

6:00 p.m. City Council Committee of the Whole - Winter Parking Ordinance.

7:30 p.m. Call to Order.

Invocation: Pastor Rachel Laughlin of Prince of Peace Lutheran Church.

Pledge of Allegiance.

Roll Call.

Proclamations:

A. Approval of City Council Meeting Minutes.

1. Regular Meeting Minutes of August 22, 2017.
2. Pre-Council Meeting Minutes of September 11, 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 September 12, 2017 as presented.

D. Public Hearings:

1. Communication from the City Manager recommending that City Council, subsequent to the Public Hearing:
 1. adopt Resolution No. 4-17, approving the Industrial Facilities Exemption Certificate for the planned FEMA Corporation \$2.25 million building addition at 1716 Vanderbilt Avenue, and
 2. approve the Affidavit With Regard to Fees and the Tax Abatement Agreement between the City of Portage and the FEMA Corporation.

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

- * 1. Communication from the City Manager recommending that City Council re-approve the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue.
- * 2. Communication from the City Manager recommending that City Council approve Change Order No. 1 to the Chopin Avenue / Mozart Street Water Main Project with Balkema Excavating, Incorporated, of Kalamazoo, Michigan, for improvements to water service connections on East Milham Avenue in an amount not to exceed \$84,390 and authorize the City Manager to execute all documents on behalf of the city.
- * 3. Communication from the City Manager recommending that City Council approve a Permit for a Fireworks Display on October 20, 2017, to be conducted by Wolverine Fireworks Display, Inc., in cooperation with Portage Public Schools, at McCamley Field (8135 South Westnedge Avenue) as part of the "Last Night Under the Lights" celebration.
- * 4. Communication from the City Manager recommending that City Council approve the first amendment to the *Interlocal Agreement Creating the Kalamazoo County Consolidated Dispatch Authority (KCCDA)* and authorize the City Manager to sign the agreement on behalf of the city.
- * 5. Communication from the City Manager recommending that City Council set a Special Meeting on Tuesday, October 10, 2017, beginning at 5:15 p.m., to interview Board and Commission applicants.

G. Communications:

H. Unfinished Business:

- * 1. Communication from the City Manager recommending that City Council approve an amendment to the Payment in Lieu of Taxes (PILOT) ordinance for Selinon Park, a 74-unit multiple-family residential development proposed by Selinon Park Limited Dividend Housing Association Limited Partnership at 1521, 1603 and 1615 East Centre Avenue.
- * I. Minutes of Boards and Commissions Meetings:
 - J. Council Committee Reports:
 - K. New Business:
 - L. Bid Tabulations:
- * 1. Communication from the City Manager recommending that City Council approve the low bid from Gail Andrus Travel, LLC, for motor coach services for the late 2017 and 2018 Portage Senior Center travel program in the amount of \$39,365 and authorize the City Manager to execute all documents related to this action on behalf of the city.
- M. Other City Matters:
 - 1. Statements of Citizens.
 - 2. From City Council and City Manager.
- * 3. Reminder of Meetings:
 - a. Wednesday, September 13, 8:15 a.m., Historic District Commission, City Hall Room No. 1.
 - b. Wednesday, September 13, 9:00 a.m., Historic District Study Committee, City Hall Room No. 1.
 - c. Wednesday, September 13, 7:00 p.m., Environmental Board, City Hall Room No. 1.
 - d. Wednesday, September 20, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.
 - e. Thursday, September 21, 7:00 p.m., Portage District Library Board, Portage District Library.
 - f. Thursday, September 21, 7:00 p.m., Planning Commission, Council Chambers.
- * N. Materials Transmitted.
 - 1. Materials Transmitted of August 22, 2017.

Adjournment.

CITY COUNCIL MEETING MINUTES FROM AUGUST 22, 2017

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

At the request of Mayor Strazdas, Pastor Joan Herbon of Lord of Life Lutheran Church, gave the invocation and City Council and the audience recited the Pledge of Allegiance.

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

APPROVAL OF MINUTES: Motion by Ansari, seconded by Ford, to approve the August 8, 2017 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0. Motion by Randall, seconded by Reid, to approve the August 21, 2017, Pre-Council Meeting Minutes. Upon a voice vote, motion carried 4 to 0 with Councilmembers Reid 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. Councilmember Reid asked that Item F.7, Report from the Local Officers Compensation Commission, be removed from the Consent Agenda. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF AUGUST 22, 2017:** Motion by Ford, seconded by Reid, to approve the Accounts Payable Register of August 22, 2017. Upon a roll call vote, motion carried 6 to 0.

PUBLIC HEARING:

FEMA EXPANSION – IDD #55: Mayor Strazdas thanked FEMA for continuing to expand in Portage and for being a good corporate citizen. Mayor Strazdas asked City Administration to provide an overview of the request and Director of Community Development, Vicki Georgeau, detailed the nature of the expansion, the impact it will have on the tax base and community, the number of jobs to be added and retained and shared the history of other FEMA expansion projects. Ms. Georgeau reviewed the zoning of adjoining properties and the overall percentage of the Portage tax base that is being abated.

At the request of the Mayor, Mr. Jeffrey Huffman, CEO of FEMA, 1716 Vanderbilt, highlighted the work done at FEMA and its focus on advanced electrohydraulics. Mr. Huffman shared that the company is employee-owned and recognized numerous employees that were present in the audience. Mr. Huffman also shared that “FEMA” stands for “Force Equals Mass times Acceleration,” which is Newton’s second law of motion. Mr. Huffman provided a history of the company, detailed the work it performs and shared a video regarding these topics. Mr. Huffman shared information pertaining to a second site designated for expansion near Otsego High School and the commitment of the company to the environment.

Councilmember Reid shared that, at the time of the last tax abatement request, she was able to tour the FEMA facilities and expressed her amazement at the advanced manufacturing that was taking place. She inquired if there would be a loss of jobs if FEMA further automates manufacturing. Mr. Huffman replied that he does not see automation as a threat to jobs and that job loss, via automation, would not occur at FEMA. To the contrary, Mr. Huffman stated that additional automation would result in more and better jobs.

Mayor Strazdas shared that the type of manufacturing engaged in by FEMA is “clean” and that neighbors do not need to be concerned about pollution related to the work performed at FEMA. Mr. Strazdas praised FEMA for their long record of being good corporate citizens of Portage.

Mayor Pro Tem Ansari, Councilmember Randall and Councilmember Urban shared in complimenting FEMA for the work they do and for their track record in the City of Portage. It was also emphasized that FEMA is one of those corporate citizens doing amazing work that many in the community know nothing about.

Motion by Randall, seconded by Reid, to adopt Resolution No. 2-17, expanding Industrial Development District No. 55 for 1716 Vanderbilt Avenue, and Resolution No. 3-17, setting a public hearing on the Industrial Facilities Exemption Certificate application for FEMA Corporation on September 12, 2017. Upon a roll call vote, motion carried 6 to 0.

REPORTS FROM THE ADMINISTRATION:

PROVISION OF AMBULANCE SERVICE: City Manager Shaffer reviewed the history of ambulance service in the City of Portage and provided the rationale behind his recommendation to transition to a single ambulance service provider and for that provider to be Pride Care. Mr. Shaffer highlighted the Request for Proposals (RFP) process that was utilized and how the bids were reviewed. Mr. Shaffer thanked both ambulance providers, Pride Care and Life EMS, for their many years of service to the community. Director of Public Safety, Nick Arnold, spoke in support of the recommendation of the City Manager and provided additional detail on the RFP process and on the data that was collected and utilized as part of the process. Director Arnold expressed confidence in the review process, determination to recommend moving to a single ambulance provider and selection of Pride Care to be the provider. He concluded by sharing that the Department of Public Safety staff involved in the RFP review were unanimous in their recommendation to select Pride Care.

Councilmember Randall inquired if, in an instance in which a resident has a pre-existing contract with Life EMS, whether the Department of Public Safety would honor the request that Life EMS respond instead of Pride Care. She continued by inquiring if, by making such a selection, there could be a delay in response. The Assistant Fire Chief, Stacy French, stated that Pride Care would honor any Life EMS contracts. However, he continued, a Life EMS ambulance could respond if the response time were within established protocols. The potential is there, for a response to take longer than if Pride Care were the ambulance company that was dispatched. Mr. French clarified that, if the incident involved a serious injury, the closest ambulance company would be dispatched. In response, Councilmember Ford inquired if the closest ambulance would be dispatched, how the provision of ambulance service in the community would be different than it is now. Assistant Fire Chief French replied that there would be very little difference.

Councilmember Reid inquired if, during the data collection phase involved in the determination to go with a single provider, the two companies knew they were being measured. Director Arnold responded in the affirmative and emphasized, in response to an additional query from Councilmember Reid, that Pride Care would honor Life EMS pre-paid contracts.

Mayor Strazdas inquired what impact the move to a centralized dispatch would have on a single ambulance provider in Portage. Mr. Arnold replied that the answer to the question is unknown but emphasized that he did not foresee any major difficulties in this regard. Mayor Strazdas followed up by asking whether eliminating the current ambulance provider system would eliminate competition between the two providers and result in less quality service as a result. City Manager Shaffer stated that the existing system has been in place for two decades but a major problem has been the ambulance providers staffing up and down to handle a one month on/one month off system. He continued by stating that under this rotational system the City had very little influence or control over standards and expectations. By moving to a single provider, Mr. Shaffer continued, the City is in a better position to implement standards and hold the provider accountable. Furthermore, he stated, the ambulance provider can be assured of a continuous flow of call volumes and income.

Mr. Strazdas inquired as to any penalties should the performance of Pride Care lapse. Director Arnold explained that the contract included provisions for minor and major performance lapses and that, ultimately, the contract could be terminated.

Councilmember Urban expressed a desire to have received more details of the proposals submitted by Life EMS and Pride Care. Mr. Urban then referenced the response times of the two companies and pointed out that neither company seems to be meeting the response time protocols as established by the Kalamazoo County Medical Control Authority. In response to his statement and related question, Assistant Fire Chief French explained that the response time protocol was recently increased to 10 minutes by the Medical Control Authority and explained why the increase occurred.

Mayor Strazdas inquired, as it relates to the cost of ambulance service provided to residents, if voting in favor of the contract tonight would result in rate increases tomorrow. Director Arnold responded that a rate increase would not occur and Assistant Fire Chief French clarified that there is a provision in the contract regarding rate increases and that such increases could only occur with review and approval by City Administration. City Manager Shaffer pointed out that much of the cost associated with an ambulance call is covered by MediCare.

Councilmember Randall asked about metrics other than response times, in particular patient outcomes and survival rates. At this point, Mayor Strazdas invited Dr. William Fales, Executive Director of the Kalamazoo County Medical Control Authority to speak. Dr. Fales shared the history of ambulance providers in Portage, discussed his strong and long held belief that a single ambulance provider is the best course of action for both the City of Portage and all of Kalamazoo County and that what is being discussed is unique in the country in that City Council is talking about the provision of a critical service involving little to no tax subsidy. Dr. Fales responded to earlier questions of City Council and explained the rationale for the recent increase in response time protocols. He continued by stating that the provision of ambulance service is not simply a ride to the hospital but rather the provision of advanced quality care. In response to the question of Councilmember Randall, Dr. Fales explained that it is difficult to determine what percentage of a patient's overall outcome can be directly related to care provided by the ambulance although it becomes easier in cases involving cardiac arrest.

John Pinkster, Director of South Operations for Life EMS, spoke on behalf of the company and shared that they will continue to provide quality care to Portage residents. Mr. Pinkster questioned the reciprocity of Pride Care honoring Life EMS contracts and emphasized that while people tend to talk about response times, a better focus is on quality of care and survival rates. Mr. Pinkster informed City Council that the CEO of Life EMS, Mark Meijers, was in contact with City Manager Shaffer to review the bid process and how proposals were scored.

Bill Mears, CEO of Pride Care, spoke in support of a single ambulance provider in Portage and of his belief that it will provide a better service to residents. He emphasized the responsiveness of Pride Care and stated that Pride Care would honor contracts that residents may have with Life EMS. He continued by saying that, while Pride Care and Life EMS may be competitors, the EMS technicians on the street do not act as competitors. Mr. Mears concluded by emphasizing the many years of service of Pride Care to the Portage community and that he is looking forward to the future.

Councilmember Urban inquired what the impact would be on Pride Care if they failed to get the City of Portage contract. Mr. Mears replied that changes would have to be made in the company but that the company would remain solvent.

Mr. James Stephanak, 10725 Cora Drive, shared that he is Chairman of the Board for Priority Health Insurance and emphasized the importance of quality of outcome when it comes to ambulance service. He asked that City Council ensure that the contract being discussed include provisions by which additional performance metrics may be added.

City Manager Shaffer stated that he views the provision of ambulance services as a team approach involving the Department of Public Safety, the ambulance provider and the Kalamazoo County Medical Control Authority and shared that there are provisions in the contract to allow for the introduction and modification of performance standards and metrics. In response to a query from Councilmember Reid, he stated that the contract allows the City to establish standards and be in a more

affirmative position since, under the current system, the City has little ability to set expectations or hold anyone accountable.

Mayor Strazdas thanked Life EMS and Pride Care for their professionalism and complimented the Kalamazoo County Medical Control Authority on their assistance throughout this process.

Motion by Randall, seconded by Ford, to award a contract to Pride Care Ambulance of Portage, Michigan, for the provision of ambulance service in the City of Portage for a period of three years, with the option for five one-year renewals, and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **PURCHASE OF VEHICLES AND EQUIPMENT:** Motion by Ford, seconded by Reid, to authorize the purchase of 22 vehicles and pieces of equipment as noted through the State of Michigan MiDEAL and the National Joint Powers Alliance purchasing programs at a total cost of \$1,115,547.19 and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **ICE CONTROL SALT PURCHASE:** Motion by Ford, seconded by Reid, to award a contract to Detroit Salt Company in the amount of \$39.52 per ton for 1,800 tons of ice control salt at a total cost of \$71,136 for early delivery; Detroit Salt Company in the amount of \$43.99 per ton for 1,500 tons of ice control salt at a total cost of \$65,985 for seasonal back-up on an as-needed basis; and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **PAYMENT IN LIEU OF TAXES ORDINANCE FOR SELINON PARK – FIRST READING:** Motion by Ford, seconded by Reid, to accept for first reading an amendment to the Payment in Lieu of Taxes (PILOT) ordinance for Selinon Park, a 74-unit multiple-family residential development proposed by Selinon Park Limited Dividend Housing Association Limited Partnership at 1521, 1603 and 1615 East Centre Avenue, and take final action on September 12, 2017. Upon a roll call vote, motion carried 6 to 0.

* **FINAL PLAN FOR THE WOODLANDS AT AUSTIN LAKE (PHASE III):** Motion by Ford, seconded by Reid, to approve the Final Plan for The Woodlands at Austin Lake (Phase III), 4301 Branch Avenue, subject to MDEQ approval/permit to discharge storm water into the regulated wetland; Consumers Energy approval to install street and trail improvements within their easement area; and the width of the cul-de-sac street (Sassafras Trail) be widened from 24 feet to 28 feet, and a six-foot trail connection be provided to the future Austin Lake Trail. Upon a roll call vote, motion carried 6 to 0.

* **FINAL PLAN FOR MERCANTILE BANK:** Motion by Ford, seconded by Reid, to approve the Final Plan for Mercantile Bank at 2301 West Centre Avenue. Upon a roll call vote, motion carried 6 to 0.

REPORT FROM THE LOCAL OFFICERS COMPENSATION COMMISSION: At the request of Mayor Strazdas, Councilmember Reid spoke and pointed out that the report provided by the Local Officers Compensation Commission (LOCC) did not include information related to the stipend provided to City Councilmembers electing to use electronic devices. In an effort to ensure transparency, Councilmember Reid stated that members of City Council may receive a \$50 stipend per month for cell phone usage and \$75 per month for utilizing an electronic device for a total of up to \$1500/year.

The Chairperson of the LOCC, Betty Lee Ongley, 8620 Tozer Court, former Mayor of the City of Portage, provided the rationale for the LOCC recommending a pay increase at this time and pointed out that the LOCC took into consideration the compensation currently received by City Council which included the stipends for technology usage. Attorney Brown opined that the LOCC is charged with determining the salary for City Council, not compensation as a whole. Councilmember Randall stated that cost savings related to the use of electronic devices were mentioned in budget sessions and inquired

if those savings were being realized. City Manager Shaffer confirmed that, although not recently calculated, savings related to staff time, paper, courier services, etc. related to the production of electronic agendas were being realized. Former Mayor Ongley expressed her appreciation for the use of technology and for saving taxpayer dollars.

Motion by Reid, seconded by Ansari, to receive the report from the Local Officers Compensation Commission. Upon a roll call vote, motion carried 6 to 0.

* **JULY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Ford, seconded by Reid, to receive the July Environmental Report as information only. Upon a roll call vote, motion carried 6 to 0.

* **SMALL DISTILLERS LICENSE – LATITUDE 42:** Motion by Ford, seconded by Reid to recommend approval by the Michigan Liquor Control Commission (MLCC) of the Small Distiller Liquor License Application from Latitude 42 Brewing Company at 7842 Portage Road. Upon a roll call vote, motion carried 6 to 0.

COMMUNICATIONS:

CITY MANAGER SALARY REVIEW/EVALUATION COMMITTEE: Mayor Strazdas expressed the need for the City Manager Salary Review/Evaluation Committee to convene. Motion by Ford, seconded by Ansari, to convene the City Manager Salary Review / Evaluation Committee and request a recommendation no later than November 7, 2017 as to compensation for Fiscal Year 2017-2018. Upon a voice vote, motion carried 6 to 0.

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

1. Zoning Board of Appeals of July 10, 2017;
2. Portage Public Schools Regular of July 17, 2017; and
3. Planning Commission of August 3, 2017.

COUNCIL COMMITTEE REPORTS:

ENVIRONMENTAL HEALTH ADVISORY COUNCIL: Councilmember Ford shared that the Environmental Health Advisory Council met recently and received a presentation at the meeting on herbicides from Michigan State University Extension and discussed making a recommendation to the Kalamazoo County Board of Commissioners regarding rates for non-potable wells that produce at less than 70 gallons per minute.

BID TABULATIONS:

* **ENGINEERING SERVICES FOR THE RECONSTRUCTION OF SECTIONS OF WEST CENTRE AVENUE AND OAKLAND DRIVE:** Motion by Ford, seconded by Reid, to award a contract to the low bidder, Wightman & Associates, Incorporated, in an amount not to exceed \$246,400 to perform engineering services for the reconstruction of West Centre Avenue from 12th Street to Oakland Drive and Oakland Drive from West Milham to I-94 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Randall thanked the Department of Public Safety for their support in providing an escort for a bicycle ride recognizing the bicyclist that was recently killed on Portage Road.

City Manager Shaffer expressed appreciation to the Department of Parks and Recreation for a successful Summer Entertainment Series and shared his enjoyment of the “Glenn Miller Band” and “The Odyssey” concerts.

Mayor Pro Tem Ansari shared that he went to the same concerts as the City Manager and is of the opinion they are best he has attended.

Mayor Strazdas shared that over 2,000 people attended the Glenn Miller Band concert and that he has recently attended many ribbon-cutting ceremonies in the business community. He expressed support for the business community in Portage and for the City working with small business owners in the permitting and approval processes.

MATERIALS TRANSMITTED:

* **MATERIALS TRANSMITTED:** Motion by Ford, seconded by Reid, to receive the Department Monthly Reports. Upon a roll call vote, motion carried 6 to 0.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:45 p.m.

Adam Herringa, Deputy City Clerk

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

**MINUTES FROM THE SPECIAL PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF SEPTEMBER 11, 2017**

Mayor Strazdas called the meeting to order at 8:00 a.m. The following Councilmembers were present: Mayor Peter Strazdas, Mayor Pro Tem Nasim Ansari and Councilmember Richard Ford. Councilmembers Patricia Randall, Claudette Reid, Jim Pearson and Terry Urban 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 asked for questions regarding the public hearing. There being none, he asked for questions regarding Reports from the Administration, and Councilmember Ford asked if the total cost of the project in Item F.2, East Milham Water Service Connection Project, is \$84,390, or are there additional engineering or other costs. Deputy City Manager Rob Boulis confirmed it at \$84,390. City Manager Larry Shaffer responded that the City has the money now, that the contractor is very competent, that there is a lot of work planned for next year, and there is no reason to delay it. When Councilmember Ford asked for the value represented in the CIP for this project, Deputy City Manager Boulis indicated that the Chopin Avenue/Mozart Street Water Main Project funds are being used, but the projected amount was possibly over \$200,000. When Councilmember Ford asked how much is being saved by doing this project this way, Mr. Shaffer offered to look up the amount of savings.

Mayor Pro Tem Ansari asked for a distinction between the two projects since one is on the South side of the City and the other is on the North side. Mr. Shaffer responded that this project came as a result of an opportunity because the City came in way under cost on the Chopin Avenue / Mozart Street Water Main Project. He said that Balkema is already organized and ready to go; the money is available and this very important project can be squeezed in using the savings; plus, it has nothing to do with the geography.

Mayor Strazdas asked for Mr. Shaffer to elaborate on Item F.4, First Amendment – Interlocal Agreement for the Kalamazoo County Consolidated Dispatch Authority. Mr. Shaffer indicated that the total cost to the City would be an additional \$240,000 to \$250,000, in expenditures and loss of revenues. He noted that currently the City has \$1.1 million in the budget, and the capital cost avoidance is about \$50,000 on an annual basis. He revealed that the recommendation is to increase the staff of Fire and Police by hiring four to six people to perform the work currently being done by the Dispatchers. He concluded that when you add it all together, plus the loss of revenue, it comes to over \$750,000, or annually about \$250,000 more than the current contribution amount. He stressed that it is important to increase staff to make sure the Police Station has personnel during those hours that are not Monday through Friday, 8 a.m. to 5 p.m. He pointed out that this is a five-year agreement, and the plan is to move from this funding model to another funding model. He indicated that the “big loser” in the funding is the County of Kalamazoo, which is reaching out with an extra \$500,000, and the City of Kalamazoo, which is really reaching out, also. He noted that all of the reasons the City of Portage had to get involved in this are still legitimate, that this is the time to do this and “we can’t walk away from this.” He agreed that it is going to cost additional money, but it moves the City to a consolidated model that is legitimately considered superior to the current model. He emphasized that it still makes sense to go forward even though Portage is going to spend more money and staff is recommending approval.

In response to Councilmember Ford, Deputy City Manager Boulis responded that the job descriptions are still somewhat on the drawing board, but the employees will primarily be responsible for lien interaction as one required element. He explained the police officer will need to access lien information and, even though it can be performed by the police officers, he said it is a distraction from other duties and emphasized that it needs to be a controlled process. He said the job will also require that the employee work with police reports, records management and preparation for prosecution; and, they won't be just sitting watching some monitors. Councilmember Ford expressed his appreciation for the development of these duties because this helps justify the funding of the new positions.

When Mayor Strazdas asked about non-police calls, and mentioned that most of the Western Michigan University (WMU) calls are non-police calls, or maintenance dispatch. Mr. Shaffer acknowledged that these calls will be handled by individuals who would be staffing the off-hours when there are snow-related calls, for example. When Mayor Strazdas asked, Mr. Shaffer acknowledged that WMU reached out, also. He explained that the formula was based upon per capita and call volume, but mostly per capita, and WMU capita is wrapped in with the population of the City of Kalamazoo, so it is fundamentally a duplication of per capita. Mayor Strazdas reiterated that most of the Western Michigan University (WMU) calls are non-police calls, and WMU police dispatch is basically a "maintenance dispatch."

Mr. Shaffer confirmed for Mayor Pro Tem Ansari that the City will transfer \$756,793 which is the city share of the \$4.3 million necessary to support consolidated dispatch. He indicated that the other PSAPs are also contributing: County of Kalamazoo, City of Kalamazoo, Township of Kalamazoo and Western Michigan University. He referenced the attachment to Item F.4 located in the agenda packet for the actual amounts of contributions from each governmental unit. He pointed out that the City of Portage will lose the \$1.1 million currently in the General Fund Budget and the revenue received on the PSAP side, so the net number is down to under \$700,000. Also, he pointed out that with the addition of the four employees and the loss of the revenue, the annual net impact is about \$250,000. He reviewed the amounts for each PSAP found in the chart located in the Item F.4, Attachment: FIRST AMENDMENT, Part 2, repealing Section 7B with 7B.i. Short-Term Funding. He noted that the surcharge generates about \$1.1 million, and the total KCCDA budget will be around \$5.2 to \$5.4 million. He also noted KCCDA will have capital costs, cited the recent acquisition of the building in Oshtemo, and confirmed for Mayor Pro Tem Ansari that they will not be using the Portage building.

Mayor Strazdas expressed the hope that this will cost the City of Portage less and indicated that the fleet will cost them more. He indicated that it is his understanding that this is a better system Countywide plus there is a strong possibility that the cost will go down over time, and Mr. Shaffer concurred. Mr. Shaffer indicated that the County Commissioners seem to be committed to pushing the millage up as far as it will go, so there is some discussion of bringing the millage up again, and coming back with another millage vote in the not too distant future. He expressed his appreciation for the County and reiterated that the County already approved putting in about an extra \$500,000. He said that the City of Kalamazoo has problems with going to a per capita basis, and their number is also a compromise number, so they are up a little, also. He confirmed for Mayor Strazdas that the County is the only entity that has approved the Amendment thus far and Portage is second in the order. Mayor Strazdas cited this as a significant change for the City of Portage. At the request of Councilmember Ford, Mr. Shaffer agreed to provide the last three years of capital expenditures for Portage Dispatch. He noted that over the last decade, the City has spent around \$500,000, or \$50,000/year.

Mr. Boulis indicated that some of the cost is for radio towers and some of the other equipment such as this will still have maintenance costs. Mayor Strazdas brought up the non 800 megahertz radios and mentioned that the bulk of the other participants have 800 megahertz radios. So in this transition, he asked how will Central Dispatch communicate with Portage Police Officers when they have 800 megahertz radios and Portage does not; also, assuming Portage is going to gravitate towards 800 megahertz radios, who will pay for 800 megahertz radios. He also inquired about the issue of software compatibility since Portage has invested in New World Software and this may not be the software that the rest of the PSAPs wish to have; so, he asked will Portage be buying new software that will be buried in the ground down the road. Mayor Strazdas summed up and asked a question of liability for Portage and whether the County is going to gift the City of Portage in this relationship, or are they going to be sending us a bill after this deal is done. In the interest of full transparency, he said Council needs to know the costs, good or bad.

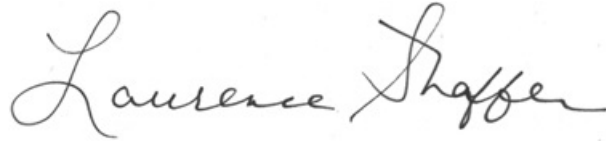
Councilmember Ford asked if there will be an Agenda (Packet) for the Committee of the Whole Meeting at 6 p.m., Tuesday, September 12, 2017. Mr. Shaffer responded that there will be a presentation.

ADJOURN: Mayor Strazdas adjourned the meeting at 8:21 a.m.

James 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 September 12, 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 August 13, 2017 through August 27, 2017 and notes \$383,662.82 in automated clearing house payments, \$414,194.86 in paper checks and \$74,521.11 in auto-pay payments for a grand total of \$872,378.79.

