IP Consulting approximately \$10,000 less than the next lower quote. Quotes ranged from \$61,899.22 to \$84,213.65. The city has worked with IP Consulting on several occasions and the Technology Services Department has been satisfied with their work.

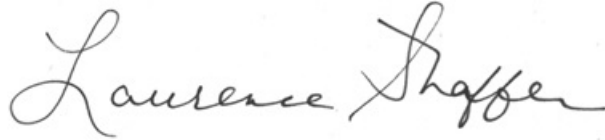
It is recommended that City Council approve the purchase of network switches and related equipment from IP Consulting through the NASPO cooperative purchasing program in the amount of \$61,899.22 and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: Funds are budgeted and available in the Fiscal Year 2016-17 Technology Services Capital Improvement Plan budget for this purpose.

Attachments: 1. N/A

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Resolution in Support of the Creation of a Kalamazoo County Identification Card program.

SUPPORTING PERSONNEL:

ACTION RECOMMENDED: That City Council adopt the Resolution in Support of the Creation of a Kalamazoo County Identification Card Program.

The City Council has traditionally declined to advocate or oppose policy recommendations for matters not within the authority or responsibility of the City of Portage. Understanding that tradition, a request has been made by a Kalamazoo County Subcommittee reviewing the merits of recommending to the Kalamazoo County Board of Commissioners that the Portage Public Safety Department execute a letter in support of the Kalamazoo County Identification Card, designed to provide verifiable identification to those individuals who lack such an ID card. Further, a Resolution in Support of the creation of a county-wide identification card has been approved by the City of Kalamazoo (see attached).

City Council expressed humanitarian support for the Kalamazoo County Identification Card Program at the February 28, 2017 Regular City Council Meeting, but did not direct or suggest that another unit of government hire people for a program or spend their money a certain way. Further, Council directed the City Administration to bring a prepared Resolution in Support of the Creation of a Kalamazoo County Identification Card Program for consideration at this meeting.

It is recommended that City Council adopt the attached Resolution in Support of the Creation of a Kalamazoo County Identification Card Program.

FUNDING: N/A

Attachments:

1. Resolution in Support of a Kalamazoo County Identification Card Program
2. Draft Resolution of Support (City of Kalamazoo February 20, 2017).
3. Draft Letter of Support

**CITY OF PORTAGE, MICHIGAN
RESOLUTION IN SUPPORT OF THE CREATION OF A KALAMAZOO COUNTY
IDENTIFICATION CARD PROGRAM**

At a regular meeting of the City Council for the City of Portage, Kalamazoo County, Michigan held at the City Hall in said City on the _____ day of _____, 2017 at 7:30 p.m. local time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

COUNCILMEMBER: _____ and seconded by

COUNCILMEMBER: _____.

WHEREAS, the Kalamazoo County Identification Card Program ("Program") may allow disenfranchised residents access to community services; and

WHEREAS, the Portage City Council supports the Program as a humanitarian effort for residents unable to secure governmental identification; and

WHEREAS, the Program may further serve as a humanitarian effort for marginalized residents including: veterans, the elderly and the homeless by offering a photo identification; and

WHEREAS, the Program may reduce the hardships experienced by some vulnerable residents when engaged in everyday transactions such as providing access to medical and financial institutions; and

WHEREAS, the Program may encourage civic participation, foster a sense of belonging for all residents, and has the support of law enforcement and fire prevention personnel; and

WHEREAS, the City Council believes it is not appropriate to advise I other units of government how to govern, and the adoption of this Resolution in Support is not meant to direct or suggest that the County of Kalamazoo use its resources, personnel, or funds in a certain manner, but only to convey that the City Council supports the creation of the Program as a humanitarian issue that affects Portage residents.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Portage hereby expresses support for the Program as a humanitarian effort that benefits all County residents and encourages all Portage residents to express their concerns regarding the Program to their Kalamazoo County Commissioners.

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

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

RESOLUTION DECLARED ADOPTED:

James R. Hudson, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 14th day of _____, 2017 the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____, 2017.

JAMES R. HUDSON, City Clerk

Prepared by:
Randall L. Brown
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002

Approved as to form:
Date: 3/9/2017

City Attorney

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. _____

**A RESOLUTION SUPPORTING THE CREATION OF A KALAMAZOO COUNTY
IDENTIFICATION CARD PROGRAM**

Minutes of a regular meeting of the City Commission of the City of Kalamazoo held on February 20, 2017, at 7:00 o'clock p.m., local time, at the Kalamazoo City Commission Chambers, located at 241 West South Street.

PRESENT, Commissioners:

ABSENT, Commissioners:

WHEREAS, approximately 27,500 out of 254,870 Kalamazoo County residents lack a photo identification card; and

WHEREAS, the lack of official identification restricts residents' access to law enforcement, financial institutions, jobs, housing, health care and public services that require photo identification.

NOW, THEREFORE, IT IS RESOLVED that the Kalamazoo City Commission supports and encourages the creation of a Kalamazoo County Identification Card Program.

The above resolution was offered by _____ and supported by _____.

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on February 20, 2017. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by the Act.

Scott A. Borling, City Clerk

February 16, 2017

Kalamazoo County Board of Commissioners
201 W. Kalamazoo Avenue
Kalamazoo, MI 49007

Dear Commissioners:

The Portage Department of Public Safety supports the Kalamazoo County Identification Card concept for Kalamazoo residents who are unable to secure proper governmental identification. The identification card concept may allow disenfranchised Kalamazoo residents to access community services. The identification might also serve those marginalized Kalamazoo residents by offering access to a photo identification that might otherwise not be afforded. Examples of the marginalized include: veterans, the elderly, and the homeless.

By confirming identity and residency, the identification card may reduce the hardships experienced by some vulnerable populations when engaged in everyday transactions; and provide access to medical and financial institutions. The identification card may also encourage civic participation and may foster a sense of belonging for all residents.

Therefore, the Portage Department of Public Safety is in support of the Kalamazoo County Identification Card concept.

Sincerely,

Richard J. White
Public Safety Director - Police/Fire Chief

Kalamazoo County Consolidated Dispatch Authority



Proposition for 9-1-1 System Funding

KCCDA Executive Director Jeff Troyer

K
C
C
D
A
911

Who/What is KCCDA?

- Separate governmental entity (Authority) created by an Interlocal Agreement in October of 2014 between the cities of Kalamazoo and Portage, Kalamazoo Charter Township, Kalamazoo County, and Western Michigan University for the purposes of providing 9-1-1 and public safety dispatch service for all of Kalamazoo County.
- The Interlocal Agreement was created under the following Public Acts:
 - ✓ Intergovernmental Transfer of Functions and Responsibilities Act
 - ✓ Urban Cooperation Act
 - ✓ Emergency Telephone Service Enabling Act
- KCCDA Governance:
 - ✓ 13 Member Board of Directors
 - ✓ Meet the second Thursday of each month at 3:30 p.m.

Collaborative Vision

To create, operate, maintain, and equip, a single and separate entity which is an efficient and non-duplicative way of providing cost effective and efficient public safety dispatch and public safety answering point services for the residents and visitors of Kalamazoo County

K
C
C
D
A
911

TUESDAY - May 2, 2017

Collaborative Vision  REALITY

KALAMAZOO COUNTY CONSOLIDATED DISPATCH
PROPOSITION FOR 911 SYSTEM FUNDING

Shall the County of Kalamazoo, Michigan, be authorized to assess a surcharge on all devices capable of accessing the 9-1-1 system located in Kalamazoo County of up to \$2.30 per month for a period of five (5) years, July 1, 2017 through June 30, 2022, both inclusive, to be used exclusively for the funding of 9-1-1 emergency telephone call answering and dispatch services within Kalamazoo County, including facilities, equipment and maintenance, and operating costs?

