

6:00 p.m. City Council Committee of the Whole.

7:30 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamation.

A. Approval of the Committee of the Whole and Regular Meeting Minutes of February 24, 2015.

* B. Approval of Consent Agenda Motions.

* C. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of March 10, 2015, as presented.

D. Public Hearings:

1. Communication from the City Manager recommending that City Council adopt Resolution No. 5 for the West Osterhout Avenue Sanitary Sewer Project #414-S, confirming the Special Assessment Roll.

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

* 1. Communication from the City Manager recommending that City Council approve the revisions to the city's Industrial Tax Abatement Incentive Policy.

* 2. Communication from the City Manager recommending that City Council set a Committee of the Whole (COW) Meeting for Tuesday, March 24, 2015, at 6:00 p.m. in Conference Room No. 1 to discuss supporting regionalization while focusing on Portage.

* 3. Communication from the City Manager recommending that City Council confirm the appointment of Adam Herringa as the Director of Parks, Recreation & Senior Citizen Services, effective March 30, 2015.

G. Communications:

H. Unfinished Business:

1. Communication from the City Manager recommending that City Council adopt the proposed amendment to the City of Portage Code of Ordinances, Chapter 34, Fire Prevention and Protection, reflecting changes in the 2012 edition of the International Fire Code.

2. Communication from the City Manager recommending that City Council authorize the City Administration to begin Leaf, Brush and Spring Cleanup collections with residential property owners along private streets who have fulfilled the required conditions with the Department of Public Services for extending the collection programs to private streets.

* I. Minutes of Boards and Commissions Meetings:

1. Portage Public Schools Board of Education Regular Meeting of January 26, 2015, Committee of the Whole Work Session of February 9, Special Meeting of February 11 and Special Meeting of February 17, 2015.

2. Portage Human Services Board of February 5, 2015.

3. Portage Planning Commission of February 19, 2015.

J. Council Committee Reports.

K. New Business.

L. Bid Tabulations:

- * 1. Communication from the City Manager recommending that City Council award a two-year contract for pavement marking services to selected streets to Michigan Pavement Markings, LLC in an amount not to exceed \$89,000 for the first year and an estimated amount of \$126,583.75 for the second year, with an option for four one-year renewals, and authorize the City Manager to execute all documents related to the contract on behalf of the city.
- * 2. Communication from the City Manager recommending that City Council award a contract for the purchase of traffic signal poles, mast arms and assemblies for select city locations to Carrier and Gable, Incorporated, in the amount not to exceed \$77,654 and authorize the City Manager to execute all documents related to this matter on behalf of the city.
- * 3. Communication from the City Manager recommending that City Council approve the bid for oil and grit separator improvements to Lounsbury Excavating Inc., of Paw Paw, Michigan in the amount of \$34,000 and authorize the City Manager to execute all documents related to this matter on behalf of the city.
- * 4. Communication from the City Manager recommending that City Council, at the request of the West Lake Improvement Association:
 - a. award a contract for the 2015 West Lake Management Program to Professional Lake and Land Management Corporation, for lake weed treatment measures in the estimated annual amount of \$15,120;
 - b. approve three additional one-year extensions to the contract, 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, March 11, 8:15 a.m., Historic District Commission, City Hall Room No. 3.
 - b. Wednesday, March 11 through March 24, 8:00 a.m., Board of Review, City Hall Rooms No. 1 and 2.
 - c. Wednesday, March 11, 7:00 p.m., Environmental Board, City Hall Room No. 1.
 - d. Monday, March 16, 7:00 p.m., Austin Lake Governmental Lake Board, Council Chambers.
 - e. Wednesday, March 18, 4:00 p.m., Utility Rate Committee Meeting, City Hall Room No. 1.
 - f. Wednesday, March 18, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.
 - g. Thursday, March 19, 7:00 p.m., District Library Board, Portage District Library.
 - h. Thursday, March 19, 7:00 p.m., Planning Commission, Council Chambers.
 - i. Tuesday, March 24, 8:00 a.m., Mayor and City Council Mayor for the Day Program, City Hall Room No. 1.
 - j. Tuesday, March 24, 6:00 p.m., City Council Committee of the Whole, City Hall Room No. 1.

N. Materials Transmitted February 20 and 24, 2015.

Adjournment.

CITY COUNCIL MEETING SUMMARY

February 24, 2015

PROCLAMATION

- ◆ Senator Margaret O'Brien and House of Representatives Brandt Iden presented a Resolution of Respect from Governor Rick Snyder, Senator Margaret O'Brien, House of Representatives Brandt Iden and the 90th Legislature to Retired Park, Recreation and Public Services Director Bill Deming for his nearly 35 years of service. Bill, Margaret, Brandt and City Council had a photograph taken together.

ACCOUNTS PAYABLE REGISTER

- ◆ Approved the Check Register of February 24, 2015, as presented.

STATEMENTS OF CITIZENS

- ◆ Senator O'Brien introduced her District Director, Megan Hicks, who will be representing her at the 157 Kalamazoo Mall Office in Kalamazoo. She also provided and explained a fact sheet on the upcoming sales tax issue for the May 5, 2015 Special Election, and promised to bring updates on the budget process as it develops.

REPORTS FROM THE ADMINISTRATION

- ◆ Received the update and presentation from Central County Transportation Authority (CCTA) Executive Director Sean McBride.
- ◆ Approved a one-year agreement for comprehensive liability, property and auto fleet insurance through the Michigan Municipal Risk Management Authority (MMRMA) at a total cost not to exceed \$446,134 for the period of March 1, 2015, to March 1, 2016, and authorized the City Manager to execute all documents related to this action on behalf of the city.
- ◆ Approved the License to Locate Sign in a City Right-Of-Way for North of Centre, LLC, 2317 East Centre Avenue, and authorized the City Manager to execute the agreement on behalf of the city.
- ◆ Established April 21 and May 5, 2015, from 4:30 to 8:30 p.m. as the dates for review of the proposed Fiscal Year 2015-2016 Budget.
- ◆ Set a Committee of the Whole (COW) Meeting for Tuesday, March 10, 2015, at 6:00 p.m. in Conference Room No. 1 to discuss enriching culture and increasing community engagement and the City Retail Profile topics.
- ◆ Received the January 2015 Summary Environmental Activity Report as information only.
- ◆ Received the Departmental Monthly Reports.

NEW BUSINESS

- ◆ Appointed Mayor Pro Tem Pearson to the Kalamazoo County Consolidated Dispatch Authority Search Committee.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Ansari thanked Kalamazoo County Commissioner Scott McGraw for attending the meeting and Linda Teeter for her service.
- ◆ Councilmember Ford thanked Linda Teeter, Sean McBride and the elected officials for attending the meeting and expressed appreciation to Bill Deming for his years of service to the City of Portage. He reminded everyone that the Winter Blast Race is Sunday and cautioned everyone to be careful and to have safe travels.
- ◆ Councilmember Randall expressed her appreciation for the Portage Central High School production of the musical, West Side Story, and all who contributed to the effort. She noted that registration for the Winter Blast Race on Sunday is at Portage Central High School on Saturday, February 28, 2015, at Portage Central High School (Commons area) from 2:00 p.m. – 5:00 p.m., and late registration for the 5k only is available at Portage Central High School (Commons Area) from 6:30 a.m. – 7:30 a.m. on Sunday, March 1, 2015.
- ◆ Councilmember Urban said he toured the Earth Fare Health Foods Store on Kilgore Road and announced the Ribbon Cutting Ceremony for this welcomed addition to the community is at 6:45 a.m. on Wednesday, February 25, 2015. He also stressed the need for comment from the public for the CCTA millage proposal as presented by Mr. McBride earlier.
- ◆ City Manager Shaffer complimented Sean McBride and his group and noted that as part of the South Westnedge reconstruction, the plan is to incorporate new bus shelters and accoutrements at the bus stops along South Westnedge Avenue. He mentioned the two meetings with approximately eighty Portage citizens regarding leaf and brush pick-up along private roads in the City, and he said that Department of Public Services Director Rod Russell is meeting with property managers representing the various property owners and associations to see what accommodations are necessary to expedite the process and will bring a report back to Council possibly at the next Regular City Council Meeting. He indicated that on Wednesday, March 4, 2015, at 6 p.m., Council Chambers, there will be a meeting of the property owners of the City Center area to discuss the issues identified in *Portage 2025* and the Comprehensive Plan for the possibilities of a City Center development. He finished by describing the two sessions held to discuss the International Fire Code where the Administration met with those opposed to the Code and reached some accord and satisfaction with them. He said that questions were posed that will be answered formally, and that a proposal regarding the Code will be before City Council at the next Regular Meeting.

- ◆ Councilmember Reid announced that a newly formed opportunity for business and community leaders to engage with state and local government representatives about issues that affect the region has been established as the Listening Post, which is a conversation over a cup of coffee as an effort to build relationships and open lines of communication necessary to grow Southwest Michigan for the better. She noted that this is a collaboration between the Chamber of Commerce and the Council of Governments (COG) with the first meeting to be held on Friday, February 27, 2015, from 8:00 a.m. until 9:00 a.m., at the Kalamazoo County Road Commission, 3801 East Kilgore Road, Kalamazoo, and thereafter on a monthly basis on the fourth Friday of each month.
- ◆ Mayor Pro Tem Pearson announced a new television show on CBS called *Battle Creek* that premieres on March 1, 2015, and that CBS will be having a big premier in Battle Creek, as well as satellite premiers in Southwest Michigan, including one for 100 people, first come, first served, at 9:00 a.m., Room 209 in the Bernhard Center of Western Michigan University. Discussion followed.
- ◆ Mayor Strazdas said he will be at the Ribbon Cutting Ceremony for the new Earth Fare Health Foods Store on Kilgore Road at 6:45 a.m. on Wednesday, February 25, 2015, and mentioned what a great addition this is for the whole region. He likened the Earth Fare Store to a Farmer's Market in Portage since they will be procuring a lot of local products and organic products for the store, but Portage will not be paying any tax dollars for it because Earth Fare will be paying taxes to be here. He mentioned the Winter Blast Race on Sunday and that he will be starting the race with a fake gun and thanked all who will not be able to travel from their homes for their patience with this inconvenience.

COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEMI.GOV, IN CITY HALL AND IN THE DISTRICT LIBRARY. MINUTES OF CITY BOARDS AND COMMISSIONS ARE AVAILABLE ON REQUEST FROM VARIOUS DEPARTMENTS.

**MINUTES OF THE COMMITTEE OF THE WHOLE WORK SESSION
OF FEBRUARY 24, 2015**

Mayor Strazdas called the meeting to order at 6:03 p.m. The following Councilmembers were present: Councilmembers Nasim Ansari, Richard Ford, Patricia M. Randall and Claudette Reid, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. Councilmember Terry Urban arrived at 6:27 p.m. Also present were Executive Director of the Arts Council of Greater Kalamazoo Neil Bremer, City Manager Larry Shaffer, Deputy City Manager Rob Boulis and City Clerk James Hudson.

Mayor Strazdas reviewed the past COW Meetings and confirmed that the topic, "Study of the City Retail Profile to guide City Council efforts," was deferred to the March 10, 2015 COW Meeting. He announced that there would be a presentation by Neil Bremer, Executive Director of the Arts Council of Greater Kalamazoo (Arts Council), and asked for input from City Council regarding concerns about art in the community from the Council Retreat.

Councilmember Randall indicated that with a \$65 million budget that the City of Portage should provide funds for art and culture in order to identify Portage as "a community of arts and culture." She was not advocating building a museum, and mentioned that there is \$9 million available through the State to use for an art hop, outdoor displays, kids events, etc., plus the Federal Government has another \$750 million for art and culture. She felt Portage should look beyond the great trail system and good schools in Portage and also bring in art and culture to keep and retain people who care about the community. She explained her involvement with the Arts Council and proposed an Arts & Recreation position and an Arts & Culture position for Portage. She also asked for a communications position for a person who could get the Portage brand known in the community in order to define ourselves in a way that we can control. Discussion followed.

Councilmember Ansari indicated that he has a broad view of art and mentioned concerts and the performing arts as options to bring art and culture to the community. Councilmember Ford concurred with Councilmembers Randall and Ansari.

Councilmember Reid indicated that in the past, Portage had Parks Department Staff to provide the Summer Entertainment Series, including advertising, but this was cut because of financial reasons and the large number of hours that were taken away from staff to do other things. She mentioned some of the other cultural activities that have taken place in Portage since the elimination of the Summer Entertainment Series such as, the Recycled Art Project that was a collaboration between the Environmental Board and the Parks Department, the Portage District Library display space for artists, the private entity that has been running the summer drama school for children, and Shakespeare in the Park that utilized grant money with the City providing the venue (the stage) and administrative assistance. In order to expand the Portage art offerings, she stressed the need for volunteers who will be working with the arts and looking for alternative outside funding as promoting the arts is not considered a core function of the City, and this is the first thing that will be pulled back again should "push-come-to-shove" with the Budget, so a sustainable funding source other than tax dollars is necessary.

Mayor Pro Tem Pearson thanked Councilmember Randall for "spear-heading this" and noted that along with great parks and trails, Portage has the largest tax base in the

County, has the highest number of cable subscribers according to a recent Public Media Network Board report and has historically been considered an island, but is now taking a more co-leadership role in the County. He stressed how important it is for Portage to be involved in the County, and expressed his opinion that a small investment should be considered to take a look at state funding for the arts. He emphasized that Portage is serious about this issue; Portage is wise about its budget; and Portage wants State funds that are available for the arts. He mentioned the gentrification process currently being experienced in Portage and emphasized that arts and culture are important to Portage as it enters into its next phase of development.

From his perspective, Mayor Strazdas revealed that his wife and daughter are heavily into the arts. He said that there is art and culture in Portage and pointed out that the communication piece is needed to help people know the many art offerings of Portage and the Region. He said that the perspective of art can differ and needs to be defined depending upon the tastes of the various generations of people and explained. He discussed his preference for a conservative approach to art and culture in Portage with not only tax dollars, but private funding that can be leveraged and for volunteers to step up and provide the services. He discussed his search with City Manager Shaffer for someone who was broad-based in the arts, and introduced Neil Bremer, Executive Director of the Arts Council of Greater Kalamazoo, as that person who will present the structure that exists for the arts and culture in the community, and discuss trends and opportunities. Councilmember Ansari interjected that he sees the need for a City Council Arts Commission in Portage and Mayor Strazdas concurred.

Mr. Bremer expressed his respect for the work required of City Council and his appreciation for City Council addressing this issue at this meeting. He provided his history from his education at Western Michigan University, his work in Chicago at the Chicago Institute of Art and three Chicago Dinner Theatres, his move to Louisville, then his move back to Kalamazoo. He discussed the attachment which the arts create for a City, the history and structure of the Arts Commission (City of Kalamazoo, City of Portage and County of Kalamazoo) and some of the activities and funding of the Arts Commission in Portage and the Region, all of which are without the benefit of a hotel/motel tax revenue stream. Discussion followed.

Mr. Bremer indicated that the City could obtain his professional advice for any procurement of art or a grant for art. He reviewed some of the grants for which the Arts Commission applies and some of the arts activities that result. He discussed various funding options, KPAC, the success of Art Hop, and the high cool factor and highly participatory factor necessary for place-making. He cited some of the successes for the businesses that participate in Art Hop, the importance of participation by generations to come, and his frustration with coverage by *MLive*.

Mr. Bremer discussed change and how quickly it is now happening which makes trends very difficult to detect. He said in order for the art and culture to flourish, it is important to plan and design with future generations in mind. He noted that it took television 35 years to get widely accepted; it took computers six years to get wide use; and it took the cell phone only six months. He emphasized that Generation Z refers to the cell phone as "personal," and indicated that traditional art forms like museums, gallery walks and classical music concerts have been on the decline since 1992.

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Mr. Bremer disclosed that one area that has seen an increase in participation from 2008 to 2012 has been the outdoor concert, and explained why Jazz as a genre of music is experiencing an uptick. He stressed that trends are important because Portage could be spending time, money and resources only to find itself chasing dropping audiences. He cited the Kalamazoo Symphony and symphonies across the country as examples of an art form that is really struggling to keep participants interested. He indicated that the answer in Portage is to look at what is happening in Portage, what is cool, what is highly participatory, and use music, the visual arts, dance, etc. to achieve success.

Mayor Strazdas interjected at this point and asked Mr. Bremer to discuss a possible Art Hop in Portage, the opportunity for a Summer Entertainment Series in the Park, an Arts Council of Greater Kalamazoo partnership with Portage and anything else that would be cost effective and sustainable.

Mr. Bremer asked Portage to consider investigating the public/private partnership option owing to the struggles of the philanthropic sector, since more public involvement is needed because the public sector can successfully leverage in ways for more dollars. He gave the example of a sculpture walk (renting sculptures or trading sculptures) as an optional opportunity in the park, that still requires funds for transporting displaying and a memorial for the artist, but requires very little involvement.

Mr. Bremer said that if private money is interested in an art project, the Arts Council of Greater Kalamazoo can take a tax deductible charitable gift and provide the funds to make the project happen. He listed some of the groups taking advantage of this option. He said that if the Arts Council of Greater Kalamazoo were to help Portage celebrate Portage, they could figure out how that celebration fits into the funding structure, and he gave the Concert in the Park as an example where the Arts Council could help. He indicated that the Kalamazoo Concert in the Park on Sunday, July 12, 2015, was overbooked by the City of Kalamazoo. He said that concert could take place in Portage and be in the brochure that will be published in two weeks. He discussed marketing options and how to get the word out to the public and referenced the high quality of the arts in Portage Public Schools as potential beneficiaries. He also cited the Air Museum as a possible venue partner for a concert that is only limited by the imagination. Discussion followed.

Mr. Bremer noted that concerts cost between \$2,000 and \$4,000 depending upon the talent, which includes the sound and set up, and explained. Discussion followed.

In summary, Mayor Strazdas indicated that the various events and arts and culture opportunities in the community need to be bundled, advertised and shared through the Portager, hyperlinking with the City website, and through the Arts Council brochures. Also, he stressed the importance of looking at funding options and explained.

Mayor Pro Tem Pearson indicated that City Council should decide whether Portage needs a Place Making Commission and suggested it be comprised of citizens and Councilmembers. Councilmember Ansari concurred. Mr. Bremer offered his services in this regard in his capacity as Executive Director of the Arts Council of Greater Kalamazoo.

He referred City Council to his handout, "Why do people attend the Arts?" and the Art Hop Brochure for March 2015, and discussion followed.

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Mayor Strazdas thanked Mr. Bremer for coming and summed up. He asked everyone to think about all of this and bring any thoughts for action to City Manager Shaffer for consideration at the next Regular City Council Meeting for a future recommendation. Discussion followed.

STATEMENTS OF CITIZENS: Martha Dahlinger, 2612 Chopin Avenue, expressed her appreciation for what City Council is doing and her opinion that Portage needs to think of the whole region and to collaborate, and not just copy what someone else is doing owing to the diversity within Portage as Portage is very capable of adding to what is already being done.

ADJOURN: Mayor Strazdas adjourned the meeting at 7:20 p.m.

James R. Hudson, City Clerk

CITY COUNCIL MEETING MINUTES FROM FEBRUARY 24, 2015

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

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

Mr. Dale Mentor, Deacon Chair of the Victory Baptist Church of Portage, gave the invocation and City Council and the audience recited the Pledge of Allegiance.

PROCLAMATION: Senator Margaret O'Brien and House of Representatives Brandt Iden presented a Resolution of Respect from Governor Rick Snyder, Senator Margaret O'Brien, House of Representatives Brandt Iden and the 90th Legislature to Retired Park, Recreation and Public Services Director Bill Deming for his nearly 35 years of service. Bill, Margaret, Brandt and City Council had a photograph taken together.

APPROVAL OF MINUTES: Motion by Ansari, seconded by Reid, to approve the Committee of the Whole Meeting Minutes and the Regular Meeting Minutes of February 10, 2015, as presented. Upon a voice vote, motion carried 6 to 0 with Mayor Strazdas abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Reid to read the Consent Agenda. Councilmember Reid asked that Item F.5, March 10, 2015 Committee of the Whole (COW) Meeting, be removed from the Consent Agenda. Motion by Reid, seconded by Urban, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF FEBRUARY 24, 2015:** Motion by Reid, seconded by Urban, to approve the Accounts Payable Register of February 24, 2015. Upon a roll call vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS: Senator O'Brien introduced her District Director, Megan Hicks, who will be representing her at the 157 Kalamazoo Mall Office in Kalamazoo. She also provided and explained a fact sheet on the upcoming sales tax issue for the May 5, 2015 Special Election, and promised to bring updates on the budget process as it develops. Discussion followed.