FUNDING: N/A

Attachments: 1. Accounts Payable Register of 9.12.17

ACCOUNTS PAYABLE REGISTER
Check Dates From: 8/13/2017 TO: 8/27/2017

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
08/14/2017	7349(A)	GRAHAM FORESTRY SERVICE, INC.	FORESTRY CONSULTING	1,472.00
08/25/2017	7350(A)	A NEW LEAF	PLANT CARE	85.00
08/25/2017	7351(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SERVICES	29,634.22
08/25/2017	7352(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMPORARY EMPLOYEES	11,309.20
08/25/2017	7353(A)	ALL-PHASE ELECTRIC SUPPLY CO.	ELECTRICAL SUPPLIES	143.88
08/25/2017	7354(A)	ALRO STEEL CORPORATION	TRAILER MATERIALS	45.39
08/25/2017	7355(A)	AMERICAN SAFETY & FIRST AID	FIRST AID SERVICE	176.56
08/25/2017	7356(A)	AUMACK, MICHAEL	UMPIRE PAYROLL	700.00
08/25/2017	7357(A)	B L HARROUN & SON INC.	CITY HALL LEAK REPAIRS	554.87
08/25/2017	7358(A)	BEEBE, RONALD E.	UMPIRE PAYROLL	528.00
08/25/2017	7359(A)	BILL'S LOCK SHOP, INC.	KEY REPLACEMENTS	199.00
08/25/2017	7360(A)	BLUE CARE NETWORK-GREAT LAKES	HEALTH INSURANCE	115,747.53
08/25/2017	7361(A)	BLUESTONE PSYCH	POST CEO EVAL	415.00
08/25/2017	7362(A)	BRINK WOOD PRODUCTS, INC.	PLAYGROUND MULCH	1,242.00
08/25/2017	7363(A)	C D W GOVERNMENT, INC.	COMPUTER	1,638.48
08/25/2017	7364(A)	C M P DISTRIBUTORS, INC.	GUN- NEW OFFICER	879.00
08/25/2017	7365(A)	CARRIER & GABLE	TRAFFIC SIGNAL MAINT	6,721.00
08/25/2017	7366(A)	CHARTER COMMUNICATIONS	CABLE TV SERVICE	102.84
08/25/2017	7367(A)	CLEAN EARTH ENVIRONMENTAL SERV	SLUDGE REMOVAL	3,900.00
08/25/2017	7368(A)	CLEANIT CORP	CAR WASHES	530.97
08/25/2017	7369(A)	CONSUMERS CONCRETE CORP.	DRAINAGE SUPPLIES	930.15
08/25/2017	7370(A)	CROWN TROPHY	TOURNAMENT TROPHIES	822.50
08/25/2017	7371(A)	DEER CONTRACTING & LANDSCAPE	LANDSCAPING SERVICES	4,955.00
08/25/2017	7372(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	17,733.39
08/25/2017	7373(A)	ENTENMANN-ROVIN CO.	PARK RANGER BADGES	216.50
08/25/2017	7374(A)	FARM N GARDEN	BALL DIAMOND LINES	283.44
08/25/2017	7375(A)	FERGUSON WATERWORKS #3386	CONSTITUTION REPAIRS	402.38
08/25/2017	7376(A)	GLOBAL TELEMATIC SOLUTIONS LLC	MONTHLY SUBSCRIPTION	625.00
08/25/2017	7377(A)	GORDON WATER SYSTEMS	WATER COOLER RENTAL	518.50
08/25/2017	7378(A)	GRIFFIN PEST SOLUTIONS, INC.	YEARLY SERVICE	554.00

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08/25/2017	7379(A)	INDUSCO SUPPLY CO., INC.	RESTROOM SUPPLIES	1,344.67
08/25/2017	7380(A)	INTERNATIONAL CODE COUNCIL, INC	FIRE MEMBERSHIPS	135.00
08/25/2017	7381(A)	IRISH AYRES ENTERPRISES, LLC	MOWING/LANDSCAPE SERVICES	14,130.25
08/25/2017	7382(A)	KAHN, WILMA	PROGRAM INSTRUCTOR	286.00
08/25/2017	7383(A)	KIEL, MICHAEL	UMPIRE PAYROLL	42.00
08/25/2017	7384(A)	KLOSTERMAN DISTRIBUTING	RAMONA CONCESSIONS	248.00
08/25/2017	7385(A)	LAKE MICHIGAN MAILERS, INC.	BARCODING SERVICES	44.62
08/25/2017	7386(A)	LAWSON PRODUCTS, INC	SUPPLIES	1,091.56
08/25/2017	7387(A)	LOWE'S HOME CENTER	RAMP REPAIR SUPPLIES	855.75
08/25/2017	7388(A)	MAPLE HILL SPRINKLING, INC.	IRRIGATION REPAIRS	1,701.00
08/25/2017	7389(A)	MATERIALS RESOURCES	SUPPLIES	140.16
08/25/2017	7390(A)	MAURER'S TEXTILE RENTAL SERVICES	UNIFORM RENTALS	227.09
08/25/2017	7391(A)	MCCULLIN, LARRY W.	UMPIRE PAYROLL	690.00
08/25/2017	7392(A)	MEJEUR ELECTRIC LLC	LIGHT POLE MAINTENANCE	5,077.00
08/25/2017	7393(A)	MICHIGAN PAVING & MATERIALS CO.	RELEASE RETAINAGE	13,778.85
08/25/2017	7394(A)	MICHIGAN PAVING & MATERIALS CO.	HOT PATCH	450.80
08/25/2017	7395(A)	NEW FRESH CLEANING SERVICE	JANITORIAL SERVICES	1,877.00
08/25/2017	7396(A)	OGDEN, JESSE	UMPIRE PAYROLL	42.00
08/25/2017	7397(A)	PERCEPTIVE CONTROLS, INC.	SCADA MAINTENANCE	361.09
08/25/2017	7398(A)	PLM LAKE & LAND MANAGEMENT	AQUATIC WEED MGMNT	1,075.50
08/25/2017	7399(A)	PREMIER SAFETY	FIRE FACILITY MAINT	850.38
08/25/2017	7400(A)	PROFESSIONAL BUILDING SERVICES LLC	JANITORIAL SERVICES	3,197.54
08/25/2017	7401(A)	QUALITY CONCRETE AND MASONRY LLC	CONCRETE REPAIRS	3,750.00
08/25/2017	7402(A)	RIDGE AUTO NAPA	FIRE APPARATUS MAINT	847.46
08/25/2017	7404(A)	ROBINSON, KEVIN	UMPIRE PAYROLL	147.00
08/25/2017	7405(A)	ROE-COMM, INC.	EQUIP RECEIPT/STAGING	98,718.75
08/25/2017	7406(A)	SIMMONS FORD	POLICE VEHICLE MAINT	174.83
08/25/2017	7407(A)	SNELL, DEBRA	PROGRAM INSTRUCTOR	144.00
08/25/2017	7408(A)	SUBSURFACE REFLECTIONS LLC	LOCATING UTILITIES	750.00
08/25/2017	7409(A)	SUEZ WATER ENVIRONMENTAL SERVICES	WATER SYSTEM CHEMICALS	13,356.66
08/25/2017	7410(A)	THE IRRIGATOR	SPRINKLER REPAIRS	1,100.25
08/25/2017	7411(A)	THE POSTMAN INC.	FENCE REPAIRS	12,212.00

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08/25/2017	7412(A)	U S LAWN- KALAMAZOO	TALL GRASS AND WEED	719.51
08/25/2017	7413(A)	VANDERBERG, WARD M	UMPIRE PAYROLL	117.50
08/25/2017	7414(A)	W W GRAINGER INC	MAINTENANCE TOOL	499.05
08/25/2017	7415(A)	WEST MICHIGAN STAMP & SEAL,INC	NAME PLATES	16.50
08/25/2017	7416(A)	XEROX CORPORATION	MONTHLY AGREEMENT	397.25
Total ACH Transactions:				383,662.82
Check Type: Paper Checks				
08/18/2017	10108	PETTY CASH-DEREK HENSON	REPLENISHMENT CHECK	203.51
08/18/2017	10109	PETTY CASH-ERICA EKLOV	REPLENISHMENT CHECK	424.70
08/18/2017	10110	PETTY CASH-HOLLY CERNY	REPLENISHMENT CHECK	394.66
08/18/2017	10111	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	286.73
08/25/2017	10112	PETTY CASH-ALYSSA MILBECK	REPLENISHMENT CHECK	583.36
08/25/2017	10113	PETTY CASH-BARB GARLOW	REPLENISHMENT CHECK	242.96
08/25/2017	10114	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	202.09
08/25/2017	10115	PETTY CASH-MARILYN MARION	REPLENISHMENT CHECK	727.65
08/16/2017	303333	ANN TAYLOR, INC	SUMMER TAX REFUND	2,687.62
08/16/2017	303334	CHICAGO TITLE OF MICHIGAN, INC.	CDBG DOWN PAYMENT	3,000.00
08/18/2017	303335	REYNOUT, BRENT	TRAINING EXPENSES	500.00
08/18/2017	303336	SAFARILAND GROUP, THE	TRAINING EXPENSES	895.00
08/22/2017	303337	TRAILERS MIDWEST, INC.	TRAILER	5,570.00
08/25/2017	303338	7TH DISTRICT COURT WEST	BAIL BOND	200.00
08/25/2017	303339	A T & T	TELEPHONE SERVICE	2,056.05
08/25/2017	303340	A T & T LONG DISTANCE	LONG DISTANCE SERVICE	9.97
08/25/2017	303341	ACE PARKING LOT STRIPING, INC.	PARKING LOT LINES	600.00
08/25/2017	303342	ACTION GEAR EMBROIDERY INC.	JACKET	54.00
08/25/2017	303343	ACTION TRAFFIC MAINTENANCE	GUARDRAIL REPAIR	2,630.00
08/25/2017	303344	ADP, INC.	MONTHLY PAYMENT	2,529.60
08/25/2017	303345	AIRGAS GREAT LAKES	SAFETY SUPPLIES	689.54
08/25/2017	303346	ALERT-ALL CORP.	FIRE MARSHAL SUPPLIES	3,996.00
08/25/2017	303347	ALLEGRA PRINT & IMAGING	BUSINESS CARDS	520.50
08/25/2017	303348	ALLIED MECHANICAL SERVICE	BACKFLOW PREVENTER REPAIR	379.00
08/25/2017	303349	ANY CUTTING & WELDING	ATTACH "O" RINGS	100.00

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08/25/2017	303350	ASPHALT RESTORATION INC	ASPHALT WORK	1,200.00
08/25/2017	303351	AVB	TENT DEPOSIT REFUND	100.00
08/25/2017	303352	BELLINGAR, LAURA	RAMONA #2 REFUND	100.00
08/25/2017	303353	BESCO WATER TREATMENT, INC.	WATER SERVICE	42.00
08/25/2017	303354	BEST WAY DISPOSAL, INC.	17/18 CURBSIDE RECYCLING	46,959.00
08/25/2017	303355	BOB PETERSON CODE SERVICES	CONTINUING EDUCATION	576.00
08/25/2017	303356	BORGESS HEALTH ALLIANCE	MEDICAL SERVICES	273.00
08/25/2017	303357	BOYCE, JACQUELYN	ACTIVITY REFUND	35.00
08/25/2017	303358	BRACKETT, NICK	REFUND	53.84
08/25/2017	303359	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAW	200.00
08/25/2017	303360	CAMPBELL AUTO SUPPLY	FIRE APPARATUS MAINT	121.08
08/25/2017	303361	CAPITAL REAL ESTATE TAX SERVICES	OVER PAYMENT TAX	3,901.61
08/25/2017	303362	CAPITAL TITLE	OVER PMT UB	23.58
08/25/2017	303363	CARPENTER, CHRISTINA	RAMONA #2 REFUND	100.00
08/25/2017	303364	CARTRIDGE WORLD	INK CARTRIDGES	4,061.60
08/25/2017	303365	CENTERS, NANCY	DEPOSIT REFUND	100.00
08/25/2017	303366	CHICAGO TITLE OF MICHIGAN, INC.	TITLE INSURANCE	250.00
08/25/2017	303367	CINTAS CORP.	UNIFORM RENTAL SERVICE	511.04
08/25/2017	303368	CITY OF KALAMAZOO TREASURER	WATER SERVICE - WEST	335.87
08/25/2017	303369	CLEANIT CORP	CAR WASHES	163.00
08/25/2017	303370	COCCIMIGLIO, JOHN & CATERINA	OVERPAYMENT REFUND	44.06
08/25/2017	303371	COMMERCIAL WINDOW COVERINGS	VERTICAL BLINDS	308.00
08/25/2017	303372	CONSUMERS CREDIT UNION	OVER PMT TAX	819.72
08/25/2017	303373	COOTS, MICHELE	OVERPAYMENT REFUND	12.38
08/25/2017	303374	CORFMAN, MIKE	FIRE MEMBERSHIPS	375.00
08/25/2017	303375	D L GALLIVAN INC.	COPY MACHINE USAGE	146.42
08/25/2017	303376	DEHAAN HEATING	CDBG EMERGENCY GRANT	690.00
08/25/2017	303377	DELIA TACTICAL INSTERNATIONAL LLC	RESCUE TOOLS	777.00
08/25/2017	303378	DIEWALD, LEO & JANET	TRIP REFUND	199.00
08/25/2017	303379	DIGITALBUYER	PAPER SHREDDER	1,365.00
08/25/2017	303380	DONOHUE, SEAN MICHAEL	ALCOHOL COMPLIANCE CHECKS	60.00
08/25/2017	303381	ED & TED'S EXCELLENT ADVENTURES	TRIP VENDOR PAYMENT	38,139.00

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08/25/2017	303382	EDWARDS, HENRY	UMPIRE PAYROLL	126.00
08/25/2017	303383	ELIZABETH LOEBIG	REIMBURSEMENT	69.00
08/25/2017	303384	ELLIOTT, SUZANNE	LAKEVIEW #2 DEPOSIT	100.00
08/25/2017	303385	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	5,964.08
08/25/2017	303386	FADER EQUIPMENT, INC.	ROLLER RENTAL	822.50
08/25/2017	303387	FIRST REFORMED CHURCH	TRIP VENDOR PAYMENT	100.00
08/25/2017	303388	FLINT NEW HOLLAND, INC.	BRUSH HOG REPAIRS	1,027.55
08/25/2017	303389	FOLEY-WILSON, MARY	RAMONA #1 REFUND	100.00
08/25/2017	303390	FORSHEE, MARK	UMPIRE PAYROLL	258.50
08/25/2017	303391	GAIL DOLBEE (MMAAO)	EMPLOYEE TRAINING	10.00
08/25/2017	303392	GLEESING, KEVIN	EMPLOYEE REIMBURSEMENT	249.00
08/25/2017	303393	GOUDIE, GABRIELLA M.	AGENT - ALCOHOL COMPLIANCE	70.00
08/25/2017	303394	GRAND VALLEY STATE UNIVERSITY	FIRE TRAINING	120.00
08/25/2017	303395	GUZMAN, JASPER	RAMONA #2 REFUND	100.00
08/25/2017	303396	H & G 2, LLC	BOND REFUND	13,070.00
08/25/2017	303397	HALT FIRE, INC.	FIRE APPARATUS MAINT	1,554.54
08/25/2017	303398	HAMMING, RICHARD	BOND REFUND	150.00
08/25/2017	303399	HAPMAN, CYNTHIA	CREDIT REFUND	34.73
08/25/2017	303400	HARMON, JAMIE	EMPLOYEE TRAINING	500.00
08/25/2017	303401	HARTMAN, CHARLES	UMPIRE PAYROLL	168.00
08/25/2017	303402	HEATH, KEVIN	UMPIRE PAYROLL	189.00
08/25/2017	303403	HENEVELD, ROSS	RAMONA #1 REFUND	100.00
08/25/2017	303404	HIEMSTRA, KELCEY GRACE	AGENT - ALCOHOL COMPLIANCE	60.00
08/25/2017	303405	HOGNACHI, DAVID	UMPIRE PAYROLL	207.00
08/25/2017	303406	HOLSOMBACK, MARK	SCHRIER REFUND	100.00
08/25/2017	303407	HOME DEPOT	MAINTENANCE SUPPLIES	1,507.57
08/25/2017	303408	JAC'S CEKOLA'S PIZZA	PROGRAM PAYMENT	228.96
08/25/2017	303409	JENNINGS, PENNY	TRIP REFUND	224.00
08/25/2017	303410	JOHN W. DUNLOP	FISHING INSTRUCTOR	140.00
08/25/2017	303411	JOHNSON, DORTHA	FORFEITED FUNDS RETURNED	1,926.00
08/25/2017	303412	JORDAN, HOLLIE	GRAIN ELV REFUND	100.00
08/25/2017	303413	KAL COUNTY FIRE CHIEFS ASSOC.	FIRE TRAINING	100.00

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08/25/2017	303414	KALAMAZOO AIRSOFT	AIRSOFT PISTOL	240.00
08/25/2017	303415	KALAMAZOO COUNTY TREASURER	PASS-THROUGH	510.00
08/25/2017	303416	KALAMAZOO LANDSCAPE SUPPLIES	PROCESSED TOPSOIL	96.80
08/25/2017	303417	KENT COUNTY DPW	MED/DRUG/WASTE DISPOSAL	90.00
08/25/2017	303418	KUZMITOWICZ, JOYCE & ED	TRIP REFUND	80.00
08/25/2017	303419	KZOO TIRE COMPANY	TIRES AND TIRE REPAIRS	3,945.00
08/25/2017	303420	LANDRUM, KAY	RAMONA #1 REFUND	100.00
08/25/2017	303421	LANGUAGE LINE, INC	LANGUAGE LINE USAGE	93.64
08/25/2017	303422	LAWN PERFECT	MOWING CODE ENFORCEMENT	588.21
08/25/2017	303423	LERETA	OVER PMT TAX	1,207.55
08/25/2017	303424	LEXISNEXIS RISK SOLUTIONS	ACCURINT CHARGES	150.00
08/25/2017	303425	LOCEY SWIM POOL CO.	FOUNTAIN SUPPLIES	103.90
08/25/2017	303426	LOUTHAN, WILLIAM F	UMPIRE PAYROLL	48.00
08/25/2017	303427	MARTINEZ, FEDERICO	LAKEVIEW #2 REFUND	100.00
08/25/2017	303428	MARXMODA	OFFICE FURNITURE	3,986.93
08/25/2017	303429	MCDONALD'S TOWING & RESCUE, INC.	WINCHING SERVICES	208.00
08/25/2017	303430	MCGURRIN, SHAWN	OVERPAYMENT REFUND	342.55
08/25/2017	303431	MCNALLY ELEVATOR CO.	ELEVATOR MAINT	127.40
08/25/2017	303432	MED EXPRESS URGENT CARE, PC MICH	D.O.T. PHYSICALS	285.00
08/25/2017	303433	MENARD'S (WEST MAIN)	PAINTING SUPPLIES	1,088.67
08/25/2017	303434	MFSIA	FIRE MEMBERSHIPS	85.00
08/25/2017	303435	MI ASSOC. OF CHIEFS OF POLICE	EMPLOYEE TRAINING	1,195.00
08/25/2017	303436	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIRS	3,000.63
08/25/2017	303437	MICHIGAN FIRE INSPECTOR'S SOCIETY	FIRE MEMBERSHIPS	240.00
08/25/2017	303438	MICHIGAN MUNICIPAL LEAGUE	EMPLOYEE TRAINING	20.00
08/25/2017	303439	MICHIGAN PAVEMENT MARKINGS LLC	LINE STRIPING/MARKINGS	94,683.45
08/25/2017	303440	MICHIGAN TAX TRIBUNAL	MOTION TO AMMEND FEE	25.00
08/25/2017	303441	MIDWEST CUSTOM EMBROIDERY COMPANY	POLO SHIRTS	558.18
08/25/2017	303442	MLIVE MEDIA GROUP	HDC PUBLIC HEARING	665.62
08/25/2017	303443	NEVENZEL, CALANDRA	RAMONA #2 REFUND	100.00
08/25/2017	303444	NYE UNIFORMS	RANGER COATS - 2	1,197.08
08/25/2017	303445	O'BRIEN, HANNAH	AGENT - ALCOHOL COMPLIANCE	40.00

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08/25/2017	303446	OFFICE DEPOT, INC.	OFFICE SUPPLIES	1,109.68
08/25/2017	303449	PAJAY, INC.	RELEASE RETAINAGE	1,019.23
08/25/2017	303450	PARIS CLEANERS	UNIIFORM CLEANING	1,152.68
08/25/2017	303451	PATTERSON, HOLLY	SCHRIER PARK DEPOSIT	100.00
08/25/2017	303452	PHELPS, DAWN	REFUND	100.00
08/25/2017	303453	POLDERMAN'S FLOWER SHOP	FUNERAL FLOWERS	46.95
08/25/2017	303454	PUBLIC MEDIA NETWORK	4TH QUARTER FEES	93,717.45
08/25/2017	303455	PUBLIC SAFETY CENTER	MISC SUPPLIES	126.40
08/25/2017	303456	QUALITY PRECAST, INC.	STREETS REPAIRS	966.50
08/25/2017	303457	QUANTUM CONSTRUCTION CO., INC.	RELEASE RETAINAGE	1,266.56
08/25/2017	303458	QUAST, NIKKIA & HERRINGTON KATRINA	BOND REFUND	100.00
08/25/2017	303459	R W LAPINE INC.	HVAC MAINTENANCE	1,178.75
08/25/2017	303460	RATHCO SAFETY SUPPLY, INC.	SIGNS AND MARKERS	50.00
08/25/2017	303461	RESCUEGEAR, INC.	FIRE TECH RESCUE EQUIP	1,868.22
08/25/2017	303462	RETHEFORD, ARIKA	RAMONA #1 REFUND	100.00
08/25/2017	303463	RHODES, KEVIN	UMPIRE PAYROLL	294.00
08/25/2017	303464	RIVER CITY REPRODUCTIONS	CEMETERY MAP	33.50
08/25/2017	303465	ROTRUM, ROSEMARY	LAKEVIEW #1 REFUND	100.00
08/25/2017	303466	SAINT JOHNS COURT	BAIL BOND	303.00
08/25/2017	303467	SANDERSON DEHAAN IRRIGATION	IRRIGATION SYSTEM REPAIRS	1,123.51
08/25/2017	303468	SANTOS, JUAN	LAKEVIEW #1 REFUND	100.00
08/25/2017	303469	SEATS, CARROLL	CEMETERY LOT REFUND	300.00
08/25/2017	303470	SELLERS, JEANIE	WESTFIELD REFUND	100.00
08/25/2017	303471	SHERWIN WILLIAMS	PAINT FOR FENCES	2,143.50
08/25/2017	303472	SHILTS, DAWN	TRIP REFUND	108.00
08/25/2017	303473	SHILTS, DAWN	TRIP REFUND	44.00
08/25/2017	303474	SITEONE LANDSCAPE SUPPLY LLC	IRRIGATION REPAIRS	37.35
08/25/2017	303475	SLAVIN, NATHAN	TRAINING EXPENSES	465.00
08/25/2017	303476	SMITH, ROBERT	UMPIRE PAYROLL	42.00
08/25/2017	303477	SMITH, THOMAS	LAKEVIEW #2 REFUND	100.00
08/25/2017	303478	SMOKED DOWN BBQ LLC	RESERVATION FEE	200.00
08/25/2017	303479	SMOOT, KRISTINE	HAYLOFT REFUND	150.00

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08/25/2017	303480	SPARTAN DISTRIBUTORS INC.	MAINTENANCE REPAIRS	156.02
08/25/2017	303481	STAP BROS LAWN & LANDSCAPE, INC	HERBICIDE APPLICATION	7,664.34
08/25/2017	303482	STAPLE, JOSHUA	LAKEVIEW #1 REFUND	100.00
08/25/2017	303483	STATE OF MICHIGAN	SOR FEES	210.00
08/25/2017	303484	STEENSMA LAWN & POWER EQUIPMENT	MOWER ATTACHMENT	1,315.81
08/25/2017	303485	STUDENT HAULERS	ABATEMENT	450.00
08/25/2017	303486	SUNSET PRINTING	FIRE MARSHAL SUPPLIES	400.00
08/25/2017	303487	TELVENT DTN, INC.	WEATHER SERVICE	840.00
08/25/2017	303488	TOMPKINS, THEODORE	TRIP REFUND	44.00
08/25/2017	303489	TRACTOR SUPPLY CORP.	CANINE SUPPLIES	75.98
08/25/2017	303490	U S A TODAY	SUBSCRIPTION	29.00
08/25/2017	303491	U S POSTMASTER	2017 CITIZEN SURVEY POSTAGE	3,000.00
08/25/2017	303492	UNITED PARCEL SERVICE	WEEKLY DELIVERY	12.00
08/25/2017	303493	US BANK HOME MORTGAGE	REFUND CREDIT	74.92
08/25/2017	303494	VAC WORLD	FIRE FACILITY MAINT	449.99
08/25/2017	303495	VANGUARD FIRE & SUPPLY CO., INC.	EXTINGUISHERS/BRACKETS	816.92
08/25/2017	303496	WADE SHOWS INC.	HYDRANT METER DEPOSIT	100.00
08/25/2017	303497	WATKINS, GREG	UMPIRE PAYROLL	360.00
08/25/2017	303498	WELLS FARGO REAL ESTATE TAX SERVICE	OVER PAYMENT	2,012.37
08/25/2017	303499	WESTERN MICHIGAN UNIVERSITY	CTC LICENSES-WMU LIEN	2,400.00
08/25/2017	303500	WILLIAM ROGER BUELL	MOVING EXPENSES	1,500.00
08/25/2017	303501	WILLIAM ROGER BUELL	MOVING EXPENSES	1,992.55
08/25/2017	303502	WILLIAMS, SARA	RAMONA #2 REFUND	100.00
08/25/2017	303503	WRAPS N SIGNS	REFLECTIVE VINYL	243.00
08/25/2017	303504	YEO & YEO	2016/2017 AUDIT/CAFR	2,875.00
08/25/2017	303505	YOUNG, CODY DERICK	AGENT - ALCOHOL COMPLIANCE	70.00
08/25/2017	303506	ARTWEAR APPAREL GRAPHICS, INC.	TSHIRTS	2,153.50
Total Paper Checks:				414,194.86
Check Type: Auto-Pay Payments				
8/14/2017	5248	CONSUMERS ENERGY	GAS-ELECTRIC	10,281.39
8/15/2017	5249	CONSUMERS ENERGY	GAS-ELECTRIC	26,602.23
8/15/2017	5228	RANDALL BROWN	ATTORNEY RETAINER	18,810.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 8/13/2017 TO: 8/27/2017

Page 9 of 9

Check Date	Check	Vendor Name	Description	Amount
8/16/2017	5252	CONSUMERS ENERGY	GAS-ELECTRIC	420.99
8/18/2017	5265	CONSUMERS ENERGY	GAS-ELECTRIC	14,313.16
8/22/2017	5269	CONSUMERS ENERGY	GAS-ELECTRIC	4,093.34
			Total Auto-Pay Payments:	74,521.11
			Grand Total:	872,378.79

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: FEMA Corporation - PA 198 Tax Abatement

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council, subsequent to the Public Hearing:

1. adopt Resolution No. 4-17, approving the Industrial Facilities Exemption Certificate for the planned FEMA Corporation \$2.25 million building addition at 1716 Vanderbilt Avenue, and
2. approve the Affidavit With Regard to Fees and the Tax Abatement Agreement between the City of Portage and the FEMA Corporation.

On August 8, 2017, a request from the FEMA Corporation to expand Industrial Development District No. 55 at 1716 Vanderbilt Avenue and approve an associated PA 198 tax abatement application for a six-year real property tax abatement was provided to City Council. At the August 22, 2017 public hearing, the tax abatement analysis was provided and subsequent to the hearing, City Council approved the expansion of Industrial Development District No. 55 to facilitate the construction of a 47,567-square-foot building addition along the northwest side of the existing facility. FEMA Corporation proposes to retain 150 jobs and create 14 new jobs within two years as a result of the project.

Consistent with City Council policy and to facilitate the completion of this project within the community, the City Administration recommends that the resolution be adopted and the Affidavit with Regard to Fees and the Tax Abatement Agreement be approved.

FUNDING: Not Applicable

Attachments:

1. Resolution No. 4-17
2. Affidavit with Regard to Fees and Tax Abatement Agreement

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

**APPROVING THE APPLICATION OF
FEMA CORPORATION
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR EXPANDED PORTAGE INDUSTRIAL DEVELOPMENT
DISTRICT NO. 55**

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 Expanded Portage Industrial Development District No. 55 (hereinafter "District") as requested by sole owner of the property therein described; and;

WHEREAS, by resolution adopted _____, 2017, the City Council accepted the application of FEMA CORPORATION for an Industrial Facilities Exemption Certificate for a new facility in the District, 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 District, 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, 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 the District established in Portage on _____, 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;
- (e) That the aggregate SEV of real 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 real property thus exempted; however, the City Council specifically finds that the granting of the exemption applied for will not substantially impede the operation of, or impair the financial soundness of, any unit of local government.