**Will CONSOLIDATE 9-1-1 Services
in Kalamazoo County**

K
C
C
D
A

911

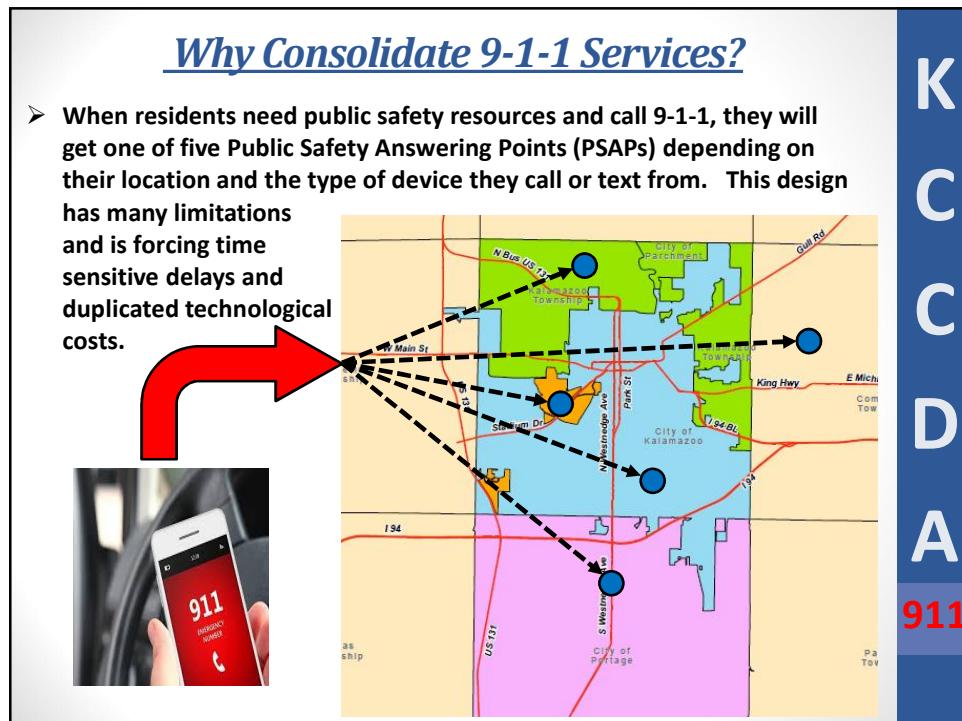
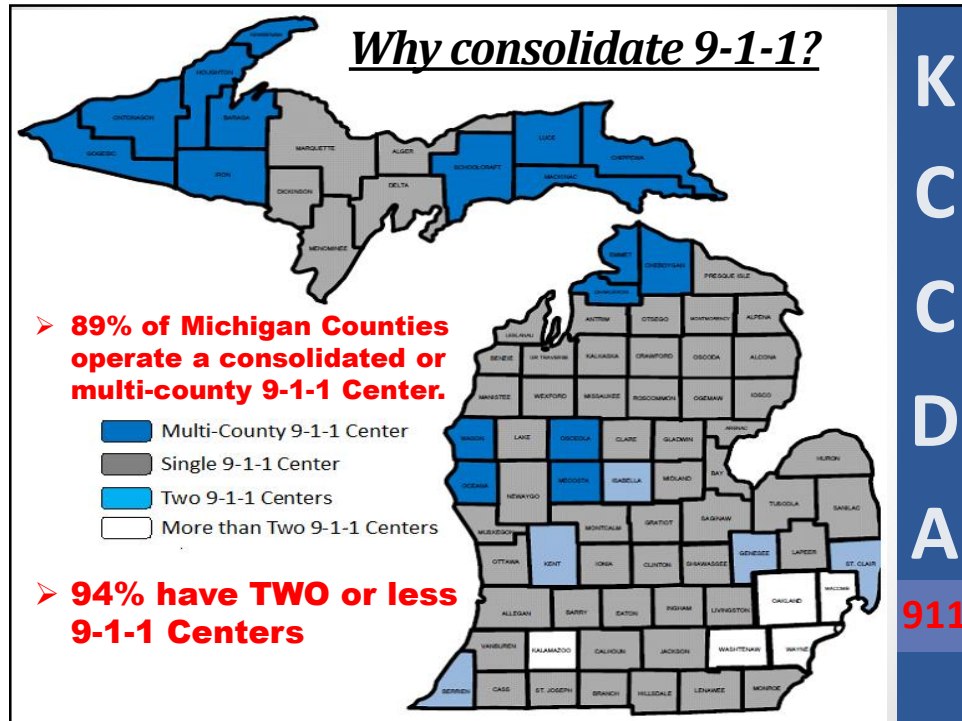
Why 9-1-1 Surcharge?

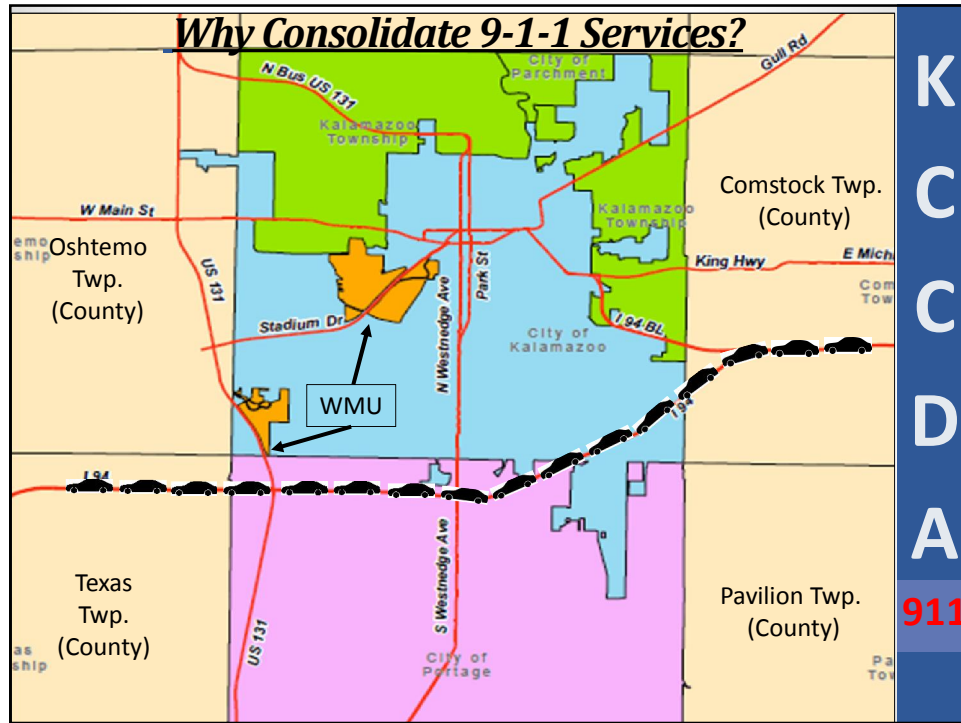
FOUR KEY FACTS:

- ☐ 9-1-1 Surcharge is a "User Fee" associated to a *device with service* allowing them access to the 9-1-1 system.
- ☐ Dedicated Funding – 9-1-1 surcharge monies are protected by State statute and can only be spent on 9-1-1.
- ☐ No Exemptions – 9-1-1 surcharge applies to all individuals, businesses, and organizations.
- ☐ Business Friendly: Multi-line System Discount – Lines one thru 10 have a surcharge "per line/device". For each additional 10 lines/devices, only ONE surcharge.
 - ✓ EXAMPLE -Business with 29 lines would pay surcharge on 12 lines/devices.

K
C
C
D
A

911





Why Consolidate 9-1-1 Services?

➤ **More cost-effective to operate ONE versus five 9-1-1 centers and various technologies**

	KCSO		KDPS		PDPS		TKPD		WMU-PS	
	FY-2014	FY-2015	FY-2014	FY-2015	FY-2014	FY-2015	FY-2014	FY-2015	FY-2014	FY-2015
Personnel	\$661,576	\$535,049	\$1,390,391	\$1,381,160	\$589,365	\$647,122			\$249,000	\$260,150
Fringes	\$322,186	\$257,107	\$370,934	\$356,885	\$251,545	\$296,196			\$155,568	\$163,590
Supplies & Services	\$276,064	\$282,968	\$361,779	\$487,909	\$210,212	\$214,340			\$19,540	\$19,540
All Other Items	\$5,266	\$575	\$37,004	\$37,504	\$10,631	\$12,769			\$60,000	\$60,000
Capital Improvement	\$0	\$0	\$0	\$0	\$0	\$0			\$0	\$0
CATEGORY SUBTOTAL:	\$1,265,092	\$1,075,699	\$2,160,108	\$2,263,458	\$1,061,753	\$1,170,427	\$535,498	\$551,563	\$484,108	\$503,280
Percentage Change:	-14.97%		4.78%		10.24%		2014 Estimated (-3%)		3.96%	

2014 Actual Cost:	\$5,506,559	
2015 Actual Cost:	\$5,564,427	
2016 Estimated Cost:	\$5,731,360	+3%
2017 Estimated Cost:	\$5,903,301	+3%
2018 Estimated Cost:	\$6,080,400	+3%

	2018	2019	2020	2021	2022
Five PSAPs:	\$6,080,400	\$6,202,008	\$6,326,048	\$6,452,569	\$6,581,620
KCCDA (Single PSAP):	\$5,800,299	\$5,916,479	\$6,035,474	\$6,157,358	\$6,282,202
Yearly Savings:	\$280,101	\$285,529	\$290,573	\$295,211	\$299,418
CUMULATIVE Savings:	\$280,101	\$565,629	\$856,203	\$1,151,414	\$1,450,832

**K
C
C
D
A
911**

What will Consolidation Do?

- Improve emergency and non-emergency call-processing times (eliminates PSAP to PSAP transfers) resulting in emergency services *getting you help FASTER.*
- One point of contact allows for better coordination of multi-jurisdictional and mutual aid responses; including initial aid for the most severe medical emergencies
- More cost-effective to operate and maintain ONE versus five 9-1-1 centers/systems
- Convert from legacy (copper wire) to IP based Next Generation 9-1-1 (NG9-1-1) *READY* environment & systems
- Enhance RESILIENCY, RELIABILITY, and REDUNDANCY in communication systems to ensure seamless functionality when first responders and residents need it most.

Today's 9-1-1 versus NG9-1-1

Today's 9-1-1	Next Generation 9-1-1
Virtually all calls are voice callers via telephones over analog lines.	Voice, text, or video information, from many types of communication devices, sent over IP networks
Most information transferred via voice	Advanced data sharing is automatically performed
Callers routed through legacy selective routers, limited forwarding / backup ability	Physical location of PSAP becomes immaterial, callers routed automatically based on geographic location, enhanced backup abilities
Limited ability to handle overflow situations, callers could receive a busy signal	PSAPs able to control call congestion treatment, including dynamically rerouting callers

K
C
C
D
A
911

Kalamazoo County Consolidated Dispatch Authority

VOTE MAY 2nd

Jeff Troyer
KCCDA Executive Director
Phone: 269-718-2195
Email: jtroyer@kccda911.org
Website: www.kccda911.org



Thank you for your time!