REPORTS FROM THE ADMINISTRATION:

CENTRAL COUNTY TRANSPORTATION AUTHORITY (CCTA) UPDATE: Mayor Strazdas asked City Manager Laurence Shaffer for comment. Mr. Shaffer introduced Central County Transportation Authority (CCTA) Executive Director Sean McBride for any questions, who deferred to CCTA Chairperson Linda Teeter, 471 West South Street, Kalamazoo. She expressed her appreciation to Councilmember Urban and Mayor Pro Tem Pearson for their contributions to the CCTA that was formed by the Kalamazoo County Board of Commissioners in August 2014 and began meeting in September 2014. She mentioned that this is the first of six public input session that will be held over the next thirty days and thanked City Council and Mr. Shaffer for the opportunity to have this session to hear public comment on the CCTA. She indicated that all comments presented to the Kalamazoo County Transit Authority (KCTA), the CCTA and the City of Kalamazoo Transit Authority will be reviewed at a joint meeting on March 19, 2015.

Mr. McBride provided a brief overview of the status of public transit in the community, including the following topics: Increases in Ridership, the Metro County Connect, Line-Haul Bus Service, a Metro Transit Route Map Display and Community Service Vans. He revealed some of the new Service Enhancements such as Converting to Hybrid Battery which allows for nearly 50% Diesel emission Reduction, Travel Training, KVCC Transportation Fare which provides students a semester pass for budgeting purposes, and the Multi-modal Transportation Center. To help with planning a bus trip, he covered some of the enhancements to the rider experience, including “Real-Time Passenger Information” with the use of a web portal for a particular bus location, the bus schedule that can be accessed using a Smart Phone App, and an automated telephone service information option or an email/text alert; these allow the rider to wait in a warm location and walk over to the bus stop as the bus arrives. He mentioned that the buses are ADA-compliant that there are new electronic LED signs at key transfer points in the system with more to be installed once the weather breaks.

Next, Mr. McBride shared that the future transition of the Public Transit System of Kalamazoo will go from the KCTA and the CCTA to a Regional Authority and thanked Councilmember Urban and Mayor Pro Tem Pearson for their fine efforts in this regard. He revealed that the Public Transit System cost is about \$14 million per year, broke down the funding and explained the local millage structure by outlining those municipalities included in the taxing district. He pointed out that one precinct in Texas Township, one precinct in Pavilion Township and half of Oshtemo Township opted out of the taxing district during the 30-day opt out period. He discussed the policy that once the millage is passed and levied, service will cease to exist outside the taxing district and any areas that may require service outside the taxing district must enter into a service agreement with the CCTA which would replace the millage revenue that would have been raised if they were within the boundaries of the CCTA.

Mr. McBride discussed the future millage structure, the millage timeline, a data comparison, the millage rates, and the service hours with other similarly situated cities in the state. He disclosed that the level of the millage consideration for the voters is at a rate of up to 0.75 mills for a period of five (5) years for 2016 through 2020, and he emphasized, “Only if the full 0.75 is needed.” He covered the levels of service that are part of the plan, the economic development benefits to be realized as a result of bus service, and the need for retail and industrial workers to use bus service for commuting.

He reviewed the next steps, including: feedback on the August Election proposal for the millage increase as a result of the six public input sessions that will be held over the next thirty days; education of the voters about the millage proposal; on-going feedback on how the CCTA and the governmental bodies can work together; and on-going feedback on how the Public Transit System can better meet the needs of the community.

Mayor Strazdas thanked Mr. McBride, confirmed that Portage residents are currently paying 0.4 mills for public transit, and that they will be asked to pay 0.75 mills with the CCTA making the determination how much of the 0.4 mills is required for Metro Connect. Mayor Strazdas emphasized that Portage citizens need to know: what is the cost, what are citizens going to get for that cost and what are the benefits to Portage and the region.

Councilmember Ansari asked for a confirmation that the millage will be up to 1.15 mills and Mr. McBride explained that there will be two millages and that is the range being considered. He indicated that they will be able to figure out what the exact required amount is once the 0.4 mills expires in 2016, but it should be no more than 0.4 mills

Mr. McBride confirmed the indication by Councilmember Reid that both of these millages are “up to,” so as the 0.75 goes into effect, there could be a change in how much of the 0.4 millage is being levied prior to 2016. Councilmember Reid also recognized and stressed the importance of the new GPS system for the users of the system, especially young people who want to know how quickly they need to leave their location to get to a new destination. She asked whether there has been any consideration regarding the spoke wheel configuration of the system as the citizens of Portage have to go downtown to get to outlying areas, and she specifically mentioned the ride to KVCC since it becomes a very long bus ride. Mr. McBride responded that he is currently releasing a Request for Proposal for a community

planning/visioning process to obtain feedback from the community and to obtain some studies for a ten-year plan, including the bus rapid transit option and sub-hubs such as the Crossroads Mall with additional connections from there, for example, to KVCC or to the Meijer Store in Oshtemo. He promised to come to City Council for feedback on the studies as it will become a guiding document for system design needs in the future.

Councilmember Randall asked if there is a chance that the communities that have opted out will participate and, if they do, will that lower the burden on the other jurisdictions, and Mr. McBride answered in the affirmative. He disclosed that he has been in conversation with Texas Township and KVCC and has had a very positive response from both of them. He mentioned that Oshtemo Township sent him a letter indicating a desire to begin the conversation regarding a service agreement with the CCTA, but no conversation has taken place as yet. Furthermore, he indicated that he has had no contact from Pavilion Township regarding this matter. Discussion followed.

At the request of Councilmember Urban, Mayor Strazdas asked if any members of the public wished to speak. There being none, Councilmember Urban indicated that the CCTA discussed what kinds of millage rates should be considered and with what kinds of service offerings should be considered, either maintaining service or enhancing service. He also indicated that the CCTA Board considered a little higher millage, up to 0.8 mills, with the option of looking at adding routes, including a possible "rim" route, but the majority of the CCTA Board chose not to go to that level. However, he said that this discussion will not be finalized until the meeting on March 19, 2015. Discussion followed.

Mayor Strazdas summed up and asked Portage residents to talk to CCTA Board Members and discussion followed. Motion by Urban, seconded by Ford, to receive the update and presentation from Central County Transportation Authority (CCTA) Executive Director Sean McBride. Upon a roll call vote, motion carried 7 to 0.

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

Motion by Reid, seconded by Urban, to approve a one-year agreement for comprehensive liability, property and auto fleet insurance through the Michigan Municipal Risk Management Authority (MMRMA) at a total cost not to exceed \$446,134 for the period of March 1, 2015, to March 1, 2016, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **LOCATE SIGN IN A CITY RIGHT-OF-WAY, LLC, 2317 EAST CENTRE AVENUE:**

Motion by Reid, seconded by Urban, to approve the License to Locate Sign in a City Right-Of-Way for North of Centre, LLC, 2317 East Centre Avenue, and authorize the City Manager to execute the agreement on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **FISCAL YEAR 2015-2016 PROPOSED BUDGET REVIEW SCHEDULE:** Motion by Reid, seconded by Urban, to establish April 21 and May 5, 2015, from 4:30 to 8:30 p.m. as the dates for review of the proposed Fiscal Year 2015-2016 Budget. Upon a roll call vote, motion carried 7 to 0.

MARCH 10, 2015 COMMITTEE OF THE WHOLE (COW) MEETING: Councilmember Reid indicated that the City Council had deferred the Discussion of the City Retail Profile to guide City Council efforts as a topic for the next COW meeting. Discussion followed.

Motion by Ford, seconded by Reid, to set a Committee of the Whole (COW) Meeting for Tuesday, March 10, 2015, at 6:00 p.m. in Conference Room No. 1 to discuss enriching culture, increasing community engagement and the City Retail Profile topics. Upon a voice vote, motion carried 7 to 0.

- * **JANUARY 2015 SUMMARY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Reid, seconded by Urban, to receive the January 2015 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.
- * **DEPARTMENTAL MONTHLY REPORTS:** Motion by Reid, seconded by Urban, to receive the Departmental Monthly Reports. Upon a roll call vote, motion carried 7 to 0.
- * **MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of the following Boards and Commissions:

Portage Historic District Commission of January 7, 2015.
Portage Youth Advisory Committee of January 12, 2015.
Portage Environmental Board of January 14, 2015.
Portage Human Services Board of January 22, 2015.
Portage Planning Commission of January 22, 2015.

NEW BUSINESS:

APPOINTMENT TO THE KALAMAZOO COUNTY CONSOLIDATED DISPATCH AUTHORITY SEARCH COMMITTEE: Mayor Strazdas provided some background information on the Kalamazoo County Consolidated Dispatch Authority. He explained that the City of Portage volunteered to provide the Request for Proposal for an Executive Search Committee for the Kalamazoo County Consolidated Dispatch Authority. He said the Authority now wishes to form a subcommittee to select the Search Firm and have asked for one representative from Portage. He confirmed that there are four Councilmembers who have expressed an interest on the Kalamazoo County Consolidated Dispatch Authority Search Committee: Councilmembers Reid and Ford, Mayor Pro Tem Pearson and Mayor Strazdas himself. Councilmember Ford withdrew his interest and Mayor Strazdas asked for thoughts from Councilmember Reid or Mayor Pro Tem Pearson.

Councilmember Reid referred to a recent opinion from City Attorney Randy Brown regarding membership on the CCTA, and cited his opinion that while Council may appoint a member to serve on a Board outside the City, they act as a member of that Board and their primary fiduciary responsibility is to that Board and the mission of that Board. With that, she asked Mr. Brown whether the sitting members, two regular and two alternate members, should come to Council in order to decide this because the Portage members are not functioning as a part of City Council, the members are functioning as a part of the Board for Dispatch. Mr. Brown questioned whether his opinion is relevant to this decision since the Authority is the entity that asked each member to pick somebody, and the Authority could have picked a search committee much like the Council can choose a committee to do its search, so it was the decision of the Authority to do this, not the decision of City Council, and is legal to do so.

In answer to Councilmember Urban, Mayor Strazdas indicated that the search committee will only be selecting a search firm and the voting members will go through the interview process and select the Director.

Motion by Randall, seconded by Ansari, to appoint Mayor Pro Tem Pearson to the Kalamazoo County Consolidated Dispatch Authority Search Committee. Discussion followed regarding the importance of flexibility and the availability of the Councilmember selected, and Councilmember Urban stressed the importance of having the Mayor serve in this capacity here as head of the body. Discussion followed. Upon a roll call vote, motion carried 5 to 2. Yeas: Councilmembers Ansari, Ford, Pearson and Randall and Mayor Strazdas. No: Councilmembers Urban and Reid. Discussion followed.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL: Councilmember Ansari thanked Kalamazoo County Commissioner Scott McGraw for attending the meeting and Linda Teeter for her service.

Councilmember Ford thanked Linda Teeter, Sean McBride and the elected officials for attending the meeting and expressed appreciation to Bill Deming for his years of service to the City of Portage. He reminded everyone that the Winter Blast Race is Sunday and cautioned everyone to be careful and to have safe travels.

Councilmember Randall expressed her appreciation for the Portage Central High School production of the musical, *West Side Story*, and all who contributed to the effort. She noted that registration for the Winter Blast Race on Sunday is at Portage Central High School on Saturday, February 28, 2015, at Portage Central High School (Commons area) from 2:00 p.m. – 5:00 p.m., and late registration for the 5k only is available at Portage Central High School (Commons Area) from 6:30 a.m. – 7:30 a.m. on Sunday, March 1, 2015.

Councilmember Urban said he toured the Earth Fare Health Foods Store on Kilgore Road and announced the Ribbon Cutting Ceremony for this welcomed addition to the community is at 6:45 a.m. on Wednesday, February 25, 2015. He also stressed the need for comment from the public for the CCTA millage proposal as presented by Mr. McBride earlier.

City Manager Shaffer complimented Sean McBride and his group and noted that as part of the South Westnedge reconstruction, the plan is to incorporate new bus shelters and accoutrements at the bus stops along South Westnedge Avenue. He mentioned the two meetings with approximately eighty Portage citizens regarding leaf and brush pick-up along private roads in the City, and he said that Department of Public Services Director Rod Russell is meeting with property managers representing the various property owners and associations to see what accommodations are necessary to expedite the process and will bring a report back to Council possibly at the next Regular City Council Meeting. He indicated that on Wednesday, March 4, 2015, at 6 p.m., Council Chambers, there will be a meeting of the property owners of the City Center area to discuss the issues identified in *Portage 2025* and the Comprehensive Plan for the possibilities of a City Center development. He finished by describing the two sessions held to discuss the International Fire Code where the Administration met with those opposed to the Code and reached some accord and satisfaction with them. He said that questions were posed that will be answered formally, and that a proposal regarding the Code will be before City Council at the next Regular Meeting.

Councilmember Reid announced that a newly formed opportunity for business and community leaders to engage with state and local government representatives about issues that affect the region has been established as the Listening Post, which is a conversation over a cup of coffee as an effort to build relationships and open lines of communication necessary to grow Southwest Michigan for the better. She noted that this is a collaboration between the Chamber of Commerce and the Council of Governments (COG) with the first meeting to be held on Friday, February 27, 2015, from 8:00 a.m. until 9:00 a.m., at the Kalamazoo County Road Commission, 3801 East Kilgore Road, Kalamazoo, and thereafter on a monthly basis on the fourth Friday of each month.

Mayor Pro Tem Pearson announced a new television show on CBS called *Battle Creek* that premieres on March 1, 2015, and that CBS will be having a big premier in Battle Creek, as well as satellite premiers in Southwest Michigan, including one for 100 people, first come, first served, at 9:00 a.m., Room 209 in the Bernhard Center of Western Michigan University. Discussion followed.

Mayor Strazdas said he will be at the Ribbon Cutting Ceremony for the new Earth Fare Health Foods Store on Kilgore Road at 6:45 a.m. on Wednesday, February 25, 2015, and mentioned what a great addition this is for the whole region. He likened the Earth Fare Store to a Farmer's Market in

Portage since they will be procuring a lot of local products and organic products for the store, but Portage will not be paying any tax dollars for it because Earth Fare will be paying taxes to be here. He mentioned the Winter Blast Race on Sunday and that he will be starting the race with a fake gun and thanked all who will not be able to travel from their homes for their patience with this inconvenience.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:46 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of March 10, 2015, as presented.

Bi-weekly, the City Council reviews and approves the Accounts Payable Register, including checks issued to vendors and the electronic funds transfer register. Attached please find the Accounts Payable Register for the period February 8, 2015 through March 1, 2015. The time period noted includes \$564,207.93 for electronic transfers and \$1,067,370.36 for checks issued to vendors for a total of \$1,631,578.29.

FUNDING: N/A

Attachments: Accounts Payable Register

CITY OF PORTAGE CHECK REGISTER

Page: 1/6

Check Date From: 2/8/2015 12 TO 3/1/2015 12

Check Date	Check	Vendor Code	Vendor Name	Amount
02/13/2015	3784 (A)	0113	AMERICAN SAFETY & FIRST AID	38.15
02/13/2015	3785 (A)	1253	APOLLO FIRE EQUIPMENT COMPANY	2,017.13
02/13/2015	3786 (A)	3844	BELL EQUIPMENT COMPANY	1,258.00
02/13/2015	3787 (A)	2690	C D W GOVERNMENT, INC.	602.27
02/13/2015	3788 (A)	3556	C M P DISTRIBUTORS, INC.	1,409.00
02/13/2015	3789 (A)	0994	CAPITAL ADVANTAGE LEASING	26,283.10
02/13/2015	3790 (A)	0191	CONTINENTAL LINEN SERVICES	53.23
02/13/2015	3791 (A)	2790	CROWN TROPHY	54.00
02/13/2015	3792 (A)	0920	D & D PRINTING CO.	50.00
02/13/2015	3793 (A)	0959	EMPLOYMENT GROUP, INC.	2,116.38
02/13/2015	3794 (A)	2973	ENGINEERED PROTECTION SYSTEMS, INC.	293.00
02/13/2015	3795 (A)	4891	GLOBAL TELEMATIC SOLUTIONS LLC	800.00
02/13/2015	3796 (A)	4483	GREAT LAKES CHLORIDE, INC.	4,327.63
02/13/2015	3797 (A)	4103	HURST MECHANICAL, INC.	3,575.78
02/13/2015	3798 (A)	0063	INDUSCO SUPPLY CO., INC.	121.42
02/13/2015	3799 (A)	3957	JAROTH, INC	303.00
02/13/2015	3800 (A)	3775	MATERIALS RESOURCES	110.84
02/13/2015	3801 (A)	4746	MAURER'S TEXTILE RENTAL SERVICES	286.90
02/13/2015	3802 (A)	4724	MEJEUR ELECTRIC LLC	75.00
02/13/2015	3803 (A)	0440	ONE WAY PRODUCTS	431.00
02/13/2015	3804 (A)	4386	RIETH-RILEY CONSTRUCTION CO., INC	593.30
02/13/2015	3805 (A)	3481	S B F ENTERPRISES, INC.	2,236.75
02/13/2015	3806 (A)	1505	SNELL, DEBRA	192.00
02/13/2015	3807 (A)	4417	THOMPSON, HELENE	189.00
02/13/2015	3808 (A)	4831	TRI-COUNTY INTERNATIONAL TRUCKS INC	199,030.00
02/13/2015	3809 (A)	4609	UNITED WATER ENVIRONMENTAL SERVICES	167,775.40
02/13/2015	3810 (A)	4995	WARNER NORCROSS & JUDD LLP	3,766.67
02/13/2015	3811 (A)	4779	WIGHTMAN & ASSOCIATES, INC.	6,127.48
02/13/2015	3812 (A)	4322	WOLVERINE POWER SYSTEMS	719.70
02/13/2015	3813 (A)	4758	WOOD PLUMBING LLC, D	1,061.56
02/27/2015	3814 (A)	0109	ALL-TRONICS, INC.	81.00
02/27/2015	3815 (A)	1253	APOLLO FIRE EQUIPMENT COMPANY	975.90
02/27/2015	3816 (A)	3114	B & B YARDSCAPE	3,870.00
02/27/2015	3817 (A)	0678	BLUE CARE NETWORK-GREAT LAKES	66,044.88
02/27/2015	3818 (A)	3545	BRENNER OIL CO.	21,908.08
02/27/2015	3819 (A)	2690	C D W GOVERNMENT, INC.	702.46
02/27/2015	3820 (A)	4741	DATA CONSTRUCTS LLC	97.95
02/27/2015	3821 (A)	0712	DELTA DENTAL PLAN OF MICHIGAN	17,556.05
02/27/2015	3822 (A)	0959	EMPLOYMENT GROUP, INC.	338.39
02/27/2015	3823 (A)	4507	FURRY, WILLIAM	98.00
02/27/2015	3824 (A)	4439	HARTFORD LIFE INSURANCE COMPANY	7,508.90
02/27/2015	3825 (A)	4103	HURST MECHANICAL, INC.	340.90
02/27/2015	3826 (A)	0063	INDUSCO SUPPLY CO., INC.	862.35
02/27/2015	3827 (A)	3783	KEHOE, EDWARD J	280.00
02/27/2015	3828 (A)	1906	KUSHNER & COMPANY, INC.	410.84
02/27/2015	3829 (A)	4750	LAND & RESOURCE ENGINEERING, INC	882.50
02/27/2015	3830 (A)	4371	LIBRA INDUSTRIES, INC. OF MICHIGAN	1,230.95
02/27/2015	3831 (A)	3775	MATERIALS RESOURCES	152.34
02/27/2015	3832 (A)	4746	MAURER'S TEXTILE RENTAL SERVICES	316.50
02/27/2015	3833 (A)	0625	PORTAGE FIREFIGHTERS	1,510.32
02/27/2015	3834 (A)	0504	PORTAGE ON-CALL FIREFIGHTERS	140.00
02/27/2015	3835 (A)	0624	PORTAGE POLICE OFFICERS ASSOC	686.00
02/27/2015	3836 (A)	1977	RESIDENTIAL PLUMBING SERVICES, INC	1,347.16
02/27/2015	3837 (A)	0349	SAFETY SERVICES, INC.	475.10
02/27/2015	3838 (A)	4612	TECHNOLOGY SOLUTIONS	552.50
02/27/2015	3839 (A)	4831	TRI-COUNTY INTERNATIONAL TRUCKS INC	1,418.39
02/27/2015	3840 (A)	1862	UNITED AUTO. IMPLEMENT WORKERS 2290	503.94
02/27/2015	3841 (A)	4164	VISION SERVICE PLAN (OH)	2,088.59
02/27/2015	3842 (A)	0699	W W GRAINGER INC	341.19
02/27/2015	3843 (A)	4995	WARNER NORCROSS & JUDD LLP	3,766.67
02/27/2015	3844 (A)	4779	WIGHTMAN & ASSOCIATES, INC.	1,822.39