That the application of FEMA CORPORATION for an Industrial Facilities Exemption Certificate with regard to the construction of a new facility and equipment located in the District be and is hereby approved for a period of ____ years for the building (real property) with an ending date of _____, and is conditioned upon execution of a written Agreement between FEMA CORPORATION and the City. FEMA CORPORATION 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: 8-11-2017
By: CRB
City Attorney

Z:\JODY\PORTAGE\INDUSTRIAL\FEMA\DISTRICT NO 55\RESOLUTION #4.080817.DOCX

**AFFIDAVIT WITH REGARD TO FEES
OF 198 APPLICATION FOR
FEMA CORPORATION**

STATE OF MICHIGAN)
)ss.
COUNTY OF KALAMAZOO)

NOW COME Affiants, James R. Hudson and John Pula, and state as follows:

1. James R. Hudson is the City Clerk and an official for the City of Portage.
2. Jeffrey L. Huffman is the President of the applicant, FEMA CORPORATION, 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 8/24/2017

CITY ATTORNEY

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

FEMA CORPORATION, a Michigan
Corporation

Date: August 18, 2017

By: _____
Jeffrey L. Huffman
Its: President

Subscribed and sworn to before me this 18th day of August, 2017.

Notary Public
Kalamazoo County, Michigan
My commission expires: 3/16/2020
Acting in Kalamazoo County, Michigan

Prepared by:
Randall L. Brown
City Attorney
1662 East Centre Avenue
Portage, MI 49002
(269) 323-8812

Z:\JODY\PORTAGE\INDUSTRIAL\FEMA\DISTRICT NO 55\AFFIDAVIT FOR AGREEMENT.080817.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 FEMA CORPORATION, a Michigan Corporation, of 1716 Vanderbilt Avenue, Portage, Michigan 49002, hereinafter referred to as "APPLICANT."

THE PARTIES AGREE AS FOLLOWS:

1. The CITY has established an industrial development district #55 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:

City of Portage, County of Kalamazoo, State of Michigan is fully described as follows:

Part of the Northeast 1/4 of Section 29, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan described as: Commencing at the northeast corner of said section 29; thence S 00 degrees 00' 00" E along the east line of said section a distance of 1326.76 feet to a nail found at the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of said Section 29; thence N 88 degrees 33' 23" W a distance of 165.27 feet; thence N 00 degrees 01' 08" W a distance of 464.68 feet; thence S 89 degrees 58' 52" W a distance of 28.17 feet; thence S 89 degrees 58' 17" W a distance of 100.00 feet; thence N 00 degrees 01' 43" W a distance of 8.00 feet; thence N 89 degrees 58' 17" W a distance of 27.17 feet; thence N 00 degrees 00' 44" E a distance of 216.95 feet to the Point of Beginning; thence N 00 degrees 00' 44" E a distance of 276.59 feet; thence N 89 degrees 59' 16" W a distance of 263.93 feet; thence S 00 degrees 00' 44" W a distance of 276.59 feet; thence S 89 degrees 59' 16" E a distance of 263.93 feet to the Point of Beginning.

Described piece of land contains 73,000 square feet or 1.676 acres more or less.

2. The APPLICANT has filed an application (which is incorporated herein by reference) with the CITY requesting an industrial facilities exemption certificate for the building improvements located at 1716 Vanderbilt Avenue, Portage, Michigan, within Expanded Industrial Development District #55.

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 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 150 existing employees and hire at least 14 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, religion, sexual 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 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.

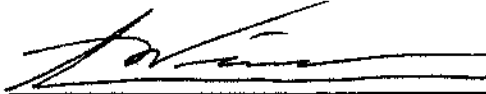
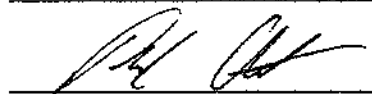
16. The benefits herein shall accrue to and the obligations hereof shall bind the successors, assignees, and transferees of the APPLICANT.

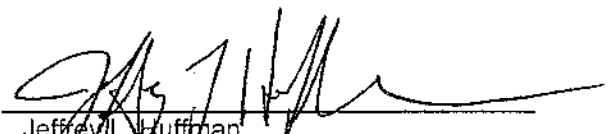
17. The APPLICANT further agrees that should ownership of the business and/or facility for which the Public Act 198 exemption certificate is issued be changed in the future, thereby requiring a hearing in front of the City of Portage Council under state law, that the transferee or new owner shall abide 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: 3/18, 2017

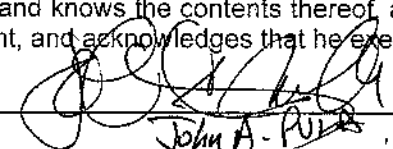
WITNESSED:

By: 
Jeffrey L. Huffman
Its: President

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

On this 18th day of August, 2017 before me personally came the above named Jeffrey L. Huffman as President, and on behalf of FEMA Corporation, 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.


John A. Pule, Notary Public
Kalamazoo County, Michigan
My Commission Expires: 3/12/2020
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

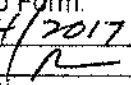
By: _____
JAMES R. HUDSON
Its: Clerk

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; Peter J. Strazdas & 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: _____
Acting in Kalamazoo County, Michigan

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

Approved as to Form:
Date: 8/24/2017
By: 
City Attorney

z:\jody\portage\industrial\fema\district no 55\tax abatement agreement.080817.docx

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Final Plan (re-approval) for Selinon Park, 1521, 1603 and 1615 East Centre Avenue.

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council re-approve the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue.

On March 22, 2016, City Council approved the PD rezoning and tentative plan/narrative for the Selinon Park Planned Development that includes 74 affordable apartment/townhome units constructed in three buildings, one manager's unit located in an existing historic district structure and associated site improvements on the approximate 10.7 acre property. On September 20, 2016, City Council approved the final plan. However, construction did not commence within the required time period (120 days) and, as a result, the final plan approval has expired. The final plan is being submitted for re-approval.

Full Circle Communities has applied to the Michigan State Housing Development Authority (MSHDA) for Low-income Housing Tax Credits to facilitate financing for the development. Full Circle Communities has revised its proposal based on feedback from MSHDA to designate eight (8) units with market rate rents, while the remaining 66 units will be provided at affordable rental rates for households with incomes at or below 60 percent of the area median income. No other changes from the original September 2016 approval are proposed with the Final Plan.

In a report dated August 11, 2017, the Department of Community Development concluded that the Final Plan for Selinon Park has been designed in substantial conformance with the approved tentative plan/narrative and recommended re-approval of the Final Plan.

The Planning Commission reviewed the Final Plan during the August 17, 2017 meeting. The applicant, Mr. Carl Kunda of Full Circle Communities, was present to support the application and explain the development proposal. No citizens spoke during the meeting and no written communications were received from area residents or interested citizens. At the conclusion of the meeting, the Commission voted unanimously to recommend to City Council that the Final Plan for Selinon Park be re-approved.

FUNDING: Not applicable.

Attachments:

1. Planning Commission transmittal dated August 31, 2017
2. Planning Commission DRAFT meeting minutes dated August 17, 2017
3. Department of Community Development staff report dated August 11, 2017 with attachments

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: August 31, 2017

SUBJECT: Final Plan (re-approval) for Selinon Park, 1521, 1603 and 1615 East Centre Avenue.

During the August 17, 2017 meeting, the Planning Commission reviewed and discussed the Final Plan for the Selinon Park Planned Development proposed on property addressed as 1521, 1603 and 1615 East Centre Avenue. Mr. Carl Kunda of Full Circle Communities was present to support the application and explain the project which proposes 74 affordable apartment units within three buildings and associated site improvements. No citizens spoke regarding the proposed development.

After careful consideration, a motion was made by Commissioner Schimmel, seconded by Commissioner Patterson, to recommend to City Council that the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue, be re-approved. The motion was unanimously approved 6-0.

Sincerely,


Wayne Stoffer
Chairman 

S:\2017-2018 Department Files\Memos\City Council\2017 08 31 PC Selinon Park, 1521, 1603 and 1615 East Centre Avenue - final plan (reapproval).doc

 DRAFT

then made by Commission Schimmel, seconded by Commissioner Patterson, to close the public hearing. The motion was unanimously approved 6-0. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Corradini, to approve the Height Modification for FEMA Corporation, 1716 Vanderbilt Avenue, to construct the proposed building addition to a height of 26-feet. The motion included a finding that the location, setback distances, topographic differences and conflicting land use screening for the interconnected facility will mitigate potential impacts on adjacent single family residentially zoned properties to the west and north consistent with Section 42-350(B)(6). The motion was unanimously approved 6-0.

SITE/FINAL PLANS:

1. Site Plan: FEMA Corporation (addition), 1716 Vanderbilt Avenue. Mr. West summarized the August 11, 2017 staff report regarding a site plan submitted by FEMA Corporation to construct an approximate 47,000 square foot building addition and associated site improvements along the north side of the existing manufacturing facility. Mr. West discussed the existing access arrangement, storm water management system and previously approved conflicting land use screening arrangement that would be maintained with the proposed addition.

Matt Filbrandt (FEMA, manufacturing manager) was present to support the application and discuss the development project. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Schimmel, to approve the Site Plan for FEMA Corporation (addition), 1716 Vanderbilt Avenue. The motion was unanimously approved 6-0.

2. Final Plan: Selinon Park, 1521, 1603 and 1615 East Centre Avenue (reapproval). Mr. Forth summarized the August 11, 2017 staff report regarding a request from Full Circle Communities to reapprove the final plan for the Selinon Park Planned Development. Mr. Forth stated the final plan proposes the construction of 74 affordable apartment/townhome rental units in three buildings and associated site improvements on the approximate 10.7 acre property. Mr. Forth indicated the final plan was recommended for approval by the Planning Commission on September 1, 2016 and subsequently approved by City Council on September 20, 2016. However and since construction did not commence within the required 120 day time period, Mr. Forth stated the final plan approval has since expired. Mr. Forth indicated the final plan has been submitted for reapproval with no changes since the original September 2016 approval.

Carl Kunda of Full Circle Properties (applicant) was present to support the application and discuss the development project. After a brief discussion, a motion was made by Commissioner Schimmel, seconded by Commissioner Patterson, to recommend to City Council that the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue, be reapproved. The motion was unanimously approved 6-0.

NEW BUSINESS:

1. Historic District Modification, 2663 Mandigo Avenue. Mr. Forth summarized the staff report dated August 11, 2017 regarding a request pending before the Historic District Commission from the Kalamazoo County Treasurer (current owner of property following a tax foreclosure) to demolish both homes and all outbuildings. Mr. Forth stated the approximate 7.0 acre property is occupied by seven structures: 1865 two-story farmhouse and its associated detached single-car garage, corn crib, small barn, chicken coop, outhouse and root cellar, along with a 1960 ranch house (non-historic). Mr. Forth discussed the preliminary report dated July 12, 2017 from the Historic District Study Committee which recommends a partial denial of the request allowing for demolition of the non-historic ranch house only. Mr. Forth also discussed an Unfit/Unsafe structure notice that was issued to the previous property owner on a May 10, 2017 for the two residential dwellings, small barn, corn crib and chicken coop. Mr. Forth stated that recent inspections by the City of Portage building officials have concluded that the structural condition of the small barn, corn crib and chicken coop are beyond reasonable repair due to the amount of rotted wood. Mr. Forth indicated the condition of the various buildings on-site is a result of many years of neglect by the previous property owner and if the structures are not razed, will continue to remain an attractive nuisance open to casual entry and will continue to deteriorate.

TO: Planning Commission **DATE:** August 11, 2017

FROM: Vicki Georgeau, ^{VG} Director of Community Development

SUBJECT: Re-approval of the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue

I. INTRODUCTION:

On March 22, 2016, City Council approved the PD rezoning application and tentative plan submitted by Full Circle Communities to construct the Selinon Park Planned Development (PD) upon parcels addressed as 1521, 1603 and 1615 East Centre Avenue. A copy of the approved tentative plan for the Selinon Park PD is attached. The Selinon Park PD proposed the construction of 74 affordable apartment/townhome rental units constructed in three buildings (one 3-story building and two 2-story buildings), one unit for an on-site manager, and associated site improvements on the approximate 10.7 acre property. The development will provide one, two, three and four bedroom units with local, state and federal funding sources proposed to finance the development. The single-family residential dwelling located at 1521 East Centre Avenue is located in a Portage Historic District and the applicant intends to use the dwelling as a manager residence.

The final plan to construct Selinon Park was recommended for approval by the Planning Commission on September 1, 2016 and approved by City Council on September 20, 2016. However, construction did not commence within the required time period (120 days) and, as a result, final plan approval has expired.

Attached is a letter from Joshua Wilmoth, Full Circle Communities, requesting the final plan be considered again for approval. Full Circle Communities has applied to the Michigan State Housing Development Authority (MSHDA) on three separate occasions for low income housing tax credits (LIHTC) but has not been successful. Full Circle Communities has revised its proposal based on feedback from MSHDA to designate 8 units for market rate rents. The remaining 66 rental units will be provided at affordable rental rates for households with incomes at or below 60% of the area median income. Full Circle Communities will submit another LIHTC application to MSHDA for consideration in October 2017 and re-approval of the final plan is needed.

With regard to the historic dwelling located at 1521 East Centre Avenue, on February 3, 2016, the Historic District Commission reviewed the proposed development and was supportive of the use of the residential structure located at 1521 East Centre Avenue as a manager residence, subject to some minor conditions including relocation of the existing barn structure from the 1603 East Centre Avenue parcel to the 1521 East Centre Avenue parcel and installation of new gravel driveway section to the residential structure. These improvements are illustrated on the final plan sheets and the applicant is aware that a Certificate of Appropriateness is still needed from the Historic District Commission prior to the start of construction.

II. FINAL PLAN

The final plan for Selinon Park has been designed in substantial conformance with the approved tentative plan/narrative. Access to the site will be provided through a full service driveway from East Centre Avenue. Consistent with the approved tentative plan, the southern 3-story building will be setback approximately 80-feet from East Centre Avenue and between 49-69 feet from the east property line, while the northern 2-story buildings will be setback approximately 60-feet from the east property line and 119-feet from the west property line. These buildings will include varied rooflines and will be constructed of high-quality, durable materials intended to reduce maintenance and replacement costs. Exterior building materials will include brick, masonry and fiber cement sidings in various colors and textures.

Parking lots associated with the apartment/townhome buildings will be setback approximately 70-feet from the west property line and 10-feet from the east property line. While a total of 150 parking spaces are required for the development, the applicant is proposing to construct 92 parking spaces and defer 62 parking spaces in greenspace for possible future use, if needed. The applicant provided information in the approved tentative plan narrative that satisfactorily documents the reduced demand for parking and the likelihood of alternative transportation usage by the tenants of the development.

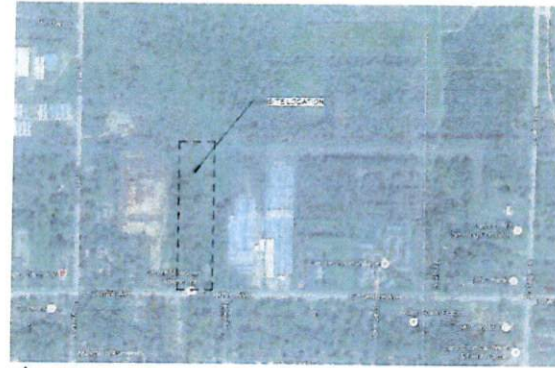
Storm water runoff associated with the development will be collected and conveyed to a private storm water retention basin situated along the northern portion of the site. An internal pedestrian circulation network consisting of concrete sidewalks will be provided so as to connect the buildings to one another and to the existing sidewalk along East Centre Avenue. Additionally, an 8-foot wide asphalt path will also be constructed along the west side of the development, extending from East Centre Avenue to the northeast corner of the property. This path will eventually connect to East Central Trailway planned along the adjacent Consumers Energy Company property in FY 2019-2020. The applicant has indicated that an easement will be pursued with the owner of 1629 East Centre Avenue in order to complete this trail connection. Finally, municipal water and sanitary sewer will serve the proposed development and all outdoor lighting units will conform to applicable ordinance standards.

III. RECOMMENDATION:

The final plan has been reviewed by the City Administrative departments. Since there have been no changes impacting that proposed site improvements following the September 2016 approval, staff advises that the Planning Commission recommend to City Council that the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue, be re-approved.

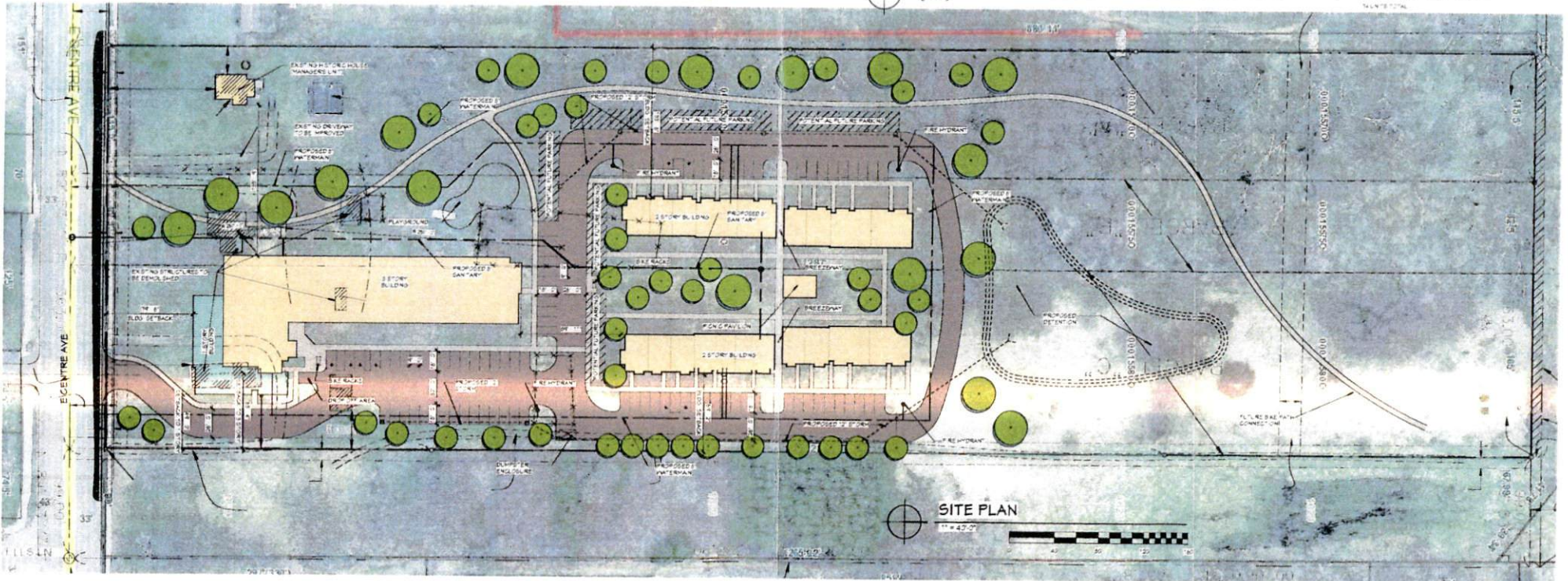
Attachments: Final Plan Sheets
Approved Tentative Plan for the Selinon Park Planned Development
Communication from Joshua Wilmoth, Full Circle Communities, dated July 26, 2017

**March 22, 2016 Approved Tentative Plan
Selinon Park PD**



VICINITY MAP

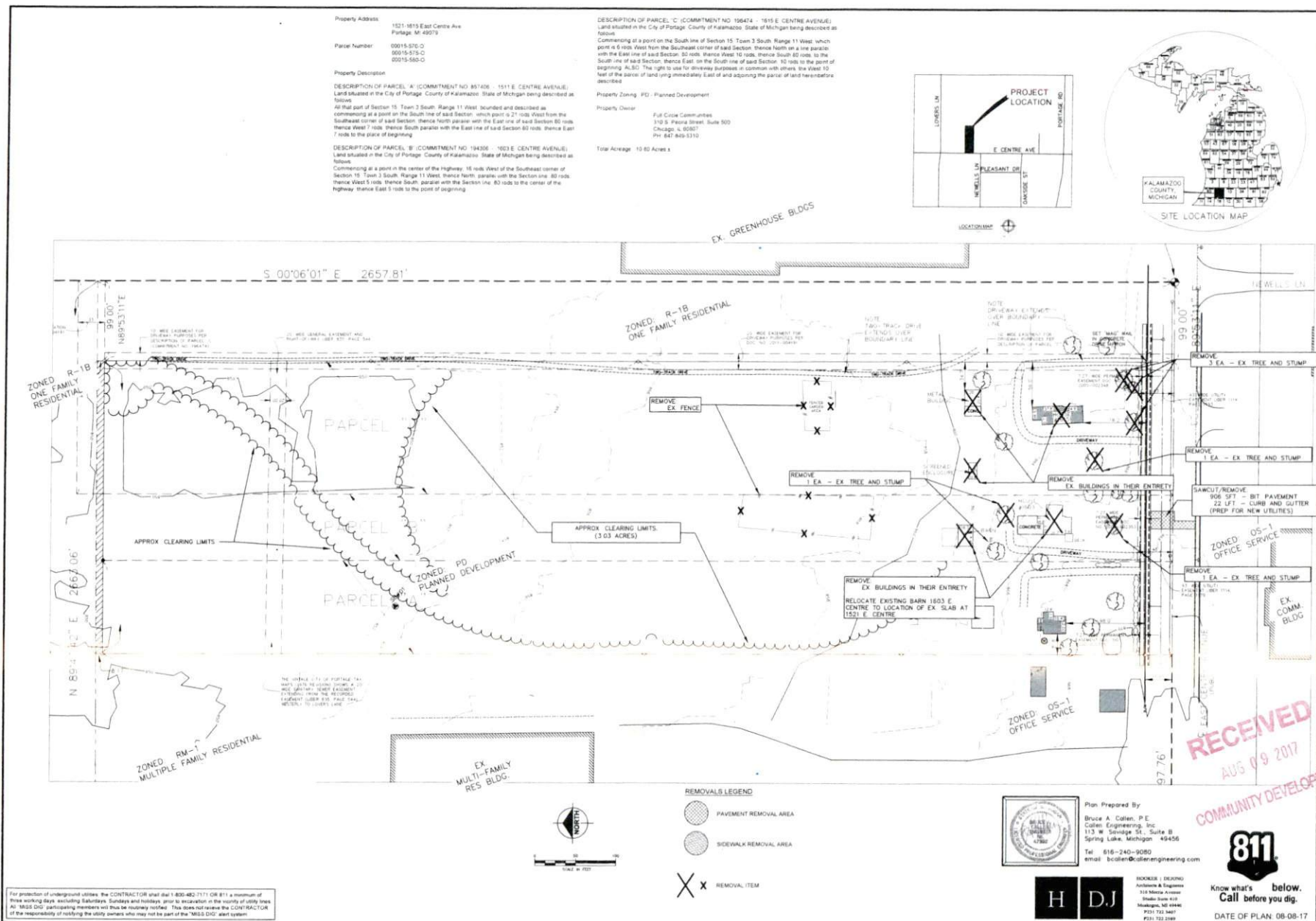
PROJECT INFORMATION

[illegible]

SELINON PARK

PRELIMINARY
NOT FOR
CONSTRUCTION

PR-2
Project # 4-0861

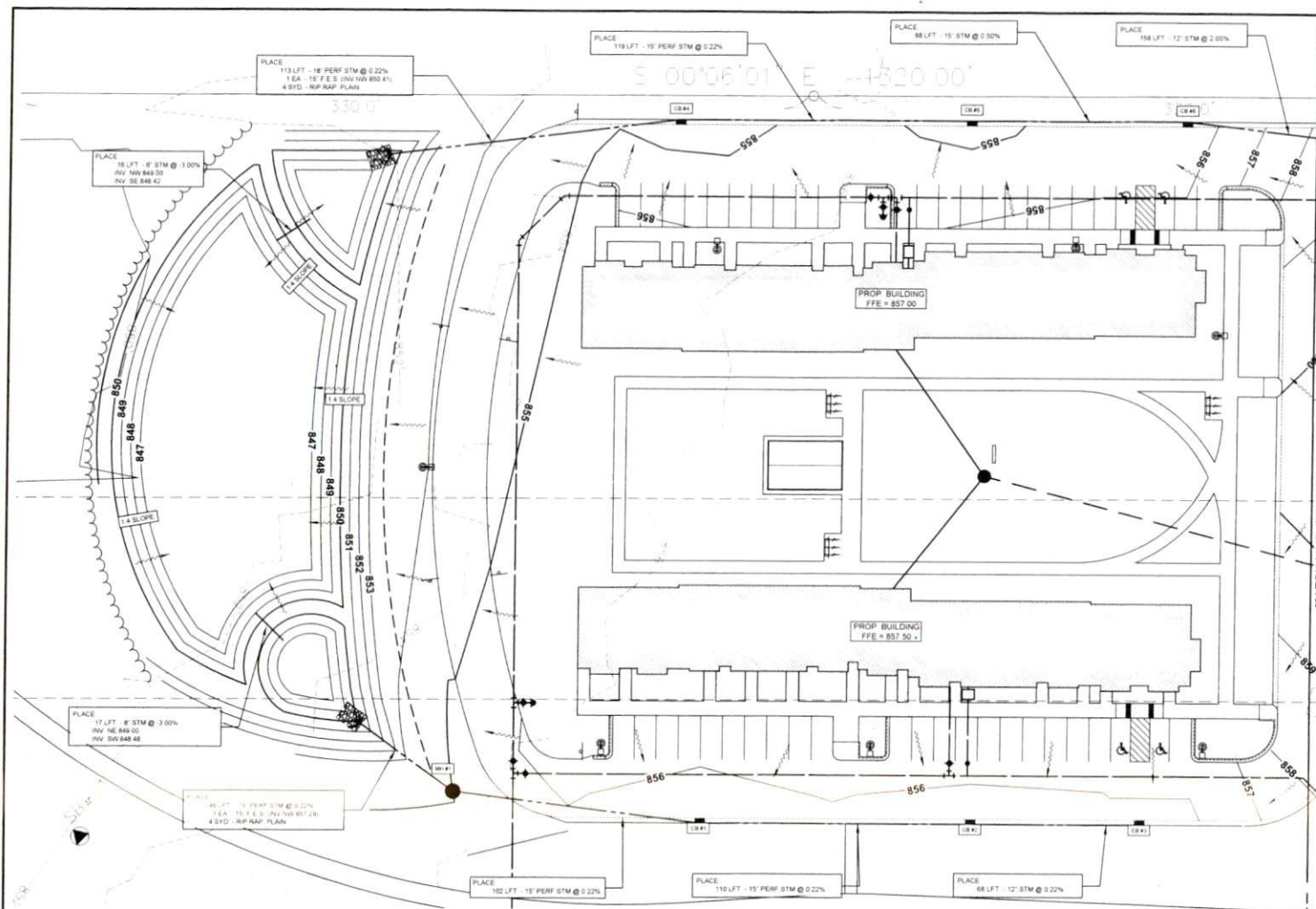


CE
Cullen Engineering, Inc.
Michigan - Minnesota - Wisconsin
113 W. Savidge Street, Suite B
Spring Lake, MI 49456
Tel: 616-240-9080 Fax: 616-240-9081

FULL CIRCLE COMMUNITIES
310 S. PEORIA STREET SUITE 500
CHICAGO, ILLINOIS 60607

SELINON PARK
1500 E. CENTRE AVENUE
CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN
EXISTING CONDITIONS - REMOVALS PLAN

Sheet No. C0.1



STORM STRUCTURE NOTES

STORM SEWER LENGTHS PROVIDED ARE MEASURED FROM CENTER OF STRUCTURE. RIM ELEVATIONS ARE MEASURED AT EDGE OF METAL.

STORM SEWER SHALL BE WATER-TIGHT, SOLID-WALL HOPE OR APPROVED EQUAL. SIZES INDICATED ON THE PLANS.

MANHOLES AND CATCH BASINS SHALL BE IN ACCORDANCE WITH MOST STANDARD SPECIFICATIONS. CATCH BASINS SHALL INCLUDE 2-FT BUMP.

CONNECTIONS TO MANHOLES SHALL BE MADE WITH A RESILIENT CONNECTOR FOR PIPE DIAMETERS 24 INCHES OR LESS.

MANHOLE RIM ELEVATIONS SHALL BE SET 1" BELOW PLAN GRADE.