K
C
C
D
A
911

**BOARD OF EDUCATION
POLICY GOVERNANCE RETREAT AND REGULAR BUSINESS MEETING**

December 12, 2016

The Policy Governance Retreat meeting of the Board of Education of the Portage Public Schools held on Monday, December 12, 2016, was called to order at 4:00 p.m. by President Van Antwerp in the Superintendent's Conference Room at the Administration Building, 8107 Mustang Drive.

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

Board Members Absent: None

Administration Present: Mark Bielang and Mike Huber

Others Present: Gary Goscenski, Perspectives Consulting

POLICY GOVERNANCE RETREAT

Mr. Goscenski facilitated a follow-up discussion from the November 28, 2016, Retreat pertaining to Agenda setting and Ends review.

The Board recessed at 5:50 p.m.

REGULAR BUSINESS MEETING

The regular business meeting of the Board of Education of the Portage Public Schools held on Monday, December 12, 2016, was called to order at 6:00 p.m. by President Van Antwerp in Conference Room 1 at the Administration Building, 8107 Mustang Drive. He welcomed an audience of 12 people and all in attendance recited the Pledge of Allegiance.

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

Board Trustees Absent: None

REVISIONS/APPROVAL OF AGENDA

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

Motion carried unanimously.

REPORTS

Superintendent's Report. There was no report by Superintendent Bielang.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board.

Mrs. Judi Santek, 7537 Autumn Street, a citizen, shared concerns with plans for the new middle school hallways and lockers.

President Van Antwerp opened the floor to comments from fellow Board members.

Mrs. Willson acknowledged Mrs. Santek's comments noting she hoped the Planning Committee would explore her concerns.

Mr. Snyder thanked all Trustees for their input regarding the important discussions during the Policy Governance Retreat.

President Van Antwerp commented on the current Bylaw review and urged Trustees to e-mail him with questions or concerns. He discussed the opportunities available at the Michigan Association of School Boards for Region 6 Board seats. President Van Antwerp suggested Trustees contact him if they are interested in serving in this capacity.

President Van Antwerp noted there were no Board Committee Reports.

CONSENT AGENDA

President Van Antwerp presented the following Consent Agenda items for approval by the Board of Education: The minutes of the November 28, 2016, Regular Business Meeting and Special Meeting; November 28, 2016, Closed Session.

There being no objections, motion carried unanimously.

ACTION ITEMS

Motion offered by Mrs. Willson, seconded by Mrs. Novaria, that the Board of Education approve the purchase of six (6) 77 passenger buses, from Holland Bus of Holland, MI, for a total of 486,270. This purchase would come from the 2016 Bond Construction Fund bus purchase allocation, as presented.

Mr. Ron Herron, Assistant Superintendent of Operations, provided background information on the purchase recommendation. Mr. Mike Westbrook, Transportation Manager, responded to Trustee questions.

Motion carried unanimously.

Motion offered by Mrs. Novaria, seconded by Mr. Rathburn, that the Board of Education extends the contract for an additional year, approves an increase in compensation, and makes several other minor modifications to the Superintendent's contract in recognition of his outstanding performance, as presented.

Several Trustees commended Superintendent Bielang for all he has accomplished at the District and a job well done.

Motion carried unanimously.

Motion offered by Mrs. Willson, seconded by Mrs. Novaria, that the Board of Education adopt the Resolution for Regional Enhancement Millage Renewal, as presented.

Mr. Rathburn thanked the community for their past generosity and commitment to District programs and staff.

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

DISCUSSION ITEM

The Board discussed Operational Policy Revisions and Updates. Superintendent Bielang led the discussion pertaining to the proposed new, revised and replacement Operational Policies prepared and reviewed by NEOLA's legal counsel for statutory compliance and further reviewed by appropriate District Administrators. He noted these will return for Board approval at the January 9, 2017 meeting.

There being no further business to come before the Board, the meeting was adjourned at 6:26 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

Portage Public Schools, Kalamazoo County, Michigan (the "District")

A Regular meeting of the board of education of the District (the "Board") was held in the Conference Room 1 of the Administration Building, 8107 Mustang Drive, within the boundaries of the District, on the 12th day of December, 2016, at 6:00 o'clock in the p.m.

The meeting was called to order by Mr. Van Antwerp, President.

Present: Members Mr. Droppers, Mrs. Novaria, Mr. Rathburn, Dr. Shelton-Harris, Mr. Snyder, Mr. Van Antwerp and Mrs. Willson

Absent: Members None

The following preamble and resolution were offered by Member Mrs. Willson and supported by Member Mrs. Novaria:

WHEREAS:

1. Section 705 of the Revised School Code authorizes a school district to request that the question of a regional enhancement property tax be submitted to the voters by the intermediate school district at the next regular school election, or at a special election if the request is made more than 180 days prior to such election date; and

2. This Board determines that it is in the best interest of the District to place a regional enhancement millage renewal question before the voters at a special election to be held on May 2, 2017, in accordance with Section 705 of the Revised School Code.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This District requests Kalamazoo Regional Educational Service Agency, to submit a regional enhancement property tax millage renewal proposal for 1.5 mills for three (3) years, 2017, 2018 and 2019, to the voters at a special election to be held in each of the constituent districts located within the Kalamazoo Regional Educational Service Agency on May 2, 2017.

2. The Superintendent or Superintendent's designee is hereby authorized to deliver a certified copy of this resolution and its attachments to the Secretary of the ISD Board on or before Thursday, January 12, 2017.

3. The regional enhancement property tax question to be submitted to the voters is set forth on Exhibit A attached hereto and is approved and incorporated herein by reference.

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

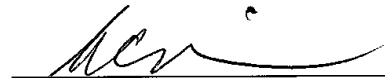
Ayes: Members Mr. Droppers, Mrs. Novaria, Mr. Rathburn, Dr. Shelton-Harris, Mr. Snyder, Mr. Van Antwerp and Mrs. Willson

Nays: Members None

Resolution declared adopted.


Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of Portage Public Schools, Kalamazoo County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board at a Regular meeting held on December 12, 2016, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, Public Acts of Michigan, 1976, as amended).


Secretary, Board of Education

JJS/ssw



**BOARD OF EDUCATION
BOARD RETREAT AND ORGANIZATIONAL MEETING MINUTES**

January 9, 2017

The retreat meeting of the Board of Education of the Portage Public Schools held on Monday, January 9, 2017, was called to order at 4:30 p.m. by Past President Van Antwerp in the Superintendent's Conference Room at the Administration Building, 8107 Mustang Drive.

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

Board Members Absent: None

Administration Present: Mark Bielang, Superintendent, and Ron Herron, Assistant Superintendent of Operations

Others Present: Gary Goscenski, Perspectives Consulting Group

Mr. Goscenski facilitated Board discussion pertaining to a timeline of Board approval of recommendations from Administration, Inspiring Excellence and Vision.

The Board adjourned at 6:25 p.m.

ORGANIZATIONAL MEETING

The organizational meeting of the Board of Education of the Portage Public Schools held on Monday, January 9, 2017, was called to order by Past President Van Antwerp at 6:32 p.m. in Conference Room 1 at the Administration Building, 8107 Mustang Drive. He welcomed an audience of 18 people and all in attendance recited the Pledge of Allegiance.

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

Board Members Absent: None

OATH OF OFFICE

The Oath of Office was administered to Mr. Droppers, Mrs. Novaria, Mr. Rathburn and Mr. Snyder.

REVISIONS/APPROVAL OF AGENDA

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

Motion carried unanimously.

ORGANIZATIONAL ITEMS

Mr. Van Antwerp opened the floor to nominations for the office of Board President for the 2016/2017 school year.

Mr. Snyder nominated Mr. Van Antwerp for the position of Board President. There being no further nominations from the floor, Mr. Van Antwerp declared himself elected to the office of President by acclamation.

Mr. Rathburn nominated Mrs. Novaria for the position of Board Vice President. There being no further nominations from the floor, President Van Antwerp declared Mrs. Novaria elected to the office of Vice President by acclamation.

Mr. Rathburn nominated Dr. Shelton-Harris for the position of Board Secretary. There being no further nominations from the floor, President Van Antwerp declared Dr. Shelton-Harris elected to the office of Secretary by acclamation.

Motion offered by Mrs. Willson, seconded by Mrs. Novaria, that the Board of Education approve the appointment of Edna Kent, Administrative Assistant, as Recording Secretary to the Board of Education.

Motion carried unanimously.

Motion offered by Mrs. Novaria, seconded by Mr. Snyder, that the Board of Education approve the following persons be authorized to access the District's safety deposit boxes at Comerica Bank: Superintendent, Assistant Superintendent for Operations, Director of Finance and the Board of Education Secretary.

Motion carried unanimously.

REPORTS

Superintendent's Report. Superintendent Bielang acknowledged Board Appreciation Month and recognized the Trustees for their important work and dedicated service to the District and community. The Superintendent welcomed a group of student interns to the meeting. He shared news of the pre-bid meeting held last week acknowledging the District was pleased with the turnout to gather details and answer questions about the projects. Superintendent Bielang recognized the Human Resources and Business Office staff for their efforts to convert District systems to Skyward. While staff Professional Development on the new software continues, he thanked Mrs. Karla Colestock, Director of Finance, and Mr. Bradley Galin, Human Resources Director, for the added level of security this software conversion brings to the District. He informed the audience that the Revenue Estimating Conference is scheduled for Thursday, January 12. Superintendent Bielang reminded the audience that the survey to gather possible names for the new athletic/event facilities at Central and Northern High Schools is open until January 20. Details on the survey can be found on the District web site or in the January District Extra.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board. Seeing no one come forward, President Van Antwerp opened the floor for Trustee comments.