CITY OF PORTAGE CHECK REGISTER

Page: 2/6

Check Date From: 2/8/2015 12 TO 3/1/2015 12

Check Date	Check	Vendor Code	Vendor Name	Amount
SUBTOTAL:			61 CHECKS	564,207.93
02/13/2015	292359	999999	5TH DISTRICT COURT	250.00
02/13/2015	292360	3305	ADP, INC.	836.35
02/13/2015	292361	0106	AIRGAS GREAT LAKES	937.61
02/13/2015	292362	0533	ALLEGRA PRINT & IMAGING	120.03
02/13/2015	292363	999999	AMBS, KENNETH OR KNOLL-AMBS, LORI	247.07
02/13/2015	292364	999999	AMERICAN CRIME PREVENTION INSTITUTE	1,250.00
02/13/2015	292365	1944	APPLIED INDUSTRIAL TECHNOLOGIE	1,343.30
02/13/2015	292366	0532	ARMOLD, NICHOLAS	213.67
02/13/2015	292367	999999	ASSOC OF FUNDRAISING PROFESSIONALS	300.00
02/13/2015	292368	0849	AT&T	3,417.21
02/13/2015	292369	4399	AUTOMOTIVE CONCEPTS CARSTAR	180.45
02/13/2015	292370	3339	BESCO WATER TREATMENT, INC.	17.00
02/13/2015	292371	999999	BLUE, JOHN	44.00
02/13/2015	292372	0151	BORGESS HEALTH ALLIANCE	85.00
02/13/2015	292373	1845	CADWELL APPARELL	2,372.00
02/13/2015	292374	0437	CAMPBELL AUTO SUPPLY	29.07
02/13/2015	292375	1795	CANTEEN SERVICES	155.00
02/13/2015	292376	3080	CHARTER COMMUNICATIONS	206.11
02/13/2015	292377	5098	CITY DIRECTORIES	415.00
02/13/2015	292378	4649	CITY OF KALAMAZOO (TRANS MILLAGE)	455.26
02/13/2015	292379	0540	CITY OF KALAMAZOO TREASURER	208,261.06
02/13/2015	292380	0177	CITY OF PORTAGE	6,328.04
02/13/2015	292381	4849	CLASSIC GLASS, INC.	295.83
02/13/2015	292382	4547	COCHRAN GLASS AND DOOR, LLC	1,049.99
02/13/2015	292383	999999	COMFORT INN	382.50
02/13/2015	292384	2195	COMMUNICATOR AWARDS	475.00
02/13/2015	292385	1671	COMSTOCK PUBLIC SCHOOLS	26.47
02/13/2015	292386	0743	CONSUMERS ENERGY	38,872.60
02/13/2015	292387	0189	CONSUMERS ENERGY-BILL PMT CNT	16,429.69
02/13/2015	292388	999999	CORELOGIC	578.18
02/13/2015	292389	0195	CROSSROADS CAR WASH	219.50
02/13/2015	292390	0203	D L GALLIVAN INC.	31.19
02/13/2015	292391	999999	DRIVERS LICENSE GUIDE	62.85
02/13/2015	292392	3315	ED & TED'S EXCELLENT ADVENTURES	32,262.00
02/13/2015	292393	4031	ENTRANCE TECHNOLOGIES INC.	271.59
02/13/2015	292394	5058	FARRELL AUDIO VIDEO LLC	1,521.10
02/13/2015	292395	5094	FIBERLINK COMMUNICATIONS CORP.	3,840.00
02/13/2015	292396	4422	FIRST DUE FIRE SUPPLY CO.	58,762.34
02/13/2015	292397	1399	FLETCHER ENTERPRISES	387.00
02/13/2015	292398	3927	FORCE AMERICA, INC.	350.05
02/13/2015	292399	0532	FRENCY, STACY	386.53
02/13/2015	292400	999999	FRIEND OF THE COURT	2,300.00
02/13/2015	292401	999999	GANSEN, GLENN	44.00
02/13/2015	292402	0502	GORDON FOOD SERVICE	60.55
02/13/2015	292403	0517	GORDON WATER SYSTEMS	178.25
02/13/2015	292404	4781	HALT FIRE, INC.	194.93
02/13/2015	292405	1528	HOFFMAN BROTHERS, INC.	100.00
02/13/2015	292406	999999	HOLROYD, WILLIAM	200.00
02/13/2015	292407	0691	HOME DEPOT	663.06
02/13/2015	292408	999999	HOUSECALL PHYSICIANS OF SW MICH	9.28
02/13/2015	292409	4342	ICEMANN ARENA INC	829.45
02/13/2015	292410	0650	INT'L ASSOC CHIEFS OF POLICE	150.00
02/13/2015	292411	0650	INT'L ASSOC CHIEFS OF POLICE	150.00
02/13/2015	292412	4642	IP CONSULTING, INC.	10,904.73
02/13/2015	292413	4444	J-AD GRAPHICS, INC	2,272.07
02/13/2015	292414	999999	JACOBS, JANE	44.00
02/13/2015	292415	999999	JASON WOODHAMS	24.76
02/13/2015	292416	4682	JOHANNA THOMPSON	100.00
02/13/2015	292417	3201	JONS TO GO PORTABLE RESTROOM	390.00
02/13/2015	292418	0087	KALAMAZOO COUNTY ROAD COMMISSI	700.22

CITY OF PORTAGE CHECK REGISTER

Page: 3/6

Check Date From: 2/8/2015 12 TO 3/1/2015 12

Check Date	Check	Vendor Code	Vendor Name	Amount
02/13/2015	292419	0514	KALAMAZOO COUNTY TREASURER	995.21
02/13/2015	292420	999999	KALAMAZOO COUNTY TREASURER'S ASSOC	10.00
02/13/2015	292421	0092	KALAMAZOO NATURE CENTER, INC.	165.00
02/13/2015	292422	999999	KEITH HEARIT	15.46
02/13/2015	292423	0231	KENDALL ELECTRIC, INC.	10.64
02/13/2015	292424	2663	KENT COUNTY DPW	67.50
02/13/2015	292425	4838	LACOSTA FACILITY SUPPORT SERVICES	3,432.34
02/13/2015	292426	3732	LIFELOC TECHNOLOGIES, INC.	50.00
02/13/2015	292427	999999	LIVINGSTON, JOHN	44.00
02/13/2015	292428	999999	LORI KNAPP	12.62
02/13/2015	292429	5063	MAJOR APPLIANCE	224.00
02/13/2015	292430	2124	MARTIN SPRING & DRIVE, INC.	3,736.48
02/13/2015	292431	999999	MCLAIN, JAN	67.00
02/13/2015	292432	5027	MEEKHOF TIRE SALES & SERVICE INC.	2,173.26
02/13/2015	292433	4777	MICH MUNICIPAL POLICE & FIRE REPAIR	988.05
02/13/2015	292434	999999	MICHAEL QUINN	11.76
02/13/2015	292435	0264	MICHIGAN ELECTION RESOURCES, LLC	200.00
02/13/2015	292436	0266	MICHIGAN KAL ELECTRONICS, INC.	2,925.75
02/13/2015	292437	999999	MICHIGAN MUNICIPAL TREASURERS ASSN	550.00
02/13/2015	292438	0532	MILLS, DANIEL	232.39
02/13/2015	292439	0089	MLIVE MEDIA GROUP	3,289.66
02/13/2015	292440	0286	MULDERS LANDSCAPE SUPPLIES INC	17,518.00
02/13/2015	292441	4351	NEW FRESH CLEANING SERVICE	1,380.00
02/13/2015	292442	0293	NORMAN CAMERA CO.	312.95
02/13/2015	292443	0299	NYE UNIFORMS	395.99
02/13/2015	292444	0860	O'BOYLE-COLWELL-BLALOCK & AS.	1,260.00
02/13/2015	292445	1721	OFFICE DEPOT, INC.	687.93
02/13/2015	292446	0301	OFFICEMAX INCORPORATED	32.99
02/13/2015	292447	4329	ONSTAFF USA INC	15,511.58
02/13/2015	292448	3090	OUR DESIGNS, INC.	218.55
02/13/2015	292449	0532	PATTERSON, TREVER	40.00
02/13/2015	292450	4852	PCM SALES, INC.	303.65
02/13/2015	292451	0805	PETTY CASH-CITY MANAGER	192.34
02/13/2015	292452	0610	PETTY CASH-FIRE	251.36
02/13/2015	292453	0536	PETTY CASH-PARKS	437.10
02/13/2015	292454	0890	PETTY CASH-POLICE DEPT.	410.30
02/13/2015	292455	999999	PHILLIPS, GLEN & CONNIE	158.00
02/13/2015	292456	0532	PIERMAN, BRANNON	40.00
02/13/2015	292457	1415	PORTAGE CLEANERS & LAUNDRY	1,386.90
02/13/2015	292458	4396	PORTAGE GLASS & MIRROR	145.65
02/13/2015	292459	999999	PUBLIC AGENCY TRAINING COUNCIL	295.00
02/13/2015	292460	4113	R C M HEADSETS/R C M & ASSOC.	111.00
02/13/2015	292461	3664	RED THE UNIFORM TAILOR	446.74
02/13/2015	292462	4686	RENEWED EARTH, INC.	7,916.66
02/13/2015	292463	4443	REPUBLIC SERVICES OF WEST MICHIGAN	45,032.74
02/13/2015	292464	0438	RIDGE AUTO NAPA	1,162.94
02/13/2015	292465	999999	SEMLER, COLLEEN	75.00
02/13/2015	292466	5047	SIMPLIFILE LC	108.30
02/13/2015	292467	1423	SOIL & MATERIALS ENGINEERS, INC	3,317.69
02/13/2015	292468	3721	SPRINT	459.24
02/13/2015	292469	999999	STAAL, RANDALL	44.00
02/13/2015	292470	0366	STAP BROS LAWN & LANDSCAPE, INC	3,815.25
02/13/2015	292471	0368	STATE OF MICHIGAN (DOT)	1,080.28
02/13/2015	292472	0369	STATE SYSTEMS RADIO, INC	1,351.72
02/13/2015	292473	3222	STEENSMA LAWN & POWER EQUIPMENT	104.00
02/13/2015	292474	3693	STUDENT HAULERS	1,300.00
02/13/2015	292475	2890	SUTPHEN CORP.	912.60
02/13/2015	292476	999999	SWEENEY, RYAN	44.00
02/13/2015	292477	4539	T D S METROCOM, LLC	3,380.34
02/13/2015	292478	3665	T-MOBILE USA INC	29.99
02/13/2015	292479	2220	TOO CLEAN JANITORIAL	25.00
02/13/2015	292480	2817	TRACTOR SUPPLY CORP.	116.30
02/13/2015	292481	4938	TRAFFIC TECH SERVICES LLC	693.00

CITY OF PORTAGE CHECK REGISTER

Page: 4/6

Check Date From: 2/8/2015 12 TO 3/1/2015 12

Check Date	Check	Vendor Code	Vendor Name	Amount
02/13/2015	292482	999999	TRAINING FORCE USA	199.00
02/13/2015	292483	999999	TRAVERSE CITY PIE COMPANY	326.80
02/13/2015	292484	3497	U S BANK	850.00
02/13/2015	292485	0392	U S POSTMASTER	3,500.00
02/13/2015	292486	0545	UNITED PARCEL SERVICE	57.30
02/13/2015	292487	4653	VERIZON WIRELESS SERVICES, LLC	2,408.99
02/13/2015	292488	999999	VERMEULEN, DAWN	44.00
02/13/2015	292489	999999	W.M.A.C.P.	25.00
02/13/2015	292490	4887	WADSWORTH NORTHWEST	2,492.00
02/13/2015	292491	999999	WATKINS, JOAN	55.00
02/13/2015	292492	999999	WAYNE STATE UNIVERSITY	495.00
02/13/2015	292493	0532	WENTWORTH, JORDAN	40.00
02/13/2015	292494	999999	WESLEY MAZUREK	17.12
02/13/2015	292495	999999	WILLIAM BRANDT	12.26
02/13/2015	292496	3061	WINDEMULLER ELECTRIC, INC.	3,700.00
02/13/2015	292497	2684	XEROX CORPORATION	1,528.95
02/13/2015	292498	0391	U S POSTMASTER	7,450.00
02/23/2015	292499	5058	FARRELL AUDIO VIDEO LLC	1,033.53
02/27/2015	292500	999999	7TH DISTRICT COURT	100.00
02/27/2015	292501	0635	A NEW LEAF	1,018.00
02/27/2015	292502	4060	A T & T LONG DISTANCE	174.63
02/27/2015	292503	999999	A. DAVID AND HELGA BRAYTON	1,250.00
02/27/2015	292504	3305	ADP, INC.	4,718.60
02/27/2015	292505	0108	ALL-PHASE ELECTRIC SUPPLY CO.	262.26
02/27/2015	292506	0533	ALLEGRA PRINT & IMAGING	387.50
02/27/2015	292507	3718	AMERICAN MESSAGING	505.90
02/27/2015	292508	0804	AMERICAN PLANNING ASSOCIATION	510.00
02/27/2015	292509	999999	AMERICAN VILLAGE DEVELOPMENT	224.28
02/27/2015	292510	2416	APPLIED IMAGING	2,113.24
02/27/2015	292511	1944	APPLIED INDUSTRIAL TECHNOLOGIE	263.61
02/27/2015	292512	0532	ARIF, MJUHAMMAD	85.00
02/27/2015	292513	0849	AT&T	60.18
02/27/2015	292514	5046	AT&T YELLOW PAGES	52.80
02/27/2015	292515	0146	BILL'S LOCK SHOP, INC.	105.00
02/27/2015	292516	0642	BLUE CROSS/BLUE SHIELD OF MICH	116,076.99
02/27/2015	292517	0153	BRINK'S, INC	292.65
02/27/2015	292519	0532	BURKE, GREG	210.00
02/27/2015	292520	0068	BYHOLT INC.	650.28
02/27/2015	292521	4768	C T S TELECOM, INC.	674.17
02/27/2015	292522	0532	CAMPBELL, JESSICA	9.86
02/27/2015	292523	0168	CARLETON EQUIPMENT CO.	4,800.00
02/27/2015	292524	3080	CHARTER COMMUNICATIONS	53.68
02/27/2015	292525	4649	CITY OF KALAMAZOO (TRANS MILLAGE)	1,262.90
02/27/2015	292526	1116	COASTAL TRAINING TECHNOLOGIES CORP	48.18
02/27/2015	292527	1263	CORNERSTONE CONSTRUCTION	1,620.00
02/27/2015	292528	999999	COUNCIL OF GOVERNMENTS (COG)	25.00
02/27/2015	292529	999999	COY, ROSE MARIE	150.00
02/27/2015	292530	999999	CPS HR CONSULTING	349.60
02/27/2015	292531	0745	CUMMINGS BRIDGEWAY LLC	615.99
02/27/2015	292532	999999	DEWOOLKAR, ANUYA OR HASAN, SYED	17.93
02/27/2015	292533	2948	EMERGENCY VEHICLE PRODUCTS	5,760.52
02/27/2015	292534	0959	EMPLOYMENT GROUP, INC.	1,036.56
02/27/2015	292535	0690	FAWLEY OVERHEAD DOOR, INC.	679.00
02/27/2015	292536	5095	FIREQUIP, INC.	1,034.00
02/27/2015	292537	4422	FIRST DUE FIRE SUPPLY CO.	4,520.18
02/27/2015	292538	999999	FOUR WINDS CASINO SHUTTLE	162.00
02/27/2015	292539	0025	GALL'S, AN ARAMARK COMPANY	129.59
02/27/2015	292540	2967	GORNO FORD	21,462.00
02/27/2015	292541	0464	GRAHAM FORESTRY SERVICE, INC.	368.00
02/27/2015	292542	5018	GREAT LAKES SYSTEMS, INC.	29,027.25
02/27/2015	292543	0623	GREATER KALAMAZOO FOP LODGE 98	549.20
02/27/2015	292544	0623	GREATER KALAMAZOO FOP LODGE 98	2,691.08
02/27/2015	292545	4514	GREATER KALAMAZOO SKATING ASSOC.	80.00

CITY OF PORTAGE CHECK REGISTER

Page: 5/6

Check Date From: 2/8/2015 12 TO 3/1/2015 12

Check Date	Check	Vendor Code	Vendor Name	Amount
02/27/2015	292546	0628	GREATER KALAMAZOO UNITED WAY	1,335.56
02/27/2015	292547	0598	GRIFFIN PEST SOLUTIONS, INC.	285.00
02/27/2015	292548	999999	HOLIDAY INN EXPRESS	84.00
02/27/2015	292549	3594	HOLLAND SUPPLY INC.	1,191.42
02/27/2015	292550	0691	HOME DEPOT	351.55
02/27/2015	292551	999999	HYLAND ASSOCIATES LLC	935.45
02/27/2015	292552	0650	INT'L ASSOC CHIEFS OF POLICE	150.00
02/27/2015	292553	4444	J-AD GRAPHICS, INC	104.00
02/27/2015	292554	0069	JACK DOHENY SUPPLIES INC.	262.22
02/27/2015	292555	999999	JANATA, LACAP & ASSOCIATES	8,307.76
02/27/2015	292556	0514	KALAMAZOO COUNTY TREASURER	3,230.50
02/27/2015	292557	3062	KANTOLA PRODUCTIONS	176.00
02/27/2015	292558	999999	KASDORF, ANN	186.87
02/27/2015	292559	0231	KENDALL ELECTRIC, INC.	362.68
02/27/2015	292560	1066	KUIPER BROTHERS MOVING INC.	183.00
02/27/2015	292561	999999	L.E.O.R.T.C.	185.00
02/27/2015	292562	0240	LAWSON PRODUCTS, INC	381.90
02/27/2015	292563	999999	LEADS ONLINE	179.00
02/27/2015	292564	999999	LEADS ONLINE	179.00
02/27/2015	292565	2701	LEXISNEXIS/MATTHEW BENDER	347.50
02/27/2015	292566	0532	LORD, JAMES	40.00
02/27/2015	292567	2630	LOWE'S HOME CENTER	30.50
02/27/2015	292568	1208	MAILFINANCE	744.27
02/27/2015	292569	0728	MCDONALD'S TOWING & RESCUE, INC.	153.00
02/27/2015	292570	0256	MCNALLY ELEVATOR CO.	116.10
02/27/2015	292571	5001	MED EXPRESS	160.00
02/27/2015	292572	5027	MEEKHOF TIRE SALES & SERVICE INC.	781.31
02/27/2015	292573	0258	MENARDS, INC	78.63
02/27/2015	292574	2157	MI ASSOC. OF CHIEFS OF POLICE	100.00
02/27/2015	292575	4777	MICH MUNICIPAL POLICE & FIRE REPAIR	2,051.21
02/27/2015	292576	2030	MIDWEST ENERGY COOPERATIVE	268.78
02/27/2015	292577	0089	MLIVE MEDIA GROUP	1,317.60
02/27/2015	292578	999999	MMAAO	60.00
02/27/2015	292579	3045	MOTION PICTURE LICENSING CORP.	262.42
02/27/2015	292580	1154	NEW WORLD SYSTEMS	32,223.67
02/27/2015	292581	0532	NICKELL, HAYDEN	19.05
02/27/2015	292582	0532	NORRIS, DEANNA	500.00
02/27/2015	292583	0299	NYE UNIFORMS	546.85
02/27/2015	292584	1721	OFFICE DEPOT, INC.	1,230.21
02/27/2015	292585	0301	OFFICEMAX INCORPORATED	752.40
02/27/2015	292586	5019	OMM ENGINEERING, INC.	1,875.75
02/27/2015	292587	4329	ONSTAFF USA INC	27,281.34
02/27/2015	292588	2623	PAPER CENTRAL	1,124.00
02/27/2015	292589	4852	PCM SALES, INC.	40,809.94
02/27/2015	292590	1171	PEERLESS, INC.	152.00
02/27/2015	292591	3764	PERCEPTIVE CONTROLS, INC.	20,890.00
02/27/2015	292592	999999	PETERS, DONNA	150.00
02/27/2015	292593	0767	PETTY CASH-CITY HALL	296.67
02/27/2015	292594	0610	PETTY CASH-FIRE	167.95
02/27/2015	292595	0536	PETTY CASH-PARKS	452.62
02/27/2015	292596	0537	PETTY CASH-SENIOR CENTER	173.17
02/27/2015	292597	4396	PORTAGE GLASS & MIRROR	295.00
02/27/2015	292598	4582	PUBLIC MEDIA NETWORK	99,290.67
02/27/2015	292599	4526	PUBLIC SAFETY CENTER	285.24
02/27/2015	292600	0532	RANDALL, PATRICIA	997.41
02/27/2015	292601	0327	RATHCO SAFETY SUPPLY, INC.	1,420.75
02/27/2015	292602	3664	RED THE UNIFORM TAILOR	476.01
02/27/2015	292603	0438	RIDGE AUTO NAPA	3,873.82
02/27/2015	292604	0337	RIGHT-WAY RENTAL, INC.	37.74
02/27/2015	292605	2625	ROD SCOTT	1,925.00
02/27/2015	292606	999999	ROGERS, DOUGLAS	100.00
02/27/2015	292607	2064	SIMMONS FORD	166.15
02/27/2015	292608	0786	SIRCHIE FINGER PRINT LABORATORIES	909.35