CATCH BASIN RIM ELEVATIONS SHALL BE SET 1" BELOW PLAN GRADE.

ALL CURB DIMENSIONS ARE MEASURED FROM EDGE OF METAL.

THE CONTRACTOR SHALL EXPOSE AND VERIFY LOCATION AND DEPTH OF EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. CONFLICTS IN GRADES SHALL BE REPORTED TO ENGINEER AND ADJUSTMENTS SHALL BE MADE AT NO ADDITIONAL COST TO OWNER.

SUBSURFACE CONDITIONS

Soils generally consist of Urban Land. Kalamazoo complex (USDA NRCS) Classification consisting of sandy loam to a depth of 80 inches. See borings for details.

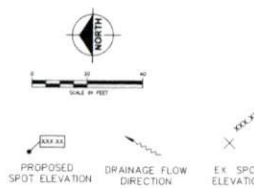
Hand Auger Borings (SBS-1):

- 1 - 2' Topsoil
- 2 - 3' Clayey Sand (SC)
- 3 - 5' Gravelly Sand

Groundwater not encountered.

STORM STRUCTURE SCHEDULE (THIS SHEET)

MANHOLE (4 DIA) RIM = 854.00 FT (COVER E.J.W. 1000 SERIES) 15" INV (RIM) = 851.30 FT (PERF HOPE @ 0.22%) 15" INV (SLO) = 851.45 FT (PERF HOPE @ 0.22%)	CB#4 (4 DIA) RIM = 854.70 FT (COVER E.J.W. 7005 SERIES) 15" INV (RIM) = 850.87 FT (PERF HOPE @ 0.22%) 15" INV (SLO) = 850.77 FT (PERF HOPE @ 0.22%)
CB#1 (4 DIA) RIM = 855.32 FT (COVER E.J.W. 7005 SERIES) 15" INV (RIM) = 851.72 FT (PERF HOPE @ 0.22%) 15" INV (SLO) = 851.82 FT (PERF HOPE @ 0.22%)	CB#5 (4 DIA) RIM = 854.70 FT (COVER E.J.W. 7005 SERIES) 15" INV (RIM) = 851.03 FT (PERF HOPE @ 0.22%) 15" INV (SLO) = 851.13 FT (PERF HOPE @ 0.22%)
CB#2 (4 DIA) RIM = 855.30 FT (COVER E.J.W. 7005 SERIES) 15" INV (RIM) = 852.06 FT (PERF HOPE @ 0.22%) 12" INV (SLO) = 852.16 FT (PERF HOPE @ 0.22%)	CB#6 (4 DIA) RIM = 854.70 FT (COVER E.J.W. 7005 SERIES) 15" INV (RIM) = 851.03 FT (PERF HOPE @ 0.22%) 12" INV (SLO) = 851.13 FT (SOLID WALL HOPE @ 0.22%)
CB#3 (2 DIA) RIM = 855.31 FT (COVER E.J.W. 7005 SERIES) 12" INV (RIM) = 852.31 FT (PERF HOPE @ 0.22%)	



Plan Prepared By:
 Bruce A. Colten, P.E.
 Colten Engineering, Inc.
 113 W. 50th St., Suite B
 Spring Lake, Michigan 49456
 Tel: 616-240-9080
 email: bcolten@coltengr.com



REGISTERED: DRIVING
 ARCHITECT & ENGINEER
 113 West 50th Street
 Spring Lake, MI 49456
 P.O. Box 100
 P.O. Box 100

DATE OF PLAN 08-08-17

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 Colten Engineering, Inc.
 Professional Engineer - Michigan
 113 West 50th Street, Suite B
 Spring Lake, MI 49456

FULL CIRCLE COMMUNITIES
 310 S. PEORIA STREET, SUITE 500
 CHICAGO, ILLINOIS 60607

SELMON PARK
 1885 E. CENTRE AVENUE
 KALAMAZOO COUNTY, MICHIGAN
 GRADING AND DRAINAGE PLAN

DATE	08-08-17
DESIGNED BY	B.A.C.
CHECKED BY	B.A.C.
DATE	08-18-17
SCALE	AS SHOWN
PROJECT	015 FULL CIRCLE
SHEET NO.	C2.0

E5		THE USE OF RAFTERS WITH A RIDGE BEAM. THIS IS NEARLY USED IN CONSTRUCTION WITH ANGLE BRACKETS TO HOLD THE RAFTERS TOGETHER.
E6		PLASTER STITCHING OF RAFTERS WITH STUDS TO HOLD THEM TOGETHER. THIS IS USED IN CONSTRUCTION WITH ANGLE BRACKETS TO HOLD THE RAFTERS TOGETHER.
E8		PLASTER STITCHING OF RAFTERS WITH STUDS TO HOLD THEM TOGETHER. THIS IS USED IN CONSTRUCTION WITH ANGLE BRACKETS TO HOLD THE RAFTERS TOGETHER.
E15		PLASTER STITCHING OF RAFTERS WITH STUDS TO HOLD THEM TOGETHER. THIS IS USED IN CONSTRUCTION WITH ANGLE BRACKETS TO HOLD THE RAFTERS TOGETHER.
E16		PLASTER STITCHING OF RAFTERS WITH STUDS TO HOLD THEM TOGETHER. THIS IS USED IN CONSTRUCTION WITH ANGLE BRACKETS TO HOLD THE RAFTERS TOGETHER.
E51		PLASTER STITCHING OF RAFTERS WITH STUDS TO HOLD THEM TOGETHER. THIS IS USED IN CONSTRUCTION WITH ANGLE BRACKETS TO HOLD THE RAFTERS TOGETHER.
E53		PLASTER STITCHING OF RAFTERS WITH STUDS TO HOLD THEM TOGETHER. THIS IS USED IN CONSTRUCTION WITH ANGLE BRACKETS TO HOLD THE RAFTERS TOGETHER.
E58		PLASTER STITCHING OF RAFTERS WITH STUDS TO HOLD THEM TOGETHER. THIS IS USED IN CONSTRUCTION WITH ANGLE BRACKETS TO HOLD THE RAFTERS TOGETHER.
E62		PLASTER STITCHING OF RAFTERS WITH STUDS TO HOLD THEM TOGETHER. THIS IS USED IN CONSTRUCTION WITH ANGLE BRACKETS TO HOLD THE RAFTERS TOGETHER.

Total disturbed area: 270,781 sq ft; 6.21 Acres

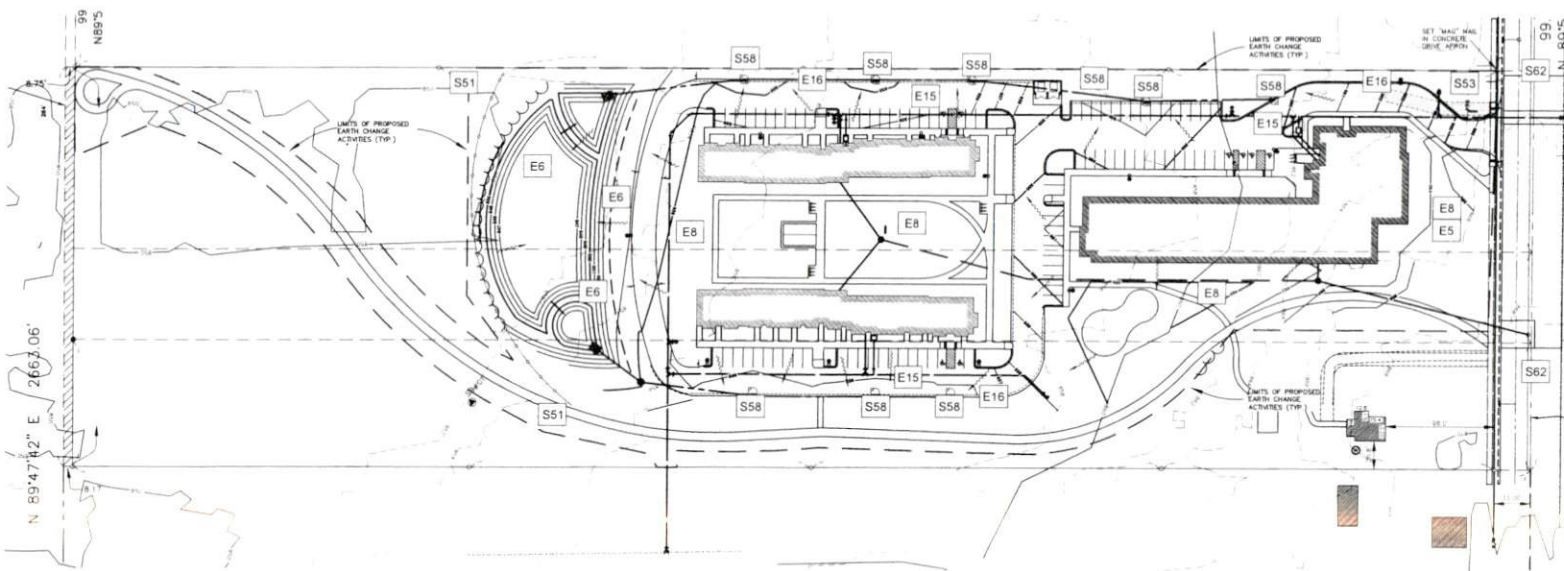
Additional erosion control measures not shown on the site plan may be necessary as site work progresses. Permittee is responsible for all measures necessary to prevent offsite sedimentation.

Geotextile silt fence and all catch basin protection measures shall be properly placed as shown on plans and as needed to retain soils on-site. Periodic maintenance and inspection of SESC measures is required for proper effectiveness.

Statistik als ein neues Gewerbe

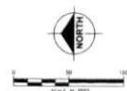
Construction is anticipated to begin APRIL 2017 with substantial sitework completion no later than AUGUST 2017.

CONTROL NO. SEQUENCE / PHASES OF CONTROLS	Internal Control 2007/2008	Internal Control 2008/2009	Internal Control 2009/2010	Internal Control 2010/2011	Internal Control 2011/2012	Internal Control 2012/2013	Internal Control 2013/2014	Internal Control 2014/2015	Internal Control 2015/2016	Internal Control 2016/2017	Internal Control 2017/2018	Internal Control 2018/2019	Internal Control 2019/2020	Internal Control 2020/2021	Internal Control 2021/2022	Internal Control 2022/2023	Internal Control 2023/2024	Internal Control 2024/2025	Internal Control 2025/2026	Internal Control 2026/2027	Internal Control 2027/2028	Internal Control 2028/2029	Internal Control 2029/2030	Internal Control 2030/2031	Internal Control 2031/2032	Internal Control 2032/2033	Internal Control 2033/2034	Internal Control 2034/2035	Internal Control 2035/2036	Internal Control 2036/2037	Internal Control 2037/2038	Internal Control 2038/2039	Internal Control 2039/2040	Internal Control 2040/2041	Internal Control 2041/2042	Internal Control 2042/2043	Internal Control 2043/2044	Internal Control 2044/2045	Internal Control 2045/2046	Internal Control 2046/2047	Internal Control 2047/2048	Internal Control 2048/2049	Internal Control 2049/2050	Internal Control 2050/2051	Internal Control 2051/2052	Internal Control 2052/2053	Internal Control 2053/2054	Internal Control 2054/2055	Internal Control 2055/2056	Internal Control 2056/2057	Internal Control 2057/2058	Internal Control 2058/2059	Internal Control 2059/2060	Internal Control 2060/2061	Internal Control 2061/2062	Internal Control 2062/2063	Internal Control 2063/2064	Internal Control 2064/2065	Internal Control 2065/2066	Internal Control 2066/2067	Internal Control 2067/2068	Internal Control 2068/2069	Internal Control 2069/2070	Internal Control 2070/2071	Internal Control 2071/2072	Internal Control 2072/2073	Internal Control 2073/2074	Internal Control 2074/2075	Internal Control 2075/2076	Internal Control 2076/2077	Internal Control 2077/2078	Internal Control 2078/2079	Internal Control 2079/2080	Internal Control 2080/2081	Internal Control 2081/2082	Internal Control 2082/2083	Internal Control 2083/2084	Internal Control 2084/2085	Internal Control 2085/2086	Internal Control 2086/2087	Internal Control 2087/2088	Internal Control 2088/2089	Internal Control 2089/2090	Internal Control 2090/2091	Internal Control 2091/2092	Internal Control 2092/2093	Internal Control 2093/2094	Internal Control 2094/2095	Internal Control 2095/2096	Internal Control 2096/2097	Internal Control 2097/2098	Internal Control 2098/2099	Internal Control 2099/2100	Internal Control 2100/2101	Internal Control 2101/2102	Internal Control 2102/2103	Internal Control 2103/2104	Internal Control 2104/2105	Internal Control 2105/2106	Internal Control 2106/2107	Internal Control 2107/2108	Internal Control 2108/2109	Internal Control 2109/2110	Internal Control 2110/2111	Internal Control 2111/2112	Internal Control 2112/2113	Internal Control 2113/2114	Internal Control 2114/2115	Internal Control 2115/2116	Internal Control 2116/2117	Internal Control 2117/2118	Internal Control 2118/2119	Internal Control 2119/2120	Internal Control 2120/2121	Internal Control 2121/2122	Internal Control 2122/2123	Internal Control 2123/2124	Internal Control 2124/2125	Internal Control 2125/2126	Internal Control 2126/2127	Internal Control 2127/2128	Internal Control 2128/2129	Internal Control 2129/2130	Internal Control 2130/2131	Internal Control 2131/2132	Internal Control 2132/2133	Internal Control 2133/2134	Internal Control 2134/2135	Internal Control 2135/2136	Internal Control 2136/2137	Internal Control 2137/2138	Internal Control 2138/2139	Internal Control 2139/2140	Internal Control 2140/2141	Internal Control 2141/2142	Internal Control 2142/2143	Internal Control 2143/2144	Internal Control 2144/2145	Internal Control 2145/2146	Internal Control 2146/2147	Internal Control 2147/2148	Internal Control 2148/2149	Internal Control 2149/2150	Internal Control 2150/2151	Internal Control 2151/2152	Internal Control 2152/2153	Internal Control 2153/2154	Internal Control 2154/2155	Internal Control 2155/2156	Internal Control 2156/2157	Internal Control 2157/2158	Internal Control 2158/2159	Internal Control 2159/2160	Internal Control 2160/2161	Internal Control 2161/2162	Internal Control 2162/2163	Internal Control 2163/2164	Internal Control 2164/2165	Internal Control 2165/2166	Internal Control 2166/2167	Internal Control 2167/2168	Internal Control 2168/2169	Internal Control 2169/2170	Internal Control 2170/2171	Internal Control 2171/2172	Internal Control 2172/2173	Internal Control 2173/2174	Internal Control 2174/2175	Internal Control 2175/2176	Internal Control 2176/2177	Internal Control 2177/2178	Internal Control 2178/2179	Internal Control 2179/2180	Internal Control 2180/2181	Internal Control 2181/2182	Internal Control 2182/2183	Internal Control 2183/2184	Internal Control 2184/2185	Internal Control 2185/2186	Internal Control 2186/2187	Internal Control 2187/2188	Internal Control 2188/2189	Internal Control 2189/2190	Internal Control 2190/2191	Internal Control 2191/2192	Internal Control 2192/2193	Internal Control 2193/2194	Internal Control 2194/2195	Internal Control 2195/2196	Internal Control 2196/2197	Internal Control 2197/2198	Internal Control 2198/2199	Internal Control 2199/2200	Internal Control 2200/2201	Internal Control 2201/2202	Internal Control 2202/2203	Internal Control 2203/2204	Internal Control 2204/2205	Internal Control 2205/2206	Internal Control 2206/2207	Internal Control 2207/2208	Internal Control 2208/2209	Internal Control 2209/2210	Internal Control 2210/2211	Internal Control 2211/2212	Internal Control 2212/2213	Internal Control 2213/2214	Internal Control 2214/2215	Internal Control 2215/2216	Internal Control 2216/2217	Internal Control 2217/2218	Internal Control 2218/2219	Internal Control 2219/2220	Internal Control 2220/2221	Internal Control 2221/2222	Internal Control 2222/2223	Internal Control 2223/2224	Internal Control 2224/2225	Internal Control 2225/2226	Internal Control 2226/2227	Internal Control 2227/2228	Internal Control 2228/2229	Internal Control 2229/2230	Internal Control 2230/2231	Internal Control 2231/2232	Internal Control 2232/2233
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Know what's below.
Call before you dig.

For protection of underground utilities, the CONTRACTOR shall dial 1-800-482-7171 OR 811 a minimum of three working days, excluding Saturdays, Sundays and holidays, prior to excavation in the vicinity of utility lines. All "MISS DIG" participating members will thus be mutually notified. This does not relieve the CONTRACTOR of the responsibility of notifying the utility owners who may not be part of the "MISS DIG" alert system.



SILT FENCE	PROPOSED SPOT ELEVATION	DRAINAGE FLOW DIRECTION	Ex. SPOT ELEVATION
------------	----------------------------	----------------------------	-----------------------



Plan Prepared By

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113 W Savidge St., Suite B
Spring Lake, Michigan 49456

Tel: 616-240-9080
email: bcallen@callenengineering.com

REYNOLDS (CHURCHMAN)

Architects & Engineers
318 Maine Avenue

Studio Suite 410
Madison, NJ 07940

DATE OF PLAN 08-08-17

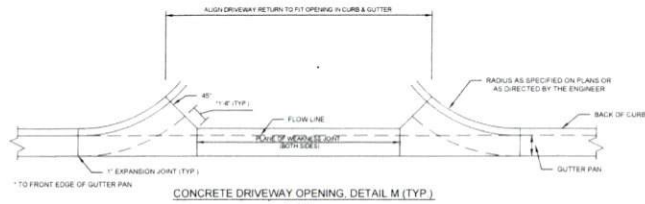
SELINON PARK
1603 E CENTRE AVENUE
CITY OF PORTAGE
KALAMAZOO COUNTY MICHIGAN
SESC PLAN

ULL CIRCLE COMMUNITIES
S. PEORIA STREET, SUITE 500
CHICAGO, ILLINOIS 60607

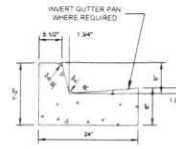
NO	REVISION	REV	DATE
1	TYPE PLATE RE NEW COMPANY	BAC	08-08-2019
2	TYPE PLATE RE NEW COMPANY	BAC	02-28-2019

CE
Callen Engineering, Inc.
residential — commercial — manufacturing
10000 W. Broadway Street, Suite B
Littleton, CO 80120
303.761.1100

OWNER: BH BAC	DATE: JUL '18
ENGINEER: BAC	DATE: JUL '18
DATE:	DATE:
SCALE	
↑	
AS NOTED	1:1
PROJECT 015 FULL CIRCLE	
SHEET NO: C22	



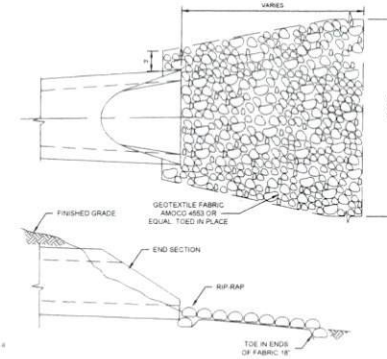
CONCRETE DRIVEWAY OPENING, DETAIL M (TYP.)



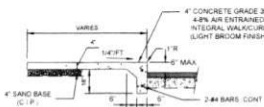
CONCRETE CURB & GUTTER
DETAIL F4, MODIFIED



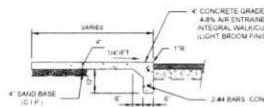
CONCRETE CURB & GUTTER
DETAIL F2, MODIFIED



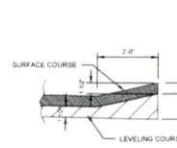
FLARED END SECTION DETAIL



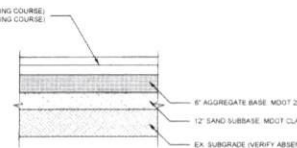
CONCRETE SIDEWALK



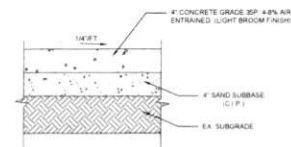
CONCRETE SIDEWALK W/ FLUSH CURB



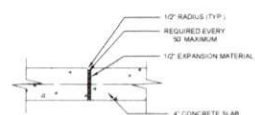
VALLEY GUTTER, HMA DETAIL



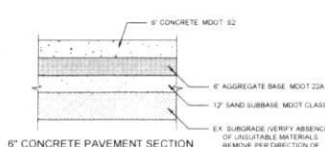
HMA PAVEMENT SECTION



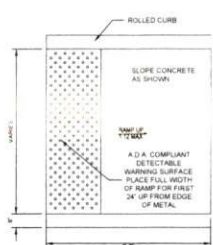
CONCRETE SIDEWALK SECTION



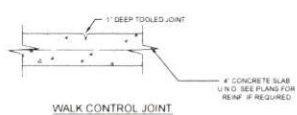
WALK EXPANSION JOINT



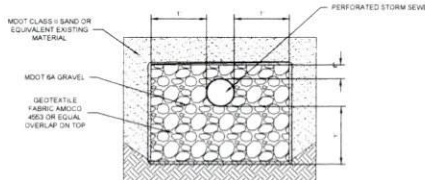
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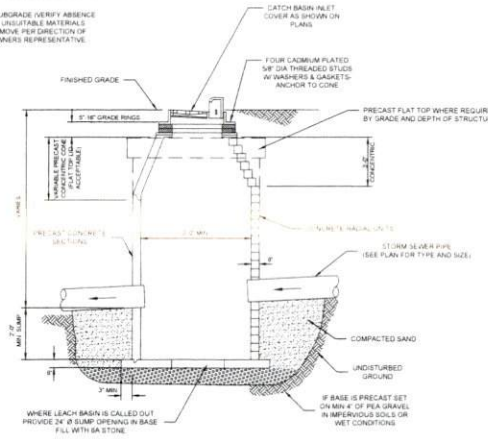
B.F. RAMP DETAIL



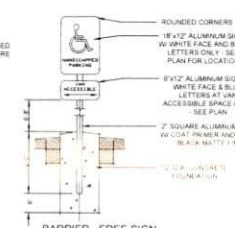
WALK CONTROL JOINT



LEACHING TRENCH DETAIL



CATCH BASIN DETAIL



BARrier-FREE SIGN



Know what's below.
Call before you dig.

For protection of underground utilities the CONTRACTOR shall call 1-800-482-7771 OR 811 a minimum of three working days, including Saturdays, Sundays and holidays, prior to excavation in the vicinity of utility lines. An 811 MISS DIG participating member will track be routinely notified. This does not relieve the CONTRACTOR of the responsibility of notifying the utility owners who may not be part of the MISS DIG alert system.



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Tel: 616-240-9080
email: bcolten@coltenengineering.com



DATE OF PLAN: 08-08-17

Callen Engineering, Inc.
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Tel: 616-240-9080
email: bcolten@coltenengineering.com

CE

SELINON PARK
1603 E CENTRE AVE N.E.
CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN

FULL CIRCLE COMMUNITIES
310 S. PEORIA STREET, SUITE 500
CHICAGO, ILLINOIS 60607

X-SECTIONS, NOTES AND DETAILS

811

Project: 1715, GEN. CAP.
Scale: 1" = 1'-0"
Date: 08-08-17

Sheet: C4.0



VIEW FROM PARKING



VIEW FROM CENTRE AVE



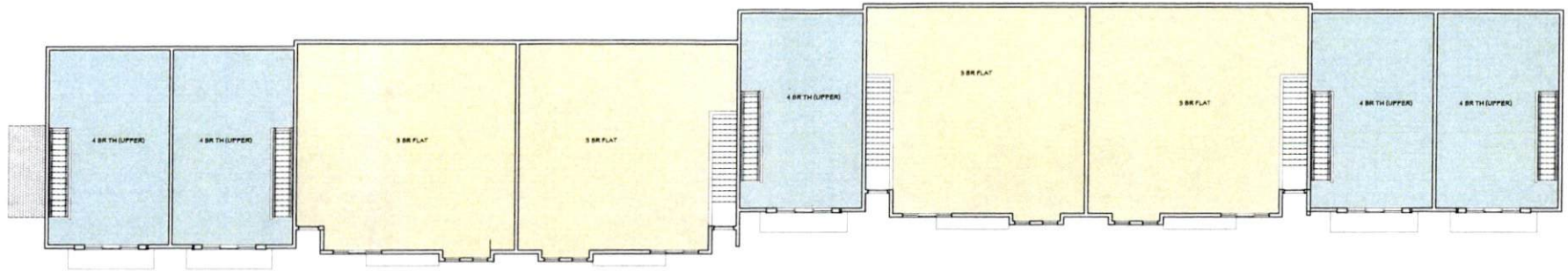
SOUTH ELEVATION

302' x 110'

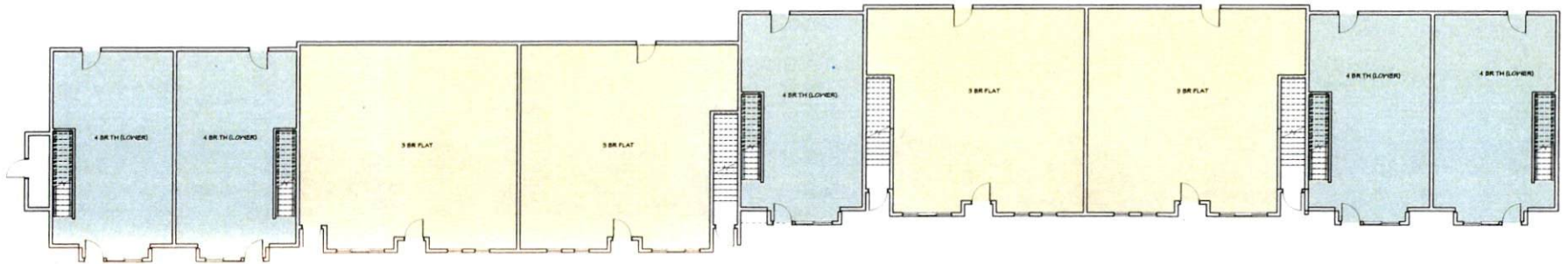


WEST ELEVATION

302' x 110'



SECOND FLOOR PLAN



FIRST FLOOR PLAN



FRONT PERSPECTIVE



FRONT ELEVATION
1/8" = 1'-0"

H DJ HOOKER | DE JONG
ARCHITECTS & ENGINEERS



SELINON PARK

PRELIMINARY
NOT FOR
CONSTRUCTION

EXTERIOR ELEVATION - TOWNHOUSE BUILDINGS
1501 CEDAR STREET
PORTLAND, OREGON 97201

PR-6
Project # 4-0861
Date 8/8/2017

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: East Milham Avenue Water Service Connection Project

SUPPORTING PERSONNEL: Wm. Roger Buell, Director of Transportation and Utilities

ACTION RECOMMENDED: That City Council approve Change Order No. 1 to the Chopin Avenue / Mozart Street Water Main Project with Balkema Excavating, Incorporated, of Kalamazoo, Michigan, for improvements to water service connections on East Milham Avenue in an amount not to exceed \$84,390 and authorize the City Manager to execute all documents on behalf of the city.

In the 1960s, water main was installed on East Milham Avenue, east of Sprinkle Road to Belard Avenue on the north side of the road. In June 2001, a 16-inch water main was installed on the south section of East Milham Avenue from Sprinkle Road to Corporate Avenue to improve flow in the area for improved fire prevention in the commercially developed area. The newer water main was constructed parallel to the original water main. However, the original 1960's cast iron water main is slowly deteriorating and has experienced six (6) main breaks within the past thirteen (13) years. The consequence of the increasing failures combined with the lack of looping in the area creates a serious concern for the area's water customers as the existing cast iron water main will continue to deteriorate, increasing the number of main breaks.

The Chopin Avenue/Mozart Street Water Main Project approved by City Council in May 2017 came in significantly under the amount budgeted. The contractor for the project, Balkema Excavating, was asked to submit a price for the water main project along East Milham Avenue. This project was selected for addressing now due to the smaller scope requiring little funding and the ability to have it completed within the 2017 construction season. Balkema Excavating estimates the cost for this work to be \$84,390. City staff have reviewed the submitted cost and have determined it to be well under the cost originally budgeted for the project.