Mrs. Willson discussed the upcoming Kalamazoo County School Officers Meeting planned for January 11. She also shared news of the City of Portage Diversity Awareness Training taking place on February 18, 2017, at the Fetzer Center. Mrs. Willson offered kudos to the Central High School tennis team for their MHSAA (Michigan High School Athletic Association) Academic Athletics Achievement Award.

Mr. Snyder offered thanks to President Van Antwerp, Mrs. Novaria and Dr. Shelton-Harris for continuing in their roles as Board officers, noting President Van Antwerp is doing a great job in the demanding role of Board President.

President Van Antwerp thanked Mrs. Novaria and Dr. Shelton-Harris for their service to the Board as Vice President and Board Secretary. He reminded Trustees of the Kalamazoo County School Officers Meeting planned for January 11 and noted the Kalamazoo Regional Educational Service Agency is inquiring about what Board members would like to see on the agenda at future meetings. President Van Antwerp urged Trustees to register for Michigan Association of School Boards 100-level classes that will be offered on January 27 and 28, 2017, at the Kent Intermediate School District in Grand Rapids.

ACTION ITEMS

Motion offered by Mr. Snyder, seconded by Mr. Droppers, that the Board of Education approve the revised, replacement and new Operational Policies, as presented.

Motion carried unanimously.

Motion offered by Mrs. Willson, seconded by Dr. Shelton-Harris, that the Board of Education approve Monitoring Report, Policy 1.5, Collaboration and Service to the Community, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Motion carried unanimously.

Motion offered by Mrs. Novaria, seconded by Mr. Rathburn, that the Board of Education approve revisions to Governance Policy 1.1, Global Ends as follows: "Students demonstrate a mastery level of core curriculum standards greater than in prior years and in comparable communities.", as presented.

Motion carried unanimously.

Motion offered by Mr. Snyder, seconded by Mrs. Novaria, that the Board of Education approve revisions to Governance Policy 3.1, Governing Style, as presented.

Motion carried unanimously.

Motion offered by Mr. Droppers, seconded by Mrs. Novaria, that the Board of Education approve the recommendation to nominate Mrs. Joanne Willson as a candidate to fill the three-year term on the Michigan Association of School Boards (MASB) Board of Directors for Region 6, as presented.

Motion carried unanimously.

DISCUSSION ITEMS

Recommended Chromebook Purchase. Mr. Dan Vomastek, Director of Information and Technology Systems, shared the recommendation to purchase 132 Asus Chromebook Flips from Hypertec Direct (Tempe, AZ) in an amount not to exceed \$34,584.00, proceeds coming from the 2016 Bond Construction Fund #1. President Van Antwerp received Board consensus to move this Discussion Item to an Action Item.

Motion offered by Mrs. Willson, seconded by Mrs. Novaria, that the Board of Education move the recommendation to purchase 132 Asus Chromebook Flips from Hypertec Direct (Tempe, AZ) in an amount not to exceed \$34,584.00, proceeds coming from Bond Construction Fund #1, to an action item.

Motion carried unanimously.

Motion offered by Mr. Rathburn, seconded by Mrs. Novaria, that the Board of Education approve the recommendation purchase of 132 Asus Chromebook Flips from Hypertec Direct (Tempe, AZ) in an amount not to exceed \$34,584.00, proceeds coming from the 2016 Bond Construction Fund #1, as presented.

Motion carried unanimously.

Michigan Association of School Boards (MASB) Superintendent Evaluation Training. Superintendent Bielang led the discussion pertaining to date options for a MASB led training session on the new Superintendent's evaluation. After much discussion, the Trustees agreed on three date options and the Superintendent noted he would inform the Board after confirming a date with MASB.

There being no further business to come before the Board, the meeting was adjourned at 7:16 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

**BOARD OF EDUCATION
SPECIAL MEETING**

February 6, 2017

The special meeting of the Board of Education of the Portage Public Schools held on Monday, February 6, 2017, was called to order by President Van Antwerp at 4:00 p.m. in Conference Room 1 at the Administration Building, 8107 Mustang Drive.

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

Board Trustees Absent: Terri Novaria

Administration Members Present: Mark Bielang, Karla Colestock, Ron Herron and Michelle Karpinski

Others Present: Mr. Tom McKercher, Project Manager, from c2ae/Stantec; Mr. Tom Stanek, Project Director; Mr. Dan Rathburn, Project Manager; and Mr. Cade Dammen, Field Supervisor; from Owen, Ames Kimball (OAK); Mr. David Skinner, Project Manager; and Mr. Doug Phillips, Preconstruction Director, from Walbridge; and Mr. Tom Haroldson, Kalamazoo Gazette

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board. Seeing no one come forward President Van Antwerp opened the floor for the Discussion Item.

DISCUSSION ITEM

Bond Bid Package #1. Mr. Ron Herron, Assistant Superintendent of Operations, introduced Mr. Tom Stanek, Project Director, and Mr. Dan Rathburn, Project Manager, from OAK. Mr. Stanek and Mr. Rathburn provided a Bond bid timeline, overview, contractor selection process, alternates versus voluntary alternates, budget projections, next steps, and responded to Trustee questions pertaining to Bond Bid Package #1. This Bid Package pertained to the Central High School Natatorium and the Northern High School Athletic Event Facility. Trustees thanked Mr. Stanek, Mr. Rathburn and the Bond Team for their hard work and efforts. Trustees acknowledged appreciation for the detailed information contained in this recommendation.

There being no further business to come before the Board, the meeting was adjourned at 4:57 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

**BOARD OF EDUCATION
COMMITTEE OF THE WHOLE WORK SESSION**

February 13, 2017

The work session meeting of the Board of Education of the Portage Public Schools held on Monday, February 13, 2017, was called to order at 6:31 p.m. by President Van Antwerp in Conference Room 1 at the Administration Building, 8107 Mustang Drive. He welcomed an audience of 23 people and all in attendance recited the Pledge of Allegiance.

Board Trustees Present: Kurt Droppers, Terri Novaria, Celeste Shelton-Harris, Bo Snyder, Randy Van Antwerp and Joanne Willson

Board Trustees Absent: Rusty Rathburn

REVISIONS/APPROVAL OF AGENDA

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

Motion carried unanimously.

REPORTS

CommuniTEEN Event Report. Mr. Michael Huber, Director of Curriculum, introduced Ms. Sara Brown and Ms. Jeanna Walker, District Media Specialists and Ms. Laura Wright, Head of Youth Services at the Portage District Library. Ms. Brown, Ms. Walker and Ms. Wright provided background information on the collaborative efforts of the Kalamazoo Community Foundation, the Bookbug, Portage Public Schools and the Portage District Library for the CommuniTEEN Read 2017 events. These events will be held on March 28 and 29, 2017, and the public is invited to attend to meet the author, Ms. Maggie Stiefvater. They thanked the generous sponsors for making the event possible: Portage District Library's Grandmother and CIG Endowment Fund, the Kalamazoo Community Foundation and Portage Rotary Club.

Focus School Report. Mr. Michael Huber shared news that the District received notification from the State that Woodland Elementary and North Middle School were no longer considered Focus Schools. He noted the progress of supports implemented would continue at both schools.

Superintendent's Report. Superintendent Bielang thanked Trustees for responding to the poll for possible Policy Governance Retreat dates. The Superintendent clarified the Bidding and Award Timetable that was included with the Bond Bid Package memo. Superintendent Bielang reminded the audience of the open invitation to attend the Kalamazoo Region Conversation on Respecting Diversity event taking place Saturday, February 18, 2017 from 8:30 a.m. to 12:30 p.m. at Western Michigan University's Fetzer Center.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board.

Mr. Allan Reiff, 2254 Oakland Ridge Drive, Kalamazoo, a citizen, Board alumni and Portage Rotarian, invited the Trustees to attend the 50th Anniversary Celebration of the Rotary Club of Portage. Mr. Reiff shared details of the celebration, a history of collaborative efforts between the Rotary and the Portage School District, and distributed complimentary invitations.

President Van Antwerp opened the floor to comments from fellow Board members.

Mrs. Willson offered accolades to the Central High School Performing Arts students and staff for the outstanding production of Shrek, the Musical. Mrs. Willson also shared highlights of working with the Northern High School Rotary Club students during December in their effort to shop for adopted families.

President Van Antwerp informed Trustees that there were no corrections to the Monitoring Report for Ends Policy 1.5. He also announced that a Policy Committee meeting was planned for Friday, February 17, 2017. President Van Antwerp offered condolences to the families of Ms. Mary Haab, Ms. Connie Jilek, Ms. Nancy Lukins and Mr. Bob Raven.

President Van Antwerp opened the floor to Board Committee Reports.

Mr. Snyder reported that the Owner's Linkage Committee discussed the naming of facilities and the possibility of having Board members author brief articles in The Portager. These articles would be about issues important to the Board that owners (the community) may wish to hear about.

Mrs. Willson acknowledged plans to attend the Michigan Association of School Boards 2017 Labor Relations Conference on February 24, 2017.

DISCUSSION ITEMS

2016/17 General Fund Budget Amendment #1. Mrs. Karla Colestock, Director of Finance, provided details on the budget amendment Resolution to the General Appropriations Act (General Fund) for the 2016/17 year. Mrs. Colestock responded to Trustee questions pertaining to the fund balance, fringes and salaries.

Board Meeting Schedule for 2017/2018. Superintendent Bielang shared the recommended draft meeting schedule from July 17, 2017, through June 25, 2018. President Van Antwerp noted this would be a Consent Agenda item for the February 27, 2017 meeting.