CITY OF PORTAGE CHECK REGISTER

Check Date From: 2/8/2015 12 TO 3/1/2015 12

Check Date	Check	Vendor Code	Vendor Name	Amount
02/27/2015	292610	0820	STATE OF MICHIGAN (MDEQ)	800.00
02/27/2015	292611	0369	STATE SYSTEMS RADIO, INC	160.00
02/27/2015	292612	5093	STAY DRY BASEMENT WATERPROOFING	7,500.00
02/27/2015	292613	3222	STEENSMA LAWN & POWER EQUIPMENT	1,928.61
02/27/2015	292614	999999	STEGMAN, LOIS	150.00
02/27/2015	292615	4841	SUCCESS COMMUNICATIONS, INC.	699.00
02/27/2015	292616	4237	SUITS U TAILOR SHOP INC	332.00
02/27/2015	292617	3821	TASER INTERNATIONAL, INC	53.71
02/27/2015	292618	4667	TELVENT DTN, INC.	774.00
02/27/2015	292619	999999	TRAINING FORCE USA	199.00
02/27/2015	292620	0639	TRUCK & TRAILER SPECIALTIES	967.68
02/27/2015	292621	4449	ULINE, INC.	179.44
02/27/2015	292622	0545	UNITED PARCEL SERVICE	54.78
02/27/2015	292623	0399	VANBECK ROOFING & SIDING CO.	400.00
02/27/2015	292624	4623	VARTEC, LLC	1,100.00
02/27/2015	292625	4653	VERIZON WIRELESS SERVICES, LLC	1,589.98
02/27/2015	292626	999999	VOLENSKI, FRANK	44.00
02/27/2015	292627	999999	WATSON, BETSY	50.00
02/27/2015	292628	MISC-UB	WBC PROPERTIES	22.52
02/27/2015	292629	999999	WEST MICH ASSOC OF CHIEFS OF POLICE	25.00
02/27/2015	292630	999999	WEST MICH ASSOC OF CHIEFS OF POLICE	25.00
02/27/2015	292631	4306	WESTERN MICHIGAN INT'L TRUCKS	1,667.20
02/27/2015	292632	3061	WINDEMULLER ELECTRIC, INC.	1,560.75
02/27/2015	292633	999999	WNUK, JACQUILINE	150.00
02/27/2015	292634	1089	WOLVERINE LAWN SERVICE, INC.	8,355.84
02/27/2015	292636	4709	ZOLL DATA SYSTEMS, INC.	2,362.66
02/27/2015	292637	0189	CONSUMERS ENERGY-BILL PMT CNT	3,712.50
02/27/2015	292638	0820	STATE OF MICHIGAN (MDEQ)	200.00
02/27/2015	292639	0820	STATE OF MICHIGAN (MDEQ)	190.00
02/27/2015	292640	0820	STATE OF MICHIGAN (MDEQ)	4,000.00

SUBTOTAL: 279 CHECKS 1,067,370.36

TOTAL: 340 CHECKS 1,631,578.29

** (A) DENOTES ACH PAYMENTS

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: West Osterhout Avenue Sanitary Sewer Project #414-S

SUPPORTING PERSONNEL: James Hudson, City Clerk

ACTION RECOMMENDED: That City Council adopt Resolution No. 5 for the West Osterhout Avenue Sanitary Sewer Project #414-S, confirming the Special Assessment Roll.

Attached is Special Assessment Resolution No. 5 for the West Osterhout Sanitary Sewer Project #414-S. Previous Council action relating to this project includes:

- On December 2, 2014, City Council adopted Resolution No. 1 on the project, accepted the City Manager report and requested preparation of Resolution No. 2.
- On December 16, 2014, City Council adopted Resolution No. 2, setting a public hearing of necessity on January 6, 2015.
- On January 6, 2015, City Council adopted Resolution No. 3, on the necessity of the project, directing preparation of the Assessment Roll.
- On January 20, 2015, City Council adopted Resolution No. 4, setting a public hearing on the Assessment Roll for February 10, 2015.
- On February 10, 2015, City Council tabled the adoption of Resolution No. 5 until March 10, 2015.

During the public hearing on February 10, 2015, the property owner of 275 West Osterhout Avenue and 325 West Osterhout Avenue requested that City Council allow the said parcels to be combined, so that the property owner would only be assessed for one benefiting property. City Council tabled the adoption of Resolution No. 5 until March 10, 2015 to give the property owner time to complete the process of combining the said parcels. The properties have been joined and the assessment charge assigned to 275 West Osterhout Avenue has been deleted accordingly. The property owner special assessment roll has been reduced from \$49,505.54 to \$46,386.60. Special Assessment Resolution No. 5, as prepared by the City Attorney, reflects the revised special assessment amount.

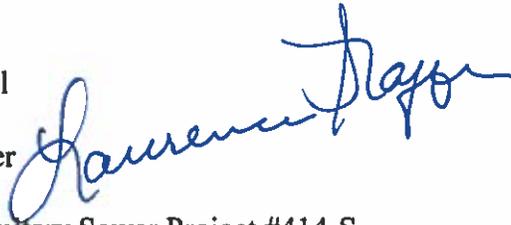
Therefore, it is recommended that City Council adopt Resolution No. 5 for the West Osterhout Sanitary Sewer Project #414-S, confirming the Special Assessment Roll.

FUNDING: The improvements are funded in the Fiscal Year 2014 – 2015 Capital Improvement Program by the utilization of special assessment bonds, city-share bonds and revenue bonds as appropriate.

Attachments: Resolution No. 5 for West Osterhout Avenue Sanitary Sewer Project #414-S

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: West Osterhout Avenue Sanitary Sewer Project #414-S

SUPPORTING PERSONNEL: James Hudson, City Clerk

ACTION RECOMMENDED: That City Council adopt Resolution No. 5 for the West Osterhout Avenue Sanitary Sewer Project #414-S, confirming the Special Assessment Roll.

Attached is Special Assessment Resolution No. 5 for the West Osterhout Sanitary Sewer Project #414-S. Previous Council action relating to this project includes:

- On December 2, 2014, City Council adopted Resolution No. 1 on the project, accepted the City Manager report and requested preparation of Resolution No. 2.
- On December 16, 2014, City Council adopted Resolution No. 2, setting a public hearing of necessity on January 6, 2015.
- On January 6, 2015, City Council adopted Resolution No. 3, on the necessity of the project, directing preparation of the Assessment Roll.
- On January 20, 2015, City Council adopted Resolution No. 4, setting a public hearing on the Assessment Roll for February 10, 2015.

Therefore, it is recommended that City Council adopt Resolution No. 5 for the West Osterhout Sanitary Sewer Project #414-S, confirming the Special Assessment Roll.

FUNDING: The improvements are funded in the Fiscal Year 2014 – 2015 Capital Improvement Program by the utilization of special assessment bonds, city-share bonds and revenue bonds as appropriate.

Attachments: Resolution No. 5 for West Osterhout Avenue Sanitary Sewer Project #414-S

**CITY OF PORTAGE
SPECIAL ASSESSMENT RESOLUTION NO. 5
WEST OSTERHOUT AVENUE SANITARY SEWER, DISTRICT #414-S**

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan held at the City Hall in said City on the _____ day of _____, 2015 at 7:30 p.m., local time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember: _____, and seconded by:

Councilmember: _____.

WHEREAS, the City Council of the City of Portage, Kalamazoo County, Michigan, after due and legal notice has reviewed the Special Assessment Roll No. 414-S prepared for the purpose of defraying the costs of the following described public improvement:

Install approximately 1,600 feet of sanitary sewer and appurtenances in West Osterhout Avenue from Lloy Street to South Westnedge Avenue to serve existing properties on this section of West Osterhout Avenue. Sewer services will be installed to abutting properties and are included in the assessment. The expected life of said improvement is 20 years

WHEREAS, the cost of said improvement is \$680,000.00, the share of the Special Assessment District is \$46,386.60, and the share of the City-at-Large is \$633,613.40.

WHEREAS, the City Council deems said Special Assessment Roll to be fair and equitable, and the assessments recorded therein to be in proportion to the benefits derived or to be derived;

NOW THEREFORE, BE IT RESOLVED:

1. That the City's share of said improvement, in the amount of \$633,613.40, is hereby confirmed and payment of the same shall be determined at a later date.

2. That said Special Assessment Roll No. 414-S in the amount of \$46,386.60, as prepared, filed and presented to the City Council, may be and the same hereby is confirmed.

3. That said Special Assessment Roll shall be divided into twenty (20) equal installments, the first installment to be due August 1, 2015 to August 31, 2015, inclusive. The remaining nineteen (19) installments, with accrued interest thereon, shall be due and payable August 1st to August 31st each year thereafter and shall be spread upon the City tax roll for the year in which the same becomes due and payable. No interest shall be charged on the first installment or on the total amount if paid in full by August 31, 2015. On September 1, 2015, interest at a rate no to exceed one percent (1%) above the average interest cost on the bonds sold to finance the improvements shall begin on the deferred installments and any unpaid balance of the first installment.

4. The assessments made in said Special Assessment Roll are hereby ordered and directed to be collected and the City Clerk shall deliver said Special Assessment Roll to the City Treasurer with his warrant attached commanding the Treasurer to collect the assessments therein in accordance with the direction of this resolution with respect thereto, and the Treasurer is directed to collect the amounts assessed as the same become due.

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

YEAS: Councilmember: _____

NAYS: Councilmember: _____

ABSENT: Councilmember: _____

RESOLUTION DECLARED ADOPTED:

James R. Hudson
City Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF KALAMAZOO)

I, the undersigned duly qualified and acting City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the _____ day of _____, 2015, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereto affixed my official signature this ____ day of _____, 2015.

James R. Hudson
City Clerk

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

Approved as to Form:
Date: 2/25/15
By: [Signature]
City Attorney

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Industrial Tax Abatement Incentive Policy - Revisions

SUPPORTING PERSONNEL: Victoria Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council approve the revisions to the city's Industrial Tax Abatement Incentive Policy.

During the City Council Retreat in December 2014, information was provided in regard to the current City of Portage Industrial Tax Abatement Incentive Policy, active tax abatements, location of existing Industrial Development Districts, along with a summary of comparative community tax abatement policies. This information was provided to Council for review and consideration of appropriate revisions to the City of Portage policy. At the February 10, 2015 City Council Committee of the Whole meeting, specific revisions to the policy were presented for discussion intended to streamline the process and provide additional criteria for granting extended abatement time periods for eligible businesses that propose significant investment and/or employment growth within the local economy. The revisions proposed are also intended to enhance the competitive position of the City of Portage with regard to promoting economic development. The proposed revisions to the policy are summarized as follows:

- Section 1, Process for Consideration of an Industrial Development District or Plant Rehabilitation District Application was revised to:
 - a. Expand the area included within an Industrial Development District (IDD) to include both the building foundation and site improvements necessary for operation of the facility. This revision provides increased flexibility to the applicant (i.e. to allow for minor variations in the building footprint between establishment of the district and actual construction) and acknowledges real property investments including site improvements beyond the building. This revision is similar to the approval granted for the most recent Kenco Logistics abatement.
 - b. Eliminate the submission of Treasury Form 632, Personal Property Statement. This form has caused confusion for applicants and has not been found to add value to the application review.
 - c. Add text for leased property and/or equipment that specifies the lease must be at least as long as the abatement period requested.
- Section 2, Process for Consideration of an Industrial Facilities Exemption Certificate Application was revised to specify that an application for an exemption certificate may be submitted not more than 90 days after establishment of an IDD, as opposed to the next immediate Council meeting. In addition, text has been added that specifies the public hearings for establishment of an IDD and a requested exemption certificate may occur on the same Council meeting agenda to expedite the review process. Finally, the same revisions noted in Section 1 above have been made to Section 2 with regard to the application requirements.

- Section 3. Industrial Tax Abatement Incentive Provisions was revised to:
 - a. Allow three additional years of abatement for real and personal property (i.e. nine years for real property and six years for personal property) when an applicant proposes to:
 - ✓ Locate in an underutilized industrial facility that has been vacant for more than one year (*this provision was added to the policy in April 2008 and no text change is proposed*); or
 - ✓ Complete an investment in real and/or personal property that exceeds \$10 million; or
 - ✓ Create 50 or more new jobs with the *median annual salary* above 80 percent of the Kalamazoo County Area Median Income for a single-person household; or
 - ✓ Create a minimum of 25 new jobs, *all* of which have an annual salary above 80 percent of the Kalamazoo County Area Median Income for a single-person household.
 - b. Revised text to allow six additional years of abatement for real and personal property (i.e. 12 years for real property and nine years for personal) when an applicant proposes to:
 - ✓ Complete an investment in real and/or personal property that exceeds \$20 million; or
 - ✓ Create 100 or more new jobs with the *median annual salary* above 80 percent of the Kalamazoo County Area Median Income for a one-person household; or
 - ✓ Create a minimum of 50 new jobs, *all* of which have an annual salary above 80 percent of the Kalamazoo County Area Median Income for a one-person household.

The above criteria have been modified slightly based on the February 10, 2015 Committee of the Whole discussion. In particular, the criterion with regard to investments in a specified building size (e.g. 100,000 square feet and 200,000 square feet) have been eliminated to shift the focus more towards the minimum investment as opposed to building size. In addition, to criteria for new job creation has been modified to include consideration of the annual salaries of new jobs created.

The attached Industrial Tax Abatement Incentive Policy incorporates the revisions noted above, which will streamline the review process, provide additional criteria for extended abatement periods and enhance the competitive position of the City of Portage. Therefore, it is recommended that City Council approve the revisions to the Industrial Tax Abatement Incentive Policy.

FUNDING: Not Applicable

Attachments: Industrial Tax Abatement Incentive Policy with revisions



CITY OF PORTAGE INDUSTRIAL TAX ABATEMENT INCENTIVE POLICY

The City of Portage encourages the growth and development of the local industry and business tax base, the creation of additional job opportunities for community residents and desires to continue to provide incentives for industry and business expansion. The City Council also recognizes the essential responsibility to the community to maintain the array of public services necessary to ensure the high quality of life that exists in Portage. To facilitate tax base expansion and to fulfill these responsibilities, the City Council hereby establishes this City of Portage Industrial Tax Abatement Incentive Policy.

The City of Portage is *A Natural Place to Move*. To continue to be a community in which growth and development can prosper, the following attributes important to all industries and businesses will be maintained:

- **Low Tax Rate.** The maintenance of the lowest feasible tax rate compared to other full-service cities is essential to economic development and will facilitate expansion and job creation: A very competitive City of Portage tax rate will be continued.
- **Utility Service Rates.** The maintenance of competitive utility rates is also important to provide opportunities for continued growth and development: Cost effective rates and the efficient delivery of utility services by the City of Portage will be continued.
- **Capital Improvements.** Investments in existing public street, water, and sewer infrastructure and the expansion of these public systems are necessary and will encourage additional private sector investment: The annual 10-year Capital Improvement Program budget will continue to reflect essential public improvements within the community.
- **Quality of Life Investments.** To provide opportunities for industry and business expansion and to ensure high quality of life standards, public safety, business and neighborhood services, cultural and recreational programming and related community attributes must be maintained: Quality of life investments will be continued by the City of Portage to foster a safe, *Living, Working and Learning* community.

In addition to these important locally-determined economic development and growth factors, the City Council will offer eligible industries and businesses the opportunity to apply for property tax abatements under Michigan Statute in order to induce further private sector investment in the community.

Inquiries concerning this policy can be directed to the Office of the City Clerk (269.329.4511), Office of the City Assessor (269.329.4431) or the Department of Community Development (269.329.4477), in Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan 49002.

DATE OF ADOPTION BY CITY COUNCIL:

PA 198 Plant Rehabilitation and Industrial Development District Policy Review Criteria

The City Council will consider economic inducements in the context of tax abatement applications received under Michigan statute based on the following general policy criteria and more specific tax abatement provisions. These standards will be equally applied during the review of abatement applications from eligible local and out-of-town industries and businesses.

- *The project will promote diversification of the City of Portage economy and tax base;*
- *The project will promote revitalization of aging and/or obsolete buildings and facilities;*
- *The project for which the tax abatement is requested will provide a diverse employment base for the workforce;*
- *The development or redevelopment of a proposed industrial facility or the revitalization of an existing business facility will be consistent with community land use objectives and environmental objectives.*
- *The expanded or new industrial facility or the revitalized commercial facility can be accommodated by present and/or future requirements for city services including roads, public utilities and public safety;*
- *The applicant meets current financial obligations to the city and is in compliance with all applicable statutes and city ordinances;*
- *The applicant has no pending or current litigation against the city (including appeals to the Michigan Tax Tribunal);*
- *A public purpose would be served (i.e. to expand the tax base, promote income growth and capital investment in the community, to develop/expand technology, advance manufacturing, life science and other targeted business with an anticipated future growth, create new/retain existing jobs, as well as any applicable multiplier effects of additional employment associated with a projects);*
- *City Council finds that the project impacts including benefits, costs and environmental impacts of the proposed industrial facility will benefit the community and will not result in the impairment of the operation, or the financial soundness, of any taxing jurisdiction.*

The above-mentioned criteria are not intended to be exhaustive and the Portage City Council reserves the right to consider such additional criteria, which are intended under these goals and objectives that promote the general health, safety, and welfare principles of the City of Portage. Periodic review of this policy will be necessary to ensure consistency with the community objectives and needs.

Industrial Tax Abatement Application Information

The following sections reference the framework for processing and considering industrial tax abatement applications as provided under Public Act 198 of 1974, Plant Rehabilitation and Industrial Development Districts Act, as amended. This policy, these procedures and related provisions will assist the industrial community in the continuing effort to contribute to the health and vibrancy of the City of Portage. The following sections address --

1. Process for Consideration of an Industrial Development or Plant Rehabilitation District Application
2. Process for Consideration of an Industrial Facilities Exemption Certificate Application
3. Industrial Tax Abatement Incentive Provisions
4. Industrial Project Reporting/Monitoring
5. Transfer of an Industrial Facilities Exemption Certificate and Certificate Revocation
6. Final Project Cost Differences
7. Time Extensions for Facility Completion
8. Dissolving an Industrial Development or a Plant Rehabilitation District

1. Process for Consideration of an Industrial Development District or Plant Rehabilitation District Application

Applicants requesting establishment of an industrial development district or plant rehabilitation district must file with the City Clerk a --

- Letter of request and four copies of the current Michigan Department of Treasury Form 1012 (attached).
- Legal description, site plan and survey of the proposed district (on 8-1/2 inch by 11 inch paper), which will conform to the outer perimeter of the building foundation and site improvements necessary for the operation of the facility (including access drives, off-street parking and loading areas, water, sanitary sewer and storm water facilities).
- For personal property, a complete listing of personal property investments is to be provided.
- If applicable, provide a copy of the real property/facility and or personal property/equipment lease(s). The term of any lease must be at least as long as the tax abatement period requested.
- Annual salary of the job(s) expected to be created and retained within two years of project completion.
- Notarized statement that the company is in compliance with applicable environmental requirements and whether or not the company is under enforcement action by the Michigan DEQ or US EPA.
- The filing fee is \$1,800, or two percent of the total property taxes abated under the act for the term that the industrial facilities exemption certificate is in effect, whichever is less, as specified by statute. (The fee covers, in part, costs of processing the application, including legal costs, publication expenses, document retention and associated costs.)

Consistent with statutory provisions, applications for the establishment of an industrial development or plant rehabilitation district shall be filed and can only be approved prior to the commencement of construction, alteration, or installation of, or of an acquisition related to, the proposed replacement facility or new facility. Also, all additional statutory requirements of PA198 of 1974, as amended, applicable to establishment of an industrial development or plant rehabilitation district must be fulfilled.

A public hearing will be scheduled by City Council to consider the application. The applicant will be notified of the date of the hearing and proper legal notices will be prepared, mailed and published by the City Clerk. The applicant must attend the public hearing for the establishment of the district.