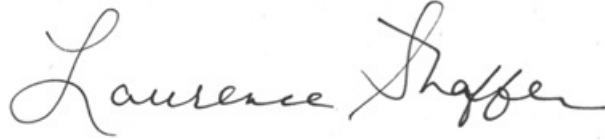
Therefore, it is recommended that City Council approve Change Order No. 1 to the Chopin Avenue/Mozart Street Water Main Project with Balkema Excavating, Incorporated, of Kalamazoo, Michigan for improvements to water service connections on East Milham Avenue from Sprinkle Road to Belard Avenue in an amount not to exceed \$84,390 and authorize the City Manager to execute all documents on behalf of the city.

FUNDING: Funds are available in the Chopin Avenue/Mozart Street Water Main Project account.

Attachments: 1. N/A

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Permit to Conduct Fireworks Display

SUPPORTING PERSONNEL: James Hudson, City Clerk

ACTION RECOMMENDED: That City Council approve a Permit for a Fireworks Display on October 20, 2017, to be conducted by Wolverine Fireworks Display, Inc., in cooperation with Portage Public Schools, at McCamley Field (8135 South Westnedge Avenue) as part of the "Last Night Under the Lights" celebration.

Wolverine Fireworks Display, Inc., in cooperation with Portage Public Schools, has submitted an application for a permit to conduct a public fireworks display on Friday, October 20, 2017, at McCamley Field (8135 South Westnedge Avenue). The display is planned as part of the "Last Night Under the Lights" celebration in connection with the last football game to be played at McCamley Field.

The public display of fireworks is regulated by Public Act 256 of 2011, the Michigan Fireworks Safety Act. PA 256 provides that municipalities may issue permits for public fireworks displays per the State Fire Marshal. The planned celebration involves "display fireworks" and not "consumer fireworks" as defined under the Michigan Fireworks Safety Act. Display fireworks are large and explosive items typically used for public events and are locally permitted for use by professionals.

PA 256 requires that the local governmental unit rule on the competency and qualifications of pyrotechnic operators who propose to conduct a display before the permit is issued. In the City of Portage, this responsibility is designated to the Fire Marshal. Wolverine Fireworks Display, Inc., has been contracted by Portage Public Schools and will be conducting the display on October 20, 2017. Based on requirements set forth in the International Fire Code and applicable National Fire Protection Association (NFPA) standards, the Fire Marshal has determined that Wolverine Fireworks Display, Inc., is both competent and qualified.

The departments of Community Development and Public Safety are coordinating with Wolverine Fireworks Display, Inc., as well as Portage Public Schools to ensure a safe and orderly event. The fireworks display is proposed to be launched from the Senior Baseball Field of Portage Central High School (see attached map). Further, the attached letter regarding the event was sent by Portage Public Schools to property owners within an area of one-quarter mile of the launch location of the fireworks.

As such, it is recommended that City Council approve a Permit for a Fireworks Display on October 20, 2017, to be conducted by Wolverine Fireworks Display, Inc., sponsored by Portage Public Schools and

located at Portage Public Schools' McCamley Field at 8135 South Westnedge Avenue.

FUNDING: N/A

Attachments:

1. August 31, 2017 Notification Letter from Portage Central High School Principal Eric Alburtus
2. September 6, 2017 Fire Marshal Approval
3. 2017 Portage Public Schools Fireworks Application - McCamley Field

31 August 2017

Greetings, neighbors:

Portage Central High School is planning a fireworks show to be held the evening of October 20, 2017, after our football game at McCamley Field, located at Portage Central High School. We are celebrating the Last Night Under The Lights, a celebration of McCamley Field and all that it has meant for our community. A licensed, professional pyrotechnic operator contracted by Portage Central High School will conduct the fireworks display.

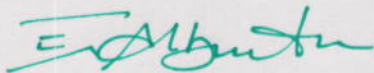
Records provided by the Portage City Council indicated that you are a property owner located within one-quarter mile of us. In an effort to promote positive neighbor relations, we wanted to notify you of this community event.

It is anticipated that the Portage City Council will review and consider granting a permit to conduct a fireworks display at the September 12th City Council Meeting held at City Hall. As a neighbor, if you have any formal comments regarding the proposed fireworks display, they can be heard at that City Council Meeting or submitted in writing to the following:

Office of City Clerk
City of Portage
7900 South Westnedge Ave
Portage, MI 49002

If you have any questions about the proposed fireworks display, please contact me anytime. You can reach me at school at (269)323-5255 or by email at ealburtus@portageps.org. We hope you can join us for this wonderful community event, and we hope you will enjoy the fireworks display that evening. Thank you in advance for your support!

With appreciation,



Eric Alburtus
Principal for Portage Central High School



James Hudson

From: Derek Henson
Sent: Wednesday, September 06, 2017 9:44 AM
To: James Hudson
Subject: Fwd: Revised Fireworks Show List

Jim,
With this, all of my comments have been addressed. I can now make the recommendation that council approves this show, as revised.

Thank you,
Derek

Sent from my iPad

Begin forwarded message:

From: Jenny Campau <jenny@wolvdisplay.com>
Date: September 6, 2017 at 9:37:34 AM EDT
To: <hensond@portagemi.gov>
Subject: Revised Fireworks Show List

I have removed the 4" shells from the show. The new total on the 3" shells is 624. The rest of the items will remain the same.

Thank you,

Jenny Campau
Display Manager
Wolverine Fireworks Display, Inc.
Phone: 989-662-0121
Fax: 989-662-0122
Website: www.wolverinefireworks.com

2017 Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY
OF CITY, VILLAGE OR TOWNSHIP
BOARD ONLY

DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 256

The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.

TYPE OF PERMIT(S) (Select all applicable boxes)

- ☐ Agricultural or Wildlife Fireworks ☐ Articles Pyrotechnic ☒ Display Fireworks
☐ Public Display ☐ Private Display
☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

NAME OF APPLICANT Wolverine Fireworks Display, Inc.		ADDRESS OF APPLICANT 205 W. Seidlers Rd., Kawkawlin, MI 48631	AGE OF APPLICANT 18 YEARS OR OLDER ☒ YES ☐ NO
NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER James Lambert		ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER Same as above	
IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT) N/A		ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT) N/A	TELEPHONE NUMBER 989-662-0121
NAME OF PYROTECHNIC OPERATOR Lawrence Kancauski		ADDRESS OF PYROTECHNIC OPE 15201 31st St. Gobles, MI 49055	AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER ☒ YES ☐ NO
NO. YEARS EXPERIENCE 15+	NO. DISPLAYS 100+	WHERE Throughout MI including Allegan, Kalamazoo Growlers, Battle Creek Bombers, Gun Lake and many more.	
NAME OF ASSISTANT		ADDRESS OF ASSISTANT	AGE OF ASSISTANT 18 YEARS OR OLDER ☐ YES ☐ NO
NAME OF OTHER ASSISTANT		ADDRESS OF OTHER ASSISTANT	AGE OF OTHER ASSISTANT 18 YEARS OR OLDER ☐ YES ☐ NO

EXACT LOCATION OF PROPOSED DISPLAY
McCamley Field, across from Portage Central High School, 8135 S. Westnedge Ave., Portage, MI

DATE OF PROPOSED DISPLAY
10/20/17

TIME OF PROPOSED DISPLAY
To be fired after conclusion of football game

MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT

No storage necessary. Fireworks will arrive day of display.

AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT)
\$10,000,000.00

NAME OF BONDING CORPORATION OR INSURANCE COMPANY
The Partners Group Ltd.

ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY
11225 SE 6th St., Suite 110, Bellevue, WA 98004

NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)
30	1.3G Multi-Shot Cake Items, Ranging from 1" -2.5" in diameter
504 624	3", 1.3G Aerial Shells
108 108	4", 1.3G Aerial Shells

SIGNATURE OF APPLICANT
Jennifer Campau

DATE
8/25/17

2017 Permit for Fireworks Other than Consumer or Low Impact

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only through permit expiration date.

TYPE OF PERMIT(S) (Select all applicable boxes) ☐ Agricultural or Wildlife Fireworks ☐ Articles Pyrotechnic ☒ Display Fireworks ☐ Public Display ☐ Private Display ☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes		FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY. PERMIT(S) EXPIRATION DATE (ENTER DATE OF EXPIRATION)
NAME OF PERSON PERMIT ISSUED TO Wolverine Fireworks Display, Inc.		AGE (18 YEARS OR OLDER) ☒ YES ☐ NO
ADDRESS OF PERSON PERMIT ISSUED TO 205 W. Seidlers Rd., Kawkawlin, MI 48631		
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION Portage Central High School		
ADDRESS 8035 S. Westnedge Ave., Portage, MI 49002		
NUMBER AND TYPES OF FIREWORKS (Please attach additional pages if necessary) 30 - 1.3G Multi-Shot Aerial Shells 1"-2.5" in diameter 504 - 3", 1.3G Aerial Shells 108 - 4", 1.3G Aerial Shells		
EXACT LOCATION OF DISPLAY OR USE McCamley Field, across Westnedge from Portage Central High School, 8135 S. Westnedge Ave., Portage, MI 49002		
CITY, VILLAGE, TOWNSHIP City of Portage	DATE 10/20/17	TIME At conclusion of football game
BOND OR INSURANCE FILED ☒ YES ☐ NO		AMOUNT \$10,000,000.00

Issued by action of the Legislative Body of a ☐ City ☐ Village ☐ Township of _____ on the _____ day of _____	
(Signature and Title of Legislative Body Representative)	

THIS FORM IS VALID UNTIL THE DATE OF EXPIRATION OF PERMIT



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/24/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Partners Group Ltd 11225 SE 6th St., Suite 110 Bellevue WA 98004		CONTACT NAME: Roxanna Jessen PHONE (A/C, No, Ext): 425-467-3161 E-MAIL ADDRESS: rjessen@tpgrp.com FAX (A/C, No): 425-455-6727	
INSURED Wolverine Fireworks Display, Inc. 205 West Seidlers Road Kawkawlin MI 48631		INSURER(S) AFFORDING COVERAGE INSURER A: T.H.E. Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
14347		NAIC # 12866	

COVERAGES

CERTIFICATE NUMBER: 255484416

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ \$2,000 Deductible GEN'L AGGREGATE LIMIT APPLIES PER ☒ POLICY ☐ PRO-JECT ☐ LOC	Y		CPP0104907-02	2/1/2017	2/1/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$Excluded PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$N/A PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$0			ELP001193202	2/1/2017	2/1/2018	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y / N ☐ N / A						WC STATU-TORY LIMITS ☐ OTH-ER ☐ E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The following are Additional Insured on General Liability as their interest may appear as respects to operations performed by or on behalf of the Named Insured, as required by written contract:

Portage Central High School, Portage Public Schools and The City of Portage, its agents, employees & elected officials ATIMA
Date of Event: October 20, 2017
Location of Event: McCamley Field, across Westnedge from Portage Central HS, 8135 S. Westnedge Ave., Portage, MI 49002

CERTIFICATE HOLDER**CANCELLATION**

Portage Central High School 8135 S. Westnedge Avenue Portage MI 49002	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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Wolverine FIREWORKS

205 West Seidlers Rd. • Kawkawlin, MI 48631
Phone: 989.662.0121 • Fax: 989.662.0122

Display, Inc.

Visit us at www.wolverinefireworks.com

Contract Agreement

This Contract will engage the services of Wolverine Fireworks Display Inc. as vendor and display operator. This agreement, between **Portage Central High School** Hereinafter called "Sponsor" and Wolverine Fireworks Display Inc., 205 W. Seidlers Rd., Kawkawlin, Michigan, Hereinafter called "Professionals", is as follows.

The Sponsor and Professional, for mutual consideration hereinafter set forth, agree as follows:

- A: Professional agrees to provide Sponsor with correct amount, size and description of Fireworks as specified in proposal #1 submitted to Sponsor **8/17**.
- B: Professional will provide Sponsor with Labor for the **10/20/17** Fireworks Display at **McCamley Field, across from Portage Central, 8135 S. Westnedge Ave., Portage, MI 49002**.
- C: Professional agrees to provide Sponsor with Liability Insurance in the amount of **\$10,000,000**.
- D: Professional agrees that in case of inclement weather on the show date, that Sponsor will be charged fixed costs in the amount of **\$2,000.00** per day and not for the unused Fireworks Package.
- E: Sponsor agrees to pay Professional a deposit of **\$2,000.00** by **October 1, 2017**.
- F: Sponsor agrees to pay balance of **\$6,000.00** within **10** days after show date of **10/20/17**.
- G: Sponsor agrees to indemnify, hold harmless, and defend Professional from and against any and all suits, claims, damages, liabilities, losses, expenses, and costs, including attorney fees (collectively "loss"), except to the extent such loss was caused by Professional's sole negligence.
- H: Sponsor agrees to procure and furnish a suitable place to display the fireworks in accordance with the NFPA 1123, and to secure all police, fire, and local and state permits, to arrange for any security bonds as required by law and to furnish all necessary and proper police and fire protection for the protection of Sponsor, the public, individuals who work in or around the display, for proper crowd control, vehicle parking and proper supervision. Sponsor further agrees to provide all necessary and proper discharge site security.
- I: Rain Date **N/A**.

Sponsor

31 AUGUST 2017

Date

Witness for Sponsor

Date

Professional

Date

Witness for Professional

Date

ADDITIONAL INSURED – FIREWORKS

This endorsement modifies insurance provided under the following:

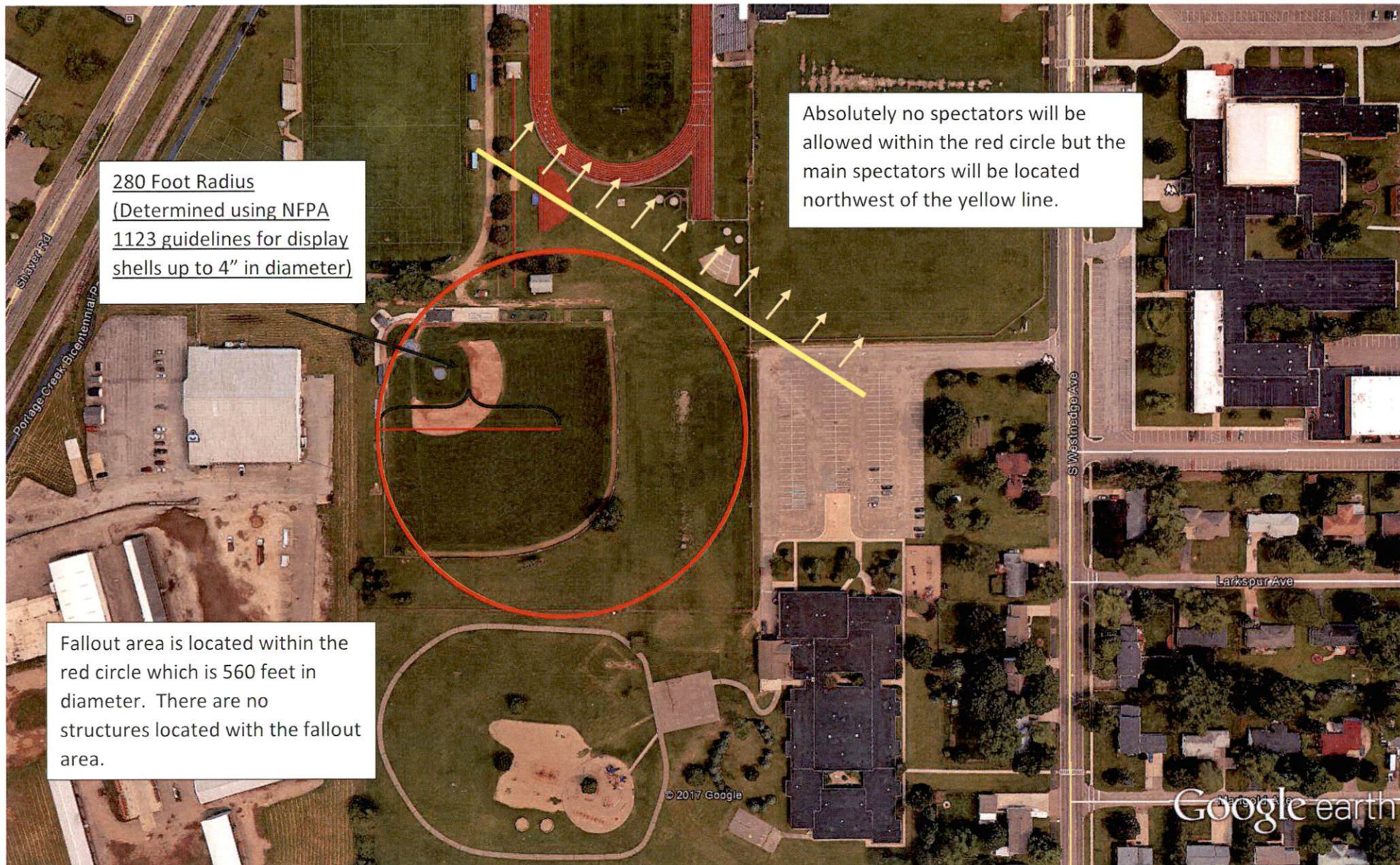
COMMERCIAL GENERAL LIABILITY COVERAGE PART

The policy is amended to include as an additional insured:

1. The fair or exhibition association, sponsoring organization or committee for the fireworks event covered under the policy;
2. The owner or lessee of any premises used by the Named Insured for the covered fireworks events;
3. The public authority municipality granting a permit to the Named Insured to operate the covered fireworks event; and
4. Any independent contractor who operates the fireworks display on behalf of the Named Insured;

but only as respects accidents arising out of the negligence of you or your employees while acting in the course and scope of their employment.

All other terms and conditions of the policy remain unchanged.



280 Foot Radius
(Determined using NFPA
1123 guidelines for display
shells up to 4" in diameter)

Absolutely no spectators will be
allowed within the red circle but the
main spectators will be located
northwest of the yellow line.

Fallout area is located within the
red circle which is 560 feet in
diameter. There are no
structures located with the fallout
area.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: First Amendment - Interlocal Agreement for the Kalamazoo County Consolidated Dispatch Authority

SUPPORTING PERSONNEL: Nicholas Arnold, Director of Public Safety - Police / Fire Chief

ACTION RECOMMENDED: That City Council approve the first amendment to the *Interlocal Agreement Creating the Kalamazoo County Consolidated Dispatch Authority (KCCDA)* and authorize the City Manager to sign the agreement on behalf of the city.

On September 24, 2014, City Council approved an *Interlocal Agreement Creating the Kalamazoo County Consolidated Dispatch Authority*, which was further approved by the other four public safety answering points (PSAPs) including City of Kalamazoo, Kalamazoo County, Kalamazoo Township and Western Michigan University. The resulting Kalamazoo County Consolidated Dispatch Authority (KCCDA) has been working toward final completion under the KCCDA Board of Directors since that time.

The consolidated dispatch model is presently supported and recommended for the following reasons:

1. Standardized hardware, software and procedures improve the efficiency and effectiveness of communication between the individuals requiring public safety assistance and the first responder.
2. Interoperability allows first responders to effectively and efficiently communicate amongst themselves, thereby providing a higher quality public safety service.
3. Consolidated dispatch allows for the addition of text messaging, photos, video and other data to be received by the consolidated dispatch center and relayed to the first responder.

Consolidated dispatch has been slow to arrive to Kalamazoo County. Presently seventy-five (75) counties out of the total eighty-three (83) in Michigan utilize the consolidated dispatch model. Sixty-six (66) of the seventy-five (75) counties have an approved surcharge per phone to support consolidated dispatch.

The original KCCDA agreement anticipated a voter-approved 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, 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. As the proposed surcharge proposal did not pass, the KCCDA Board of Directors drafted a new 5-year funding strategy. The five PSAPs are being asked to agree to annually fund a cumulative amount of \$4.3 million of the anticipated total

KCCDA approximate budget of \$5.8 million. Portage shall contribute \$756,793 annually, or 17.6% of the total \$4.3 million. That contribution amount, along with the residual cost to staff overnight, weekend and holiday coverage previously provided by Portage dispatch personnel, will cost the city approximately \$250,000 additionally each year before consideration of the avoidance cost of new capital equipment.

The First Amendment to the KCCDA Agreement is needed to implement the alternate funding method. Once all five PSAPs have approved the Amendment, the new funding strategy will be in effect. The attached Amendment was reviewed and approved by the Kalamazoo County Board of Commissioners at their September 5, 2017 regular meeting. Legal counsel for all of the signatory agencies have reviewed and approved the language of the Amendment. As such, it is recommended that City Council approve the Amendment to the Interlocal Agreement which will allow Consolidated Dispatch operations to move forward for the benefit of all residents for the City of Portage.

FUNDING: The City of Portage will be responsible for an annual payment of \$756,793 to the KCCDA for five (5) consecutive years or until a fair and equitable long-term funding model is implemented; whichever is first. The funds are available and budgeted as part of the city's General Fund, to be reallocated from the current Police Division funding.

Attachments: 1. First Amendment

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT CREATING THE
KALAMAZOO COUNTY CONSOLIDATED DISPATCH AUTHORITY**

THIS FIRST AMENDMENT (the “Amendment”) to the Interlocal Agreement Creating the Kalamazoo County Consolidated Dispatch Authority (the “Agreement”) is entered into by and between the City of Kalamazoo, the City of Portage, the County of Kalamazoo, the Charter Township of Kalamazoo, and Western Michigan University (the Parties).

RECITALS

WHEREAS, the City of Kalamazoo, the City of Portage, the County of Kalamazoo, the Charter Township of Kalamazoo, and Western Michigan University previously entered into an Agreement creating the Kalamazoo County Consolidated Dispatch Authority, a Michigan Public Body Corporation, in October 2014; and

WHEREAS, the Authority is charged with the responsibility of operating a central communications system for participating Local Governmental Units and the County and other supporting agencies or entities as determined by the Governing Board of Directors; and

WHEREAS, on May 2, 2017 the voters did not approve a request to increase the 9-1-1 surcharge 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; and

WHEREAS, in accordance with Section 7B (Alternative Funding Plan) of the Agreement, in the event the county-wide surcharge does not provide sufficient revenue for the operating costs and capital improvements of the Authority, the Parties executing the Agreement will immediately meet to determine if this Agreement remains viable, and if it remains viable, the most appropriate, equitable, and beneficial way in which to continue financing the consolidated dispatch; and

WHEREAS, the Parties have determined the Agreement remains viable and have negotiated an Alternative Funding Plan for the Authority.

TERMS OF AMENDMENT

NOW, THEREFORE, in mutual consideration of the terms and conditions hereinafter set forth, it is hereby agreed as follows:

1. The Recitals set forth above are part of this Amendment.

2. Section 7B is repealed and replaced with the following:

B. Alternative Funding Plan

In accordance with Section 7A (Initial Funding Plan) and throughout the life of this Agreement, the Kalamazoo County Board of Commissioners, while it is a Party to the Agreement, agrees to adopt a Resolution pursuant to the Emergency Telephone Service Enabling Act establishing the local surcharge at the maximum permissible level that does not require approval at a general or special election.

i. Short-Term Funding

In addition to state and local surcharge funding, the Parties agree to make the following *annual* contributions to the Authority totaling \$4,300,000 for five (5) consecutive years or until a fair and equitable long-term funding model is implemented; whichever is first. If a long term funding model is not implemented at the time required, the parties shall meet to determine if this agreement remains viable, and if it remains viable, the most appropriate, equitable and beneficial way in which to continue financing the consolidated Dispatch.

	ANNUAL CONTRIBUTION	% OF TOTAL
Charter Township Kalamazoo	\$364,778	8.48%
City of Kalamazoo	\$1,289,826	30.00%
City of Portage	\$756,793	17.60%
County of Kalamazoo	\$1,514,025	35.21%
Western Michigan University	\$374,578	8.71%
<i>TOTALS:</i>	<i>\$4,300,000</i>	<i>100.00%</i>

The contributions shall begin upon commencement of the Authority's dispatch center operation. The Authority shall invoice the Parties on a quarterly basis; approximately thirty (30) days preceding the start of each quarter. Invoices shall be due to the Authority on the first day of the start of each quarter. The Parties' contribution shall be limited to the percentage of the year that the Authority assumes operational control of Dispatch.

During short-term funding, if the Authority experiences unanticipated or new revenues of \$50,000 or more in excess of the currently projected \$5,828,500 annual revenue in the first five (5) years of operations, as a result of operations, increased local or state 9-1-1 surcharge, or millage receipts, the total annual

contributions shall be reduced (or refunded if already paid) for each Party of this agreement proportionate to the Party's percent of total contribution.

ii. Long-Term Funding

The short-term funding identified above is not a permanent nor equitable solution. Therefore, the Authority's Governing Board of Directors shall begin working with partner agencies and municipalities to develop long-term equitable funding solutions no later than one (1) year after the Authority commences operations.

The fiscal considerations contained in this Alternative Funding Plan shall be incorporated into Kalamazoo County's Final 9-1-1 Service Plan when it is opened for the impending public safety answering point consolidation.

3. Other than as amended herein the Agreement creating the Kalamazoo County Consolidated Dispatch Authority executed in October 2014 shall remain in full force and with full effect.

IN WITNESS WHEREOF, the parties have executed this Agreement at Kalamazoo, Michigan.

COUNTY OF KALAMAZOO

Dale Shugars, Chairperson
Kalamazoo County Board of Commissioners

Timothy A. Snow
County Clerk/Register

CITY OF KALAMAZOO

CHARTER TOWNSHIP OF KALAMAZOO

James Ritsema
City Manager

Donald Martin
Township Supervisor

FIRST AMENDMENT – August 2017

CITY OF PORTAGE

WESTERN MICHIGAN UNIVERSITY

Laurence Shaffer
City Manager

Jan Van Der Kley
Treasurer

APPROVED AS TO FORM

DATE

9/8/2017
[Signature]

CITY ATTORNEY

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Board and Commission Interview Session

SUPPORTING PERSONNEL: James Hudson, City Clerk

ACTION RECOMMENDED: That City Council set a Special Meeting on Tuesday, October 10, 2017, beginning at 5:15 p.m., to interview Board and Commission applicants.

Section 2 - Article 7 of the Code of Ordinances affirms that City Council recognizes and appreciates the value and importance each Board or Commission Member provides in advising the Council in the decision-making process. Board and Commission interviews are performed each year in October, January and May.

Per the *Policy for Appointments to Citizen Advisory Boards*, applicants for the following Boards and Commissions and any other vacancies that arise will be interviewed:

Construction Board of Appeals	1 vacancy
EDC/TIFA and BRA	1 vacancy
Environmental Board	3 expiring terms
Historic District Commission	3 expiring terms, 1 vacancy
Human Services Board	3 expiring terms, 1 vacancy
Park Board	3 expiring terms
Planning Commission	1 vacancy
Senior Citizens Advisory Board	3 expiring terms, 1 vacancy
Zoning Board of Appeals	1 vacancy

As reflected on the attached Board and Commission Vacancy Summary, Council will interview applicants to fill vacancies on the Construction Board of Appeals, Economic Development Corporation/Tax Increment Finance Authority and Brownfield Redevelopment Authority, Environmental Board, Historic District Commission, Human Services Board, Park Board, Planning Commission, Senior Citizens Advisory Board and Zoning Board of Appeals. It is recommended that City Council set a Special Meeting on Tuesday, October 10, 2017, beginning at 5:15 p.m., to interview Board and Commission applicants.