Recommendation for purchase of a Laser Engraver for Northern High School. Mr. Ron Herron, Assistant Superintendent of Operations, highlighted the recommended purchase and installation of a Laser Engraver from Buckeye Educational Systems (BES) of Lexington, OH, for an amount of \$49,120.00. These funds will come from the 2016/17 General Fund budget. Mr. Jim French, Northern High School Principal, shared the in-depth curriculum connection of this purchase including marketing,

accounting, design and industrial technology. Mr. Herron and Mr. French responded to Trustee questions pertaining to life expectancy and maintenance of the equipment.

Recommended Student Chromebook Purchase. Mr. Dan Vomastek, Director of Information and Technology Systems, provided details on the recommended purchase of 420 Acer C740 Chromebooks from CDW-G (Vernon Hills, IL) in an amount not to exceed \$98,700. Mr. Vomastek informed the Board he would issue a corrected memo as the proceeds are coming from the TRIG Fund (Michigan Technology Readiness Infrastructure Grant) as opposed to the 2016 Bond Construction Fund #1 as stated in his memo.

ACTION ITEMS

Motion offered by Mrs. Willson, seconded by Mr. Snyder, that the Board of Education approve Monitoring Report – Policy 1.4, Ends Policy, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Superintendent Bielang shared background information on Monitoring Report 1.4 and responded to Trustee questions pertaining to foreign language and English as a second language.

Motion carried unanimously.

Motion offered by Mrs. Novaria, seconded by Dr. Shelton-Harris, that the Board of Education approve Monitoring Report – Policy 2.4, Financial Planning/Budgeting, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Superintendent Bielang shared highlights of Monitoring Report 2.4.

Motion carried unanimously.

Motion offered by Mr. Snyder, seconded by Mrs. Willson, that the Board of Education authorize Owen-Ames-Kimball Co. to issue Notices of Pending Award, in the amounts indicated for the Central High School Natatorium and the Northern High School Athletic Event Facility, to contractors and suppliers listed on the Bid Summary Sheets, pending confirmation that all requirements of the Contract Documents have been met. Furthermore, that upon receipt by Owen-Ames-Kimball Co. of the appropriate documentation, contracts will be awarded to these contractors and suppliers by Portage Public Schools, as presented.

Mr. Herron and Mr. Dan Rathburn, Project Manager, from Owen, Ames Kimball (OAK), provided an overview of bids for track surface, electrical and scoreboards. Mr. Herron and Mr. Rathburn responded to Trustee questions regarding scoreboards.

Motion carried unanimously.

Motion offered by Mrs. Novaria, seconded by Dr. Shelton-Harris, that the Board of Education cast a ballot for Mrs. Joanne Willson to fill the three-year term on the Michigan Association of School Boards (MASB) Board of Directors for Region 6, as presented.

Mrs. Willson thanked the Board for her nomination. Several Trustees thanked Mrs. Willson for her willingness to serve in this capacity.

Motion carried unanimously.

There being no further business to come before the Board, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of Meeting February 2, 2017

CALL TO ORDER: 6:34 p.m.

MEMBERS PRESENT: Effie Kokkinos, Ray LaPoint, Elma (Pat) Maye, Nadeem Mirza, Edward Morgan, Sandra Sheppard, Fiorella Spalvieri, Amanda Woodin, Lindy Nebiolo, Youth Representative.

MEMBERS EXCUSED: Motion made by Mirza and supported by Morgan to excuse Durian. Motion passed 8-0.

STAFF PRESENT: Elizabeth Money, Neighborhood Program Specialist

APPROVAL OF MINUTES: Morgan moved and LaPoint supported approval of the January 19, 2017 minutes. Motion passed 8-0.

PUBLIC HEARING:

1. Public Hearing – Community Development Block Grant (CDBG) Program – Overview of Housing and Community Development Needs for Annual Action Plan Update: Maye moved and Mirza supported opening the public hearing at 6:35 p.m. Motion passed 8-0. City staff Money presented the information which included statistics on demographics, homelessness, housing needs, as well as information on the Strategic Plan, FY 2017-18 Annual Action Plan, and prior program year performance (FY 2015-16). The Board had questions on clarification of homeless numbers, housing costs, and trends in housing. Staff clarified that the homeless count included homeless people at that time and would not include persons staying with relatives, that rental costs did not include vouchers, and that while the average median value of a home may seem high, it was, in fact, a decrease from 2009. As no other Board or public comments were received, Maye moved and Spalvieri supported closing the public hearing at 6:52 p.m. Motion passed 8-0.

NEW BUSINESS:

1. FY 2017-18 Human/Public Service Review and Options: Kokkinos stated for the record that she has a professional relationship with The Ark and provides therapeutic services by contract, but her relationship with them will not affect her decision making. Woodin opened the conversation by referencing the staff memo and asking the Board for input. Spalvieri asked for clarification on the two funding options provided by staff. Money explained that, as referenced in the memo, the Portage Community Center (PCC) had a decrease in their annual budget for FY 2016-17. Per conversations with PCC, this is temporary and additional funding for FY 2017-18 should be secured. Because PCC is the largest recipient and the major social service provider within the city, a nearly \$5,000 cut to keep city funding at or below 30% of their budget, would have a significant impact on the agency. When asked which services would be impacted, Money referred to the PCC application and indicated that emergency services, youth development, and community collaboration would be three services impacted. The Board had a discussion about the impact of such a significant cut, whether funding problems were a sign of the times or if PCC and other agencies would be able to recover, and how City Council had

previously indicated no more than 30% of PCC's budget should come from city funds. LaPoint discussed the discrepancy in funding between the other high scoring/ranking applicants The Ark, YWCA, and HRI. It was noted that HRI received significantly more than the other two agencies but that all three always scored/ranked about the same – and close to the number one ranked agency, PCC. Gryphon Place also received a disproportionate amount of funding compared to its score/rank. LaPoint also indicated that in previous years, new applicants had received \$1,500 or less, including new agencies that had not yet proven their unique status and impact on the community. LaPoint felt that was also a good amount for Twelve Baskets given that there were a number of other food pantries in the city and community as a whole. Spalvieri asked for a survey as to how the Board felt about the two options as presented by staff with regards to funding PCC. Four Board members and Nebiolo felt option 1 was appropriate, two members felt option 2 was the best option, and two were undecided. Woodin brought up other funding options, including funding new organizations at a higher amount, funding the newer current applicants more as they have proven themselves within the community, and how to award new applicants when they do not score/rank as high as existing applicants. As the city had not yet received a finalized funding amount from HUD, no decision on funding was made with the understanding a final recommendation would be made at the March 2nd meeting.

2. Kalamazoo Transit Authority LAC update - Woodin: Woodin indicated the 50th Anniversary celebration was February 23rd at 4:30 at the 530 North Rose Street office for any who would like to attend.

STATEMENT OF CITIZENS: No citizens were present.

ADJOURNMENT: Maye moved and Sheppard supported adjournment at 7:40 p.m. Motion passed 8-0.

Respectfully Submitted,

Elizabeth Money VG

Elizabeth Money, Neighborhood Program Specialist

PLANNING COMMISSION

February 2, 2017

The City of Portage Planning Commission meeting of February 2, 2017 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Three citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Welch led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Senior City Planner; and Randy Brown, City Attorney.

ROLL CALL:

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

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the January 19, 2017 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved 8-0.

SITE/FINAL PLANS:

1. Final Plan: Portage Pediatric Dentistry, 3020 Old Centre Road. Mr. West summarized the staff report dated January 27, 2017 regarding a final plan submitted by Portage Pediatric Dentistry to construct an approximate 7,000 square foot professional dental office and associated site improvements at 3020 Old Centre Road. Mr. West stated the subject property is zoned PD, planned development and part of the larger Woodbridge Hills Planned Development project and is located within an area designated for office land use. Mr. West discussed the shared access arrangement between Portage Pediatric Dentistry and the adjacent Southwest Michigan Dermatology site to the east. Mr. West also stated the plan has been reviewed and approved by The Moors of Portage Architectural Control Committee.

Mr. Walt Hansen of Hansen Building and Design Corporation (applicant's representative) was present to discuss the proposed development. Mr. Hansen also introduced the owner of Portage Pediatric Dentistry, Dr. Jody Wrathall. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to recommend to City Council that the Final Plan for Portage Pediatric Dentistry, 3020 Old Centre Road, be approved. The motion was unanimously approved 8-0.

PUBLIC HEARINGS:

None.

OLD BUSINESS:

None

7:05 p.m. - The Commission took a short recess.
7:12 p.m. - The Commission reconvened the meeting in City Hall Conference Room No. 2

NEW BUSINESS:

1. FY 2017-2027 Capital Improvement Program (preliminary). Mr. Forth reviewed the staff report dated January 27, 2017 that summarized the modified process for soliciting citizen and Commission input regarding the annual Capital Improvement Program (CIP) which began in September 2016. Mr. Forth stated the results of the on-line citizen survey were included as attachments to the staff report, along with summaries of new and revised projects proposed in the preliminary FY 2017-2027 CIP. Mr. Forth stated a complete bounded DRAFT version of the FY 2017-2027 CIP would be provided in March, however, staff was requesting any initial comments from the Commission regarding the new and revised projects detailed in the staff report and attachments.