Final approval on the establishment of the district will be decided by City Council. The application will be reviewed by the Portage City Administration and a report will be prepared for City Council.

The report will specifically review the impacts of the proposed project on the community, which will include a --

- Project impact analysis, which will examine benefits and costs of the proposed facility;
- Preliminary environmental assessment, which will examine the availability of utilities, relevant environmental conditions, land and water resources that may be affected including impacts on adjacent properties; and
- Property tax analysis, which will estimate taxes received by affected taxing units with and without the abatement and the total abatement valuation percentage approved in the city.

2. Process for Consideration of an Industrial Facilities Exemption Certificate Application

For applicants that have filed an application to create a new district, and the establishment of the new district is approved, the application will immediately proceed to consideration of the industrial facilities exemption certificate, or within not more than 90 days after establishment of a new district.

For applicants wishing to file an application for an additional industrial facilities exemption certificate within an existing district, the applicant must file a --

- Letter of request and four copies of the applicable Michigan Department of Treasury Form 1012 (attached) to the Office of the City Clerk.
- Legal description, site plan and survey of the proposed district (on 8-1/2 inch by 11 inch paper), which will conform to the outer perimeter of the building foundation and site improvements necessary for the operation of the facility (including access drives, off-street parking and loading areas, water, sanitary sewer and storm water facilities).
- For personal property, a complete listing of personal property investments is to be provided.
- If applicable, provide a copy of the real property/facility and or personal property/equipment lease(s). The term of any lease must be at least as long as the tax abatement period requested.
- Annual salary of the job(s) expected to be created and retained within two years of project completion.
- Notarized statement that the company is in compliance with applicable environmental requirements and whether or not the company is under enforcement action by the Michigan DEQ or US EPA.
- Copy of the Portage resolution establishing the industrial development or plant rehabilitation district.
- The filing fee is \$1,800, or two percent of the total property taxes abated under the act for the term that the industrial facilities exemption certificate is in effect, whichever is less, as specified by statute. (The fee covers, in part, costs of processing the application, including legal costs, publication expenses, document retention and associated costs.)

Consistent with statutory provisions, applications for the consideration of an industrial facilities exemption certificate shall be filed within six months after the commencement of the restoration, replacement, or construction of the facility. Also, all additional statutory requirements of PA198 of 1974, as amended, applicable to the approval and granting of an industrial facilities exemption certificate must be fulfilled.

Prior to consideration of a certificate application by City Council, the statute requires the applicant to enter into a written tax abatement agreement with the City of Portage that includes conditions to be fulfilled during the period of the tax abatement. The applicant is also required to sign an affidavit with regard to fees concerning any payments made to the city. The agreement and affidavit will be provided by the city.

A public hearing will be scheduled by City Council to consider the application. The applicant will be notified of the date of the hearing and proper legal notices will be prepared, mailed and published by the City Clerk. The applicant must attend the public hearing for the industrial facilities exemption certificate.

Final approval of the certificate will be decided by City Council not more than 60 days after receipt of the application by the City Clerk. For applicants filing an application for a certificate within an existing district, the application will be reviewed by the Portage City Administration and a report prepared for City Council. The report will specifically review the impacts of the proposed project on the community, which will include a --

- Project impact analysis, which will examine benefits and costs of the proposed facility;
- Preliminary environmental assessment, which will examine the availability of utilities, relevant environmental conditions or land and water resources that may be affected including impacts on adjacent properties; and
- Property tax analysis, which will estimate taxes received by affected taxing units with and without the abatement and the total abatement valuation percentage approved in the city.

To expedite the review process noted in steps 1 and 2 above, the public hearing to review and consider the creation of a new or expanded district; and the public hearing to review and consider an application for an exemption certificate may be scheduled at the same City Council meeting.

3. Industrial Tax Abatement Incentive Provisions

The following incentives are considered inducements to encourage eligible industrial investment in the community.

1. An industrial development district or plant rehabilitation district may be established and an industrial facilities exemption certificate may be recommended for approval only when the new or replacement facility is located --
 - a. within the general industrial areas identified in the Portage Comprehensive Plan, Future Land Use Plan map; and
 - b. where municipal water and sewer utility services are available, or the utilities will be extended to the proposed industrial facility, and the proposed industrial facility will be, upon completion, connected to municipal services.
2. The term of an Industrial Facility Exemption Certificate for a project involving real property improvements within new or replacement facilities will be **up to six years**, except as may be increased by City Council consistent with the following numbers 4 and 5 below.
3. The term of an Industrial Facility Exemption Certificate for a project involving personal property improvements within new or replacement facilities will be **up to three years**, except as may be increased by City Council consistent with the following numbers 4 and 5 below.
4. City Council may grant one additional **up to three year time period** to an applicant that proposes:
 - To locate in an underutilized industrial facility that has been vacant for more than one year. (This additional period of time is not applicable to an existing industry that relocates from an existing industrial facility in Portage to the underutilized facility, except that an expansion into an underutilized facility may qualify for the additional three year period.); or
 - To complete an investment in real and/or personal property that exceeds \$10 million; or
 - To create 50 or more new jobs with the *median annual salary* above 80% of the Kalamazoo County Area Median Income for a one-person household; or
 - To create a minimum of 25 new jobs, *all* of which have an annual salary above 80% of the Kalamazoo County Area Median Income for a one-person household.

5. City Council may grant one additional, **up to six year time period**, to an applicant that proposes:
 - To complete an investment in real and/or personal property that exceeds \$20 million; or
 - To create 100 or more new jobs with the *median annual salary* above 80% of the Kalamazoo County Area Median Income for a one-person household; or
 - To create a minimum of 50 new jobs, *all* of which have an annual salary above 80% of the Kalamazoo County Area Median Income for a one-person household.
6. There will be no tax abatement incentives provided for office equipment. The City Assessor will determine which equipment will be considered office equipment.
7. Industrial Development Districts will not be established for speculative buildings.
8. Consistent with statutory provisions that allow additional abatement periods, but limits the total abatement periods to 12 years, the owner, or lessee of the new or replacement facility may, within the final year in which the certificate is effective, apply for one additional certificate, the time period of which will not exceed three additional years. In considering the request, the City Council may approve the additional period if the applicant has fulfilled all of the terms of the original tax abatement agreement and exceeds either of --
 - a. The number of new jobs promised or the number of jobs retained, or
 - b. The estimated project cost (investment) as indicated in the initial industrial facilities exemption certificate application, and

The additional abatement period does not impair the operation, or the financial soundness, of any local taxing jurisdiction.

4. Industrial Project Reporting/Monitoring

Consistent with the terms of the tax abatement agreement, an industrial facilities exemption certificate holder must submit an annual project performance report to the City Clerk on or before July 1 of each year for the term of the agreement. The City Assessor will prepare a summary of all active tax abatement certificates for information, follow-up and monitoring.

City Council will receive the official report from each certificate holder that sets forth the progress in attaining and maintaining the requirements of the tax abatement agreement and the provisions of the certificate application.

In the event that the annual project performance report is not received by the City Clerk and/or the City Council finds that the certificate holder is not in compliance with the commitments made in the tax abatement agreement, City Council may take action to request revocation of the certificate from the State Tax Commission in a manner consistent with PA198 of 1974, as amended.

All annual reports from certificate holders will be available for public inspection at the Office of the City Clerk. A Master List of all current tax abatement holders and a map of existing Industrial Development District will also be available via the City of Portage website at www.portagemi.gov.

Consistent with statutory provisions, if the taxes applicable to real property are not timely paid, and after notice and service upon the owner of a certificate of nonpayment, the industrial facilities exemption certificate will be automatically terminated as provided in PA198 of 1974, as amended.

5. Transfer of an Industrial Facilities Exemption Certificate and Certificate Revocation

The transfer of an existing industrial facilities exemption certificate by the holder of a certificate to a new owner or lessee requires the filing of an application for an industrial facilities certificate, payment of the established filing fee, public hearing, approval by City Council and approval by the State Tax Commission. The application will be processed in the same manner as an industrial facilities exemption certificate application as provided in PA198 of 1974, as amended.

The revocation of an existing industrial facilities exemption certificate will be considered by the City Council and a resolution requesting that the State Tax Commission revoke the certificate if:

- a. The proposed industrial facility has not been completed within two years after the effective date of the industrial facilities exemption certificate; or
- b. The purpose for which the certificate was issued is not being fulfilled as a result of a failure of the certificate holder to proceed in good faith with the replacement, restoration, construction, or operation of the facility.

6. Final Project Cost Differences

Consistent with the Administrative Rules of the State Tax Commission, if the final project cost will be greater by more than 10 percent of the total estimated amount specified in the industrial facilities exemption certificate application as originally approved, the applicant must file a letter of request with the City Clerk requesting approval of the revised amount. The letter must indicate the original costs, the revised costs and provide an explanation. This procedure cannot be used to expand the scope of the project as originally approved. City Council will review the request and if a resolution is adopted that approves the revised costs, the certificate holder can request that the State Tax Commission issue a revised certificate.

7. Time Extensions for Facility Completion

Consistent with the Administrative Rules of the State Tax Commission, if the certificate holder finds that the project will not be finished by the time originally indicated on the approved application, the applicant must file a letter of request with the City Clerk requesting approval of the extension. The letter must state the original completion date, the revised completion date and provide an explanation. City Council may approve, disapprove, or may approve a revised certificate ending date. It is the City Council policy to approve a time extension with no change in the ending date to the original certificate, unless there are extenuating circumstances presented by the applicant that are acceptable. City Council will review the request and if a resolution is adopted that approves the time extension request, the certificate holder can request that the State Tax Commission grant an extension.

8. Dissolving an Industrial Development District or Plant Rehabilitation District

City Council may, upon its own initiative, abolish a district if the Industrial Facilities Exemption Certificate application is not filed within two years of the date that City Council established the district, or if the applicable certificate is no longer in effect, or if the applicable certificate has been revoked by the State Tax Commission. Prior to dissolution of the district, a public hearing will be held by City Council. The City Clerk will provide written notice of the public hearing, by certified mail, to the owner of record of the property within the district, to the applicant who originally submitted the industrial development district or plant rehabilitation district application and to the affected taxing jurisdictions. If City Council adopts a resolution that dissolves the district, the City Clerk will forward the resolution to the State Tax Commission.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: March 24, 2015 Committee of the Whole Meeting

SUPPORTING PERSONNEL: James Hudson, City Clerk

ACTION RECOMMENDED: That City Council set a Committee of the Whole (COW) Meeting for Tuesday, March 24, 2015, at 6:00 p.m. in Conference Room No. 1 to discuss supporting regionalization while focusing on Portage.

Following the City Council Goal Setting Session on December 15, 2014, City Council decided to hold Committee of the Whole meetings prior to each Regular City Council Meeting. Based on a review of the items listed as "Strategic Priorities" from the Council Goal Session, it is recommended that City Council set a Committee of the Whole Meeting for Tuesday, March 24, 2015, at 6:00 p.m. in Conference Room No. 1 to discuss supporting regionalization while focusing on Portage.

FUNDING: N/A

Attachments: N/A

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Director of Parks, Recreation & Senior Citizen Services Appointment

SUPPORTING PERSONNEL: Rob Boulis, Deputy City Manager

ACTION RECOMMENDED: That City Council confirm the appointment of Adam Herringa as the Director of Parks, Recreation & Senior Citizen Services, effective March 30, 2015.

In October 2014, Director of Parks, Recreation & Public Services, Bill Deming, announced plans for his retirement from the City of Portage in February 2015. Mr. Deming had been a city employee for more than thirty-four (34) years. In 2012, given Mr. Deming's unique background and abilities, the city had the opportunity to consolidate the Parks and Streets departments, creating the Department of Parks, Recreation & Public Services. With Mr. Deming's retirement and after careful consideration, the decision has been made to divide the operation into a parks, recreation / cultural division that includes the Senior Center (Parks, Recreation and Senior Citizen Services Department) and a streets / equipment division (Department of Public Services). Parks maintenance shall continue to be facilitated under the Department of Public Services. I believe distributing the existing department into more defined fields will ensure that both important functions receive the highest priority. As Council will recall, Rod Russell was appointed February 11, 2015 to the position of Director of the Department of Public Services.

Following an extensive review of both internal and external candidates, I am pleased to recommend the appointment of Adam Herringa, currently Deputy City Clerk and Youth Advisory Committee (YAC) staff liaison, to the position of Director of Parks, Recreation & Senior Citizen Services for the City of Portage, effective March 30, 2015. Mr. Herringa has been with the city almost eleven (11) years and has a Bachelor of Arts in Political Theory and Constitutional Democracy from Michigan State University and a Masters of Public Administration from American University. His prior experience includes selection to the Capital City Fellows program, a prestigious management training program designed to develop future leaders in the public sector. During the program, he worked for the District of Columbia and was the lead in a variety of operational improvement initiatives, including the transportation planning efforts of the Barracks Row Main Street commercial corridor, blocks from the U.S. Capitol. The project ultimately received the "Great American Main Street Award" award for excellence from the National Trust for Historic Preservation. As YAC staff liaison, he has supported the annual Green-A-Thon and Snow Party events. Mr. Herringa receives my full support as the city continues to move forward.

Consistent with the City Charter, Section 6.3 "City Manager" subsection B.2, which states, "*The City Manager shall appoint such of the administrative officers, subject to confirmation by the*

Council, as are not required by this Charter to be appointed by the Council,” it is recommended that City Council confirm the appointment of Adam Herringa as the Director of Parks, Recreation & Senior Citizen Services, to be effective March 30, 2015.

FUNDING: Funding of the position of Director is included as part of the FY 2014-2015 Parks, Recreation & Public Services Department budget.

Attachments: N/A

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Code of Ordinances Amendment – Fire Prevention and Protection

SUPPORTING PERSONNEL: Richard White, Director of Public Safety – Police/Fire Chief

ACTION RECOMMENDED: That City Council adopt the proposed amendment to the City of Portage Code of Ordinances, Chapter 34, Fire Prevention and Protection, reflecting changes in the 2012 edition of the International Fire Code.

In an effort to ensure consistency with the State of Michigan's updated 2012 edition of the Building, Plumbing, Mechanical and Electrical Codes, the Administration is recommending adoption of the 2012 edition of the International Fire Code from the existing 2009 edition.

The first reading of the proposed amendment occurred during the November 4, 2014 City Council, but was postponed for final reading in an effort to notify local businesses and adequately address any citizen concerns regarding changes included in the 2012 edition. Additional information from Public Safety Director Richard White was also provided at the December 16, 2014 Council meeting.

Two public meetings were hosted at Portage City Hall on February 5 and February 11, 2015 to allow for citizen input and inquiry. Fire Division staff facilitated the meeting and provided information. Major comments were received from Mr. Charles Agosti and Mr. Tim Earl. A summary of staff efforts and citizen concerns is provided in the attached communication from Public Safety Director White. A letter from Mr. Earl dated January 22, 2015 is also attached as information. Staff have worked to fully address all public questions and concerns on the new code adoption. No additional input from local businesses or residents have been communicated at this time.

As such, it is recommended that City Council adopt the amendment to the City of Portage Code of Ordinances of Chapter 34, Fire Prevention and Protection, to reflect changes in the 2012 edition of the International Fire Code.

FUNDING: N/A

Attachments: February 27, 2015 Communication from Public Safety Director White
January 22, 2015 Letter from Tim Earl
December 16, 2014 City Council Communication

CITY OF PORTAGE

COMMUNICATION

TO: Laurence Shaffer, City Manager

DATE: February 27, 2015

FROM: Richard J. White, Public Safety Director – Police/Fire Chief *RJW*

SUBJECT: International Fire Code

RECEIVED
FEB 27 2015
CITY MANAGER'S OFFICE
PORTAGE, MI

In 2014, the State of Michigan and the City of Portage adopted the Michigan Building Code. Adoption of this code has now created some conflicts with the 2009 International Fire Code. It is, therefore, appropriate for the City of Portage to adopt the 2012 International Fire Code.

It should be noted that the State of Michigan operates approximately three years behind in the adoption of codes. This is the reason we are requesting adoption of the 2012 code.

The Department of Public Safety held two public forums to respond to any concerns or questions relating to the new code. The first meeting was held on February 5, 2015 from 3:30 p.m. to 5:30 p.m. The meeting was attended by Mr. Charles Agosti and Ms. Mindy Tai. They are both Portage residents and owners/operators of State Radio Systems. Also in attendance were Mr. Tim Earl, a Portage resident and Director of Fire Test Engineering for GBH International, several members of the Portage City Council, the City Manager, and administrative staff of the Portage Fire Department.

Mr. Agosti voiced concerns about the use of in-building communication enhancement systems. He was of the opinion that less expensive solutions were available and that the city should be paying for communication improvements, not the citizen.

Mr. Earl spoke in support of adoption and repeated the comments he made in writing in his letter to City Council dated January 27, 2015.

All of the questions posed by Council members were responded to satisfactorily.

The second meeting was held on February 11, 2015, from 5:30 p.m. to 7:30 p.m. Mr. Brad Morgan and his associate from Roe-Comm were in attendance, as was Mr. Tim Earl, the City Manager, and Portage Fire Department administrative staff. Mr. Morgan offered an opinion that was different from Mr. Agosti. It is Mr. Morgan's belief that in-building amplification systems were the appropriate solution for public safety communications in large buildings.

There were no additional comments or questions. When the Fire Department conducts its business inspections and a violation of the fire code is identified, the building owner/manager will be given a reasonable amount of time to correct the deficiency. This is usually 20 days.

Failure to correct a violation could result in a citation. The Fire Department has averaged three citations during the last three years.

The 2012 International Fire Code manual is available for review at Fire Department headquarters, the City Clerk's office, or via the internet. The 2012 International Fire Code has been thoroughly reviewed by the Fire Department and the City Attorney.

RJW:jh

c: John Podgorski, Senior Deputy Fire Chief



GBH International
2 Friar's Lane
Mill Valley, CA 94941
(415) 250-1500
tearl@gbhinternational.com

22 January 2015

From: Tim Earl, Director of Fire Testing Engineering
To: Portage City Council
Re: Adoption of the 2012 International Fire Code

Dear members of the City Council:

I submit the following comments as a Portage resident and fire safety professional.

I strongly urge the council to approve the adoption of the 2012 IFC for several reasons:

- The 2012 Michigan Building Code was recently adopted by the state, and it contains several references to the 2012 IFC. Failure to adopt the IFC would cause conflicts.
- The 2012 IFC contains many revisions and new provisions which will increase fire safety. While some of these are of obvious benefit even to a casual observer (sprinkler requirements for buildings used for the sale or storage of upholstered furniture), others (a required fire test for polypropylene bathroom partitions) are more esoteric but no less necessary to ensure life safety.
- The IFC, like other codes, is continually revised (on a 3-year cycle) to ensure requirements keep pace with emerging technology and incorporate lessons learned. Sadly, some of the revisions came about as a result of fire incidents involving injuries and fatalities, and are necessary to ensure these are not repeated.
- The 2012 IFC is already widely adopted in jurisdictions across the country. In fact, many states and municipalities are already reviewing the 2015 IFC for adoption.

As a member of the International Code Council who actively participates in the development of the ICC codes, including this code, I can attest to the impartiality and integrity of the process. Code officials, consultants, industry professionals, and members of the public participate in an open and balanced debate on each proposal. The result is a code which represents the consensus of fire safety professionals.

I urge you to adopt this code without delay.

Respectfully,

Tim Earl

Member of the following committees related to Fire Safety:

- ASTM E05 (Fire Standards)
- NFPA Building Code/Safety to Life: Interior Finish and Contents
- NFPA Fire Test Committee
- NFPA Committee on Merchant Vessels
- NFPA Committee on Hazard and Risk of Contents and Furnishings
- NFPA 70 (National Electrical Code), Code Making Panel 7

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Code of Ordinances Amendment – Fire Prevention and Protection

SUPPORTING PERSONNEL: Richard White, Director of Public Safety – Police/Fire Chief

ACTION RECOMMENDED: That City Council adopt the proposed amendment to the City of Portage Code of Ordinances, Chapter 34, Fire Prevention and Protection, reflecting changes in the 2012 edition of the International Fire Code.

All governmental entities within the State of Michigan are required to administer and enforce the State of Michigan Building, Plumbing, Mechanical and Electrical Codes. The intent and purpose of a single state construction code is to provide uniform and consistent building practices and standards within the State of Michigan. As an accompanying code and to achieve construction consistency, the city adopted the 2009 edition of the International Fire Code (IFC) in 2011.