FUNDING: N/A

Attachments: 1. Vacancy Summary

BOARDS/COMMISSIONS VACANCY SUMMARY FOR OCTOBER 10, 2017 SPECIAL MEETING

INTERVIEWS	5:15 pm	pm	pm	pm	pm	pm	pm	pm	pm	
APPLICANTS	SR CITZ	CBA	ZBA	PC	ENV BD	HDC	HSB	PK BD	EDC/TIFA and BRA	STATUS
	3 exp terms 1 vacancy 3 yr terms	1 vacancy partial term	2 vacancies partial term	1 vacancy partial term	3 exp terms 3 yr terms	3 exp terms 1 vacancy 3 yr terms	3 exp terms 1 vacancy 3 yr terms	2 exp terms 2 vacancies 3 yr terms	1 vacancy partial term	Appointed
Lois Beaudrie	Applicant									
Jessie Duniphin						Member				05/12/15
Lana Escamilla								Member		06/13/17
Pete James Everts			Applicant							
Linda Finch			Alternate							
Linda Fry			Applicant							
Todd Gasaway		Applicant								
Fred Grunert						Member				01/06/15
Bryan Hamilton					Applicant		Applicant	Applicant		
Brian Harrison					Applicant					
Emelia Hirschman								Member		10/07/14
J. William Lenehan				Applicant				Applicant	Applicant	
Martha Maytnier						Member				10/06/15
Jo A. McCrumb	Applicant						Applicant			
Nadeem Mirza							Member			05/10/11
Alice Mwanda							Applicant			
Deirdre Nieves					Member					10/04/16
Gloria Padilla-Carlson	Member									10/07/14
Jean Peterman			Applicant							
Mary Lou Petrulio	Member									10/04/11
Samantha Pounders					Applicant		Applicant	Applicant		
Elanor Riley								Applicant		
Arthur Roberts	Member									10/08/02
Mike Sergeant					Member					10/06/15
Lawrence M. Smith	Alternate									10/04/16
Albert R. Steffens	Alternate									10/04/16
Danielle Stoops					Applicant	Applicant		Applicant		
Amanda M. Tabata					Applicant		Applicant			
Stephanie Upshaw							Member			05/09/17
Tim Winslow					Member					05/10/11
Amanda Woodin							Member			10/09/12

NOTE: Alternate - currently serving as an Alternate Member of a Board or Commission and is seeking appointment or reappointment.

Member - currently serving as a Member of a Board of Commission and is seeking reappointment.

Applicant - new applicant seeking appointment to a Board or Commission.

09/12/17

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Tax Exemption (Payment in Lieu of Taxes) for Selinon Park Apartments

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council approve an amendment to the Payment in Lieu of Taxes (PILOT) ordinance for Selinon Park, a 74-unit multiple-family residential development proposed by Selinon Park Limited Dividend Housing Association Limited Partnership, at 1521, 1603 and 1615 East Centre Avenue.

On August 22, 2017, City Council approved the first reading of an amendment to Chapter 70 of the City Code for a Payment in Lieu of Taxes (PILOT) ordinance for Selinon Park Limited Dividend Housing Association Limited Partnership (Full Circle Communities, Inc.). City Council previously adopted a PILOT on March 22, 2016 (see attached communication to Council) for a tax exemption and PILOT to facilitate the construction of a 74-unit multiple-family affordable rental housing development at 1521, 1603 and 1615 East Centre Avenue. Full Circle Communities has an option to purchase the above referenced properties with local, state and federal funding sources proposed to finance the development.

As explained in the attached communication from Mr. Wilmoth, Full Circle Communities has applied to the Michigan State Housing Development Authority (MSHDA) for Low Income Housing Tax Credits (LIHTC), which are essential to the financing and economic feasibility of the development. While Full Circle Communities has not yet been successful in receiving LIHTC for the development, MSHDA has encouraged the applicant to add market rate housing units to increase the competitiveness of their application. Accordingly, Full Circle Communities will now offer eight housing units at market rate rents, whereas the remaining 66 units will be rented at affordable rates to households with incomes at or below 60 percent of the area median income. Due to this change and increased revenue anticipated with the market rate units, an amendment to the PILOT ordinance adopted in March 2016 is necessary. The original PILOT ordinance requires the applicant to pay the city 6.5 percent of the net shelter rents and establishes a minimum annual payment of \$34,071. As shown in the attached Net Shelter Rents and Minimum PILOT Payment table, the proposed market rate units will increase net shelter rents, and the resulting minimum annual PILOT payment to the city will increase to \$35,484.

The City Administration has reviewed the application with the applicant and the City Attorney. In addition, the City Attorney has approved the proposed amendment to the PILOT ordinance for City Council review and consideration. A tax exemption with a 6.5 percent PILOT is recommended as referenced in the attached amendment to Chapter 70, Article 2, Division 12 of the Code of Ordinances. The proposed ordinance, if adopted, would become effective only after the acquisition of the property by Full Circle Communities and receipt/closure of the federally-aided mortgage.

As such, it is recommended that City Council approve an amendment to the Payment in Lieu of Taxes (PILOT) ordinance for Selinon Park, a 74-unit multiple-family residential development proposed by Selinon Park Limited Dividend Housing Association Limited Partnership, at 1521, 1603 and 1615 East Centre Avenue.

FUNDING: Tax exemption and minimum annual PILOT of \$35,484.

Attachments:

1. PILOT Ordinance Amendment
2. PILOT Ordinance Amendment - strikeout and underline version
3. Communication from Joshua Wilmoth, President and CEO, Full Circle Communities (received August 7, 2017)
4. Net Shelter Rents and Minimum PILOT Payment table
5. March 22, 2016 communication from City Manager Shaffer

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING ARTICLE 2 OF CHAPTER 70, TAXATION,
SELINON PARK PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES**

THE CITY OF PORTAGE ORDAINS:

That Article 2 of Chapter 70, Taxation, is hereby amended to add Division 12, Selinon Park:

Sec. 70-300. - Preamble and intent. No change.

Sec. 70-301. - Definitions. The following definitions are changed:

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. *"Act" remains the same.*
2. *"Contract" remains the same.*
3. *"Authority" remains the same.*
4. *"Housing development" remains the same.*
5. *LIHTC program* means the low income housing tax credit program administered by the authority under Section 42 of the Internal Revenue Code of 1986, as amended.
6. *"Mortgage Loan" remains the same.*
7. *Persons of low income or families* shall mean households which are at or below 60 percent of area median income ("AMI") eligible to move into a housing development. With respect to this housing development 66 units will be reserved for persons or families of low income, in all instances adjusted for household size.
8. *"Property" remains the same.*
9. *"Sponsor" remains the same.*
10. *"Utilities" remains the same.*

Sec. 70-302. - Exemption of low income housing developments only.

It is hereby determined that the class of housing developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing for persons and families of low income, which are financed or assisted pursuant to the Act. With respect to the property, a total of 66 units will be reserved for low income persons or households at or below 60 percent of AMI, in all instances adjusted for household size. It is further determined that Selinon Park is of this class.

Sec. 70-303. - Amount of service charge.

The housing project identified as Selinon Park and the property on which it will be located shall be exempt from all ad valorem property taxes from and after the commencement of construction. The city acknowledges that the sponsor and the authority have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of this division and the qualification of the housing development for exemption from all property taxes and a payment in lieu of taxes as established in this division. In consideration of the sponsor's acquisition of the property and offer to construct and operate the housing development, the city hereby agrees to accept the payment of an annual service charge for public services in lieu of all property taxes. The annual service charge shall be equal to six and one-half percent of the annual contract rents for 15 years of operation after the acquisition of the property, its receipt of an allocation of low income housing tax credits from the authority and its commencement of its proposed construction but in any event not less \$35,484. Thereafter, for the 16th through 35th year, the annual service charge and minimum payment stated in this section shall be reviewed, and if the mortgage loan is still in effect and the housing development remains subject to income and rent restrictions under the LIHTC program, the annual service charge and minimum payment stated in this section shall not change.

Sec. 70-304. - Payment of service charge.

The service charge in lieu of taxes, as determined according to this division, shall be payable, enforceable and, if not paid timely, collectible in the same manner as general property taxes are payable to the city, except that the annual payment for each operating year shall be made as follows:

- (1) The minimum payment of \$35,484 is due on or before December 31 of each year.
- (2) All additional amounts owing from the December 31 payment of the previous year, as determined to be owing based on an audit, is due on or before by July 1 of each year.

Sec. 70-305. - Verification of contract rent. No change.

Sec. 70-306. - Effective period of division.

This division shall:

- (1) Become effective only after Sponsor acquires the property and receives and closes a mortgage loan or receives an allocation from the LITHC Program administered by the Authority; and
- (2) Shall remain in effect and shall not terminate so long as a mortgage loan remains outstanding and unpaid, and the housing development remains subject to income and rent restrictions under the LIHTC program, but not to exceed thirty-five (35) years.

Sec. 70-307. - Contractual effect of division. No change.

Sec. 70-308. – Limitation on the Payment of Annual Service Charge

Notwithstanding Section 70-303, the service charge to be paid each year in lieu of taxes for the part of the housing project that is tax exempt but which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

Sec. 70-309. - Severability. No change.

Sec. 70-310. – Inconsistent ordinances. No change.

Peter J. Strazdas, Mayor

FIRST READING: _____
SECOND READING: _____
ORDINANCE #: _____
EFFECTIVE DATE: _____

CERTIFICATION:

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2017

James R. Hudson, City Clerk

Approved as to Form:

Date: 8/18/17

[Signature]

City Attorney

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Draft

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING ARTICLE 2 OF CHAPTER 70, TAXATION, SELINON PARK PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES

THE CITY OF PORTAGE ORDAINS:

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5. LIHTC program means the low income housing tax credit program administered by the authority under Section 42 of the Internal Revenue Code of 1986, as amended.

6. "Mortgage Loan" *remains the same.*

7. Persons of low income or families shall mean households which are at or below 60 percent of area median income ("AMI") eligible to move into a housing development. With respect to this housing development 66 units will be reserved for persons or families of low income. Specifically, 32 units for households at or below 30 percent of AMI, and 42 units for households at or below 60 percent of AMI, in all instances adjusted for household size.

8. "Property" *remains the same.*

9. "Sponsor" *remains the same.*

10. "Utilities" *remains the same.*

Sec. 70-302. - Exemption of low income housing developments only.

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Sec. 70-303. - Amount of service charge.

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- (1) The minimum payment of \$34,071.00 \$35,484 is due on or before December 31 of each year.
- (2) All additional amounts owing from the December 31 payment of the previous year, as determined to be owing based on an audit, is due on or before by July 1 of each year.

Sec. 70-305. - Verification of contract rent. No change.

Sec. 70-306. - Effective period of division.

This division shall:

- (1) Become effective only after Sponsor acquires the property and receives and closes a mortgage loan or receives an allocation from the LIHTC Program administered by the Authority; and
- (2) Shall remain in effect and shall not terminate so long as a mortgage loan remains outstanding and unpaid, and the housing development remains subject to income and rent restrictions under the LIHTC program, but not to exceed thirty-five (35) years.

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Notwithstanding section 70-303, the service charge to be paid each year in lieu of taxes for the part of the housing project that is tax exempt but which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

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Sec. 70-310. – Inconsistent ordinances. No change.

Peter J. Strazdas, Mayor

FIRST READING: _____
SECOND READING: _____
ORDINANCE #: _____
EFFECTIVE DATE: _____

CERTIFICATION:

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2017

James R. Hudson, City Clerk

Approved as to Form:

Date: _____

City Attorney



FULLCIRCLE
communities

Ms. Victoria Georgeau
Director, Department of Community Development
City of Portage
7900 S Westnedge Avenue
Portage, MI 49002

Re: PILOT Ordinance Amendment Request – Selinon Park

Dear Ms. Georgeau:

Full Circle Communities, Inc. (“**FCC**”) requests an Amendment to the Payment in Lieu of Taxes (“**PILOT**”) Ordinance the City of Portage (“**Portage**”) adopted on March 22, 2016 for the proposed Selinon Park apartment project (“**Project**”), in accordance with guidelines established by the Michigan State Housing Development Authority (“**MSHDA**”).

As proposed, Selinon Park is a new construction, affordable apartment project that will be developed on a large, wooded site along East Centre Ave in Portage, Michigan. The Project will include 74 units and a residence for the Property Manager. FCC has unsuccessfully applied for Low Income Housing Tax Credits (“**LIHTC**”) in April 2016, October 2016, and April 2017 from MSHDA. In order to increase the likelihood of receiving an allocation of LIHTC in the October 2017 funding round, FCC proposes to modify the rent structure so a portion of the units are no longer subject to income requirements prescribed for units financed with the LIHTC program and MSHDA. These units will have rents determined by the market (“**Market Rate Units**”), approximately 10% higher than LIHTC rent levels at the project. MSHDA incentivizes the creation of mixed-income housing for developers that incorporate 10% market rate units along with income-restricted units. FCC proposes modifying Selinon Park to include 8 market rate units, 11% of the project’s total units. The inclusion of market rate units will change the amount of LIHTC the project is eligible for, as market rate units are not included in the basis calculation for the program. Market rate units will also increase the annual net income of the property by approximately \$13,000. With the inclusion of 8 market rate units, and 1 employee unit, 66 units will remain reserved for low-income individuals with incomes at or below 60% of AMI.

We believe it is appropriate to adjust the minimum payment standard included in the PILOT because effective gross income has increased. We respectfully request to increase the minimum payment standard to **\$35,484** from the previously approved \$34,071 minimum payment to account for this difference, with the PILOT to remain at 6.5% of Contract Rents.

Sincerely,

Joshua Wilmoth
President and CEO
Full Circle Communities, Inc.



Year	Gross Potential Rents	Other Residential Income (Laundry)	MSHDA Vancancy Loss (8 %)	Site Utility Costs	Net Shelter Rents	6.5% PILOT Payment	(per unit)
1	679,663	4,992	(54,373)	(84,375)	545,907	35,484	473
2	686,460	5,042	(54,917)	(86,906)	549,679	35,729	476
3	693,324	5,092	(55,466)	(89,513)	553,437	35,973	480
4	700,257	5,143	(56,021)	(92,199)	557,181	36,217	483
5	707,260	5,195	(56,581)	(94,965)	560,909	36,459	486
6	721,405	5,299	(57,712)	(97,814)	571,178	37,127	495
7	735,833	5,405	(58,867)	(100,748)	581,623	37,806	504
8	750,550	5,513	(60,044)	(103,771)	592,248	38,496	513
9	765,561	5,623	(61,245)	(106,884)	603,055	39,199	523
10	780,872	5,735	(62,470)	(110,090)	614,048	39,913	532
11	796,490	5,850	(63,719)	(113,393)	625,228	40,640	542
12	812,419	5,967	(64,994)	(116,795)	636,598	41,379	552
13	828,668	6,086	(66,293)	(120,299)	648,162	42,131	562
14	845,241	6,208	(67,619)	(123,908)	659,923	42,895	572
15	862,146	6,332	(68,972)	(127,625)	671,882	43,672	582
16	879,389	6,459	(70,351)	(131,454)	684,043	44,463	593
17	896,977	6,588	(71,758)	(135,397)	696,410	45,267	604
18	914,916	6,720	(73,193)	(139,459)	708,984	46,084	614
19	933,215	6,854	(74,657)	(143,643)	721,769	46,915	626
20	951,879	6,991	(76,150)	(147,952)	734,768	47,760	637
21	970,916	7,131	(77,673)	(152,391)	747,984	48,619	648
22	990,335	7,274	(79,227)	(156,962)	761,419	49,492	660
23	1,010,142	7,419	(80,811)	(161,671)	775,078	50,380	672
24	1,030,344	7,568	(82,428)	(166,521)	788,963	51,283	684
25	1,050,951	7,719	(84,076)	(171,517)	803,077	52,200	696
26	1,071,970	7,873	(85,758)	(176,663)	817,424	53,133	708
27	1,093,410	8,031	(87,473)	(181,962)	832,005	54,080	721
28	1,115,278	8,192	(89,222)	(187,421)	846,826	55,044	734
29	1,137,583	8,355	(91,007)	(193,044)	861,888	56,023	747
30	1,160,335	8,522	(92,827)	(198,835)	877,195	57,018	760
31	1,183,542	8,693	(94,683)	(204,800)	892,751	58,029	774
32	1,207,213	8,867	(96,577)	(210,944)	908,558	59,056	787
33	1,231,357	9,044	(98,509)	(217,273)	924,620	60,100	801
34	1,255,984	9,225	(100,479)	(223,791)	940,939	61,161	815
35	1,281,104	9,409	(102,488)	(230,505)	957,520	62,239	830
TOTAL	32,732,989	240,418	(2,618,639)	(5,101,488)	25,253,280	1,641,463	21,886.18

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Tax Exemption (Payment in Lieu of Taxes) for Selinon Park Apartments

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council adopt an ordinance amendment to grant Selinon Park Limited Dividend Housing Association Limited Partnership a tax exemption and establish a Payment in Lieu of Taxes for Selinon Park, a proposed 74-unit multiple-family residential development to be constructed at 1521, 1603 and 1615 East Centre Avenue.

Full Circle Communities has an option to purchase 1521, 1603 and 1615 East Centre Avenue and has concurrently requested a rezoning (Rezoning #15/16-4) of these properties from R-1B, one family residential, RM-1, multiple family residential and OS-1, office service to PD, planned development, which must be approved prior to final action on the requested Payment in Lieu of Taxes (PILOT). As shown on the attached tentative plan, the development will provide one, two, three and four bedroom units. Local, state and federal funding sources are proposed to finance the development.

As background information, Portage offers a wide variety of housing opportunities for residents, and consistent with the 2014 Comprehensive Plan and Community Development Block Grant (CDBG) Program 2011-2015 Consolidated Plan, the City of Portage has acknowledged a need to facilitate affordable housing for persons with disabilities and/or low income households. As a result the city has approved several tax exemptions over the years to facilitate such housing in the form of a PILOT for various apartment developments. Specifically, PILOT ordinances have been adopted for the Spring Manor, the Hearthside, The Crossings II, Centre Street Village, Barrington Woods, Milham Meadows and a single-family affordable rental dwelling at 1506 Schuring Road (owned by the Kalamazoo Family Non-Profit Housing Corporation).

As outlined in the correspondence from Full Circle Communities, the development will involve the construction of an approximate \$12 million, 74-unit affordable supportive housing development within three buildings (with the use of the existing historic house at 1521 East Centre Avenue for the residence of an on-site manager). One hundred percent of the housing units will be rented at affordable rates and rents will be restricted to no more than 30% of household income. In particular, 32 housing units will be made available to households with an income at or below 30% of the Area Median Income (AMI), and 42 units will be made available to households with incomes between 30-60% of the AMI. The 48-unit three-story building will be constructed with barrier-free access and universal design features. Within the two townhome buildings, the four-bedroom units will include a first-floor accessible bedroom and bathroom, with the remaining first floor units incorporating designs that are visitable and adaptable for persons with disabilities. Full Circle Communities estimates that one-third

of the units will be occupied for persons with disabilities and other special needs. While the housing will provide independent living options, Selinon Park will provide an on-site case manager to provide links to community-based services and assistance.

The primary funding source for the proposed development will be derived from the Low Income Housing Tax Credit (LIHTC) Program administered by the Michigan State Housing Development Authority (MSHDA). In addition, a \$500,000 Affordable Housing Program Grant from the Federal Home Loan Bank of Indianapolis is proposed, and if the LIHTC is awarded by MSHDA, additional Project Based Rental Assistance from MSHDA is anticipated. Finally, to demonstrate financial feasibility for the competitive LIHTC program, MSHDA requires a PILOT from the local unit of government, which has been requested by Full Circle Communities, Inc.

Tax exemptions such as PILOTS are authorized by PA 346 of 1966 for certain housing developments. Act 346 stipulates that: 1) a tax exemption granted for eligible housing developments remains in effect for as long as the authority or federally-aided mortgage is outstanding; 2) any payments in lieu of taxes received by the city must be distributed to the affected taxing units in the same proportion as the property tax in the previous calendar year; and 3) the city establish a service charge to be paid in lieu of taxes in order to implement the tax exemption for the eligible housing development. The service charge is negotiable, but may not exceed the property tax that would be paid without a service charge.

Consistent with other, more recent PILOT ordinance amendments, the city requested and the applicant has agreed to an increased PILOT of 6.5% of annual shelter (contract) rents with a minimum annual PILOT payment of \$34,071. The proposed PILOT is for 35-years, which will coincide with the term of the federally-aided mortgage (MSHDA LIHTC award) and associated “affordability period” for the rental housing units reserved for low income persons and households.

Project Benefits and Costs

- The proposal will fulfill goals of the 2011-2015 Consolidated Plan approved by City Council, as part of the Community Development Block Grant program;
- The proposal will fulfill the goal to partner with for-profit and non-profit developers by providing a Payment in Lieu of Taxes incentive to help meet financing requirements for affordable housing;
- Approval of the proposal will demonstrate the continued commitment on the part of the city to enhance the range of housing choices for low income and special needs residents;
- Based on data included in the Consolidated Plan, approximately 4,350 low income households in Portage have a housing cost burden, are paying over 30 percent of their income on housing expenses. Among low income renters, 60 percent of these households have a housing cost burden;
- The proposal is consistent with the Comprehensive Plan and the development represents a \$12 million investment, which will also create and retain jobs.

Based on information submitted by Full Circle Communities, the City Assessor has estimated the annual taxes without the requested PILOT in comparison to the proposed PILOT. The table below

provides the estimated annual foregone tax revenue for all taxing units, compared to the average revenue (over 35 years) that would be received from the proposed PILOT.

Taxing Unit	Estimated Annual Taxes Without Tax Exemption/PILOT	Estimated Average Annual PILOT Payment ¹
City of Portage	\$13,575	\$8,495
State Education	\$7,455	\$4,665
School Operating	\$22,365	\$13,995
School Building/Debt	\$7,206	\$4,510
Portage District Library	\$1,864	\$1,166
KVCC	\$3,496	\$2,188
KRESA	\$7,960	\$4,981
Kalamazoo County	\$7,624	\$4,771
County Transit	\$497	\$311
County Juvenile	\$314	\$197
County Housing Fund	\$124	\$78
Total	\$72,479	\$45,356

¹It is noted that over the 35-year period of the PILOT, the average payment to all taxing jurisdictions is estimated at \$45,356, while the minimum PILOT payment would be \$34,071. The PILOT payment is projected to increase to \$59,950 by the end of the PILOT period.

The City Administration has carefully reviewed the application with the applicant and the City Attorney. In addition, the City Attorney has approved the proposed ordinance amendment establishing a tax abatement and PILOT for City Council review and consideration. A tax exemption with a 6.5% PILOT is recommended as referenced in the attached amendment to Chapter 70, Article 2, Division 12 of the Code of Ordinances. The proposed ordinance, if adopted, would become effective only after the acquisition of the property by Full Circle Communities and receipt/closure of the federally-aided mortgage.

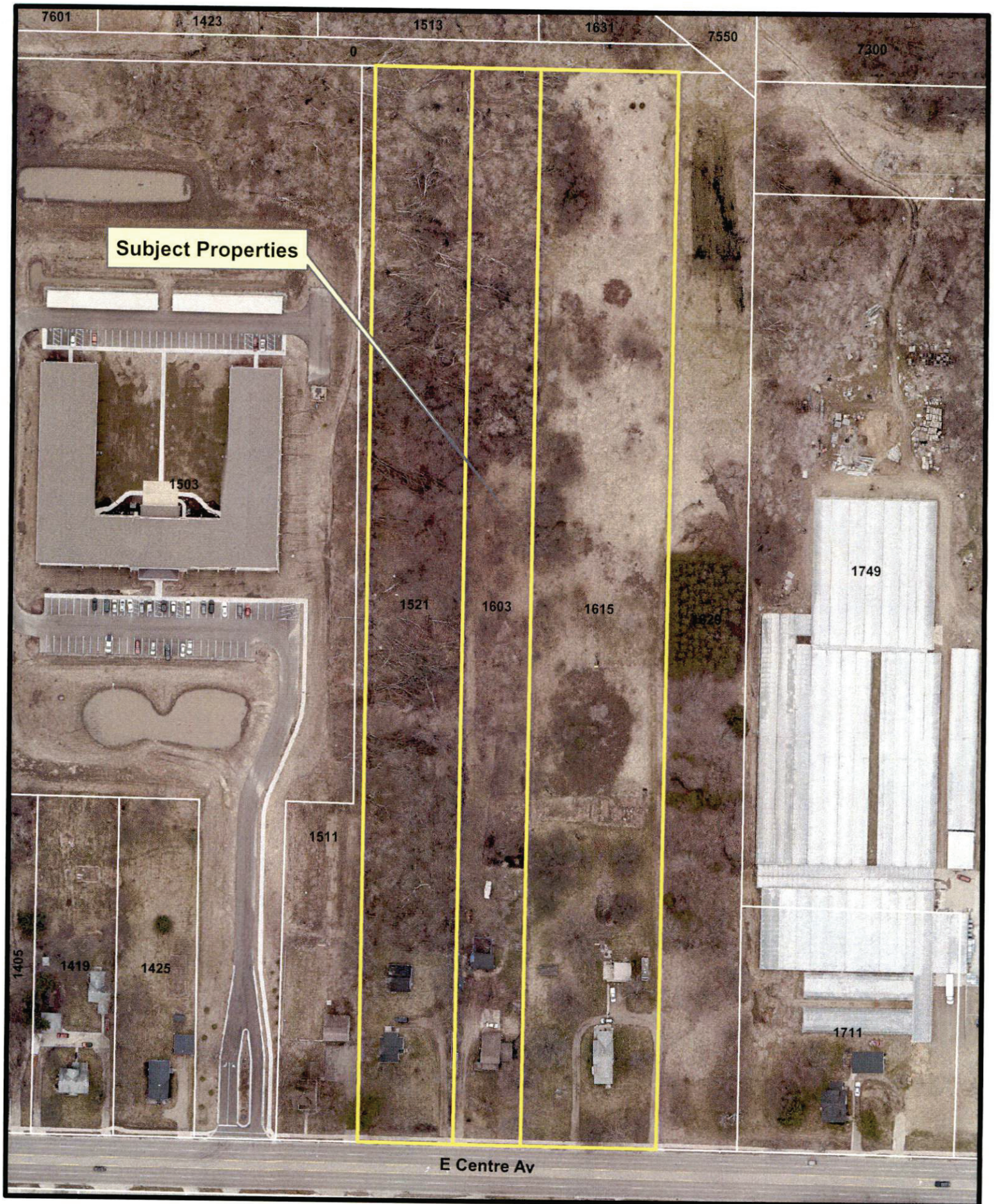
The City Council completed the first reading of this ordinance amendment, as well as Rezoning Application #15/16-4, during its February 22, 2016 regular meeting.

Therefore, it is recommended that City Council adopt an ordinance amendment to grant Selinon Park Limited Dividend Housing Association Limited Partnership a tax exemption and establish a Payment in Lieu of Taxes for Selinon Park, a proposed 74-unit multiple-family residential development to be constructed at 1521, 1603 and 1615 East Centre Avenue.

FUNDING: Tax exemption and minimum annual PILOT of \$34,071.