Commissioner Dargitz stated there has been significant amount of investment at Ramona Park and much less at Lakeview Park. Dargitz asked that pickleball courts be considered for Lakeview Park. Commissioner Dargitz also inquired about the proposed purchase of two MDNR State Game Area parcels located along West Centre Avenue and Angling Road. Mr. Forth stated the two parcels comprised approximately 378 acres and the MDNR was considering disposing of the land since its usefulness for hunting has diminished due to development on adjacent private properties. Commissioner Dargitz stated \$4 million was a significant amount of money and believes more emphasis should be placed on acquiring other properties in other sections of the city including the eastern portion of the city where there are fewer natural areas. Chairman Welch stated that he believes the acquisition of the MDNR parcels represents an opportunity for the city to continue preservation of this existing natural area. Chairman Welch stated that if the city doesn't purchase the property, the MDNR could sell the land to a private party who might develop the property. Commissioners Stoffer, Patterson and Bosch concurred. Mr. Forth and Mr. West discussed existing parks that were present within the eastern portion of the city, along with recreational projects that were proposed in the proposed FY 2017-2027 CIP including the Austin Lake Trail, South Sprinkle Road Multi-Use Trail, Romence Road East Multi-Use Trail and Lexington Green Park Improvements.

Commissioner Dargitz stated the South Westnedge Avenue/Shaver Road Traffic Signal Improvement project seems expensive and might be taking away from other project areas. Mr. Forth stated the project is needed to improve traffic flow, operation and safety in this area. Commissioner Dargitz asked how much of the Vincent Drive/Oakland Drive Intersection Improvements project was the result of the traffic generated from the large church on Vincent Drive. Mr. Forth stated this intersection has been problematic before the Valley Family Church relocated to Vincent Drive and also indicated that the church was paying for traffic control at the intersection, before and after services. Mr. Forth provided a brief description of how Vincent Drive was proposed to be relocated to the north and signalized. Commissioner Dargitz asked why the realignment Lakeview Drive at Portage Road does not include a roundabout, as discussed during the Portage Road Diet Open House. Mr. Forth stated the roundabout idea was considered, however, engineering details including the lack of right-of-way were deterrents to the roundabout option. Commissioner Dargitz asked if any projects that were identified in the FY 2016-2026 CIP were deleted to allow for inclusion of the new projects proposed in the preliminary FY 2017-2027 CIP. Mr. Forth stated he did not immediately know the answer and would provide a response.

Mr. Forth summarized the new projects proposed in the preliminary FY 2017-2027 CIP by category: Streets, Sidewalks & Bikeways, Water and Sewer, Police and Fire and Public Facilities. Mr. Forth reviewed the three sidewalk/bikeway projects proposed within the eastern portion of the city that were intended to better connect the east and west sides of the city. Mr. Forth also discussed the Neighborhood/Community Enhancement project and the need to review and finalize the application form. The Commission did not have any additional questions or comments regarding the preliminary FY 2017-2027 CIP at this time. Chairman Welch asked the Commission to email staff with any additional questions and/or comments regarding the preliminary FY 2017-2027 CIP.

STATEMENT OF CITIZENS:

None

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Christopher T. Forth". The signature is written in dark ink and includes a small flourish at the end.

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

YAC Meeting Minutes: February 6th, 2017

- I. Call to Order
 - a. Meeting called to order at 6:00 pm
- II. Introductions and Attendance
 - a. Name, grade, and favorite cookie
- III. Motion to Approve the Minutes of Last Meeting
 - a. Motion approved
- IV. Youth Liaison Reports
 - a. Human Resources Board: Meeting in two weeks to finalize grants
 - b. Senior Citizens Board: Elder justice act, diversity event, continuing with remodeling
- V. Snow Party-- Review
 - a. More advertisement for event
 - b. More activities for the public
- VI. Diversity Event—Saturday, February 18th
 - a. Request from Mayor and Mayor Pro Tem
 - b. WMU Fetzer Center
 - c. Time is 8:30 a.m. – 12:30 p.m.
 - d. Bring together community members to discuss diversity in the community
 - e. Will be meeting with school superintendents before then
- VII. Martin Luther King, Jr. Event
 - a. Talk to friends about joining/hand out pamphlets
 - b. Brazeal Dennard Chorale & 20 minute dramatic presentation of “The Meeting” between MLK and Malcom X
 - c. PNHS Auditorium, 6-10 pm
 - d. Friday, February 24, 2017
- VIII. Sticker Shock
 - a. Hosted by the Kalamazoo County Substance Abuse Task Force
 - b. Saturday morning, March 18th at Portage City Hall
 - c. Winner selected for Sticker Shock logo
- IX. Green-a-Thon Earth Day Festival
 - a. Saturday, April 15th from 11 a.m. until 3:00 p.m.
 - b. Ideas for Vendors & Past Vendors
 - i. Take forms for potential stands
 - c. Ideas for Music
 - i. Jazz band, song leaders from PNHS, etc.
 - ii. Look for potential musicians and contact the board and/or Adam

- d. Tree Selection
 - i. 4 types of trees: Eastern Redbud (100), and a mixed number of Tulip Poplar, Black Cherry, White Pine
- X. Summer Movie
 - a. Email Adam and/or Lindy for movie suggestions
- XI. Father's Against Distracted Driving
 - a. Would like to present at YAC sometime in the next few months
- XII. Next Meeting—Monday, March 6th
 - a. Saturday, February 18th- Respecting Diversity
 - b. Lunch with superintendent
 - c. Friday, February 24th- Concert at PNHS

Parks Board Meeting Minutes
Wednesday February 8, 2016

Board Present: Marshall Cammack, Emily Hirschman, Charles Thomas, Kathleen Hoyle, Jon Peer, Jan Whitcomb

Kendall Klingelsmith - Director of Parks, Recreation, and Senior Center Services

Board Absent - Excused: Robb Krueger, Susan Atkinson, Tim Earl, Rod Russell - Director of Public Services

Not Excused: Anna Heystek- Student Member

Guests: **Ruth** -past member of Environmental Services Board. **Kim Phillips** -Manager of Senior Services Center.

The meeting was called to order by Mr. Peer at 6:30 p.m. in Senior Services Center.

Minutes from January's meeting were distributed and reviewed. Ms. Whitcomb motioned for approval of minutes, seconded by Mr. Cammack. Motion approved.

New Business:

1) Department Updates: Notes good year for skating rink rentals. Will close 2nd week of March. Currently conducting interviews for Parks & Recreation Program Director. Softball prep has started. Interpretive Center plans continue to be worked on, planning to get quotes for plans. Would like a scaled down similar building placed at the Oosterhout Trail Head.

Public Services Department Report: Given by Mr. Klingelsmith. Putting up fence at Oosterhout trailhead to separate parking lot and trail. Some dog park prep at South Westnedge park has begun. Road patching when weather permits.

Senior Services Department Update: Ms. Phillips notes they continue to stay busy. Only 1 of 2 centers that now offers Mastering Aging classes. Michigan Health Endowment Fund recipient for the program. Plans for eventual launch in the county. Program is through the National Council on Aging. 1400 registered members so far this year. Working with Bison & Associates for a possible expansion or new facility for the Senior Center since they are continuing to grow. New program staff has developed a murder mystery dinner, which has sold out. Working to bring in more interactive activities to the center. Also sold out for Valentine's lunch. Partner with chef from Medilodge across the street for food stuff.

March 11th at Senior Center from 4-7pm is the Spring Carnival. Mr. Thomas, Ms. Whitcomb planning to volunteer. Mr. Peer is a maybe.

2) Recycled Art in the Park: Ms. Whitcomb gave update. Emails have been sent out to potential sponsors. Eaton has sent back their form. Ms. Hoyle to complete and send back to them. Have run in to non-working email addresses, working to update. Entries continue to come in for the event. Ms. Hoyle to help create updated flyer for the event. Ms. Whitcomb plans to start posting around the community as able. Ms. Whitcomb will

start to work on judge panel, hoping to find 4 candidates. Mr. Klingelsmith notes that as part of Gilmore grant, some of the funding will go to help with this project. Ms. Whitcomb reminds board members to keep the event date open and the Friday prior to the event open for help with set up. Ms. Hoyle will keep in contact with The Heck with Branden Mann for his performance at the event. Board approved money allotment for musician at event.

3) Friends of the Park Report: Ms. Hoyle sent out the draft bylaws to the board. Board members to review and submit comments for review at next meeting. Mr. Klingelsmith sent some updates that Ms. Hoyle will add to the bylaws.

Article 10 was brought to light by Ms. Whitcomb, recommends wording the intent a little bit better to ensure that funds are going to stay within the current focus of the 501c3.

Board of Directors for 501c3: Funding for director continues to be looked at by Ms. Hoyle. Most foundations will only provide funding once a 501c3 has been established and a board has been assembled. Looking for start up fund to help at this time. Minimum board members needed is 5. No ideas established at this time for a director. Will need to work on job description for this spot.

4) Friends Group Update: No updates at this time.

a. Newsletter: No updates at this time.

b. Coordinator Reports: No updates at this time.

c. Facebook update: No updates at this time.

d. Calendar of Events: No updates at this time.

e. Website: No updates at this time.

f. Other: N/A

5) Board Goals: Plan to review at next meeting. Ms. Hoyle will send to the board prior to next meeting for review. April is when goals will need to be presented.

6) Eliason Nature Reserve: Ruth presented on detailed restoration plan for Eliason Nature Reserve. Waiting to hear back about the budget for the plan. Notes environmental aspects of the reserve are not being addressed at this time per her thoughts and some others that she has kept in touch with regarding the project. Many invasive species continue to be found on the property. Notes some weeds are growing that are bad for the bog/reserve and can not be handled by just volunteers. Hopes to keep finding volunteers to help with clean up of the reserve as able. Asked for board's help as able, especially volunteerism. Non-motorized vehicles area, placement of trails, and some funding are all being worked on at this time per Mr. Klingelsmith. Looking to have someone come in with environmental management experience to help with these plans. Planning to keep

an eye out for invasive species specific funding. Ruth requests that all trail plans be sent to Environmental Board prior to construction.