The State of Michigan has now updated the construction code with implementation of the 2012 edition of the State of Michigan Building, Plumbing, Mechanical and Electrical Codes. To continue uniform construction consistency, the 2012 edition of the IFC, together with all appendices, except such portions that are currently deleted, modified or amended by Section 34-62 of the City of Portage Code of Ordinances, is recommended for adoption.

The 2012 edition of the IFC has been reviewed by the Public Safety Department - Fire Division. The latest edition is substantially similar to the edition currently adopted by the city. However, the 2012 edition has been reformatted to allow easier access to information and group similar subjects. The 2012 version also provides greater direction on topics, such as First Responder Radio Coverage, and establishes new thresholds for when sprinklers are required in occupancies. The new thresholds address special hazard occupancies, such as upholstered furniture and moderate hazard storage.

A communication from Public Safety Director Richard White supporting adoption of the 2012 IFC and a synopsis of the significant changes is included in the December 12, 2014 Materials Transmitted, along with a detailed description of the changes as proposed by the NFPA Fire Code Field Office.

As such, it is recommended that City Council adopt the amendment to the City of Portage Code of Ordinances of Chapter 34, Fire Prevention and Protection, to reflect changes in the 2012 edition of the International Fire Code.

FUNDING: N/A

Attachments: Ordinance Amendment
November 4, 2014 City Council Communication

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING SECTION 34-61 OF CHAPTER 34
INTERNATIONAL FIRE CODE**

THE CITY OF PORTAGE ORDAINS:

That the International Fire Code, as adopted in Section 34-61, shall be amended as follows:

There is hereby adopted by the city, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code and standards known as the International Fire Code, 2012 Edition, together with all appendices (hereafter "code"), recommended by the International Code Council, save and except such portions as are deleted, modified or amended by this chapter. Such code is hereby adopted and incorporated as fully as if set out at length herein, and the provisions of such code shall be controlling in the city. At least one printed copy of such code shall be kept available in the office of the city clerk for inspection by and distribution to the public.

Dated: _____

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 _____, 2014.

James R. Hudson, City Clerk

PREPARED BY:
Randall L. Brown (P34116)
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002
(269) 323-8812

Approved as to Form:

Date: 12-12-14

CRB

City Attorney

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

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

NOTICE IS HEREBY GIVEN that an Ordinance to amend Section 34-61 of Chapter 34, Fire Code, was adopted by the City Council at a regular meeting held on the _____ day of _____, 2014, and will become effective _____, 2014.

NOTICE IS FURTHER GIVEN that the amendment reads as follows:

THE CITY OF PORTAGE ORDAINS:

That the International Fire Code, as adopted in Section 34-61, shall be amended as follows:

There is hereby adopted by the city, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code and standards known as the International Fire Code, 2012 Edition, together with all appendices (hereafter "code"), recommended by the International Code Council, save and except such portions as are deleted, modified or amended by this chapter. Such code is hereby adopted and incorporated as fully as if set out at length herein, and the provisions of such code shall be controlling in the city. At least one printed copy of such code shall be kept available in the office of the city clerk for inspection by and distribution to the public.

Dated: _____

Peter J. Strazdas, Mayor

PREPARED BY:
Randall L. Brown (P34116)
Randall L. Brown & Associates, PLC
1662 East Centre Avenue
Portage, MI 49002

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TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Proposal to Extend Leaf, Brush and Spring Cleanup Collections to Private Streets

SUPPORTING PERSONNEL: Rod Russell, Director of Public Services

ACTION RECOMMENDED: That City Council authorize the City Administration to begin Leaf, Brush and Spring Cleanup collections with residential property owners along private streets who have fulfilled the required conditions with the Department of Public Services for extending the collection programs to private streets.

Director of Public Services Rod Russell has completed a review of those properties whose owners or condominium managers have indicated an interest in receiving the Leaf, Brush and Spring Cleanup Collection service. A summary of Director Russell's findings is attached for the information of Council.

Fundamentally, results indicate the majority of private subdivision developments have the ability to consolidate their items and place those materials along an adjacent public street, thereby eliminating the need to request those particular property owners execute the city's indemnification agreement.

With regard to properties individually located along private roads, specifically Oak Shores Condominiums and Portage Preserve, the city would seek indemnification from either the condo agreement or, in the extent that the properties extend up to the private road, each of the individual property owners.

The City Administration believes the new program parameters can be initiated beginning with the Spring Cleanup Program scheduled to start April 6, 2015. The annualized cost for the additional collections is estimated to be \$16,000, of which \$4,000 would be within the current 2014-2015 fiscal year. Director Russell has further indicated that sufficient funds are available in the 2014-15 budget to accommodate the additional \$4,000 cost at present, while the supplementary \$16,000 annual cost is within the framework of available resources. It is understood that as the new modifications to the collection programs are initiated going forward, additional budget modifications may be necessary.

There remains some unknowns in that it is not certain exactly how many additional private street residents may request to participate. However, it is desired that a specific annual date be established for the purpose of city budget planning that requires private street property owners to apply for collection services on or before April 1 of each year for service to begin July 1 of that year.

A considerable amount of examination has been completed for the private street collection review. Two public forums were conducted on February 18, 2015 with over 75 people in attendance. The vast majority of attendees were interested in receiving the service. In instances where indemnification will be necessary, the city has received indication from some property owners that they will not consider participating at this time.

The City Administration has agreed to initiate city collection programs to those residential property owners and associations along private streets who have completed a review with the Director of Public Services, as well as executed the *Agreement for Extending Leaf, Brush and Spring Cleanup Collection Program to Private Streets*.

Therefore, it is recommended that City Council authorize the City Administration to begin Leaf, Brush and Spring Cleanup collections with residential property owners along private streets who have fulfilled the required conditions with the Department of Public Services.

FUNDING: Funds are available for the additional \$4,000 cost for the remainder of fiscal year 2014-2015. The annual cost for the additional collection is approximately \$16,000 beginning with fiscal year 2015-2016. Sufficient funds exist for this expenditure going forward.

Attachments: March 5, 2015 Communication from Director Russell
January 20, 2015 City Council Communication
February 18, 2015 MLive article
DRAFT *Agreement for Extending Leaf, Brush and Spring Cleanup Collection Program to Private Streets*

CITY OF PORTAGE

COMMUNICATION

TO: Larry Shaffer, City Manager

DATE: March 5, 2015

RECEIVED

FROM: Rod Russell, Director of Public Services *LR*

MAR 05 2015

SUBJECT: Private Street Collections Recommendation

CITY MANAGER'S OFFICE
PORTAGE, MI

Following the public hearing on private street collections held on February 18, 2015, the Department of Public Service (DPS) staff has met with all residents and organizations that expressed interest in this expanded program. To date, 11 locations have been visited. We have met with the following individuals that represent those properties and have determined the best location for placement of leaves, brush and spring cleanup items:

Ryan Gardner of Gardner Group

Properties: Portage Preserve, Inverness at Woodbridge Hills, Oakland Hills Condominiums and Pheasant Run Condominiums.

Findings: Three of the properties can place leaves, brush and spring cleanup items on adjacent public streets. The City will not have to enter these private developments. One property, Portage Preserve, will have a central location off a private street where leaves and brush can be placed. The City will have to enter this private development and could have the potential risk of damage to edge of asphalt near designated area. Spring cleanup items can be placed in front of resident's property or identified central location.

Phil Weiler of Parkview Hills Management Company

Property: Pines of Portage

Findings: Leaves and brush can be placed on adjacent public street. The city will not have to enter private development. Spring cleanup items can be placed by existing refuse containers.

Bill Patterson, Owner, Association Manager, Developer

Property: Woodlands at Austin Lake

Findings: For the first year of pick-up, leaves and brush will be placed at a central location located on property just off private street. The City will have to enter private development. The subsequent year's material will be placed at a central location adjacent to public streets and the City will not have to enter private development. Spring cleanup items can be placed in front of residents' property.

Jan Boody of Treystar

Properties: The Lakes at Woodbridge Condominiums, Oak Shores, Moors End Condominiums and Courtside Condominiums.

Findings: Three of the four properties can place leaves and brush adjacent to public street. The City will not have to enter private developments. Spring cleanup items can be placed at identified central locations. The Oak Shores property can have material placed in front of each residence, however, there is a high risk of damage to street and curb. The City would have to enter private development. If this is not desirable, material can be placed adjacent to public street. Spring cleanup material can be placed in front of resident's property.

Mary Kenney, private residence

Property: 7611 Curry Lane, one of nine houses on this private street.

Findings: Leaves, brush and spring cleanup items can be placed in front of resident's property. The City equipment would have to back up 250 yards to get to material. This is not desired, however, refuse trucks are currently doing it. I would also recommend participation of all residents on Curry Lane. As an option, residents can also take leaves to adjacent public street.

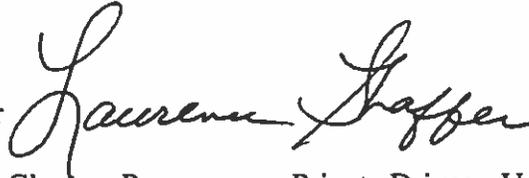
With the addition of these listed locations, the DPS program managers do not recommend rental of additional equipment such as loaders, packer trucks or street sweepers to provide leaf or brush removal services at this time. To add these locations to the Leaf and Brush Pickup Programs, it is estimated the DPS will spend an additional \$11,000 in labor, equipment and fuel costs. Adding these locations to the Spring Cleanup Program will add another \$5,000. Therefore, the total cost to add private streets looked at this time with all three programs will be \$16,000.

In conclusion, adding the Leaf, Brush and Spring Pickup services to private drives can be accomplished within the existing programs. Adding 11 locations will increase costs by an estimated \$16,000. It should be noted that costs may increase if other private developments and neighborhoods on private drives decide to participate in these three programs.

c: Rob Boulis, Deputy City Manager
Ray Waurio, Deputy Director of Streets & Parks

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: City Leaf, Brush and Spring Cleanup Programs on Private Drives - Update

SUPPORTING PERSONNEL: William Deming, Director of Parks, Recreation & Public Services

ACTION RECOMMENDED: That City Council authorize the City Administration to conduct a public session(s) to discuss the potential interest in extending leaf, brush and spring cleanup collection programs to private streets in the city with residential property owners and representatives with property interests in city private streets.

In October 2014, representatives of the Oak Shores Neighborhood Association requested inclusion of their neighborhood in the city's leaf, brush and spring cleanup programs due to current city policy not providing collection services for properties adjacent to private streets, including Oak Shores. The policy is a result of issues identified with private streets including public safety, liability, and equipment size / weight making pickup on private streets inadvisable.

However, the noted collections are valued services to the citizens of Portage. As such, City Council authorized the Administration during the November 18, 2014 regular Council meeting, to research the issue of liability for damages that may occur along private streets resulting from leaf, brush and spring cleanup, including a review with the City Attorney regarding potential opportunities to appreciably reduce or eliminate municipal liability through hold harmless agreements or other similar devices with the owners of private streets in the city.

The City Attorney has subsequently opined that the city has the capability to offer collection programs along private streets, as well as address the potential for liability through execution of an indemnification agreement with those private neighborhoods interested in receiving the service. The city would offer each respective neighborhood association or property management entity the option to complete an indemnification agreement for collection of that specific neighborhood to enable collection.

As such, it is recommended that City Council authorize the City Administration to conduct a public session(s) to discuss the potential interest in extending leaf, brush and spring cleanup collection programs to private streets in the city with residential property owners and representatives with property interests in city private streets.

FUNDING: Estimated cost to provide leaf pickup and spring cleanup for all non-apartment residential properties along private streets totals an additional \$100,889.00 per year. City Council

authorization of an increase to the Leaf / Spring Cleanup Millage levy to 0.0004 mills from the current 0.0003455 mills will be necessary to generate an approximate \$107,940 in additional revenue for the annual collection programs with the inclusion of private streets.

Attachments: November 18, 2014 City Council Communication

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: City of Portage Leaf, Brush & Spring Cleanup Programs – Private Drives

SUPPORTING PERSONNEL: William Deming, Director of Parks, Recreation & Public Services

ACTION RECOMMENDED:

That City Council authorize the City Administration to:

- a. research city liability for extending leaf, brush and spring cleanup collection programs to private streets in the city;
- b. conduct a public meeting to discuss the potential interest in extending leaf, brush and spring cleanup collection programs to private streets in the city, and
- c. present a follow-up report to Council by the second regular meeting in February 2015.

A request was recently submitted by the representatives of the Oak Shores Neighborhood Association regarding the request for the City of Portage to provide leaf, brush and spring cleanup services within the Oak Shores residential subdivision. City staff and I met with residents Susan Yetter and Michael Jaeger representing the Oak Shores Association, as well as Treystar representative and Oak Shores liaison Jan Boody, to discuss the city policy which does not provide leaf, brush and spring cleanup services for properties adjacent to private streets. Given that Oak Shores is serviced by private streets, exclusion from these special collection programs is applicable.

Staff informed the representatives of Oak Shores that the City Administration would research the various elements of the municipal pickup programs along private streets and report to the City Council on the various policy options. It was further explained that changes in the city policy of collecting leaves, brush and debris along private streets could not necessarily be completed within the present fiscal year.

In 1997, the voters of the City of Portage overwhelming approved a millage increase of four-tenths mill to “collect and remove leaves and yard trimmings at least twice per year and rubbish, paper, litter and other similar materials at least once per year.” The language of the Charter amendment did not specify the particular properties expected to benefit from the program. In 1997, former City Manager Michael Stampfler prepared a memo to the Council advocating that leaves and brush be removed from public roadways only. This position was supported by former Streets and Equipment Department Director Jack Hartman, citing issues with public safety, liability, and equipment size and weight making pickup on private streets inadvisable. The City Council, at its regular meeting of August 5, 1997, received the report from City Manager Stampfler by motion fundamentally and tacitly accepting as policy that leaf and brush pickup and spring cleanup not be conducted on private streets. The documents attached to this report further detail the city policy and parameters of these programs.

A recent review of the current residential properties, excluding apartments, which exist on private streets in Portage was conducted. There appears to be 1,223 parcels situated on private streets, which include 7,590 residential units. Parks, Recreation and Public Services Director William Deming has estimated that the cost to provide leaf pickup and spring cleanup for all non-apartment residential properties along private streets would be an additional \$100,889.00 per year.

The Acting Finance Director and City Assessor have estimated that, should the City Council authorize the increase of the actual Leaf / Spring Cleanup Millage levy up to .0004 mills from the 2014 levy of .0003455 mills, then an additional \$107,940 would be collected. This increase in revenue is anticipated to address the expense associated in extending collection to residential properties along private streets in the leaf, brush and spring cleanup programs.

Leaf, brush and spring cleanup collections are valued services to the citizens of Portage. However, a significant number of citizens currently paying for these services do not receive them. There may be methods to address the noted concerns that previously resulted in the decision to eliminate private streets from city efforts. It is believed worth the effort to determine if a revision to the current policy is warranted. As such, it is recommended that the City Council authorize the City Administration to complete the following:

- a. Research the issue of liability for damages that may occur along private streets resulting from leaf, brush and spring cleanup, including a review with the City Attorney regarding potential opportunities to appreciably reduce or eliminate municipal liability through hold harmless agreements or other similar devices with the owners of private streets in the city;
- b. Conduct a public meeting with the various representatives of the private streets to better measure resident interest in the city collection programs and whether executing hold harmless agreements would be a possibility, and
- c. Presentation of a follow-up report to Council by the second regular meeting in February 2015 detailing the Administration's findings, as well as a potential recommendation for program changes.

FUNDING: Estimated cost to provide leaf pickup and spring cleanup for all non-apartment residential properties along private streets totals an additional \$100,889.00 per year. City Council authorization of an increase to the Leaf / Spring Cleanup Millage levy to 0.0004 mills from the current 0.0003455 mills creates an approximate \$107,940 in additional revenue for the annual collection programs.

Attachments: July 15, 1997 City Charter Amendment
July 1997 *Portager* article
August 1, 1997 Communication from City Manager Stampfler to City Council
July 29, 1997 Communication from Director Hartman to Stampfler
August 5, 1997 City Council Minutes
City map of residential properties on private streets
Estimate of cost to provide services on private streets dated October 23, 2014
Estimate of revenue from millage increase dated November 13, 2014

A

INSTRUCTION BALLOT

SPECIAL ELECTION

**CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN**

TUESDAY, JULY 15, 1997

INSTRUCTIONS -- To vote in favor of the proposition, place a cross (X) or a check mark (✓) in the square to the right of the word "YES"; to vote against the proposition, place a cross (X) or a check mark (✓) in the square to the right of the word "NO".

Before returning the ballot, fold the ballot so that the face of the ballot is not exposed and so that the numbered corner is visible.

CHARTER AMENDMENT CAPTION

The following amendment allows the city to levy up to four-tenths mill on the assessed value of all real and personal property for collection and removal of leaves, yard trimmings, rubbish and other similar materials.

CHARTER AMENDMENT QUESTION

Shall the city charter be amended to allow a levy not to exceed four one-hundredths of one percent (four-tenths mill) on the assessed value of all real and personal property in the city for programs to collect and remove leaves and yard trimmings at least twice per year and rubbish, paper, litter, and other similar materials at least once per year?

YES

NO



CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 1, 1997

FROM: Michael L. Stampfler, City Manager

SUBJECT: Leaf Pickup/Spring Cleanup on Private Drives - Information Only

Per request of Council, the City Administration has investigated the provision of leaf pickup and spring cleanup services to properties abutting private drives. The pickup services are currently provided on all public streets. Residents living on private drives are required to place leaves or trash at the end of the drive on a public street: As explained in the attached communication from Jack Hartman, Director of Streets & Equipment, this is required due to minimal drive widths, the likelihood of property damage occurring and increased safety risks associated with the operation of heavy equipment in generally smaller more confined areas.

Residents living on private drives have chosen to do so to receive the benefits of an exclusive and private setting for their residences. Private drives are, basically, extended driveways utilized by more than one property. Members of the general public (pedestrians and motorists) are generally discouraged or prohibited from using these driveways by the private owners, and accordingly, the city does not provide public services such as asphalt repair or reconstruction, snow removal, or leaf and trash pickup on these private drives. Private drive residents have been able to avail themselves of services such as leaf pickup and spring cleanup by placing materials on public streets for pickup, at the entrance to the private drive.

The city does provide one "curbside" service to residents living on private streets—curbside recycling. While a signed indemnification form is required of each property owner living on the private street, this does not release the city from ultimate responsibility: Curbside recycling, though, requires much less space to operate equipment, and, as detailed in Mr. Hartman's report, pickup is completed by hand and the vehicle used to transport collected materials is much smaller than the compactor trucks and front-end loaders used for leaf pickup and spring cleanup.

Due to the likelihood of property damage and increased safety risks attendant to the leaf pickup and spring cleanup programs if provided on private drives, it is recommended that the city continue the current policy of providing these collection services—leaf pickup and spring cleanup—on public streets only. Residents on private drives may continue to avail themselves of these services by placing materials on public streets for pickup, at the entrance on the private drive, in the same manner as has been practiced to this point. Private drive residents have supported these programs through general fund taxes in the past, and will continue to receive the same service now provided by the Leaf Pickup/Spring Cleanup millage.

Attachment: Report from Mr. Jack Hartman, Director of Streets & Equipment

CITY OF PORTAGE

COMMUNICATION

TO: Michael L. Stampfler, City Manager

DATE: July 29, 1997

FROM: Jack Hartman, Director of Streets and Equipment



SUBJECT: Leaf Pickup/Spring Cleanup Private Drive Service -- Information Only

As a follow up to questions concerning the Leaf Pickup/Spring Cleanup Programs related to service provided to properties on private drives, some background may be appropriate.

The Fall Leaf Pickup Program and the Spring Cleanup Program are projects which traditionally have provided pickup service to properties abutting public streets. The pickup and collection involved with these projects has not included private streets and /or drives. The reasons for this are that it is very difficult to maneuver large equipment onto private drives and streets safely, and large, heavy equipment can be destructive to drive and street surfaces as well as adjoining yards. Private drives and streets typically are not built to city specifications related to structural requirements, and the width of these private drives in most cases is much narrower than standard public streets. Private drives will not have the required sub-base materials and compaction nor will they be built with the depth of bituminous materials found in public streets. The average width of public streets is 22 to 24 feet of asphalt with an average of 3 to 4 feet of shoulder area. The typical average width of a private street/drive is 10 to 18 feet. This lack of width seriously impairs the operation of large, heavy equipment and can make the collection process near impossible.

The pickup process entails the utilization of large equipment in the form of compactor trucks at a gross weight of 50,000 lbs., articulating 3 yard front end loaders, and in some cases small front plow trucks. All this equipment, when engaged in the operation of picking up loose leaves, brush, and bulk trash can cause severe damage to drive surfaces and adjoining yards. Due to the excessive weight of this equipment, coupled with pivoting movements of the articulating loaders with the massive tires and the scraping and possible gouging of asphalt or gravel surfaces with plow and claw blades, the issue of liability related to this potential private property damage has shown cause to direct these operations to public streets only.