Attachments:

1. Aerial Photo Map
2. Tentative Plan
3. Correspondence from Full Circle Communities
4. PILOT Ordinance Amendment



 Subject Properties

Aerial Photo 1521,1603,1615 East Centre Avenue



1 inch = 150 feet
(169)

VICIN



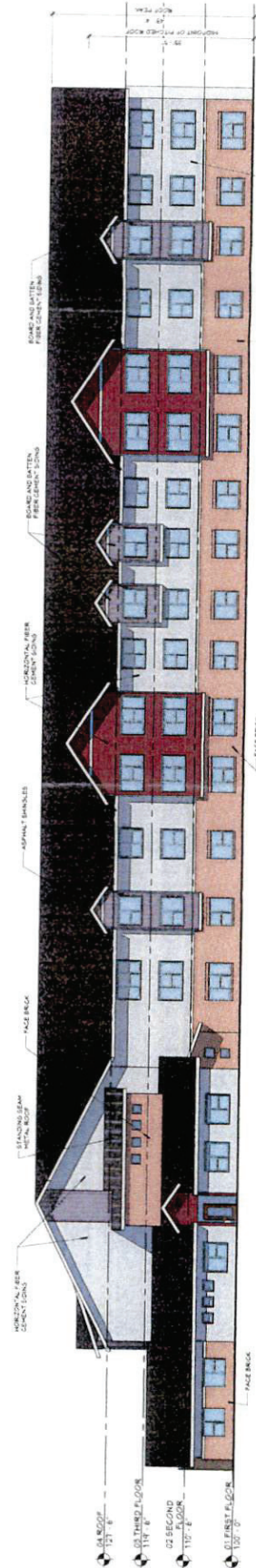
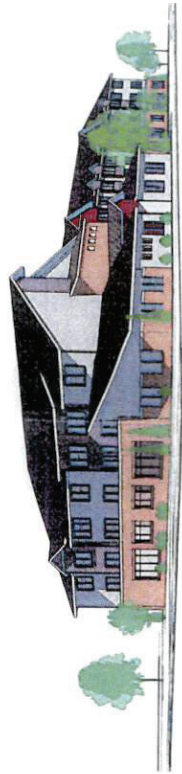
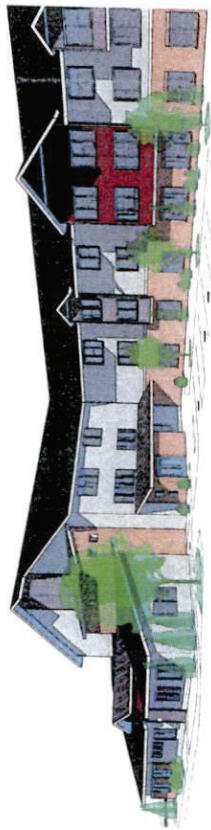
FULL CIRCLE
communities

HOOKEER | DE JONG
ARCHITECTS & ENGINEERS

SELINON PARK

PR-2

7-111 1-0559



PR-4
Project # 4-0881
Date 11/19/16

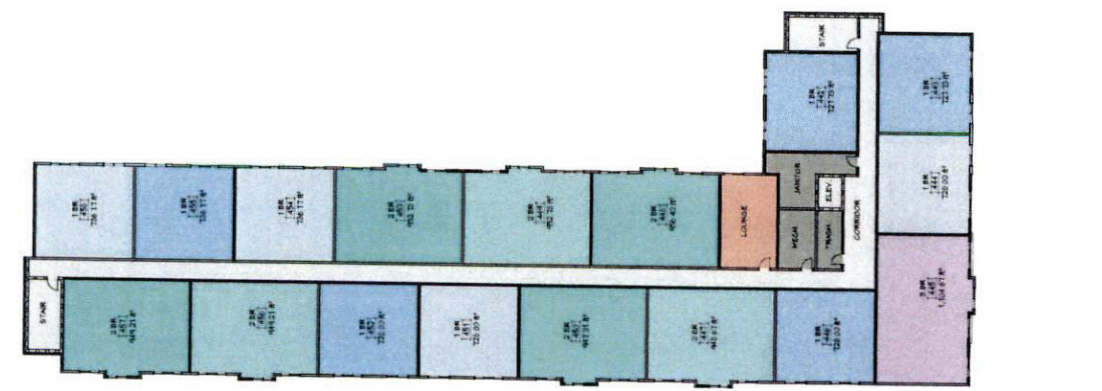
SELINON PARK



HOOKE | **DE JONG**
ARCHITECTS & ENGINEERS

UNIT SCHEDULE

1	1.00	1,247	125.44 SF
2	1.00	1,247	125.44 SF
3	1.00	1,247	125.44 SF
4	1.00	1,247	125.44 SF
5	1.00	1,247	125.44 SF
6	1.00	1,247	125.44 SF
7	1.00	1,247	125.44 SF
8	1.00	1,247	125.44 SF
9	1.00	1,247	125.44 SF
10	1.00	1,247	125.44 SF
11	1.00	1,247	125.44 SF
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96	1.00	1,247	125.44 SF
97	1.00	1,247	125.44 SF
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100	1.00	1,247	125.44 SF

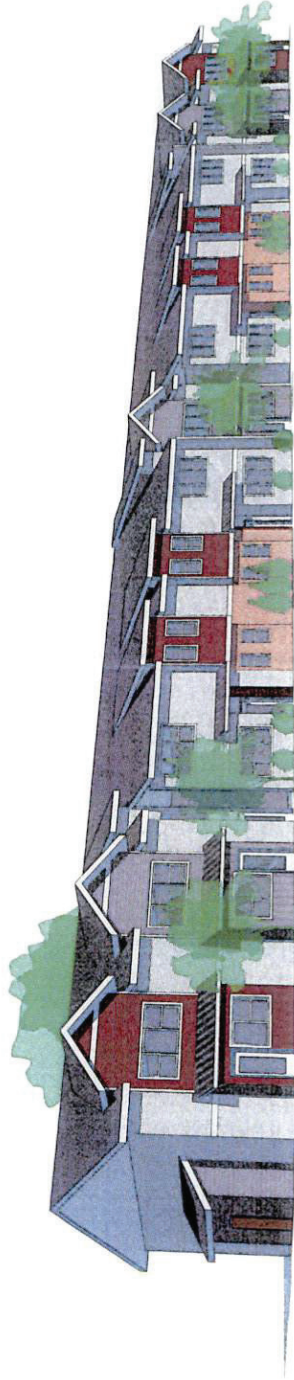


SELINON PARK

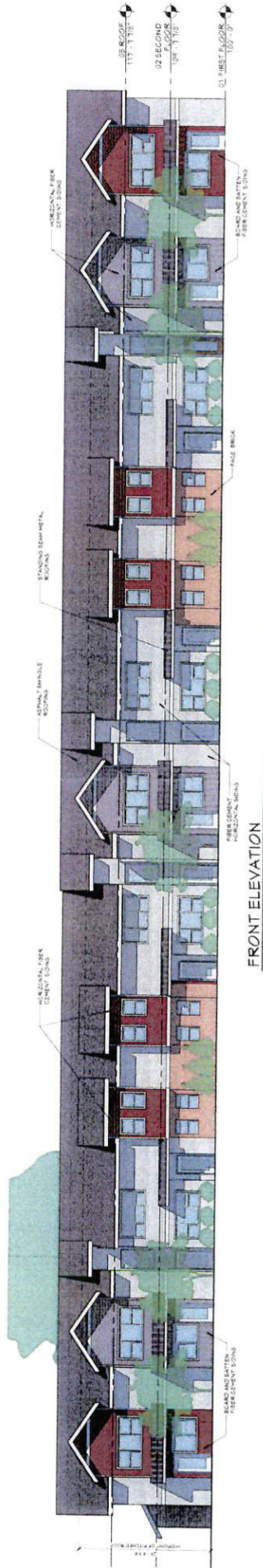


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ARCHITECTS & ENGINEERS

PR-3
4-0851



FRONT PERSPECTIVE



FRONT ELEVATION



FULL CIRCLE
communities

RECEIVED

FEB 11 2016

COMMUNITY DEVELOPMENT

Ms. Victoria Georgeau
Director, Department of Community Development
City of Portage
7900 S Westnedge Avenue
Portage, MI 49002

Re: PILOT Ordinance Request – Selinon Park

Dear Ms. Georgeau:

The following summarizes the general framework between Full Circle Communities, Inc. or its affiliate (“FCC”) and City of Portage (“Portage”) for Payment in Lieu of Taxes (“PILOT”) Ordinance for the proposed Selinon Park apartment project (“Project”), in accordance with guidelines established by the Michigan State Housing Development Authority (“MSHDA”).

- Project:** The proposed Project would entail the construction of a 75-unit multi-family, integrated supportive housing in Portage, MI.
- Ownership Structure:** The owner of the Project (“Owner”) will be a limited dividend housing association limited partnership (LDHA LP). The non-member manager of the Owner will be FCC.
- Developer:** FCC will be the developer for the Project and will be entitled to receive any developer fee, and will be utilized as outlined below in “Available Service Funds”.
- Population Served:** The Project has been designed to serve an integrated population, with an intentional design that responds to the needs of residents with special needs and working families.
- Supportive Services:** FCC will dedicate funding to provide services at the Project including a Case Manager to coordinate access to services for residents of the Project. FCC will work in coordination with property management to ensure sustainable service delivery and occupancy.
- Available Service Funds:** FCC will use a minimum of 75% of all developer fees in excess of \$250,000 that FCC receives from the Project to fund a Service Reserve. FCC will use a minimum of 75% of all cash flow distributed to it to fund tenant services and case management.
- Requested Assistance:** PILOT exemption set at the greater of 6.5% of Contract Rents or the minimum payment, as established with the City, for a period of 35 years, in compliance with MSHDA standards.

Executive Summary

Selinon Park is a proposed new construction, 100% affordable apartment project that will be developed on a large, wooded site along East Centre Ave in Portage, Michigan. The Project will include 74 units in three residential buildings, with pedestrian and recreation paths, landscaped common areas, an outdoor recreation area for children, and an existing historic home, maintained as a residence for the Property Manager.

Selinon Park will provide affordable rental apartments designed to serve an integrated supportive housing population. In response to perceived community need, the buildings have been designed to serve a diverse population. Selinon Park provides a flexible continuum of housing and services to both individuals with special needs and working families through a unique combination of one-, two- and three-bedroom units and four-bedroom townhomes.

The project's primary funding source will be tax credit equity from the Low Income Housing Tax Credit (LIHTC) program, managed by the Michigan State Housing Finance Agency (MSHDA). The LIHTC program has strict guidelines for affordability. Tenants of LIHTC-funded projects must have verified incomes that comply with the program's income restrictions. 13 of the units (17%) will be at 50% of Area Median Income (AMI). 29 units (40%) will be at 60% AMI. 32 of the units (43%) will be income restricted to 30% AMI. The LIHTC program requires rents to be set at no more than 30% of household income (for 30%, 50% and 60% income thresholds, respectively).

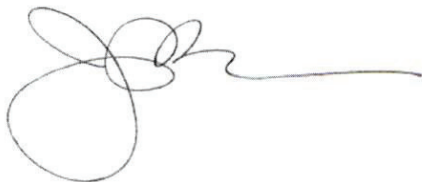
At the heart of Full Circle's mission is the understanding that housing and supportive and social services are intertwined. As a result, FCC commits at least 75% of cash flow and developer's fee to the provision of services for our residents. This service-rich housing model provides stability and independence to residents, and serves as the foundation for opportunity and enrichment.

Act 346 of the Michigan State Housing Development Authority (MSHDA) Act of 1966 recognizes the "payment in lieu of taxes" exemption (PILOT) as an important tool that facilitates the development of affordable housing for persons with low- to moderate-incomes and special needs. A PILOT provides eligible affordable housing projects with an annual service charge, calculated as a percentage of annual contract rents, *in lieu* of standard property taxes. The PILOT is designed to reduce the tax burden on the property owner, creating operational savings that enables the project to support reduced rents. MSHDA anticipates municipal support to LIHTC projects in the form of a PILOT exemption, and includes it in their program criteria. A project which does not receive a PILOT exemption is at a significant disadvantage in receiving a LIHTC award through the competitive funding process.

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As there are no other municipal or county funding sources available to the project, and given the income restrictions on the property, Selinon Park is not financially feasible without a PILOT. Financial feasibility has been modeled following underwriting guidelines established by MSHDA. We respectfully request a PILOT set at the greater of 6.5% of Contract Rents, or the minimum payment for a period of 35 years.

Sincerely,



Joshua Wilmoth
Vice President

Community Need

Special Needs

Selinon Park responds to the demonstrated need for accessible, affordable housing in the City of Portage. Portage has a long history of inclusive, affordable housing options for low-income residents and families, and for persons with disabilities and other complex health conditions. The City's Analysis of Impediments to Fair Housing (2011), completed as part of their 2011-2015 Consolidated Plan, however, states that there is an unmet demand for housing for populations with special needs, with over 1,100 households reporting both a disability and housing problem. Furthermore, data from the 2009-2013 American Community Survey (ACS) shows that 11.32% of the Portage's population (nearly 5,300 people) reported a disability, with over 770 of them living within the project's Census tract.

Historically, people with physical disabilities lived at home as long as their parents were able to care for them. These people were routinely institutionalized in state-funded facilities when it became too difficult for family to care for them. Market rate housing stock often has an inadequate design to accommodate independent living, and there is also an insufficient stock of affordable options. The result is a strain on accessible living solutions of any kind, which leads many people into the last alternative of state-run or funded institutions.

The population of disabled adults is not homogenous. Some disabled adults can function relatively independently in an apartment with minimal physical accommodations like grab bars, wider doorways, and lower light switches and electrical outlets that can be reached by a person in a chair. These people are able to transfer into bed or onto a toilet independently and can live in an ADA compliant, affordable properties where physical adaptations allow them to thrive in their units. Other disabled adults who cannot transfer into or out of a bed, toilet or wheelchair independently need housing units with more customized adaptations. Many need lifts operated with remote controls that allow them to get themselves out of bed and into a wheelchair, or specialized features such as roll-in showers. Because most seriously disabled adults have difficulty engaging in the work force, many depend on social security for their basic needs. They require a housing solution that is both accessible and affordable. Selinon Park is a vastly superior and cost effective solution for low-income adults with special needs who need and want some level of personal care and can direct their own care.

Rent Burdened Families

Selinon Park also addresses the needs of working families in Portage through the provision of affordable, larger units. There are numerous reasons that families, particularly those just starting out, have lingering financial problems despite the improvement in the economy. The legacy of the housing crisis can still be felt, and many households have lived and worked their way through foreclosures and reduced housing prices. As a result, the demand for affordable rental housing has grown. Furthermore, young families, many of them recent college graduates, have more student debt than any generation in history. This additional financial stress may disqualify many younger workers from taking on mortgage debt.

According to Census data, over 50% of Portage's renters are rent burdened, spending more than 30% of their income on housing. Over 1,200 renters in this rent burdened group earn between \$20,000 and \$50,000 a year. While this is below the City's median household income of \$55,035, these wages ought to provide the foundation upon which workers, particularly young families, can achieve lasting economic stability - eventually saving enough to attain homeownership. Research has shown that housing cost burden can significantly delay young working families from accumulating assets, and puts some families at risk for housing insecurity or homelessness. Moreover, the housing stock has not had time to adjust to these new

trends. According to the Census, less than 19% of the rental stock in Portage are units with three bedrooms or more, while Kalamazoo County has 25%, and Michigan has 30%.

Project Design and Marketing

Selinon Park's flexible design and tenant selection preferences create a diverse and inclusive community. Often persons with special needs end up in secluded living situations. Their lives are maintained, but their isolation limits the amount they can be enriched. FCC's philanthropic development model will provide integrated case management and targeted services for the project's tenants that responds to their health needs, as well as their financial, educational, and career goals.

The project envisions a dynamic community where roughly a third of the units will be targeted for persons with physical, mobility or sensory impairments and other special needs. Another third of the units will target working families that struggle to find affordable accommodations or are "under-housed", a term used to identify conditions where families double-up with other families or relatives, or have other temporary housing situations that put them at risk for homelessness. This group will have incomes ranging from 30-60% AMI and will benefit from the larger units. The final third of the units will be affordable for persons making 30-60% of AMI and impart flexibility to the project's marketing preferences. This model has been developed from Supportive Housing best practices, namely research from the national nonprofit, the Corporation for Supportive Housing (CSH). The Illinois Director of CSH is a director on the FCC Board, and the organization provides technical assistance to supportive housing projects across the county. These preferences will be further articulated in our tenant selection plan, and will conform to fair housing rules.

Selinon Park provides in-unit features that allow independent living for adults with special needs, particularly mobility impairments. The project includes 48 units in a three-story, elevator-served building. All of these units will be visitable, and significant portion will be barrier-free or adaptable, and will include universal design elements and customized features like roll-in showers and adjustable height countertops. The two townhome buildings will include ground floor three-bedroom units that are visitable and adaptable. The four-bedroom townhomes will include an accessible bedroom and bathroom on the first floor. The inclusion of accessible units across three buildings on the Selinon Park campus seamlessly integrates the supportive housing population into the larger project. It also adds much needed affordable rental stock to the community, particularly the 28 units (almost 40% of the total project) that are three or four bedrooms.

Service-rich Housing

Full Circle Communities

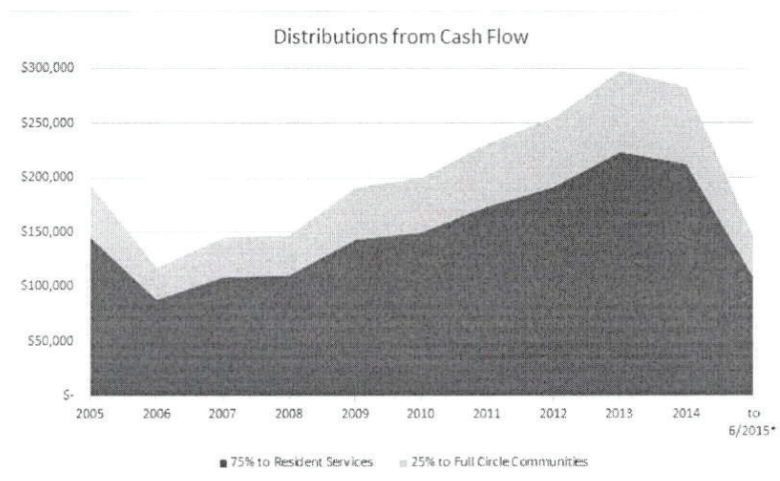
Full Circle Communities is a nonprofit developer, owner, and manager of affordable housing, headquartered in Chicago, IL. Like other affordable housing developers, FCC creates and preserves affordable housing. But FCC's mission goes deeper, recognizing that building a community requires a "full circle" of possibilities for its residents: not only decent, safe, affordable housing, but an array of services through which the residents can improve their access to opportunity and enhance their independence. In providing housing and services, low-income and special needs populations are empowered; not just through writing a check, but through physical sites and support networks through which they can be strengthened, and in turn strengthen others.

Full Circle was formed in 1999, and in 2002 acquired a 250-unit, affordable apartment community for persons 62 years of age or older, located in Naples, Florida. The model worked: where once seniors were homebound, or isolated from the larger community, they now had access to free van and transportation

services. An on-site service Case Manager paired residents with needed services like housekeeping, meal delivery, medical screenings, and physical and social recreation activities, all at little or no cost to the residents. And where the need for more affordable rents were most pressing, Full Circle committed its own funds to keeping residents in place. The company now owns more than 715 units in three states. FCC recently completed construction on 32 units of supportive housing in partnership with the Over the Rainbow Association in Chicago. In 2016, FCC will be under construction on three projects in Illinois and Iowa. Selinon Park will be Full Circle's first project in Michigan.

Service Funding Model

Full Circle employs a model where 75% of the net Developer Fee, and 75% of ongoing cash flow goes towards providing services for residents. Typically that upfront portion generated by the net Developer Fee would go towards establishing what we call a Service Reserve. Some or all of the Service Reserve will be invested in interest-bearing accounts. Full Circle will also commit at least 75% of distributed cash flow at the property. Between these two sources the Case Manager's salary and additional services (e.g. financial literacy classes, health screenings, parent training, youth development) are included in the annual service budget. As currently projected, the project supports a full-time Case Manager for the life of the project. Exhibit A. provides a sample of this distribution model. The following graph shows the actual distributions over the past ten years from one of our larger properties.



Case Management

FCC has developed the service model in concert with research from the Corporation for Supportive Housing (CSH) and in partnership with the Over the Rainbow Association, a nonprofit Illinois company that provides services, case management, and housing options for persons with mobility and sensory impairments and other special needs. FCC envisions a partnership with Over the Rainbow Association to staff the full-time Case Manager at the project. FCC will build other connections in the community to service providers and resources such as the Portage Community Center, and service providers that are part of the Kalamazoo County Continuum of Care.

The Case Manager will provide advocacy, service linkages and support for the residents. Where households are already receiving community-based services or assistance, the Case Manager may work in conjunction with the existing service partner to provide additional support or linkages. Services are voluntary, and are not a condition of residency. However, the Case Manager can be a valuable tool for residents. Every applicant for the proposed development will be invited to an intake interview, where the household can

meet with the Case Manager and together come up with a service plan. This plan will guide the services and referrals that we will offer, and will be revised as often as is necessary to ensure the success of the household.

Through on-site staff and community referrals, the Case Manager can provide the residents with services including but not limited to:

- Advocacy
- Case Management
- Coordinating Primary Care Attendants
- Medicare/Medicaid and Social Security assistance
- Meals
- Reasonable Modifications or Accommodations
- Transportation
- TANF and LIHEAP
- Health Awareness

The Case Manager can coordinate community linkage and transportation, which will allow the residents to shop, attend theaters, concerts or sporting events, or visit friends and neighbors as they please. They can take classes at local community colleges, attend churches or temples or volunteer in their community. The Case Manager will be responsive to the Selinon Park's integrated population. Residents with special needs will be well served by the service plan, but families can expect the same level of attention and support from the Case Manager. Family services are anticipated to focus on financial literacy, parenting, youth development, and job skills.

Public Savings through Service-Rich Housing

Many people with significant physical disabilities have the capacity and the desire to live self-reliant, self-directed lives. The Over the Rainbow Association estimates that the average cost to taxpayers for the integrated housing and service model for a tenant with special needs is approximately \$32,791 per year.¹ This figure represents the sum of the annual cost of the rent subsidy and the approximately 34.5 hours of personal care a week. Although it varies dependent on the type and degree of impairment, and by state, state-funded institutions or private facilities can cost in excess of \$140,000 per year.² Many disabled people do not need nor want the full-time, around-the-clock support offered by a nursing home, but rely on that more costly system because there are few affordable, independent housing options. There are also tremendous costs associated with families at risk for homelessness. Families forced into homelessness cost the system as much as \$20,000 for first time users, according to a HUD-sponsored report from 2010. The report found that in Kalamazoo, the average cost was \$3,184 per family.³

¹ Estimate from Over the Rainbow Association. Available from http://www.otrassn.org/docs/OTR_Marketing_Piece.pdf.

² State of Illinois. 2009. Report of the Tax Payer Action Board. <http://www3.illinois.gov/PressReleases/Documents/TAB%20Report%20FINAL.pdf>.

³ Spellman, B., Khadduri, J., Sokol, B., Leopold, J., and Abt Associates. 2010. Prepared for the U.S. Department of Housing and Urban Development. Costs Associated With First-Time Homelessness for Families and Individuals. Available from http://www.huduser.gov/publications/pdf/Costs_Homeless.pdf.

SOURCES	11% Capitalization Rate 50% Assessment Ratio	9.5% Capitalization Rate 50% Assessment Ratio	With PILOT (6.5%)
Maximum Conventional Debt	\$ 2,500,000	\$ 2,415,000	\$ 2,775,000
FHLB Indianapolis AHP Grant	\$ 500,000	\$ 500,000	\$ 500,000
Tax Credit Equity	\$ 12,075,996	\$ 12,075,960	\$ 12,082,438
TOTAL	\$ 15,075,996	\$ 14,990,960	\$ 15,357,438
USES			
Acquisition	\$ 866,000	\$ 866,000	\$ 866,000
Hard Costs	\$ 11,227,300	\$ 11,227,300	\$ 11,227,300
Soft Costs	\$ 808,471	\$ 808,471	\$ 808,471
Financing Costs	\$ 220,634	\$ 219,776	\$ 223,413
Interest Expense	\$ 431,169	\$ 431,200	\$ 431,328
Operating Reserve	\$ 301,842	\$ 305,517	\$ 300,926
Developer Fee	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000
TOTAL	\$ 15,355,416	\$ 15,358,264	\$ 15,357,438
GAP	\$ (279,420)	\$ (367,304)	\$ -

Table 1. Estimated Sources and Uses. The value of the project was estimated using the income capitalization method, relying on capitalization rates (cap rate), the 2015 millage rate, and the assessment ratio used by the Portage City Assessor to evaluate multifamily apartment buildings. In this example two scenarios were explored for the value of the property without the PILOT exemption, utilizing the range of cap rates described by the City Assessor for similar projects.

Need for PILOT

Project Finance

Table 1 shows estimated sources and uses for Selinon Park. The majority of the project will be financed through equity raised through the allocation of Low Income Housing Tax Credits (LIHTC) through a competitive application from MSHDA. Full Circle will apply for LIHTCs for Selinon Park in the April 2016 funding round. Awards for the project should be announced over the summer. If the project receives an award, the due diligence, environmental review, and closing period should be completed by the spring of 2017. Construction will begin upon project close with an anticipated 12 month construction period. The project will be placed in service at the end of 2017 or the beginning of 2018.

The LIHTC program includes many requirements that restrict the amount of income a project can generate, and the amount of debt a developer can support, along with intensive environmental reviews which extend the closing period well beyond market rate developments. Projects must be financially feasible according to underwriting criteria provided by MSHDA. The period of the exemption, 35 years, accounts for any debt financing that MSHDA may contribute to the deal, once tax credits have been awarded to the project.

A \$500,000 Affordable Housing Program (AHP) grant from the Federal Home Loan Bank (FHLB) of Indianapolis, which covers Michigan, is included in the project's sources. AHP grants are awarded through a separate competitive process.

Maximum Debt Payments

As *Table 1* indicates, without a PILOT exemption, the project will require additional soft funding sources. The "gap" has been estimated utilizing underwriting guidelines from MSHDA and the tax credit equity provider (most likely the National Equity Fund [NEF]). The operating expenses, of which real estate taxes are a significant part, constrain the amount of debt a project can support. As operating expenses increase, the ability to cover debt payments with the income from the project decreases. The project cannot support as much conventional mortgage debt in the two scenarios representing estimated *ad valorem* real estate taxes.

Long-term Predictability

MSHDA requires the project underwrite a 5% increase in annual tax payments to be financially feasible. This form of "stress testing" the project is standard for most housing finance agencies. The PILOT exemption has been structured to increase along with the project's income, as shown in *Table 3*. MSHDA strongly encourages developers to pursue this source of municipal support because of this predictability, ensuring better project underwriting at the project's inception. Projects that do not receive the PILOT exemption are not only at a financial disadvantage, but also receive less points in the competitive review criteria MSHDA uses in order to allocate this scarce resource.

Development Proforma				Total	Per Unit
ACQUISITION COSTS					
Land Cost				856,000	11,413
Legal Fees - Acquisition				10,000	133
<i>Subtotal Acquisition</i>				<i>866,000</i>	<i>11,547</i>
HARD COSTS					
New Construction Costs				9,461,632	126,155
General Requirements	6% of	New Construction Costs		567,698	7,569
General Contractor's Profit and Overhead	5.5% of	New Construction Costs		553,813	7,384
Construction Permits and Fees				40,000	533
FFE				75,000	1,000
Construction Contingency	5% of	Hard Costs Above		529,157	7,055
<i>Subtotal Hard Costs</i>				<i>11,227,300</i>	<i>149,697</i>
SOFT COSTS					
Architect's Fee - Design & Supervision	4.25% of	Hard Costs Less Permits and Contingency		452,971	6,040
Legal				75,000	1,000
Engineering				25,000	333
Accounting				35,000	467
Survey				15,000	200
Appraisal				5,000	67
Marketing Study		MSHDA Standard		6,000	80
Environmental Report (Phase I, Sound, Radon Assessment)				13,000	173
Lender's Cost Estimate				4,000	53
Lender's Architectural Review/Inspections				20,000	267
Green Certification				25,000	333
Materials Testing				20,000	267
Title & Recording				22,500	300
Marketing and Leasing				40,000	533
Contingency				50,000	667
<i>Subtotal Soft Costs</i>				<i>808,471</i>	<i>10,780</i>
FINANCING COSTS					
Loan Origination Fees - Construction	1.00% of	Construction Loan		99,975	1,333
Loan Origination Fees - Permanent	1.00% of	Permanent Loan		27,750	370
Tax Credit Application Fee		MSHDA Standard for projects over 55 units		2,500	33
Tax Credit Reservation Fee(s)	6.00% of	Anticipated Credit Award		73,188	976
Lender's Legal Fees (Construction)				20,000	267
<i>Subtotal Financing Costs</i>				<i>223,413</i>	<i>2,979</i>
INTEREST COSTS					
Construction Period Interest				386,328	5,151
Construction Period Real Estate Taxes		Estimate from Current Tax Bills		10,000	133
Construction Period Insurance				35,000	467
<i>Subtotal Interest Costs</i>				<i>431,328</i>	<i>5,751</i>
RESERVES					
Real Estate Tax Escrow	55% of	annual PILOT payment		23,785	317
Insurance Escrow	105% of	annual Insurance Cost		23,625	315
Rent-Up Reserve/IOD	1	month's Operating Expenses and Debt		50,703	676
Operating Reserve (Multifamily)	4	months' Operating Expenses and Debt		202,813	2,704
<i>Subtotal Reserves</i>				<i>300,926</i>	<i>4,012</i>
DEVELOPER FEE					
9% Developer Fee		MSHDA Standard Calculation		1,500,000	20,000
TOTAL DEVELOPMENT COSTS				15,357,438	204,766

Table 2. Development Proforma. Construction Debt is estimated at 4%, and Conventional Debt at 6% for 30 years based on current market rates. The credit pricing is a net cent raise of \$0.99, quoted by NEF.