7) Celery Flats Music Festival: Mr. Klingelsmith and Mr. Earl have spoke with Mr. Speeter from the KFO. This music festival will now move over to the bandshell. City will pay \$3,000 to group to be allocated as needed. Name will now be KZoo Folklife Music Fest. Event will now be mostly held by the KFO with some minor help from the Portage Park Board. Possibility still remains of having a food truck, which could be more from the part of the Park Board as a fund raising opportunity. Rangers will continue to be in charge of parking and transportation help. Date of the program will be Sunday, July 9th. Ms. Hoyle will plan to get rates for food trucks from Mr. Klingelsmith. Ms. Phillips notes that the Farmer's Market will also be that day from 10am-2pm, this may be opportunity for promotion. Idea passed around to offer bottle of water with an entry donation.

Summary Report:

- Review given by Mr. Klingelsmith.

Comments from the Board:

- Mr. Klingelsmith has accepted a position for Parks and Recreation Director with Petoskey, MI. He will be leaving Portage position on March 3rd. The board gave their congratulations and best wishes to him in the future. Position has been posted.
- Ms. Hirschman notes that she will not be in attendance until May or June meeting.

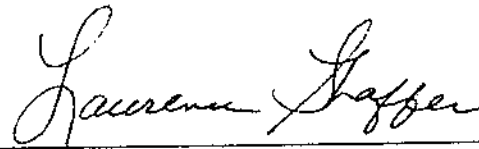
Adjournment: Motion was made by Mr. Thomas, seconded by Mr. Peer. Motion approved, meeting adjourned at 7:40pm.

Respectfully Submitted,
Emily Hirschman, Park Board Secretary

MATERIALS TRANSMITTED

Tuesday, February 28, 2017

1. Communication from the City Manager regarding the Chopin Avenue & Mozart Street Water Main Project Follow-up – Information Only.

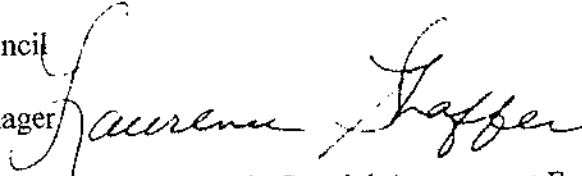


Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Chopin Avenue & Mozart Street Water Main Special Assessment Follow-up

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

On Thursday, February 23, 2017, at 5:30 p.m., a public information meeting was conducted at City Hall, to present plans and answer questions to interested parties affected by the Chopin Avenue and Mozart Street water main installation project. Hosted by City Manager Larry Shaffer and Director of Transportation and Utilities Chris Barnes, Deputy Director of Transportation and Utilities Kendra Gwin, Assistant City Engineer Jamie Harmon, Assistant Fire Chief Stacy French, and Fire Marshal Derek Henson attended to provide information and to answer questions. Approximately, fifteen (15) citizens attended to include Ms. Christine Petersen, the individual who attended a City Council meeting and voiced a number of concerns about the project.

I opened the meeting and explained that the Special Assessment process is made up of five distinct steps to include a determination of necessity and a disclosure of the cost to the individual property owner, is complete. All of the steps required to complete the project have been satisfactorily achieved. This public meeting was designed to ensure that all citizens' questions had been answered.

The meeting ended at about 7:00 p.m. I was pleased with the result and believe that the majority of property owners are in favor of this project.

Chris Barnes provided a detailed explanation of the project utilizing a PowerPoint presentation, a copy of which is attached. Fire Marshal Henson provided a presentation of the importance of fire hydrants in proximity to the neighborhood would enhance the protection of people and property. Mr. Barnes and Ms. Gwen provided answers to individual property owners who had questions about the impact of the project upon their individual properties.

Attachments: February 23, 2017 Public Meeting PowerPoint Presentation & Sign-in Sheet

Sign-in Sheet
Chopin Avenue and Mozart Street Water Main Improvements
February 23, 2017

Name	Address	Phone	E-mail Address
Wendie Sahlinger	2612 Chopin	327-9361	martha.sahlinger@att.net
Brad Hollister	2504 Chopin Ave	753-4199	piratstfa1418@yahoo.com
Sarah Murray	2515 Chopin Ave	989 339 0453	Sarah.ash22@gmail.com
Paul Mary Louise Frederick	2520 Chopin	327 3780	
Lawrence & Sue Kuiper	2528 Chopin	849-4288	
Earle Shelner	2620 Chopin Ave	290-0204-209 324-7229	eshelner2@gmail.com
KAREN WYATT	9944 MOZART	365-0775 324	
Tuba Dawson	2604 Chopin	269-323-2969	
Ann Altermatt	2615 Chopin	269 327-1069	
Todd Christine Peterson	2607 Chopin	323-3307	

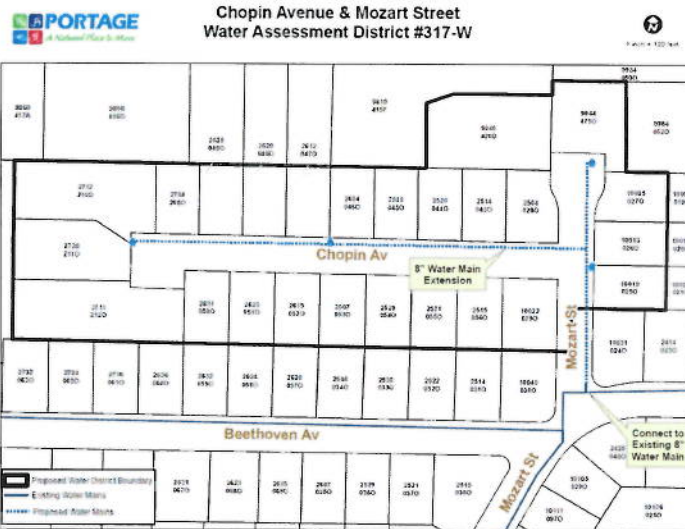


Chopin Avenue and Mozart Street Water Main

City Hall – Council Chambers
Portage City Hall
February 23, 2017



Project Area





Why Water Main Now?

- Number of drinking wells - 25 private wells
- Fire Protection - provide 2000 Gallon per minute
- 2015 Post Card Survey
 - ▶ 9 in support
 - ▶ 7 not in support

3



Drinking Water Risks

- Nitrates = 1.1 to 3.2 ppm
 - ▶ EPA maximum contaminate level = 10 ppm
- Typical City of Portage water Nitrates = 0.0 to 1.0
- High Nitrate levels are the cause of "Blue Baby Syndrome"

4



PORTAGE
A Natural Place to Move

Private Well Water Quality Data

Partial Chemical Results for addresses on CHOPIN between 2500 & 2600

2504 CHOPIN Well Depth: 38FT. Well installed in: 1907 WELLD: 19000007573									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
4/6/2011	2.20	0	0	110	0	58.7	71.7	24.4	
11/16/1987	0	0	0.4	202	0	50	17	0	
2514 CHOPIN Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
1/18/1980	3.6	0	0	277	0	60	19	0	
2515 CHOPIN Well Depth: 49FT. Well installed in: 1941 WELLD: 19000007585									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
8/5/1981	9.2	0	0.5	283	0	66	36	0	
2520 CHOPIN Well Depth: 54FT. Well installed in: 1968 WELLD: 19000007596									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
6/13/1990	0	0	1.9	205	0	92	71	0	
2528 CHOPIN Well Depth: 78FT. Well installed in: 1979 WELLD: 19000007576									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
4/9/1990	11.7	0	0	218	0	82	61	0	
12/5/1990	11.7	0	0.2	200	0	81	47	0	
1/13/1990	12	0	0	263	0	81	41	0	
6/19/1980	5.4	0	0	208	0	66	36	0	
8/17/1987	4.6	0	0	234	0	20	19	0	
5/21/1986	3.6	0	0	200	0	24	14	0	
11/2/1981	9.2	0	0.1	238	0	83	20	0	
2531 CHOPIN Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
7/10/2004	9.1	0	0	27	0	12.8		21.9	



PORTAGE
A Natural Place to Move

Private Well Water Quality Data

Partial Chemical Results for addresses on CHOPIN between 2500 & 2600

2529 CHOPIN Well Depth: 91FT. Well installed in: 1992 WELLD: 19000007580									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
1/24/2008	0	0	0	270	0	18.8	8.7	43.1	
5/1/2004	0	0	0.4	321	0.1	15.3	12.2	35.9	
6/22/1993	0	0	0.7	301	0.1	20	10	200	
2604 CHOPIN Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
8/1/1990	4.5	0	0	292	0	31	17	0	
10/9/1986	4.2	0	0	272	0	43	14	0	
2607 CHOPIN Well Depth: 6FT. Well installed in: 1986 WELLD: 19000007584									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
2/8/1999	2								
8/13/1996	2.5	0	0	305	0	46	24	0	
2607 CHOPIN Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE WELLD: Plugged									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
5/29/1986	16.2	0	0	247	0	91	100	0	
2612 CHOPIN Well Depth: 6FT. Well installed in: 2011 WELLD: 19000020129									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
12/1/2011	1.05	0	0	211	0	77.4	58.3	32.1	
2612 CHOPIN Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE WELLD: Plugged									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
8/18/1981	3.5	0	0	215	0	9	7	0	
2615 CHOPIN Well Depth: 1FT. Well installed in: 1906 WELLD: 19000007587									
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC
7/14/1996	1.1	0	0.1	247	0	22	34	0	