Additionally, safety is a factor when maneuvering heavy equipment in close confinements experienced in private drive settings. It is difficult to observe and control small children and pets, thus there is a much greater risk involved in attempting to operate the equipment in a manner required to collect the materials. Much of the process entails back up movements by large equipment in which the operators have limited visibility. The operators have only mirrors on the large bulk carrier equipment, and the loader operators sit some ten feet up and cannot see within close proximity of the equipment. Couple these limitations with the confined space of a private drive and the risk factor and liability is greatly increased related to this operation.

The issue of indemnification agreements has been addressed in the past and legal council has indicated that the city would still hold ultimate liability related to property damage or personal injury. The city cannot enter into contracts to protect negligence, such agreements are non-transferable related to ownership transfers, and those who elect not to sign cannot be bound to this type of agreement.

Historically, the city has communicated to the residents on private streets and drives that if they stage their leaves, brush and bulk trash on the public right-of-way at the entrance to the private drive or street, the city would pickup these items. This has been acceptable in the past and has worked well in many areas. For example, portions of the Woodbridge Development designate a staging area adjacent to Moorsbridge Road where the items are left by the residents for pickup. This procedure for collecting materials utilizing large construction equipment in the collection process provides the best alternative, related to risk factors, for providing these services to residents on private drives.

It needs to be remembered that private drives and streets are nothing more than driveways which are solely the responsibility of the property owner to maintain. This maintenance includes asphalt or gravel repairs, roadside mowing, snow plowing, and all other maintenance activities required to keep the drive in a condition suitable for the user. Although this may seem to be a disadvantage to the property owners on private streets and drives, these residents have opted for this option so as to gain the advantage of a private and exclusive setting for their residences.

The Curbside Recycling Program, a tax-funded program, entails collection on private streets and drives. It must be understood though, that this program is more suitable and adaptable to accommodate this particular service in the private street setting. The collection process is accomplished by hand, picking up and dumping small containers, and does not require large equipment maneuvering through complex operations to accommodate the collection process. The equipment utilized is much smaller and requires a simple drive through procedure.

In reviewing this background related to the Fall Leaf Pickup and Spring Cleanup Programs, it is in the best interest of the city and the public to continue the current policy of providing these collection programs on public streets only.

* **VEHICLE PURCHASE:** Motion by Sutter, seconded by Bashaw, to authorize the purchase of three dump trucks and one snow blower through the State of Michigan Extended Purchasing Program at a cost not to exceed \$133,975.00 and authorize the City Manager to execute all documents related to these purchases. Upon a roll call vote, motion carried 5 to 0.

* **SIDEWALK REPAIR:** Motion by Sutter, seconded by Bashaw, to approve a change order to the sidewalk repair and construction contract with Construction Technologies of Michigan in the amount of \$95,988.20 and authorize the City Manager to sign the change order on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

* **PIZZA HUT LIQUOR LICENSE:** Motion by Sutter, seconded by Bashaw, to adopt the Liquor License Resolution granting the request to transfer ownership of 1997 Tavern licensed business, located at 6300 South Westnedge, Portage, from Pizza Hut of America, Inc. (a Delaware Corporation) to Michigan Pizza Hut, Inc. Upon a roll call vote, motion carried 5 to 0.

* **CLOSED SESSION:** Motion by Sutter, seconded by Bashaw, to approve the request from the City Manager to set a closed session to discuss a personnel matter on August 19, 1997, at 6 p.m. Upon a roll call vote, motion carried 5 to 0.

* **LEAF PICKUP/SPRING CLEANUP ON PRIVATE DRIVES:** Motion by Sutter, seconded by Bashaw, to receive the report from the City Manager regarding Leaf Pickup/Spring Cleanup on Private Drives as an information only item. Upon a roll call vote, motion carried 5 to 0.

COMMUNICATIONS:

HUMAN RESOURCES BOARD: Motion by Sutter, seconded by Bashaw, to refer the communication from the Human Resources Board to the Administration for review and recommendation on August 19, 1997. Upon a roll call vote, motion carried 5 to 0.

UNFINISHED BUSINESS:

VACANT BUILDING AT 9810 PORTAGE ROAD: Deputy City Manager Brian Bowling reviewed what was discussed on this item at the last Council meeting and asked Community Development Director Erickson to provide a response to the questions posed by Council on July 22. Mr. Erickson indicated that taxes and assessments are paid to date on the property. He said that repairing is less costly than razing the building, and provided an explanation on the time between the Building Board of Appeals repair order and the City Council review. After some discussion and consideration of information provided by Attorney Randall Brown, a motion was made by Sutter, seconded by Bashaw, to authorize the City Manager to initiate actions to complete the repairs necessary and make safe the vacant building located at 9810 Portage Road at a cost not to exceed \$6,000 and place a lien against the property addressed as 9810 Portage Road for the actual cost of the repairs, not to exceed \$6,000. Upon a roll call vote, motion carried 5 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS:** Council received the minutes of the following Boards and Commissions:

Portage Environmental Board of June 11, 1997.
 Portage Historic District Commission of July 2, 1997.
 Portage Board of Education of July 14, 1997.
 Portage Planning Commission of July 24, 1997.



PORTAGE



JUNE/JULY 1997

FOCUSING ON COMMUNITY NEWS AND EVENTS

VOL. 93

Community to Vote on Millage to Retain Fall Leaf Pickup and Spring Cleanup Programs

The Portage City Council will be asking voters for approval to levy up to an additional 0.4 mills on July 15, 1997 to fund continuation of the Fall Leaf Pickup and Spring Cleanup programs. Both programs have been eliminated due to a funding shortfall prompted by the anticipated transfer of responsibility for portions of Portage Road and Centre Avenue from the Kalamazoo County Road Commission to the City of Portage.

The Fall Leaf Pickup service includes two curbside pickups of loose leaves and bundled brush, a follow-up street sweep, and a program of recycling collected leaves to compost. The Spring Cleanup service includes the curbside

collection of discarded household items, bagged leaves and bundled brush. During the most recent programs a total of over 12,700 cubic yards of leaves and brush were collected during Fall Leaf Pickup and over 47,000 cubic yards of brush, bagged leaves and discarded household items were collected during Spring Cleanup.

The final decision regarding the timing and extent of roadway transfer is expected this summer. The anticipated transfer will significantly increase operating costs to the city. Portage Road and Centre Avenue must be maintained, so there is no way to avoid the increased cost. Existing millage capacity

is not sufficient to allow for maintenance of the roads as well as the Fall Leaf Pickup and Spring Cleanup programs.

Without additional millage approval, the Fall Leaf Pickup and Spring Cleanup programs will not continue as funding is not allocated for these programs in the 1997-98 budget. Approval of the millage would mean that the owner of a house valued at \$100,000 would pay \$20 per year for the provision of Fall Leaf Pickup and Spring Cleanup services. Should the millage not be approved, residents will need to contract with a private service provider if they desire assistance with the removal of leaves and brush as well as discarded household items.



Each year tons of leaves collected during the Fall Leaf Pickup program are composted by the City of Portage.

Frequently Asked Questions Regarding City Special Election

The Fall Leaf Pickup and Spring Cleanup programs have been provided by the city before. Why do we need a separate election now?

The Leaf Pickup and Spring Cleanup

1997 Spring Cleanup Results

The 1997 Spring Cleanup Program was completed on schedule with Waste Management of Southwest Michigan, Inc. providing the collection and disposal of trash, recyclables, brush, and bagged yard waste (leaves). The Program began on April 21, 1997 and was completed on May 19, 1997.

The following is a summary of materials collected in loose cubic yard volumes, with historical summaries indicated:

Frequently Asked Questions Regarding City Special Election

The Fall Leaf Pickup and Spring Cleanup programs have been provided by the city before. Why do we need a separate election now?

The Leaf Pickup and Spring Cleanup programs were funded through the Portage General Fund. The General Fund pays for legislative services, general administration, street maintenance, police and fire services, snow removal, traffic services, parks, development services, transportation subsidies, human services and Senior Center activities. Due to the Headlee Amendment, which restricts governments' ability to levy taxes by capping available millage capacity, the Portage General Fund is not able to accommodate additional costs.

Additional costs are anticipated in the form of road maintenance and snow removal expenses associated with Portage Road and Centre Avenue. These roads are currently under the jurisdiction of the Kalamazoo County Road Commis-

sion, however the Road Commission is working to turn over responsibility for these roads to the City of Portage. The city estimates that maintenance of these roads will take a minimum of \$300,000 from the Portage General Fund.

How much more will I pay if the millage is approved?

A typical homeowner with a home valued at \$100,000 will pay an additional \$20 per year if the millage is levied.

What will happen if the community does not approve the millage request?

City Council approved the city budget for fiscal year 1997-98 (beginning July 1, 1997), and both Leaf Pickup and Spring Cleanup were eliminated as municipal services. If the millage request is denied, residents must find alternative methods of disposing of leaves—contracting with a private waste hauler or composting are options.

1997 Spring Cleanup Results

The 1997 Spring Cleanup Program was completed on schedule with Waste Management of Southwest Michigan, Inc. providing the collection and disposal of trash, recyclables, brush, and bagged yard waste (leaves). The Program began on April 21, 1997 and was completed on May 19, 1997.

The following is a summary of materials collected in loose cubic yard volumes, with historical summaries indicated:

	1995	1996	1997
Trash (cu. yd.)	11,050	14,012	11,805
Recyclable (cu. yd.)	315	436	1,981
Brush (cu. yd.)	13,300	11,239	19,985
Yard Waste/Leaves (cu.yd.)	5,600	22,500	13,230
Total Volume (cu. yd.)	30,265	48,187	47,001
Total Project Cost	\$119,418.00	\$120,203.00	\$144,414.28
Cost Per Cubic Yard	\$3.95	\$2.45	\$3.07

This year's program was marked by excessive brush due to a severe ice storm and a wind storm in the early spring which resulted in numerous trees and limbs on the ground.

City Event Recognizes Volunteers



INSIDE

Capital Improvement Plan Highlights	2	Water Safety Reminders	3
Water Main Installation	2	Bishop's Bog Preserve Trail Dedicated	3
Little League Complex Opens	2	Park Facility Receives National Honors	3
Strip Paving Program	2	Library Offers Family Programs	4
Lawn Mowing Reminder	2		

Fund 226 Private Streets
 Revised: 10-23-14

	2014-15 Budget 10/17/2014	2014-15 Private St.	Difference
226-4501-783-91-10	ADMIN SERVICES	\$0	\$0
226-4501-783-91-14	INSURANCE	\$1,176	\$0
226-4501-783-91-33	MAILROOM CHARGES	\$9,800	\$0
	\$10,976	\$10,976	\$0
	<u>LEAF PICKUP</u>		
226-4523-783.70-10	REG FULL TIME	\$31,141	\$0
226-4523-783.70-30	OVERTIME	\$18,500	\$1,500
226-4523-783.70-70	FRINGES	\$14,726	\$774
226-4523-783.71-40	PRINTING AND PUBLISHING	\$700	\$0
226-4523-783.72-80	OPERATING SUPPLIES	\$6,400	\$7,400
226-4523-783.72-85	REP & MAINT SUPP-226 owned	\$10,300	\$10,300
226-4523-783.85-20	OTHER SERVICES (United Water OT)	\$1,000	\$1,000
226-4523-783.85-28	TEMP EMPL SERV	\$58,000	\$75,627
226-4523-783.85-60	RENTALS	\$112,700	\$147,550
226-4523-783.85-61	INTERFUND RENTALS	\$44,070	\$46,508
	(1) TINK CLAW PURCHASE	\$0	\$18,000
226-4523-783.91-81	GAS/DIESEL	\$36,000	\$46,500
	\$333,537	\$420,226	\$86,689
	<u>SPRING CLEANUP</u>		
226-4532-783.71-40	PRINTING & PUBLISHING	\$0	\$0
226-4532-783.85-20	CONTRACT SERV-SPRING C.U.	\$142,000	\$156,200
	\$142,000	\$156,200	\$14,200

Fund 226 Private Streets

Revised: 10-23-14

<u>BRUSH PICKUP</u>			
226-4532-783.70-30	OVERTIME (UAW)	\$20,000	\$20,000
226-4532-783.72-80	OPERATING SUPPLIES	\$5,000	\$5,000
226-4532-783.85-28	TEMP EMPL SERV (2 OnStaff)	\$15,000	\$15,000
226-4532-783.85-60	RENTALS (1-LOADER & 1-PACKER)	\$25,100	\$25,100
226-4532-783.91-81	GAS/DIESEL	\$22,680	\$22,680
		\$87,780	\$87,780

<u>LEAF COMPOSTING</u>			
226-4540-783-85..20	CONTRACT SERVICES	\$95,575	\$95,575
226-4540-783.85-25	TESTING	\$3,500	\$3,500
226-4540-783.85-60	RENTALS	\$1,500	\$1,500
		\$100,575	\$100,575
	TOTAL FUND 226	\$674,868	\$775,757
			\$100,889

CITY OF PORTAGE

COMMUNICATION

TO: Laurence Shaffer, City Manager

DATE: November 13, 2014

FROM: James C. Bush, City Assessor *JCB*

SUBJECT: Leaf Pickup Millage Analysis

The following is an analysis of the current leaf collection millage, as compared to a potential increase for consideration with inclusion of properties along private streets:

Leaf Pickup Maximum Authorized	0.0004000 mills
<u>2014 Actual Levy:</u>	<u>0.0003455 mills</u>
Allowable Increase without citizen authorization:	0.0000545 mills

0.0000545 mills x 2014 Total Taxable Value of 1,980,551,433 = **\$107,940** in Potential Additional Revenue

RECEIVED

NOV 13 2014

CITY MANAGER'S OFFICE
PORTAGE, MI

Residential Properties on Private Streets

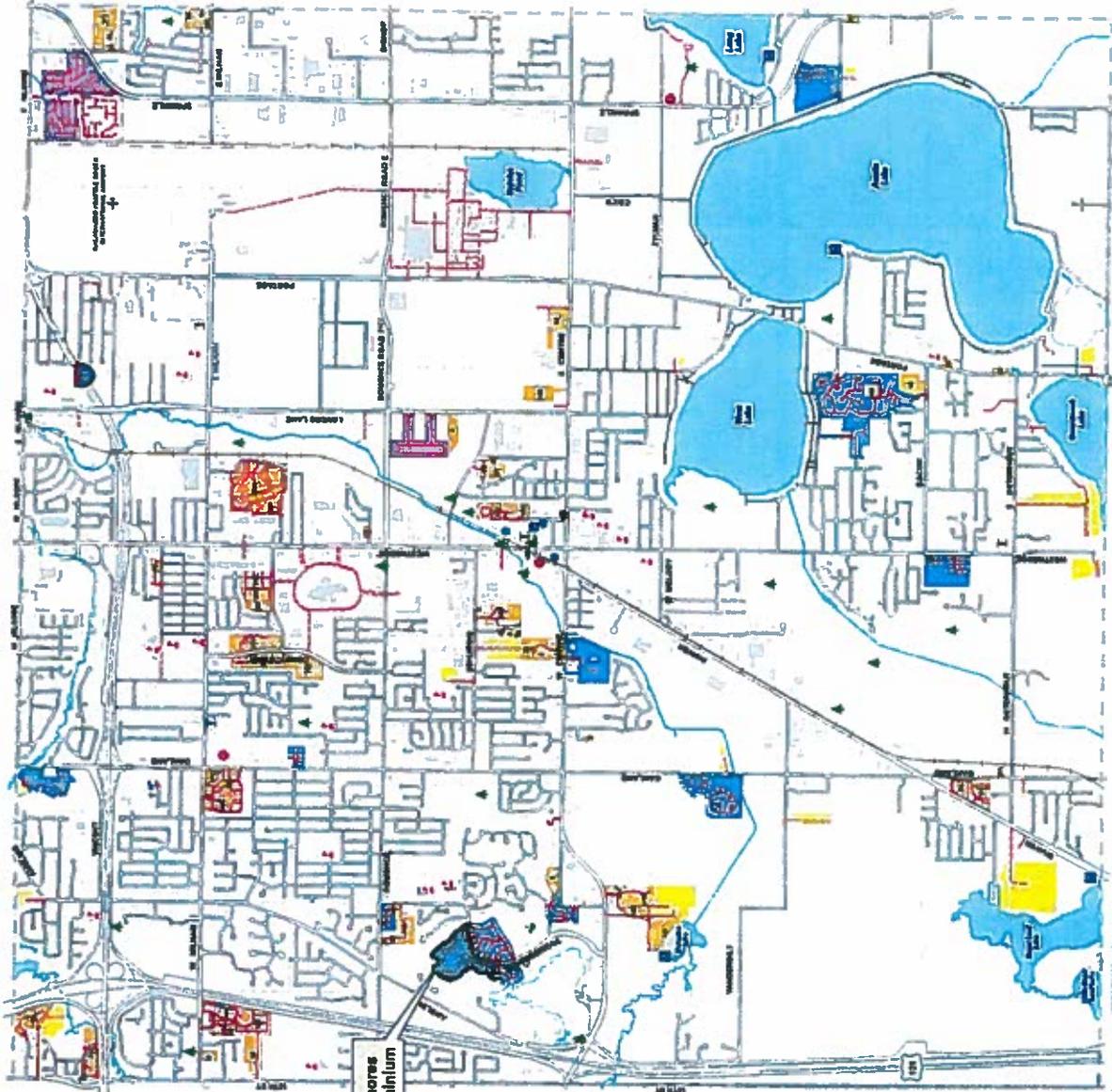
Legend

- Private Streets
- Apartments with Private Streets
- Condominiums (Site or Traditional) with Private Streets
- Manufacture Housing Parks with Private Streets
- Residential Properties on Private Streets

Total Taxable Value = \$158,195,642
 1223 Taxable Properties in total

Private Street Type	parcel count	Residential Units
Apartment Complex*	128	8000
Condominiums	970	570
Manufacture Housing Parks*	5	500
Residential Properties	120	100
Total	1223	7500

*Estimates



Oak Shores Condominium



1 inch = 3,343 feet



More than 75 people attend meetings on leaf, brush, spring cleanup collections on Portage private streets

Tom Haroldson | Special to MLive By Tom Haroldson | Special to MLive

on February 19, 2015 at 10:50 AM, updated February 19, 2015 at 10:52 AM

PORTAGE, MI - Portage residents living on private streets could have leaf, brush and spring cleanup collections this year, but it will be up to them to sign agreements to get the services.

More than 75 residents, many of them from condominium associations, came on a blustery, snowy day to two sessions Wednesday in which city officials outlined the potential for including private streets in the collections.

While the decision ultimately rests with the **Portage City Council**, City Manager Larry Shaffer said each condominium association or resident on a private street will have to sign indemnification agreements waiving the city from liability in cases of damages to property or a street.



A Portage equipment operator uses a claw on a front-end loader to pick up tree limbs and brush. This pick up is on a public street, but it's possible brush, leaf and spring cleanup collections will be done on some private streets this year.

Kalamazoo Gazette file

"We've asked in this agreement to be held harmless for any damage we might do," Shaffer said. "We want to make sure this works for you and for us. This is not a mandatory program. Some have said they might not be interested."

In 1997, voters approved a 0.4-mill levy for the collection programs, but based on a decision by the city administration and council a short time after that vote private streets were not included because of issues involving liability, design of streets and other factors.

Last fall, Oak Shores Neighborhood Association residents asked the city to reconsider the private streets exclusion, reasoning that they have been paying for the services since 1997 but not getting them. The city has been studying the issue and contacting associations, residential representatives and others to gauge their interest in whether they wanted to take part.

At the first session Wednesday, questions included whether the collections would be done on private streets not represented by an association, how the collections would work since none of the residents have ever taken part in them and can a neighborhood get some but not all of the services.

Shaffer and Rod Russell, new Portage public services director, said that the city has looked at some private streets neighborhoods and found that some might have challenges such as low-hanging limbs, narrow roads and difficult accessibility for collections equipment and vehicles.

In those cases, they said, the city might have to work out specific collection methods, such as having residents

dump leaves in a common area for a single pickup rather than at each home.

"I am looking at ways to make it work," Shaffer said. "I have a strong feeling many people in this room want to make it work."

Russell said that while the city's current programs are excellent and efficient, the city is always looking at ways to make it better, and that includes using different equipment that does not mark up pavement, for example.