Operating Proforma (Year 1)	Total	Per Unit
Gross Potential Rent	665,304	8,871
Laundry	4,992	67
Vacancy Loss (7%)	(53,624)	(715)
<i>Effective Gross Income</i>	<i>616,672</i>	<i>8,222</i>
Administrative	(60,400)	(805)
Management Fee	(49,334)	(658)
Operating Expenses	(7,095)	(95)
Maintenance	(73,640)	(982)
Utilities	(92,500)	(1,233)
PILOT 6.5% of Contract Rents	(34,071)	(454)
Insurance	(22,500)	(300)
LIHTC Compliance Fee*	(35,625)	(475)
Replacement Reserve	(22,500)	(300)
<i>Total Annual Expenses</i>	<i>(397,665)</i>	<i>(5,302)</i>
Net Operating Income	219,007	2,920
Debt Service	(201,601)	(2,688)
Cash Flow After Debt Service	17,406	232

Table 3. Operating Proforma. Contract Rent is calculated as the Effective Gross Income - Utilities. Utilities are subtracted because FCC covers utilities, rather than the tenants. 7% Vacancy Loss is the required underwriting guideline from NEF.

Year	Gross Potential Rents	Other Residential Income (Laundry)	Vancancy Loss (7 %)	Site Utility Costs	Net Shelter Rents	6.5% PILOT Payment	(per unit)
1	665,304	4,992	(53,624)	(92,500)	524,172	34,071	454
2	671,957	5,042	(47,390)	(95,275)	534,334	34,732	463
3	678,677	5,092	(47,864)	(98,133)	537,772	34,955	466
4	685,463	5,143	(48,342)	(101,077)	541,187	35,177	469
5	692,318	5,195	(48,826)	(104,110)	544,577	35,398	472
6	706,164	5,299	(49,802)	(107,233)	554,428	36,038	481
7	720,288	5,405	(50,798)	(110,450)	564,444	36,689	489
8	734,693	5,513	(51,814)	(113,763)	574,628	37,351	498
9	749,387	5,623	(52,851)	(117,176)	584,983	38,024	507
10	764,375	5,735	(53,908)	(120,692)	595,511	38,708	516
11	779,663	5,850	(54,986)	(124,312)	606,214	39,404	525
12	795,256	5,967	(56,086)	(128,042)	617,096	40,111	535
13	811,161	6,086	(57,207)	(131,883)	628,157	40,830	544
14	827,384	6,208	(58,351)	(135,839)	639,401	41,561	554
15	843,932	6,332	(59,518)	(139,915)	650,831	42,304	564
16	860,810	6,459	(60,709)	(144,112)	662,449	43,059	574
17	878,027	6,588	(61,923)	(148,435)	674,256	43,827	584
18	895,587	6,720	(63,161)	(152,888)	686,257	44,607	595
19	913,499	6,854	(64,425)	(157,475)	698,453	45,399	605
20	931,769	6,991	(65,713)	(162,199)	710,848	46,205	616
21	950,404	7,131	(67,027)	(167,065)	723,443	47,024	627
22	969,412	7,274	(68,368)	(172,077)	736,241	47,856	638
23	988,801	7,419	(69,735)	(177,240)	749,245	48,701	649
24	1,008,577	7,568	(71,130)	(182,557)	762,457	49,560	661
25	1,028,748	7,719	(72,553)	(188,033)	775,881	50,432	672
26	1,049,323	7,873	(74,004)	(193,674)	789,518	51,319	684
27	1,070,310	8,031	(75,484)	(199,485)	803,372	52,219	696
28	1,091,716	8,192	(76,994)	(205,469)	817,445	53,134	708
29	1,113,550	8,355	(78,533)	(211,633)	831,739	54,063	721
30	1,135,821	8,522	(80,104)	(217,982)	846,257	55,007	733
31	1,158,537	8,693	(81,706)	(224,522)	861,002	55,965	746
32	1,181,708	8,867	(83,340)	(231,257)	875,977	56,939	759
33	1,205,342	9,044	(85,007)	(238,195)	891,184	57,927	772
34	1,229,449	9,225	(86,707)	(245,341)	906,626	58,931	786
35	1,254,038	9,409	(88,441)	(252,701)	922,305	59,950	799
TOTAL	32,041,451	240,418	(2,266,434)	(5,592,743)	24,422,693	1,587,475	21,166

Table 4. Estimated PILOT Payment. MSHDA and NEF set underwriting guidelines for vacancy loss, and the rate at which expenses and income increases for the life of the project. Gross Potential Rents in this calculation include an estimated number of units that will receive Project Based Rental Assistance (PBRA) from MSHDA. The amount of PBRA will not be known until after the project has received an allocation of LIHTCs. The project must demonstrate financial feasibility without the PBRA at the time of application. It must also reserve against the possibility that PBRA no longer receives funding from the state or HUD.

PROPERTY INFORMATION

Location:	Selinon Park is located along Centre Avenue between Lovers Lane and Portage Road, one mile east of central Portage and six miles south of central Kalamazoo.		
Property Type:	74 units of quality, service-rich affordable rental housing in three new construction buildings. Units will be targeted to low-income families and individuals along with people with special needs. There is an additional manager's unit located in an existing historic home.		
Address:	1521-1615 East Centre Avenue Portage, MI 49002		
Site Description:	The project site is on approximately 10.7 acres in a mixed residential/commercial neighborhood with convenient access to transportation and retail. Selinon Park is well integrated into the existing development pattern and the City's Future Land Use Plan. To the west of the site is Centre Meadows Apartments, a large multifamily rental development. There are also a small number of single family homes. To the east is a commercial greenhouse facility and Centre Street Village, another multifamily rental development. To the south is a diverse mix of commercial uses and a small number of single family homes. To the north is open green space and a proposed extension of the Bicentennial Trail.		
Construction:	Selinon Park will be constructed with wood framing on a concrete slab foundation. Exteriors will be masonry and fiber cement siding.		
Site Layout:	A three-story, elevator-served building is situated at the southern portion of the site. The southernmost section of the building includes a single story component incorporating community and property management space. Twin, two-story, townhome buildings are located to the north of the three-story building. The three buildings are connected via pedestrian paths. An existing two-story single family historic home is located in the southwest portion of the site and will be maintained as the manager's unit.		
Building Components:	Foundation – Concrete Framing – Wood construction Exterior – Masonry and fiber cement siding Roofing – Architectural asphalt roof shingles Parking Surface – Asphalt and permeable pavers		
Unit Mix:	Unit Mix	Units	Average Square Footage
	1 Bed/1 Bath (Apartment)	24	731
	2 Bed/1 Bath (Apartment)	22	947
	3 Bed/1 Bath (Townhome)	16	1,118
	3 Bed/1 Bath (Apartment)	2	1,105
	4 Bed/2 Bath (Townhome)	10	1,285
	Manager's Unit	1	*existing historic property
	Total	75	
Flood Zone:	Zone X – outside floodplain area		
Square Footage:	Total – 466,092 SF (10.7 acres) New Construction Buildings – 39,570 SF footprint, 93,804 SF total		

	Parking/Walks – 73,866 SF Undisturbed – 116,100 SF
Project Amenities:	Amenities include: • Community room with kitchen • Case management offices • Storage space for residents • Computer room • Library and Resource Center • Laundry room • Bike racks • Playground • Picnic area • Abundant green and open space • Pedestrian and bike trail system
Unit Amenities:	Amenities include: • In-unit laundry (townhomes only) • Barrier-free, accessible, or visitable design features ○ All doorways greater than 32" clear ○ Minimum 5' radius in all rooms ○ Roll-up / roll-under kitchen cabinets, cook tops and appliances ○ Roll-in showers ○ Transfer lifts in each bedroom and living room, as needed ○ Outlets and switches at wheelchair accessible heights ○ Auditory or lighting signals • Furnished appliances • Central AC

Exhibit A.

Sample Service Budget Distribution:

For a hypothetical deal with a \$650,000 developer fee and \$40,000 per year in distributable cash flow:

Paid Developer Fee:	\$ 650,000	(excluding deferred fee paid out of cash flow)
Less Initial FCC Fee:	<u>(\$ 250,000)</u>	(costs of guarantees and development staff)
Net Developer Fee:	<u>\$ 400,000</u>	
75% split to Service Reserve:	\$ 300,000	

FCC would encourage that some or all of the Service Reserve be invested in interest-bearing accounts, or reinvested in other development opportunities as an above-market interest loan. Assume that at least 50% of the Reserve is invested at an average of 7% return:

Service Reserve:	\$ 300,000
50% reinvestment:	\$ 150,000
7% annual return:	\$ 10,500

FCC will also commit at least 75% of distributed cash flow for services at the property:

Cash Flow distributed to FCC:	\$ 40,000
75% for services:	<u>\$ 30,000</u>
Total annual service dollars:	\$ 40,500 (includes investment return from above)

These service dollars will be paid to the Over the Rainbow Association and other community service providers in the Kalamazoo County Continuum of Care for services and market-based administration costs associated with said service provision.

While it should be understood that these service dollars will not cover the entire cost of service provision, by working with FCC, the service provision partners can ensure that they have a capable partner, and will still receive a significant portion of the project economics to use for service provision.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING ARTICLE 2 OF CHAPTER 70, TAXATION, TO ADD DIVISION 12, SELINON PARK PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES

THE CITY OF PORTAGE ORDAINS:

That Article 2 of Chapter 70, Taxation, is hereby amended to add Division 12, Selinon Park:

Sec. 70-300. - Preamble and intent.

- (a) It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act. The City of Portage is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for the Act. It is further acknowledged that such housing for low income persons and families is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of all *ad valorem* taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of the housing projects that are constructed or rehabilitated with financing extended in reliance on such tax exemption.
- (b) The City of Portage acknowledges that Selinon Park Limited Dividend Housing Association Limited Partnership ("Sponsor") has offered, subject to receipt of an allocation under the LIHTC Program by the Michigan State Housing Development Authority, to acquire and construct, own and operate a housing development identified as Selinon Park on certain property located at 1521-1615 E Centre Avenue in the City of Portage to serve persons or families of low income, and that the Sponsor has offered to pay the City on account of this housing development an annual service charge for public services in lieu of all *ad valorem* property taxes.

Sec. 70-301. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act means the State Housing Development Authority Act of 1966, as amended, (1966 PA 346) being (MCL 125.1401 et. seq.).

Contract Rents means the total contract rents (as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to Section 8 of the U.S. Housing Act of 1937, as amended) received in connection with the operation of a housing project during an agreed annual period, exclusive of Utilities.

Authority means the Michigan State Housing Development Authority.

Housing development means a development which contains a significant element of housing for persons of low and moderate income and such elements of other housing, commercial, recreational, industrial, communal and educational facilities as the Authority determines improve the quality of the development as it relates to housing for persons of low and moderate income.

LIHTC Program means the Low Income Housing Tax Credit program administered by the Authority under Section 42 of the Internal Revenue Code of 1986, as amended.

Mortgage Loan means a loan that is Federally-Aided (as defined in Section 11 of the Act) or a loan or grant made or to be made by the Authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a housing project, and secured by a mortgage on the housing project.

Persons of low income or families shall mean households which are at or below 60 percent of area median income ("AMI") eligible to move into a housing development. With respect to this housing development 74 units will be reserved for persons or families of low income. Specifically, 32 units for households at or below 30 percent of AMI, and 42 units for households at or below 60 percent of AMI, in all instances adjusted for household size.

Property means the real property described commonly known as 1521, 1603 and 1615 E. Centre Avenue, Portage, MI 49002, being tax ID numbers 00015-570-O, 00015-575-O, 00015-580-O and legally described as follows:

Property located in the City of Portage, Kalamazoo County, State of Michigan, described as:

All that part of Section 15, Town 3 South, Range 11 West, bounded and described as commencing at a point on the South line of said Section, which point is 21 rods West from the Southeast corner of said Section, thence North parallel with the East line of said Section 80 rods; thence West 7 rods; thence South parallel with the East line of said Section 80 rods; thence East 7 rods to the place of beginning.

And commencing at a point in the center of the Highway, 16 rods West of the Southeast corner of Section 15, Town 3 South, Range 11 West; thence North, parallel with the Section line, 80 rods; thence West 5 rods; thence South, parallel with the Section line, 80 rods to the center of the highway; thence East 5 rods to the point of beginning.

And commencing at a point on the South line of Section 15, Town 3 South, Range 11 West, which point is 6 rods West from the Southeast corner of said Section; thence North on a line parallel with the East line of said Section, 80 rods; thence West 10 rods; thence South 80 rods to the South line of said Section; thence East on the South line of said Section, 10 rods to the point of beginning. ALSO, the right to use for the driveway purposes in common with others, the West 10 feet of the parcel of land lying immediately East of and adjoining the parcel of land hereinbefore described.

Sponsor means Selinon Park Limited Dividend Housing Association Limited Partnership, its successors in interest, which has applied (or is about to apply) to the authority for a mortgage loan (an allocation of Low Income Housing Tax Credits) to finance the housing development.

Utilities means charges for fuel, water, sanitary sewer service, and electrical service which are paid by the housing development, during the calendar year.

Sec. 70-302. - Exemption of low income housing developments only.

It is hereby determined that the class of housing developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing for persons and families of low income, which are financed or assisted pursuant to the Act. With respect to the property, a total of 74 units will be reserved for persons of low income or families and, specifically 32 units for households at or below 30 percent of AMI, and 42 units for households at or below 60 percent of AMI, in all instances adjusted for household size. It is further determined that Selinon Park is of this class.

Sec. 70-303. - Amount of service charge.

The housing project identified as Selinon Park and the property on which it will be located shall be exempt from all *ad valorem* property taxes from and after the commencement of construction. The City acknowledges that the Sponsor and the Authority have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of this division and the qualification of the housing development for exemption from all property taxes and a payment in lieu of taxes as established in this division. In consideration of the Sponsor's acquisition of the property and offer to construct and operate the housing development, the City hereby agrees to accept the payment of an annual service charge for public services in lieu of all property taxes. The annual service charge shall be equal to 6.5% of the annual contract rents for 15 years of operation after the acquisition of the property, its receipt of an allocation of low income housing tax credits from the Authority and its commencement of its proposed construction but in any event not less \$34,071.00. Thereafter, for the 16th through 35th year, the annual service charge and minimum payment stated in this section shall be reviewed, and if the mortgage loan is still in effect and the housing development remains subject to income and rent restrictions under the LIHTC program, the annual service charge and minimum payment stated in this section shall not change.

Sec. 70-304. - Payment of service charge.

The service charge in lieu of taxes, as determined according to this division, shall be payable, enforceable and, if not paid timely, collectible in the same manner as general property taxes are payable to the City, except that the annual payment for each operating year shall be made as follows:

- (1) The minimum payment of \$34,071.00 is due on or before December 31 of each year.
- (2) All additional amounts owing from the December 31 payment of the previous year, as determined to be owing based on an audit, is due on or before by July 1 of each year.

Sec. 70-305. - Verification of contract rent.

The Sponsor shall verify annual contract rent revenues to the City with a statement of profit and loss as reported to the Authority or other form of financial deemed suitable to the City.

Sec. 70-306. - Effective period of division.

This division shall:

- (1) Become effective only after Sponsor acquires the property and receives and closes a mortgage loan; and
- (2) Shall remain in effect and shall not terminate so long as a mortgage loan remains outstanding and unpaid, and the housing development remains subject to income and rent restrictions under the LIHTC program, but not to exceed thirty-five (35) years.

Sec. 70-307. - Contractual effect of division.

Notwithstanding the provisions of Section 15(a)(5) of the Act (MCL 125.1415a(5), to the contrary, a contract between the City and the State Housing Development Authority with the Sponsor as third party beneficiary under the contract to provide tax exemption and accept payments in lieu of taxes, as described in this division is effectuated by enactment of this division.

Sec. 70-308. - Limitation on the Payment of Annual Service Charge

Notwithstanding Section 70-303, the service charge to be paid each year in lieu of taxes for the part of the housing project that is tax exempt but which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

Sec. 70-309. - Severability.

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

Sec. 70-310. - Inconsistent ordinances.

All divisions or parts of divisions inconsistent or in conflict with the provisions of this division are repealed to the extent of such inconsistency or conflict.

Peter J. Strazdas, Mayor

FIRST READING: _____
SECOND READING: _____
ORDINANCE #: _____
EFFECTIVE DATE: _____

CERTIFICATION:

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2016.

James R. Hudson, City Clerk

Approved as to Form:

Date: 2/17/2016

City Attorney

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TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: 2017/2018 Portage Senior Center Bus Trips - Bid Tabulation

SUPPORTING PERSONNEL: Kimberly Phillips, Senior Citizen Services Manager
Kathleen Hoyle, Director of Parks, Recreation & Senior Citizen Services

ACTION RECOMMENDED: That City Council approve the low bid from Gail Andrus Travel, LLC, for motor coach services for the late 2017 and 2018 Portage Senior Center travel program in the amount of \$39,365 and authorize the City Manager to execute all documents related to this action on behalf of the city.

The Portage Senior Center provides an extensive travel program for area seniors. Bids for motor coaches for the late 2017/early 2018 travel schedule were received from three vendors. The low bid in the amount of \$39,365 was from Gail Andrus Travel, LLC, located in Grand Rapids. Gail Andrus, LLC, has previously provided satisfactory motor coach services for the Portage Senior Center travel program.

Funds for payment to Gail Andrus Travel, LLC, are received from participants who sign up for the trips. This year, the travel program is experiencing an increase in participation. The current bid includes at least twenty (20) one-day excursions and four (4) multi-day trips. The travel program is self-supporting through user fees.

It is recommended that City Council approve the low bid from Gail Andrus Travel, LLC, for motor coach services in the amount of \$39,365 for late 2017 and 2018 Portage Senior Center travel program.

FUNDING: The Senior Center travel program is self-supporting through user fees. Funds for payment to the vendor are received from senior participants who sign up for each trip.

Attachments: 1. Bid Tabulation

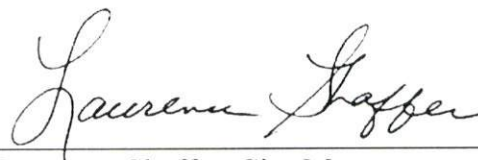
BID TABULATION
SENIOR CENTER BUS TRIP TRANSPORTATION

<u>DATE</u>	<u>DESTINATION</u>	<u>COACH SIZE (# OF PASSENGERS)</u>	<u>Gail Andrus Travel LLC 400 Ann St. NW, Ste 208 Grand Rapids, MI 49504</u>	<u>Cardinal Buses, Inc. PO Box 59 Middlebury, In 46540</u>	<u>Great Lakes Motorcoach, Inc. 3933 3-Mile Rd. NW Grand Rapids, Mi 49534</u>
2/18/2018	Parish Theatre, Kalamazoo	24 Passenger	\$550.00	\$550.25	\$800.00
2/28/2018	Miller Auditorium, Kalamazoo	24 Passenger	\$550.00	\$550.25	\$800.00
March, 2018	Chesea, MI - a few venues	38 Passenger	\$750.00	\$760.00	\$1,050.00
4/5/2018	Miller Auditorium, Kalamazoo	24 Passenger	\$550.00	\$550.25	\$800.00
5/10/2018	Michigan City, Indiana - approx. 3 venues	54/56 Passenger	\$860.00	\$864.00	\$1,300.00
5/15/18 - 5/17/18	Niagara on the Lake, Ontario, CN	47/48 Passenger	\$3,600.00	\$3,650.00	\$3,700.00
5/24/2018	Michigan City, IN - approx. 3 venues	54/56 Passenger	\$860.00	\$864.00	\$1,300.00
May or June 2018 (2 days)	Columbus, OH - multiple venues	38 Passenger	\$2,300.00	\$2,400.00	\$2,800.00
June, 2018	Farmer's Alley, Kalamazoo	24 Passenger	\$550.00	\$550.25	\$800.00
6/6/2018	Meadowbrook Theatre, Rochester, MI	47/48 Passenger	\$1,490.00	\$1,496.00	\$1,725.00
Mid June 2018	Sanders Confectionery & Aquarium, Detroit	38 Passenger	\$1,550.00	\$1,560.00	\$1,500.00
End of June 2018	Elkhart Jazz Festival, Elkhart, IN	38 Passenger	\$620.00	\$620.00	\$800.00
July, 2018	Cherry Point Farm, Shelby, MI - approx. 3 venues	38 Passenger	\$1,050.00	\$1,100.00	\$1,400.00
July, 2018	Hopkins, MI - 1 venue	24 Passenger	\$550.00	\$550.25	\$800.00
Summer 2018	Comerica Park, Detroit, MI	38 Passenger	\$1,100.00	\$1,120.00	\$1,465.00
Summer 2018	Comerica Park, Detroit, MI	38 Passenger	\$1,100.00	\$1,120.00	\$1,465.00
Summer 2018	Wrigley Field, Chicago, IL	38 Passenger	\$1,225.00	\$1,240.00	\$1,585.00
Summer 2018	Fifth Third Park, Grand Rapids, MI	24 Passenger	\$550.00	\$550.25	\$900.00
8/16/2018	One way trip, drop off to Mackinac Island	54/56 Passenger	\$2,465.00	\$2,465.00	\$2,190.00
8/31/2018	One way trip, pick-up at Mackinaw City, MI	54/56 Passenger	\$2,465.00	\$2,465.00	\$2,190.00
9/15 or 9/22/2018	Grand Haven, MI - multiple venues	38 Passenger	\$700.00	\$700.00	\$1,125.00
9/23/18 - 9/29/2018	Multiple Day Trip to Newport, Rhode Island	47/48 passenger	\$9,800.00	\$10,060.00	\$11,300.00
3 Day trip - Early Oct. 2018	Louisville, KY	38 Passenger	\$3,360.00	\$3,410.00	\$3,075.00
10/13/2018 (or 10/14 or 10/15)	Civic Theatre, Kalamazoo	24 Passenger	\$550.00	\$550.25	\$800.00
October, 2018	Heritage Hill, Grand Rapids, MI	24 Passenger	<u>\$550.00</u>	<u>\$550.25</u>	<u>\$800.00</u>
TOTAL OF PLANNED 2018 TRIPS			\$39,695.00	\$40,296.00	\$46,470.00

MATERIALS TRANSMITTED

Tuesday, August 22, 2017

1. **TO BE ADDED TO THE AUGUST 22, 2017 CITY COUNCIL AGENDA AS ITEM F.9:** Communication from the City Manager recommending that City Council recommend approval by the Michigan Liquor Control Commission (MLCC) of the Small Distiller Liquor License Application from Latitude 42 Brewing Company at 7842 Portage Road.
2. **SUPPLEMENTAL INFORMATION FOR ITEM F.1 OF THE AUGUST 22, 2017 CITY COUNCIL AGENDA:** Map of Kalamazoo County Ambulance Service Coverage (City Council Information Only).



Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Application for Small Distiller Liquor License - Latitude 42 Brewing Company,
7842 Portage Road

SUPPORTING PERSONNEL: James Hudson, City Clerk

ACTION RECOMMENDED: That City Council recommend approval by the Michigan Liquor Control Commission (MLCC) of the Small Distiller Liquor License Application from Latitude 42 Brewing Company at 7842 Portage Road.

The Michigan Liquor Control Commission (MLCC) requires local government consideration of the attached Local Government Approval Resolution prior to the MLCC review of the request for a Small Distiller License from Latitude 42 Brewing Company at 7842 Portage Road. A Small Distiller License is a manufacturing license that allows the manufacture of not more than 60,000 gallons of spirits of all types combined (MCL 436.1111). The requested license would supplement the micro-brewer and small wine maker's license that Latitude 42 Brewing Company was assigned in 2012.

Positive reviews of the application were recently completed by the Departments of Community Development, Finance and Fire Division of the Department of Public Safety. Therefore, it is recommended that City Council recommend approval by the Michigan Liquor Control Commission (MLCC) of the Small Distiller Liquor License Application from Latitude 42 Brewing Company at 7842 Portage Road.

FUNDING: N/A

Attachments: 1. Latitude 42 Small Distillery Resolution



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ regular _____ meeting of the _____ Portage _____ council/board
(regular or special) (township, city, village)

called to order by _____ on _____ at _____
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from Ruth Stoddard _____
(name of applicant)

for the following license(s): small distillers _____
(list specific licenses requested)

to be located at: 7842 Portage Road _____

and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
council/board at a _____ meeting held on _____ (township, city, village)
(regular or special) (date)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

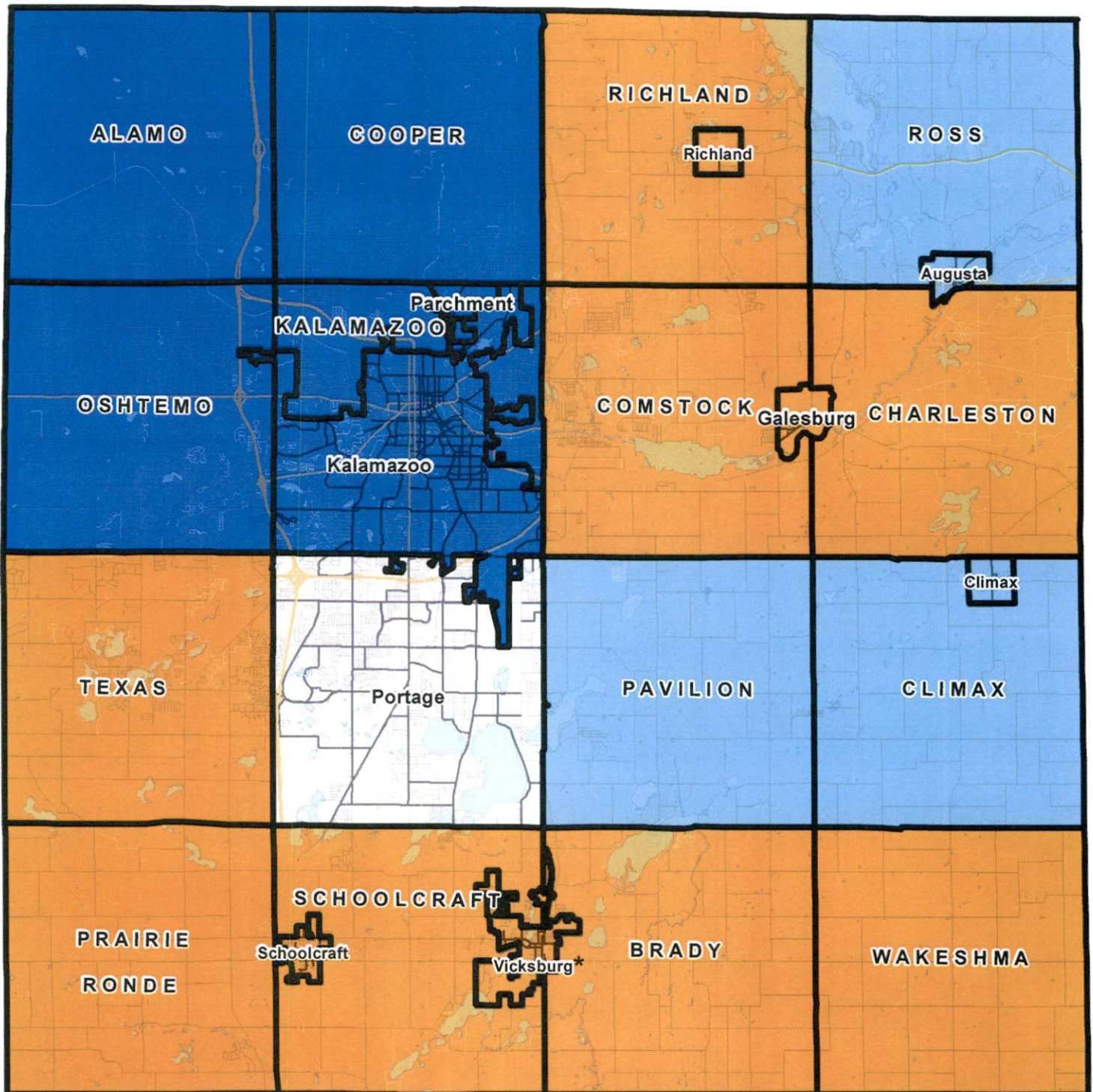
Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059

Kalamazoo County Ambulance Service Areas



Ambulance Service Area by provider

- Life EMS
- Life EMS per KVIA
- Pride EMS



Date: 8/22/2017

*Vicksburg is part of South County service area along with Three Rivers and Marcellus