Private Well Water Quality Data

Partial Chemical Results for addresses on CHOPIN between 2500 & 2800

2620 CHOPIN Well Depth: 48FT. Well installed in: 2007										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
8/28/2007	2.03	0	0	200	0	40.3	32.6	35		
2620 CHOPIN Well Depth: 42FT. Well installed in: 1979 WELLID: 39000012516										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
3/26/1998	4.6									
3/14/1994	2.6	0	0	0	0	32	174	20		
4/6/1987	3.7	0	0	263	0	0	10	0		
3/19/1987	3.9	0	0	200	0	11	0	0		
2623 CHOPIN Well Depth: 58FT. Well installed in: 1992										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
2/22/1993	0	0	1.2	276	0.1	29	18	30		
2630 CHOPIN Well Depth: 74FT. Well installed in: 1993 WELLID: 39000007595										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
2632 CHOPIN Well Depth: 74FT. Well installed in: 1987 WELLID: 39000007588										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
7/8/1987	0	0	0.4	207	0	10	0	0		
2633 CHOPIN Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE WELLID: Plugged										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
3/17/1987	16.2	0	0	303	0	14	23	0		
2704 CHOPIN Well Depth: 73FT. Well installed in: 1988										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
3/30/1993	2									
6/4/1988	4.4	0	0.3	275	0	0	0	0		
2704 CHOPIN Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE WELLID: Plugged										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
2/17/1988	4.5	0	0.1	272	0	0	0	0		
9/30/1985	0	0	2.8	295	0.1	0	0	0		

7



Private Well Water Quality Data

Partial Chemical Results for addresses on CHOPIN between 2500 & 2800

2711 CHOPIN Well Depth: 59FT. Well installed in: 1985 WELLID: 39000007577										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
11/4/2009	1.11	0	0	39	0	47.1	122.1	34.7		
10/23/2000	1.13	0	0	0	0	19.4	105	43.0		
4/4/1996	1.9									
7/1/1993	2									
2712 CHOPIN Well Depth: 73FT. Well installed in: 1987 WELLID: 39000007578										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
12/29/2010	0	0	0	0	0.05	82.7	7.3	28.2		
6/10/2005	0	0	0	0	0.07	0.2	115.2	31.7		
10/25/1993	0									
9/17/1987	0.3	0	1.3	170	0	0	0	0		
2720 CHOPIN Well Depth: 66FT. Well installed in: 1987										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
2/19/1987	0.5	0	0	203	0	0	0	0		

8



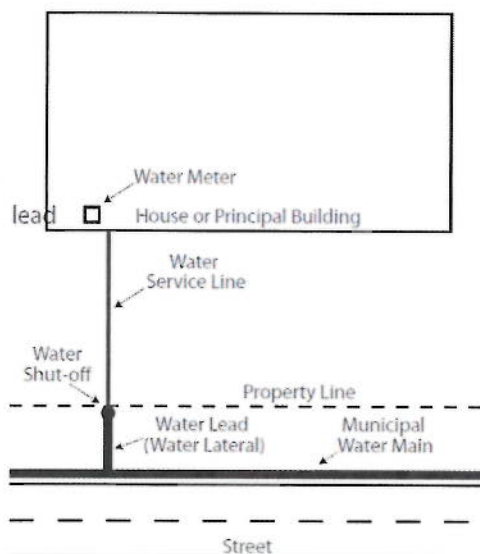
Private Well Water Quality Data

Partial Chemical Results for addresses on MOZART between 9000 & 10100

10013 MOZART Well Depth: 60FT Well installed in: 1976 WELLID: 19000007100										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
8/2/1993	3									
2/10/1987	13.1	0	0	206	0	92	51	0		
10019 MOZART Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
10/10/2005	5.4	0	0	220	0	60.0	40.8	12.1		
10022 MOZART Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
2/4/1991	6.2	0	0	253	0	41	26	0		
10031 MOZART Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
10/19/2004	4.91	0	0	210	0	70.1	50.6	10.7		
2/7/1996	3	0	0	217	0	65	51	10		
9944 MOZART Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
7/7/2010	4.5	0	0.6	292	0	121.0	71.5	18.7		
12/8/1984	6.2									
9/24/1986	6.6	0	0	285	0	18	11	0		
9946 MOZART Well Depth: NO DEPTH AVAILABLE Well installed in: NO DATE AVAILABLE										
SAMPLE DATE	NITRATE	NITRITE	IRON	HARDNESS	FLUORIDE	CHLORIDE	SODIUM	SULFATE	ARSENIC	
9/23/1997	1.4									



Water Construction Limits

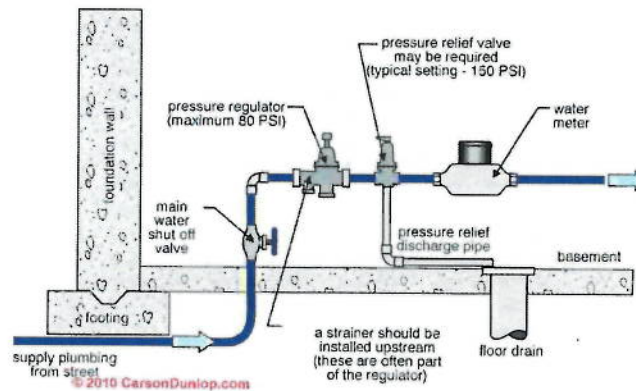


10

Typical Water System

Pressure regulator required

residential systems with static pressure in excess of 80 PSI usually have a pressure regulator



11

Connection Costs

Water Main Cost

- | | |
|-----------------------------------|------------|
| • Water Line Assessment (typical) | \$3,101.60 |
| • Water Lead Charge (1-1/4") | \$1,235.00 |
| • Water Meter (5/8") | \$225.00 |
| • Plumbing Permit | \$55.00 |

12



Project Funding

Special Assessments	\$105,272	(32.9%)
City Water Utility Fund	\$214,728	(67.1%)
Total Project Cost	\$320,000	(100%)

13



Special Assessment Costs 20 Year Financing

Amortization Table
Special Assessment: 317-W MCDART/CHOPIN WATER 2017, Year Started: 2017
Info for 04001-020-0, Declining Balance Method
Current Principal: 4,326.60, APR Interest: 4.3750000

Period	Payment	Toward Interest	Toward Principal	Outstanding
2017	216.03	0.00	216.03	4,119.77
2018	397.07	180.24	216.83	3,902.94
2019	387.58	170.75	216.83	3,686.11
2020	378.10	161.27	216.83	3,469.28
2021	368.61	151.78	216.83	3,252.45
2022	359.12	142.29	216.83	3,035.62
2023	349.64	132.81	216.83	2,818.79
2024	340.15	123.32	216.83	2,601.96
2025	330.67	113.84	216.83	2,385.13
2026	321.18	104.35	216.83	2,168.30
2027	311.69	94.86	216.83	1,951.47
2028	302.21	85.38	216.83	1,734.64
2029	292.72	75.89	216.83	1,517.81
2030	283.23	66.40	216.83	1,300.98
2031	273.75	56.92	216.83	1,084.15
2032	264.26	47.43	216.83	867.32
2033	254.77	37.95	216.83	650.49
2034	245.29	28.46	216.83	433.66
2035	235.80	18.97	216.83	216.83
2036	226.32	9.48	216.83	0.00
	6,139.00	1,802.40	4,336.60	

** THIS AMORTIZATION TABLE DISPLAYS A SCHEDULE OF PAYMENTS BASED ON THE NUMBER OF YEARS,
** STARTING YEAR, AND INTEREST RATE OF SPECIAL ASSESSMENT DISTRICT 317-W (MCDART/CHOPIN WATER 2
** IT DOES NOT TAKE INTO CONSIDERATION SAVINGS OR ADVANCE PAYMENTS

14



Special Assessment Proceedings

PUBLIC IMPROVEMENTS (EXCERPT) Act 188 of 1954

41.733 Illegal special assessment; reassessment proceedings. Sec. 13.

Whenever any special assessment shall, in the opinion of the township board, be invalid by reason of irregularities or informalities in the proceedings, or if any court of competent jurisdiction shall adjudge such assessment to be illegal, the township board shall, whether the improvement has been made or not, whether any part of the assessment has been paid or not, have power to proceed from the last step at which the proceedings were legal and cause a new assessment to be made for the same purpose for which the former assessment was made. All proceedings on such reassessment and for the collection thereof shall be conducted in the same manner as provided for the original assessment, and whenever an assessment or any part thereof levied upon any premises has been so set aside, if the same has been paid and not refunded, the payment so made shall be applied upon the reassessment.

15



Deferment of Special Assessments

Deferment of Special Assessment on Principal Residence

The purpose of Public Act 225 of 1976, as amended, is to defer payment of special assessments for senior citizens or totally and permanently disabled persons who qualify under the act. Upon approval of a completed application, the State of Michigan will pay the entire unpaid balance of a special assessment including delinquent, current, and future installments. At the time of payment, a lien will be recorded against the property in favor of the State of Michigan. The lien will be subject to interest at one-half of 1 percent (.05) per month or fraction of a month (6 percent per year), when repaid to the State. The lien will be removed when the deferment, plus interest, is repaid by the taxpayer or the taxpayer's estate.

16



Questions?

W. Christopher Barnes, Director of Transportation & Utilities
Kendra Gwin, Deputy Director of Transportation & Utilities

Phone: 329-4422

17