Shaffer said a preliminary study of including residents on private streets indicates that the additional cost would be about \$101,000. The council would need to collect the full 0.4-mill levy rather than at the current .03455 mills, and if that happens an additional \$107,940 would be raised, covering the additional private streets costs. From 1,500 to 1,700 properties could be eligible for private streets collections, he added.

But, the city manager said, he feels the city can provide private streets collections for less than \$100,000.

The city has collected the names, phone numbers and email addresses of residents who attended the Wednesday meetings and will be in touch with each of them or their associations to see if they will take part in the programs or if there are specific issues to deal with.

Once the level of interest is seen the city administration will be presenting a proposal to the City Council. Brush is collected quarterly, with the next collection in April. Spring cleanup is normally done in April and May. Each neighborhood gets three leaf pickups, with the collection starting in late October.

Shaffer said it is possible the private streets could begin getting brush pickup in April if the neighborhoods and the council approve the service. Some private street residents will decline to take part right away, but could join later, he said.

Councilwoman Patricia Randall, who has been championing the private streets collections since last fall, said it's not fair that those residents have not been getting the services even though they have been paying for them.

"To me, I feel this has been going on for 17 years and it does not need to go on any longer," Randall said. "I'd like to see the city do this right away."

Tom Haroldson covers Portage, Vicksburg and Schoolcraft for MLive/Kalamazoo Gazette. Contact him at haroldso@charter.net.

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AGREEMENT FOR EXTENDING LEAF, BRUSH AND SPRING CLEANUP COLLECTION PROGRAM TO PRIVATE STREETS

Name of Owner: _____

Name of Street(s): (See attached map) _____
(Must be solely owned by Association) _____

Property Type: _____

In consideration of City of Portage providing Leaf, Brush and Spring Cleanup Collection Program to the private streets described above, the Association agrees as follows:

1. Indemnification and Release.

A. The Association shall, at its sole cost and expense, defend, indemnify and hold harmless the City, its agents, officers, boards, employees and contractors (herein after collectively referred to as Indemnitees) from and against any and all liability, obligations, damages penalty, claim, liens, costs, charges, losses and expenses (including, without limitation, reasonable fees and expenses of attorneys, expert witnesses and consultants) which may imposed upon, incurred by or be asserted against the Indemnitees, resulting in personal injury, bodily injury, sickness, disease or death to any person or damage to or loss of or destruction of tangible or intangible personal property, infrastructure or landscaping which may arise out, or be in any way connected, directly or indirectly, with Pickup Program Services provided under this Agreement or arising out of the rights and obligations granted herein.

B. Association, its agents, employees, officers, members, directors and volunteers (collectively "Owner") releases and discharge City from any and all liability or responsibility to Owner for any claims, damages, demands expenses, liabilities and losses including injury and damage to persons or property, foreseen or unforeseen, caused by the act or omission (including intentional acts, negligence and gross negligence) of the City resulting from, caused by or related to Pickup Program Services provided under this Agreement.

2. Insurance.

A. The Association shall keep in force the following insurance:

i. Comprehensive Liability Insurance

\$1 million per person
\$1 million per accident

ii. Comprehensive Property Damage Insurance

\$1 million per accident

B. The Association will furnish to the City certificates evidencing the above insurance before the effective date of this Agreement. Such certificate shall provide a thirty (30) day notice of cancellation to the City.

C. Association shall name City and its respective officers, board, commissions, employees, agents and contractors, as additional insureds (herein referred to the additional insureds) on Association's policy of insurance, and give City 30 days written notice of any modification and/or cancellation.

3. Additions to Bylaws. The Association shall add the following to its Bylaws before this Agreement takes effect:

A. That this Agreement is incorporated into the Bylaws and is binding on Association and its members.

B. That the Bylaws cannot be amended to modify or delete any of the Association (or its member's) responsibilities as required under this Agreement without the written consent of the City.

C. That members of the Association consent and agree to permit City access to their private property and all common property for the reasonable and necessary operation of the Pickup Program.

D. That members of the Association expressly consent and agree to release City from all claims pursuant to Section 1(B) of this Agreement.

The modifications required to the Bylaws above shall be approved by the City and made effective as required by statute.

4. The undersigned acknowledges that he/she has the full authority to execute this Agreement on behalf of the named party. This Agreement shall bind and benefit the Association's successors and assigns. If necessary, the Association shall take all steps needed to confirm and ratify the undersigned's authority.

(Type Name of Property Owner, Property
Manager Or Homeowners' Association Representative)

(Address)

(Signature of Property Owner, Property
Manager or Homeowners' Association Representative)

Please sign and return to:

**OFFICE OF THE PORTAGE CITY MANAGER
7900 South Westnedge Avenue
Portage, MI 49002**

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Pavement Marking Services Bid Tabulation – Recommendation

SUPPORTING PERSONNEL: Rod Russell, Director of Public Services

ACTION RECOMMENDED: That City Council award a two-year contract for pavement marking services to selected streets to Michigan Pavement Markings, LLC in an amount not to exceed \$89,000 for the first year and an estimated amount of \$126,583.75 for the second year, with an option for four one-year renewals, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

Bids were received on February 12, 2015 to provide pavement marking services to selected streets including the annual repainting of all center, lane and road-edge lines on all major streets that have not been reconstructed or strip paved within the year and specialty street markings for rail crossings, school zones, bike lanes, turn arrows, stop bars and crosswalks. This annual pavement marking maintenance is required to retain the quality appearance and enhance the safety and functionality related to traffic flow and nighttime reflectivity.

Due to the specialization of each of these pavement marking maintenance functions, bids were organized into two divisions related to line striping and specialty markings. Michigan Pavement Markings, LLC of Wyoming, Michigan submitted the low bid for Division 1– Line Striping in the annual estimated amount of \$58,687.50 as well as the low bid for Division 2 – Specialty Pavement Markings in the annual estimated amount of \$67,896.25, for a total estimated annual bid of \$126,583.75.

Michigan Pavement Markings held the previous three-year contract for these services in the annual amount of approximately \$87,000, with no unit price increase over the three years. The low bid submitted by Michigan Pavement Markings reflects an approximate 10% increase in unit pricing over the previous three-year contract. Based on the previous three year contract, \$89,000 was budgeted for this work for Fiscal Year 2014-2015. As such, the contract for Fiscal Year 2014-2015 painting work will be limited to \$89,000 and \$126,583.75 will be budgeted for this work for Fiscal Year 2015-2016. The \$126,583.75 for the second year of the contract will enable pavement markings on all city streets to be addressed as determined to be appropriate. Due to budget limitations, this will be the first time in several years that this option will be available.

Michigan Pavement Markings has successfully performed pavement marking services for the city in past years. It is recommended that City Council award a contract for pavement marking services to selected streets to Michigan Pavement Markings, LCC in an amount not to exceed \$89,000 for the first year and an estimated amount of \$126,583.75 for the second year, with an option for four, one-

year renewals and authorize the City Manager to execute all documents related to the contract on behalf of the city.

In the spirit of cooperative purchasing, this contract was bid so that area governments in Kalamazoo County may utilize the bid. The City of Kalamazoo and the Kalamazoo County Road Commission have been provided with the bid information.

FUNDING: The Major Streets Fund of the Fiscal Year 2014-2015 budget contains \$89,000 for these services and \$126,583.75 will be budgeted for this work in the Fiscal Year 2015-2016 budget.

ATTACHMENTS: Bid Tab

**BID TABULATION
PAVEMENT LINE STRIPING & SPECIALTY PAVEMENT MARKING**

	<u>Division I</u> <u>Line Striping</u>	<u>Division II</u> <u>Specialty Markings</u>	<u>Grand Total/Year</u>
Michigan Pavement Marking PO Box 9673 Wyoming, MI 49509	\$58,687.50	\$67,896.25	\$126,583.75
P. K. Contracting, Inc. 6344 W M-55 Lake City, MI 49651	\$81,200.46	\$105,866.60	\$187,067.06

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Traffic Signal Pole and Mast Arm Procurement

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

ACTION RECOMMENDED: That City Council award a contract for the purchase of traffic signal poles, mast arms and assemblies for select city locations to Carrier and Gable, Incorporated, in the amount not to exceed \$77,654 and authorize the City Manager to execute all documents related to this matter on behalf of the city.

The 2014 – 2015 Capital Improvement Program budget includes funds for traffic signal upgrades as part of the planned South Westnedge Avenue Resurfacing Project. The South Westnedge Avenue/West Milham Avenue traffic signal has exceeded its serviceable life and requires full replacement. To ensure continued operation, the intersection is scheduled to have the traffic signal upgraded to include new signal poles and mast arm structures.

In addition, two signal mast arms and poles have also been included in this bid package for the intersections of Lovers Lane at Romence Road and South Westnedge Avenue at West Centre Avenue. Both poles were recently damaged due to vehicular accidents and replacement costs have been reimbursed to the city by the respective insurance companies.

The 12 to 16 week delivery time for new traffic signal poles, mast arms and assemblies necessitates ordering this specialized equipment well in advance of the South Westnedge Avenue construction commencement. Pre-bidding these specialty items has proven successful in previous city projects and assures the materials will be available when desired by the contractor. On February 26, 2015, bids were received for the required traffic signal assemblies. The low bidder, Carrier and Gable, Inc., has successfully supplied traffic signal mast arms, poles and assemblies for numerous prior city projects.

Therefore, it is recommended that City Council award a contract for the purchase of traffic signal poles, mast arms and assemblies for select city locations to Carrier and Gable, Incorporated, in the amount not to exceed \$77,654 and authorize the City Manager to execute all documents related to this matter on behalf of the city.

FUNDING: Sufficient funding is available in the Fiscal Year 2014 – 2015 Capital Improvement Program budget for the \$77,654 expenditure.

Attachments: Bid Tabulation

**BID TABULATION
TRAFFIC SIGNAL MAST ARMS**

<u>Mast Arm No.</u>	<u>Carrier & Gable, Inc. 24110 Research Dr. Farmington Hills, MI 48335</u>	<u>Maico, Industries, Inc. 936 Highway 14 Ellsworth, KS 67439</u>
1	\$13,923.00	\$14,499.00
2	\$15,325.00	\$14,690.00
3	\$15,325.00	\$14,690.00
4	\$15,325.00	\$14,690.00
5	\$9,288.00	\$11,090.00
6	<u>\$8,468.00</u>	<u>\$9,965.00</u>
Grand Total	\$77,654.00	\$79,624.00

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Fire Station 1 Oil and Grit Separator

SUPPORTING PERSONNEL: Richard White, Director of Public Safety - Police/Fire Chief

ACTION RECOMMENDED: That City Council approve the bid for oil and grit separator improvements to Lounsbury Excavating Inc., of Paw Paw, Michigan in the amount of \$34,000 and authorize the City Manager to execute all documents related to this matter on behalf of the city.

The Fire Division is performing improvements to the oil and grit separator for Fire Station 1 at 7830 Shaver Road. The interior apparatus floor drains in Fire Station 1 are required by code to flow into an oil and grit separator before discharging into the sanitary sewer. The oil and grit separator currently in place does not connect to city sewer and is in need of major improvements for long-term stability of the system while meeting current code requirements. The improvements will provide many additional years of service for that station.

The 2014-15 Capital Improvement Project budget includes funding for the improvements of the oil and grit separator at Fire Station 1. Bids for the work were opened on February 18, 2015, and five bids were received. The lowest bid that met the project specifications was submitted by Lounsbury Excavating, Inc. in the amount of \$34,000. Lounsbury Excavating has performed prior satisfactory work for the city.

Therefore, it is recommended that the bid for the oil and grit separator improvements be awarded to Lounsbury Excavating, Inc. in the amount of \$34,000.

FUNDING: The 2014-15 Capital Improvement Program includes funding for this project.

Attachments: Bid Tabulation

Bid Tabulation
Fire Station #1 - Oil and Grit Separator Improvements

	Lounsbury Excavating, Inc. 32673 E. Red Arrow Hwy. <u>Paw Paw, MI 49079</u>	Caporossi Construction Co. 10 West D Ave. <u>Kalamazoo, MI 49009</u>	Cripps Fontaine Excavating, Inc. 7729 Douglas Ave. <u>Kalamazoo, MI 49009</u>	James E. Fulton & Son 2516 Miller Rd. <u>Kalamazoo, MI 49001</u>	L. D. Docsa Associates 1605 King Hwy. <u>Kalamazoo, MI 49001</u>
	\$34,000.00	\$34,600.00	\$36,000.00	\$37,495.35	\$50,000.00
Lump Sum Bid					
<u>Unit Prices for Additional Work</u>	<u>Unit</u>				
MDOT Class II Fill Material	CYD	\$10.50	\$10.00	\$13.00	\$25.00
Aggregate Base Material	CYD	\$15.50	\$27.00	\$18.00	\$30.00
Asphalt Base Coarse	Ton	\$225.00	\$185.00	\$13.00	\$160.00
Asphalt Leveling Coarse	Ton	\$225.00	\$185.00	\$195.00	\$111.00
Asphalt Top Coarse	Ton	\$225.00	\$185.00	\$195.00	\$140.00
Concrete Pavement	CYD	\$150.00	\$500.00	\$140.00	\$450.00
Curb and Gutter Installation	FT	\$25.00	\$40.00	\$32.00	\$20.00
Saw Cutting	FT	\$3.50	\$4.00	\$4.50	\$4.00

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: West Lake Weed Management – 2015 Application Program

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

ACTION RECOMMENDED: That City Council, at the request of the West Lake Improvement Association:

- a. award a contract for the 2015 West Lake Management Program to Professional Lake and Land Management Corporation, for lake weed treatment measures in the estimated annual amount of \$15,120;
- b. approve three additional one-year extensions to the contract, and

authorize the City Manager to execute all documents related to this action on behalf of the city.

At the request of the West Lake Improvement Association, City Council initiated a special assessment district for the West Lake Management Program in July 2014. The district was approved by City Council on October 21, 2014 and a five-year special assessment was created on all properties abutting West Lake. The Association requested a budget of \$176,000 to cover the cost of herbicide applications to control weeds, annual reviews and sediment/plant sampling as needed. As part of the 2015 lake weed treatment, Restorative Lake Services, Incorporated (the Association's lake consultant) has developed a weed treatment program designed to continue to address Eurasian Watermilfoil, as well as herbicide treatment for other invasive weeds.

Due to permitting requirements and time lines for the Michigan Department of Environmental Quality (MDEQ), request for project bids need to occur at this time, using any estimate of the required level of weed treatment. On February 24, 2015, bids were received for the 2015 West Lake Weed Treatment Program. The low bid was submitted by Professional Lake and Land Management Corporation in the amount of \$15,120. The Association's lake consultant has reviewed the qualifications and experience of the low bidder and recommends the city award the contract to Professional Lake and Land Management Corporation. The treatment measures of Professional Lake and Land Management Corporation are in accordance with the MDEQ procedures and comply with the MDEQ treatment permit process. It is acknowledged that treatment costs could increase or decrease based upon the spring weed survey and the contract modified accordingly.

Therefore, it is recommended that City Council, at the request of the West Lake Improvement Association, award a contract for the 2015 West Lake Management Program to Professional Lake and Land Management Corporation, for lake weed treatment measures at an estimated annual

amount of \$15,120, approve three additional one-year extensions to the contract and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: Funding for lake management is contained in the West Lake Weed Special Assessment Fund.

Attachments: Bid Tabulation

BID TABULATION
WEST LAKE HERBICIDE TREATMENT

Item	Est. Quantity	Unit	Description	Concentration	Unit Price	Extended Price
1	1	Acre	Renovate OTF	150 lbs/acre	\$525.00	\$525.00
2	1	Acre	Clipper	200 ppb	\$575.00	\$575.00
3	3	Acre	Reward diquat	2 gal/acre	\$180.00	\$540.00
4	4	Acre	Cutrine	2 gal/acre	\$75.00	\$300.00
5	4	Acre	Sculpin 2,4-D	180 lbs./acre	\$420.00	\$1,680.00
6	40	Acre	Adjuvant*	Specify	\$0.00	\$0.00
7	40	Acre	Aquathol K	3 gal/acre	\$250.00	\$10,000.00
8	1	Annual	MDEQ Permit		\$1,500.00	\$1,500.00
Hypothetical 2015 West Lake Treatment Plan Total						\$15,120.00

Item	Est. Quantity	Unit	Description	Concentration	Unit Price	Extended Price
9	1	Acre	Renovate Max G	120 lbs/acre	\$335.00	\$335.00
10	1	Acre	Renovate Max G	160 lbs/acre	\$445.00	\$445.00
11	1	Acre	Renovate OTF	120 lbs/acre	\$435.00	\$435.00
12	1	Acre	Navigate 2,4-D	120 lbs/acre	\$420.00	\$420.00
13	1	Acre	Navigate 2,4-D	150 lbs/acre	\$510.00	\$510.00
14	1	Acre	Navigate 2,4-D	160 lbs/acre	\$540.00	\$540.00
15	1	Acre	Renovate 3	2.0 gal/acre	\$195.00	\$195.00
16	1	Acre	Renovate 3	2.5 gal/acre	\$220.00	\$220.00
17	1	Acre	Renovate 3	3.0 gal/acre	\$245.00	\$245.00
18	1	Acre	Renovate 3	3.5 gal/acre	\$270.00	\$270.00
19	1	Acre	Clipper	400 ppb	\$985.00	\$985.00
20	1	Acre	Reward diquat	1 gal/acre	\$150.00	\$150.00
21	1	Acre	Aquathol K	1 gal/acre	\$160.00	\$160.00
22	1	Acre	Aquathol K	2 gal/acre	\$200.00	\$200.00
23	1	Acre	Cutrine	1 gal/acre	\$40.00	\$40.00
24	1	Acre	SONAR AS	6 ppg w/6 ppb pump	\$110.30	\$110.30

Clarke Aquatic Services, Inc.
12261 Cleveland St., Ste C
Nunica, MI 49448

PLM Lake & Land Management Corp.
PO Box 132
Caledonia, MI 49316

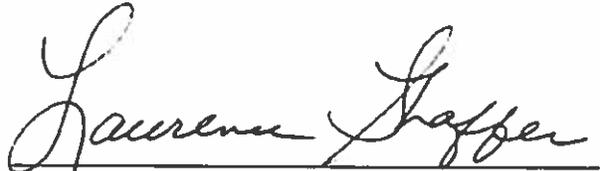
Unit Prices for Additional work

9	1	Acre	Renovate Max G	120 lbs/acre	\$335.00	\$335.00
10	1	Acre	Renovate Max G	160 lbs/acre	\$445.00	\$445.00
11	1	Acre	Renovate OTF	120 lbs/acre	\$435.00	\$435.00
12	1	Acre	Navigate 2,4-D	120 lbs/acre	\$420.00	\$420.00
13	1	Acre	Navigate 2,4-D	150 lbs/acre	\$510.00	\$510.00
14	1	Acre	Navigate 2,4-D	160 lbs/acre	\$540.00	\$540.00
15	1	Acre	Renovate 3	2.0 gal/acre	\$195.00	\$195.00
16	1	Acre	Renovate 3	2.5 gal/acre	\$220.00	\$220.00
17	1	Acre	Renovate 3	3.0 gal/acre	\$245.00	\$245.00
18	1	Acre	Renovate 3	3.5 gal/acre	\$270.00	\$270.00
19	1	Acre	Clipper	400 ppb	\$985.00	\$985.00
20	1	Acre	Reward diquat	1 gal/acre	\$150.00	\$150.00
21	1	Acre	Aquathol K	1 gal/acre	\$160.00	\$160.00
22	1	Acre	Aquathol K	2 gal/acre	\$200.00	\$200.00
23	1	Acre	Cutrine	1 gal/acre	\$45.00	\$45.00
24	1	Acre	SONAR AS	6 ppg w/6 ppb pump	\$2,300.00	\$2,300.00

MATERIALS TRANSMITTED

Friday, February 20, 2015

1. Communication from the City Manager regarding Towing Contract Questions – Follow-up.
2. Communication from the City Manager regarding Technology Accomplishments and Upcoming Initiatives.
3. Communication from the City Manager regarding the Citizen Comment Card Summary for January 2015 – Information Only



Laurence Shaffer, City Manager

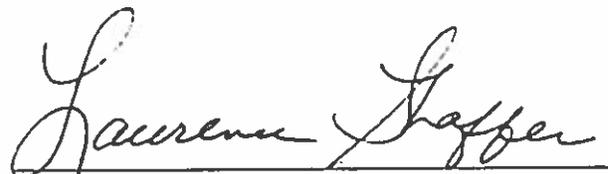
cc: Rob Boulis, Deputy City Manager



MATERIALS TRANSMITTED

Tuesday, February 24, 2015

1. Communication from the City Manager regarding a Request to Purchase City Property – Information Only.


Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager