**FINAL AGENDA FOR THE COUNCIL MEETING**
**CITY OF PORTAGE**
**October 9, 2012**

5:15 p.m. Special Meeting to interview Boards and Commissions applicants.

7:30 p.m. Call to Order.

Invocation: Pastor Joan Herbon of Lord of Life Lutheran Church.

Pledge of Allegiance.

Roll Call.

Proclamation:

A. Approval of the September 25, 2012 Regular Meeting Minutes.

* B. Approval of Consent Agenda Motions.

* C. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of October 9, 2012, as presented.

D. Public Hearings:

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

* 1. Communication from the City Manager recommending that City Council adopt:
   a. Resolution No. 1-12 setting a public hearing on the expansion of Industrial Development District No. 1 for October 23, 2012; and
   b. Resolution No. 3-12 setting a public hearing on the issuance of the Industrial Facilities Exemption Certificate for Mueller Copper Tube Products Company for real and personal property in the estimated amount of $26.5 million for October 23, 2012.

* 2. Communication from the City Manager recommending that City Council approve the height modification for Mueller Plastics, 6700 Sprinkle Road, to allow three existing 50-foot tall silos and construction of two new 60-foot tall silos.

* 3. Communication from the City Clerk recommending that City Council grant the request from Trigo Pizza Company, Inc., to transfer ownership of the 2012 Tavern License to the newly constructed building at 6300 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County (Pizza Hut), from the razed building at the same address.

* 4. Communication from the City Clerk recommending that City Council grant the request to transfer ownership of the 2012 Class C Licensed Business located at 5036 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County, from escrow.

* 5. Communication from the City Clerk recommending that City Council grant the request to transfer ownership of the 2012 Class C Licensed Business located at 6675 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County, from Applebee's of Michigan, Inc., (Applebee's) to TSFR Apple Venture, LLC.

* 6. Communication from the City Clerk recommending that City Council set a Special Meeting on Tuesday, October 23, 2012, beginning at 6:30 p.m. to interview applicants for the Investment Committee.

* 7. Communication from the City Manager regarding the Analysis of Zoning Consistency (FY 2011-2012 Update) – Information Only.

G. Communications:

H. Unfinished Business:

* I. Minutes of Boards and Commissions Meetings:

1. Portage Public Schools Board of Education Policy Governance of July 17, Regular Business of August 20, and Special and Committee of the Whole of September 10, 2012.
2. Portage Senior Citizens Advisory Board of August 15, 2012.
3. Portage Human Services Board of September 6, 2012.
4. Portage Planning Commission of September 20, 2012.

J. Ad-Hoc Committee Reports:

K. New Business:

L. Bid Tabulations:

* 1. Communication from the City Manager recommending that City Council award a three-year contract to Mulder's Landscape Supply, Incorporated, to provide eight contracted seasonal snowplow operators at a cost of $67,336 for Fiscal Year 2012-2013, $67,336 for Fiscal Year 2013-2014 and $70,072 for Fiscal Year 2014-2015 with the option to renew the contract for up to three years and authorize the City Manager to execute all documents related to the contract and subsequent renewals on behalf of the city.

* 2. Communication from the City Manager recommending that City Council award a contract to the low bidder, Peters Construction Company, Incorporated, for the construction of the 2012 Storm Drainage Improvements Project in the not to exceed amount of $147,450 and authorize the City Manager to execute all documents related to this project on behalf of the city.

* 3. Communication from the City Manager recommending that City Council award a contract for softball field improvements at South Westnedge Park to TJM Services, LLC, in the amount of $29,040 and authorize the City Manager to execute all documents related to this agreement on behalf of the city.

* 4. Communication from the City Manager recommending that City Council approve the low bid from Gail Andrus Travel, LLC, for motor coach services for the 2013 Portage Senior Center travel program in the amount of $23,653 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, October 10, 6:30 p.m., Park Board, Celery Flats.
b. Wednesday, October 10, 7:00 p.m., Environmental Board, City Hall Room #1.
c. Monday, October 15, 8:00 a.m., Legislative Roll Call, Chamber Building, 346 W. Michigan Ave., Kalamazoo.
d. Wednesday, October 17, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.
e. Thursday, October 18, 7:00 p.m., Portage District Library Board, Portage District Library.
f. Thursday, October 18, 7:00 p.m., Planning Commission, Council Chambers.
g. Monday, October 22, 6:30 p.m., Portage Public Schools Board of Education, Council Chambers.

N. Materials Transmitted of September 21 and 25, 2012.

Adjournment.

# CITY COUNCIL MEETING SUMMARY

**September 25, 2012**

## CHECK REGISTER

- Approved the Check Register of September 25, 2012, as presented.

## REPORTS FROM THE ADMINISTRATION

- Approved the City of Kalamazoo – City of Portage Water Supply Agreement and authorized the Mayor to sign the agreement on behalf of the city.
- Amended the General Appropriations Act (budget) for the fiscal year ending June 30, 2013, for the total amount of $3,388,773.38.
- Accepted the order of the Construction Board of Appeals to demolish the pole barn and accessory loading dock at 1518 East Centre Avenue; and authorized the City Administration to take the necessary action to demolish the pole barn and accessory loading dock at 1518 East Centre Avenue, place a lien and assess the property to recover the costs associated with demolition consistent with the ordinance.
- Appointed a City Council 50th Anniversary Committee to consider additional suggested activities and events from Advisory Boards and Commissions and Portage residents and present the additional suggested activities and events to the City Council no later than October 23, 2012.
- Established Friday, November 16, 2012, as the date of the 2012 City Council Goal Setting Session.
- Received the communication from the City Manager regarding donation boxes as information only.
- Received the communication from the City Manager regarding the August 2012 Summary Environmental Activity Report as information only.
- Received the Department Monthly Reports.

## COMMUNICATION

- Received the Annual Presentation by Senior Citizen Advisory Board Vice-Chairperson Lawrence Smith.

## AD HOC COMMITTEE REPORT

- Received the Sign Committee Report from Councilmember Sackley.
- Received the Business And the City of Portage Report from Councilmember Randall.
- Received the Ethics/Rules/Procedures Committee Report from Councilmember Urban.

## BID TABULATIONS

- Approved the lease of 141 Lenovo replacement computers and peripheral equipment from Capital Advantage Leasing of Grand Rapids, Michigan, at a total lease price of $106,286.40 for a three year period and authorized the City Manager to execute all documents related to this action on behalf of the city.
- Approved an annual licensing and software maintenance services agreement with SunGard, Incorporated, at a total cost of $66,338 and authorized the City Manager to execute all documents related to this agreement on behalf of the city.
- Accepted the quote submitted by Bell Equipment of Lake Orion, Michigan, in the amount of $25,500 for rental of two Whirlwind vacuum sweepers for the Fall Leaf Pickup Program and authorized the City Manager to execute all documents related to this action on behalf of the city.

## STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- Councilmember Urban highlighted the new brochure that discusses code enforcement in the neighborhoods.
- Councilmember Sackley, Mayor Strazdas and City Manager Evans expressed appreciation for the cooperation of the Administrations of both Portage and Kalamazoo which enabled them to reach the Water Supply Agreement. Mayor Strazdas announced that Monday, September 23, 2012, was the first night the Portage Public School Board of Education met in City Council Chambers as their new meeting location. He then referenced the Portage City Hall lobby as a place to view ongoing art displays from various artists in the community, and he highlighted the current display of fine photography of displays in Seth Giem's Train Barn.

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**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.**

# CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 25, 2012 DRAFT

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

At the request of Mayor Strazdas, Councilmember Terry Urban gave an invocation and City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Jim Pearson, Patricia M. Randall, Edward J. Sackley and Terry R. Urban, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

**APPROVAL OF MINUTES:** Motion by Sackley, seconded by Reid, to approve the September 11, 2012 Special and Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Sackley to read the Consent Agenda. Mayor Strazdas removed Item F.4, City Council 50th Anniversary Committee, from the Consent Agenda, and Councilmember Urban asked that Item F.6, Donation Boxes – Information Only, be removed from the Consent Agenda. Motion by Sackley, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF SEPTEMBER 25, 2012:** Motion by Sackley, seconded by Reid, to approve the Accounts Payable Register of September 25, 2012. Upon a roll call vote, motion carried 7 to 0.

**REPORTS FROM THE ADMINISTRATION:**

* **WATER SUPPLY AGREEMENT WITH THE CITY OF KALAMAZOO:** Motion by Sackley, seconded by Reid, to approve the City of Kalamazoo – City of Portage Water Supply Agreement and authorize the Mayor to sign the agreement on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **RECOMMENDED BUDGET AMENDMENTS – END OF FISCAL YEAR HOUSEKEEPING:** Motion by Sackley, seconded by Reid, to amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2013, for the total amount of $3,388,773.38. Upon a roll call vote, motion carried 7 to 0.

* **CONSTRUCTION BOARD OF APPEALS RAZE ORDER - 1518 EAST CENTRE AVENUE:** Motion by Sackley, seconded by Reid, to accept the order of the Construction Board of Appeals to demolish the pole barn and accessory loading dock at 1518 East Centre Avenue; and authorize the City Administration to take the necessary action to demolish the pole barn and accessory loading dock at 1518 East Centre Avenue, place a lien and assess the property to recover the costs associated with demolition consistent with the ordinance. Upon a roll call vote, motion carried 7 to 0.

**CITY COUNCIL 50TH ANNIVERSARY COMMITTEE:** Mayor Strazdas asked for volunteers from City Council to participate on the City Council 50th Anniversary Committee and indicated that the Committee would not meet that often, would review the suggestions from the public and the Advisory Boards, and would bring recommendations to City Council. Discussion followed. Motion by Campbell, seconded by Reid, to appoint the entire City Council as the City Council 50th Anniversary Committee to consider additional suggested activities and events from Advisory Boards and Commissions and Portage residents and present the additional suggested activities and events to the City Council no later than October 23, 2012. Upon a voice vote, motion carried 7 to 0.

* **2012 CITY COUNCIL GOAL SETTING SESSION:** Motion by Sackley, seconded by Reid, to establish Friday, November 16, 2012, as the date of the 2012 City Council Goal Setting Session. Upon a roll call vote, motion carried 7 to 0.

**DONATION BOXES – INFORMATION ONLY:** Councilmember Urban expressed concern with the confusing relationship between the donation boxes "cropping up" around the city and the boxes of local non-profit organizations. He expressed a desire for an ordinance to address the removal of the boxes should the need arise and indicated that these are not on the list of an accessory uses of the primary use of the business activity. Councilmember Sackley indicated he spoke with a representative from Goodwill Industries, who indicated that the boxes became a problem and do not use them anymore. He said they became trash repositories, a liability and a hazard. Discussion followed. Motion by Urban, seconded by Sackley, to receive the communication from the City Manager regarding donation boxes as information only. Upon a roll call vote, motion carried 7 to 0.

* **AUGUST 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Sackley, seconded by Reid, to receive the communication from the City Manager regarding the August 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.

* **DEPARTMENT MONTHLY REPORTS:** Motion by Sackley, seconded by Reid, to receive the Department Monthly Reports from the various city departments. Upon a roll call vote, motion carried 7 to 0.

**COMMUNICATIONS:**

**ANNUAL PRESENTATION BY SENIOR CITIZEN ADVISORY BOARD VICE-CHAIRPERSON LAWRENCE SMITH:** Senior Citizen Advisory Board Vice-Chairperson Lawrence Smith provided the annual report from the Board. Deputy Director of Recreation & Senior Citizens Services Jill Hess was available for questions and concerns and Alternate Board Member Trudy Riker discussed the Trip committee. Discussion followed. Motion by Reid, seconded by Sackley, to receive the Annual Presentation by Senior Citizen Advisory Board Vice-Chairperson Lawrence Smith. Upon a voice vote, motion carried 7 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:

Portage Human Services Board of August 2, 2012.
Portage Zoning Board of Appeals of August 13, 2012.
Portage Planning Commission of August 16 and September 6, 2012.

**AD HOC COMMITTEE REPORT:**

**CITY COUNCIL SIGN COMMITTEE REPORT:** At the request of Mayor Strazdas, Councilmember Sackley provided an update and discussion of the activities and considerations of the City Council Sign Committee, especially addressing the questions of what are temporary signs and what to do with the interior sign issues. He indicated that the Committee is seeking suggestions for the four topics provided in his written presentation to City Council. Discussion followed. Motion by Reid, seconded by Sackley, to receive the Sign Committee Report from Councilmember Sackley. Upon a roll call vote, motion carried 7 to 0.

**CITY COUNCIL BUSINESS AND THE CITY OF PORTAGE REPORT:** At the request of Mayor Strazdas, Councilmember Randall provided a review of the recent meeting of the Business And the City of Portage Committee. She outlined the plans to visit with small businesses, the Chamber of Commerce and SouthWest Michigan First. She mentioned the possibility of a Business Survey in the future and discussion followed. Motion by Reid, seconded by Pearson, to receive the Business And the City of Portage Committee Report from Councilmember Randall. Upon a roll call vote, motion carried 7 to 0.

**ETHICS/RULES/PROCEDURES COMMITTEE REPORT:** At the request of Mayor Strazdas, Councilmember Urban indicated Ethics/Rules/Procedures Committee discussed Councilmember Attendance Policy and campaign comments/speeches in public meetings and the current Charter versus Ordinance conflict of laws with Mayor Pro Tem selection process and the question of the need to change the Rules of Order and Procedure. Motion by Campbell, seconded by Reid, to receive the Ethics/Rules/Procedures Committee Report from Councilmember Urban. Upon a roll call vote, motion carried 7 to 0.

**BID TABULATIONS:**

* **COMPUTER REPLACEMENT:** Motion by Sackley, seconded by Reid, to approve the lease of 141 Lenovo replacement computers and peripheral equipment from Capital Advantage Leasing of Grand Rapids, Michigan, at a total lease price of $106,286.40 for a three year period 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.

* **ANNUAL SUNGARD ENTERPRISE SOFTWARE LICENSING AND MAINTENANCE FEE:** Motion by Sackley, seconded by Reid, to approve an annual licensing and software maintenance services agreement with SunGard, Incorporated, at a total cost of $66,338 and authorize the City Manager to execute all documents related to this agreement on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **SWEEPER RENTAL FOR FALL LEAF PICKUP PROGRAM:** Motion by Sackley, seconded by Reid, to accept the quote submitted by Bell Equipment of Lake Orion, Michigan, in the amount of $25,500 for rental of two Whirlwind vacuum sweepers for the Fall Leaf Pickup Program and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

**OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL:** Councilmember Urban highlighted the new brochure that discusses code enforcement in the neighborhoods.

Councilmember Sackley, Mayor Strazdas and City Manager Evans expressed appreciation for the cooperation of the Administrations of both Portage and Kalamazoo which enabled them to reach the Water Supply Agreement. Mayor Strazdas announced that Monday, September 23, 2012, was the first night the Portage Public School Board of Education met in City Council Chambers as their new meeting location. He then referenced the Portage City Hall lobby as a place to view ongoing art displays from various artists in the community, and he highlighted the current display of fine photography of displays in Seth Giem's Train Barn.

DRAFT

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 9:52 p.m.

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James R. Hudson, City Clerk

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

**CITY OF PORTAGE** **COMMUNICATION**

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**TO:** Honorable Mayor and City Council **DATE:** October 1, 2012

**FROM:** Maurice S. Evans, City Manager

**SUBJECT:** Accounts Payable Register

**ACTION RECOMMENDED:** That City Council approve the Accounts Payable Register of October 9, 2012 as presented.

Attached please find the Accounts Payable Register for the period September 16, 2012 through September 30, 2012, which is recommended for approval.

c: Daniel S. Foecking, Finance Director

| CHECK DATE | CHECK NUMBER | VENDOR NAME | VENDOR # | CHECK AMOUNT |
|---|---|---|---|---|
| 09/18/2012 | 282451 | PETTY CASH-PARKS | 536 | 345.50 |
| 09/18/2012 | 282452 | VIRGO, SHAUNA | 532 | 210.00 |
| 09/25/2012 | 282453 | A T & T LONG DISTANCE | 4060 | 6.58 |
| 09/25/2012 | 282454 | CITY OF KALAMAZOO (TRANS MILLA | 4649 | 198,402.73 |
| 09/25/2012 | 282455 | CITY OF KALAMAZOO TREASURER | 540 | 383.81 |
| 09/25/2012 | 282456 | CITY OF PORTAGE | 177 | 52,205.13 |
| 09/25/2012 | 282457 | COMSTOCK PUBLIC SCHOOLS | 1671 | 64,026.78 |
| 09/25/2012 | 282458 | PETTY CASH-POLICE DEPT. | 890 | 349.42 |
| 09/28/2012 | 282459 | AT&T | 849 | 4,284.32 |
| 09/28/2012 | 282460 | AIRGAS GREAT LAKES | 106 | 122.85 |
| 09/28/2012 | 282461 | ALL-PHASE ELECTRIC SUPPLY CO. | 108 | 1,374.40 |
| 09/28/2012 | 282462 | MY ALARM CENTER | 109 | 78.00 |
| 09/28/2012 | 282463 | ALLEGRA PRINT & IMAGING | 533 | 2,043.30 |
| 09/28/2012 | 282464 | ALLEN EDWIN HOMES | 999999 | 550.00 |
| 09/28/2012 | 282465 | APOLLO FIRE EQUIPMENT COMPANY | 1253 | 720.25 |
| 09/28/2012 | 282466 | APPROVED FIRE PROTECTION CO. | 630 | 213.75 |
| 09/28/2012 | 282467 | TODD ARBANAS ENTERPRISES INC. | 1704 | 1,990.00 |
| 09/28/2012 | 282468 | ADP, INC. | 3305 | 1,164.30 |
| 09/28/2012 | 282469 | AUTOMATION DESIGN & ENTERTAINM | 2906 | 605.00 |
| 09/28/2012 | 282470 | BELSON OUTDOORS, INC. | 2627 | 748.70 |
| 09/28/2012 | 282471 | BESCO WATER TREATMENT, INC. | 3339 | 43.00 |
| 09/28/2012 | 282472 | BIDDLE, KRISTINE | 532 | 100.00 |
| 09/28/2012 | 282473 | BREAKAWAY BICYCLES | 1356 | 19.98 |
| 09/28/2012 | 282474 | BRONSON HEALTHCARE GROUP | 4813 | 400.00 |
| 09/28/2012 | 282475 | BROWN, LORI | 999999 | 120.00 |
| 09/28/2012 | 282476 | BUSH, CHRISTINE | 999999 | 20.00 |
| 09/28/2012 | 282477 | BUSH, JIM | 532 | 1,369.25 |
| 09/28/2012 | 282478 | BUTLER, RONALD OR SHANNON | 999999 | 101.94 |
| 09/28/2012 | 282479 | BYHOLT INC. | 68 | 1,313.52 |
| 09/28/2012 | 282480 | CAMPBELL AUTO SUPPLY | 437 | 16.61 |
| 09/28/2012 | 282481 | CITY OF KALAMAZOO (TRANS MILLA | 4649 | 16,124.16 |
| 09/28/2012 | 282482 | CITY OF KALAMAZOO TREASURER | 540 | 255,398.66 |
| 09/28/2012 | 282483 | CITY OF PORTAGE | 177 | 3,187.21 |
| 09/28/2012 | 282484 | COERLOGIC REAL ESTATE | 999999 | 1,634.96 |
| 09/28/2012 | 282485 | COMMERCIAL BANK | 999999 | 786.62 |
| 09/28/2012 | 282486 | COMMERCIAL WINDOW COVERINGS | 1912 | 500.00 |
| 09/28/2012 | 282487 | COMSTOCK PUBLIC SCHOOLS | 1671 | 3,411.94 |
| 09/28/2012 | 282489 | CONSUMERS ENERGY-BILL PMT CNT | 189 | 62,731.64 |
| 09/28/2012 | 282490 | CT ELECTRIC | 999999 | 950.00 |
| 09/28/2012 | 282491 | DAVE'S GLASS SERVICE, INC. | 2874 | 132.14 |
| 09/28/2012 | 282492 | DEVON TITLE AGENCY | 999999 | 48.25 |
| 09/28/2012 | 282493 | DIESEL INJECTION SERVICE, LLC | 1874 | 23.48 |
| 09/28/2012 | 282494 | R A & ASSOCIATES DORAN | 746 | 415.00 |
| 09/28/2012 | 282495 | EMERGENCY VEHICLE PRODUCTS | 2948 | 145.00 |
| 09/28/2012 | 282496 | ETITLE | 999999 | 17.13 |
| 09/28/2012 | 282497 | EVA T CANTARELLA, ESQ. | 999999 | 3,825.01 |
| 09/28/2012 | 282498 | F D LAKE COMPANY | 985 | 200.00 |
| 09/28/2012 | 282499 | FADER EQUIPMENT, INC. | 688 | 93.45 |
| 09/28/2012 | 282500 | FAMILY COURT | 999999 | 500.00 |
| 09/28/2012 | 282501 | FARM N GARDEN | 833 | 925.20 |
| 09/28/2012 | 282502 | FAWLEY OVERHEAD DOOR, INC. | 690 | 135.00 |

| CHECK DATE | CHECK NUMBER | VENDOR NAME | VENDOR # | CHECK AMOUNT |
|---|---|---|---|---|
| 09/28/2012 | 282503 | FIFTH THIRD BANK | 999999 | 8,071.40 |
| 09/28/2012 | 282504 | FIRST NATIONAL BANK OF MICHIGN | 999999 | 4,399.90 |
| 09/28/2012 | 282505 | FOLEY, BARBARA & LEO | 999999 | 320.12 |
| 09/28/2012 | 282506 | GLEESING,MARIE | 532 | 200.05 |
| 09/28/2012 | 282507 | GMAC MORTGAGE | 999999 | 1,770.53 |
| 09/28/2012 | 282508 | GORDON WATER SYSTEMS | 517 | 295.25 |
| 09/28/2012 | 282509 | GOVERNMENT FINANCE OFFICERS AS | 41 | 355.00 |
| 09/28/2012 | 282510 | GRAHAM, JUDY | 532 | 42.98 |
| 09/28/2012 | 282511 | GREATER KALAMAZOO FOP LODGE 98 | 623 | 549.20 |
| 09/28/2012 | 282512 | GREATER KALAMAZOO FOP LODGE 98 | 623 | 2,800.92 |
| 09/28/2012 | 282513 | GREATER KALAMAZOO UNITED WAY | 628 | 1,044.78 |
| 09/28/2012 | 282514 | GRIFFIN PEST CONTROL, INC. | 598 | 249.00 |
| 09/28/2012 | 282515 | HALCOMB, VALERIE | 532 | 500.00 |
| 09/28/2012 | 282516 | HALT FIRE, INC. | 4781 | 331.98 |
| 09/28/2012 | 282517 | HAMILTON CASTER AND MFG., CO. | 4537 | 2,015.00 |
| 09/28/2012 | 282518 | LARRY L HARRIS & ASSOCIATES | 759 | 8,695.00 |
| 09/28/2012 | 282519 | HARTMAN, CHARLES | 913 | 47.00 |
| 09/28/2012 | 282520 | HARVEY, RAYMOND | 999999 | 109.20 |
| 09/28/2012 | 282521 | HAUN, KEVIN L | 674 | 47.00 |
| 09/28/2012 | 282522 | HENDERSON, DEANNE | 999999 | 395.00 |
| 09/28/2012 | 282523 | HOADLEY, LEO | 4228 | 88.00 |
| 09/28/2012 | 282524 | HOME DEPOT | 691 | 227.07 |
| 09/28/2012 | 282525 | HOMETOWN URGENT CARE AND WORKC | 4752 | 200.00 |
| 09/28/2012 | 282526 | IERVOLINA, SUSAN | 2074 | 200.00 |
| 09/28/2012 | 282527 | INTERSECT TECHNOLOGIES | 379 | 181.00 |
| 09/28/2012 | 282528 | J & J LAWN SERVICE, INC. | 457 | 5,000.00 |
| 09/28/2012 | 282529 | JONES & HENRY ENGINEERS, LTD | 3488 | 15,330.68 |
| 09/28/2012 | 282530 | KALAMAZOO COUNTY HEALTH & COMM | 84 | 7,092.42 |
| 09/28/2012 | 282531 | KALAMAZOO COUNTY TREASURER | 514 | 646.25 |
| 09/28/2012 | 282532 | KENT COMPANIES, INC. | 838 | 375.00 |
| 09/28/2012 | 282533 | KENT COUNTY DPW | 2663 | 67.50 |
| 09/28/2012 | 282534 | KETELHUT, MICHELE | 999999 | 100.00 |
| 09/28/2012 | 282535 | KUIPER BROTHERS MOVING INC. | 1066 | 361.00 |
| 09/28/2012 | 282536 | KZOO TIRE COMPANY | 564 | 1,683.00 |
| 09/28/2012 | 282537 | LAWSON PRODUCTS, INC | 240 | 35.49 |
| 09/28/2012 | 282538 | LIGHTHOUSE COMMUNITY CHURCH | 999999 | 110.00 |
| 09/28/2012 | 282539 | LOWE'S HOME CENTER | 2630 | 51.36 |
| 09/28/2012 | 282540 | LUYKX, DEBORAH | 999999 | 1,378.46 |
| 09/28/2012 | 282541 | MARTIN, JEFFREY | 999999 | 200.00 |
| 09/28/2012 | 282542 | MATTRESS MART | 4723 | 1,179.00 |
| 09/28/2012 | 282544 | MAURER'S TEXTILE RENTAL SERVIC | 4746 | 305.42 |
| 09/28/2012 | 282545 | MCNALLY ELEVATOR CO. | 256 | 541.30 |
| 09/28/2012 | 282546 | MI ASSOC OF HOSTAGE NEGOTIATOR | 999999 | 150.00 |
| 09/28/2012 | 282549 | MICH MUNICIPAL POLICE & FIRE R | 4777 | 3,230.50 |
| 09/28/2012 | 282550 | MICHIGAN ELECTION RESOURCES, L | 264 | 168.42 |
| 09/28/2012 | 282551 | MICHIGAN FIRE INSPECTOR'S SOCI | 3525 | 300.00 |
| 09/28/2012 | 282552 | MICHIGAN SECTION, AWWA | 999999 | 450.00 |
| 09/28/2012 | 282553 | MICHIGAN TASER DISTRIBUTING | 3066 | 1,803.14 |
| 09/28/2012 | 282554 | MICHIGAN TAX TRIBUNAL | 999999 | 25.00 |
| 09/28/2012 | 282555 | MIDWEST ENERGY COOPERATIVE | 2030 | 234.20 |
| 09/28/2012 | 282556 | MLIVE MEDIA GROUP | 89 | 1,676.60 |

| CHECK DATE | CHECK NUMBER | VENDOR NAME | VENDOR # | CHECK AMOUNT |
|---|---|---|---|---|
| 09/28/2012 | 282557 | MOORS I, LLC | 3834 | 32.32 |
| 09/28/2012 | 282558 | NATIONS TITLE AGENCY | 999999 | 463.01 |
| 09/28/2012 | 282559 | A NEW LEAF | 635 | 85.00 |
| 09/28/2012 | 282560 | NFPA | 999999 | 165.00 |
| 09/28/2012 | 282561 | NIEWOONDER & SONS INC, E. | 782 | 448.07 |
| 09/28/2012 | 282562 | NYE UNIFORMS | 299 | 1,377.80 |
| 09/28/2012 | 282563 | O'BOYLE-COLWELL-BLALOCK & AS. | 860 | 1,505.00 |
| 09/28/2012 | 282565 | OFFICE DEPOT, INC. | 1721 | 2,515.36 |
| 09/28/2012 | 282566 | ONE WAY PRODUCTS | 440 | 1,722.16 |
| 09/28/2012 | 282567 | Patti Thompson | 532 | 537.50 |
| 09/28/2012 | 282568 | PALMER, JESSICA | 999999 | 340.00 |
| 09/28/2012 | 282569 | PAPER CENTRAL | 2623 | 1,088.00 |
| 09/28/2012 | 282570 | PARIS CLEANERS | 1794 | 995.05 |
| 09/28/2012 | 282571 | PATESEL, TERRY | 4455 | 188.00 |
| 09/28/2012 | 282572 | PEERLESS, INC. | 1171 | 90.00 |
| 09/28/2012 | 282573 | PETTY CASH-CITY HALL | 767 | 570.66 |
| 09/28/2012 | 282574 | PETTY CASH-CITY MANAGER | 805 | 257.13 |
| 09/28/2012 | 282575 | PETTY CASH-FIRE | 610 | 219.87 |
| 09/28/2012 | 282576 | PETTY CASH-PARKS | 536 | 140.00 |
| 09/28/2012 | 282577 | PETTY CASH-SENIOR CENTER | 537 | 203.19 |
| 09/28/2012 | 282578 | POLDERMAN'S FLOWER SHOP | 4157 | 41.95 |
| 09/28/2012 | 282579 | PORTAGE FIREFIGHTERS | 625 | 1,388.88 |
| 09/28/2012 | 282580 | PORTAGE GLASS & MIRROR | 4396 | 334.42 |
| 09/28/2012 | 282581 | PORTAGE OIL CO | 999999 | 10.00 |
| 09/28/2012 | 282582 | PORTAGE ON-CALL FIREFIGHTERS | 504 | 269.67 |
| 09/28/2012 | 282583 | PORTAGE POLICE OFFICERS ASSOC | 624 | 1,671.78 |
| 09/28/2012 | 282584 | PRIORITY HEALTH | 4254 | 21,572.72 |
| 09/28/2012 | 282585 | PROFESSIONAL TREE SERVICE, INC | 321 | 9,000.00 |
| 09/28/2012 | 282586 | QBE FIRST | 999999 | 4,944.20 |
| 09/28/2012 | 282587 | QUANTUM CONSTRUCTION CO., INC. | 1863 | 34,227.40 |
| 09/28/2012 | 282588 | RATHCO SAFETY SUPPLY, INC. | 327 | 567.00 |
| 09/28/2012 | 282589 | RETIREMENT PLAN CONCEPTS INC | 334 | 4,000.00 |
| 09/28/2012 | 282591 | RIDGE AUTO NAPA | 438 | 4,868.50 |
| 09/28/2012 | 282592 | RIETH-RILEY CONSTRUCTION CO., | 4386 | 425.02 |
| 09/28/2012 | 282593 | RIVERA, MARLANA | 999999 | 100.00 |
| 09/28/2012 | 282594 | ROMENCE GARDENS, INC | 343 | 41.44 |
| 09/28/2012 | 282595 | ROTH, LYDIA | 999999 | 20.59 |
| 09/28/2012 | 282596 | SARKOZY, ARDITH | 999999 | 55.29 |
| 09/28/2012 | 282597 | SCHNEIDER AUTOMATION / SQUARE | 2933 | 500.00 |
| 09/28/2012 | 282598 | SHELBURNE, LAURIE | 999999 | 253.00 |
| 09/28/2012 | 282599 | SHULTS, CHRIS | 999999 | 110.00 |
| 09/28/2012 | 282600 | SIMPLEX GRINNELL | 2521 | 1,738.00 |
| 09/28/2012 | 282601 | SKILLQUEST INTERNATIONAL LLC | 456 | 650.00 |
| 09/28/2012 | 282602 | SOUTHWEST MICHIGAN FIRST | 4754 | 3,450.00 |
| 09/28/2012 | 282603 | SOUTHWEST MICHIGAN GOV CONSULT | 4484 | 1,312.50 |
| 09/28/2012 | 282604 | SPRINT | 3721 | 14.44 |
| 09/28/2012 | 282605 | STAP BROS LAWN & LANDSCAPE,INC | 366 | 2,226.33 |
| 09/28/2012 | 282606 | STATE SYSTEMS RADIO, INC | 369 | 52.50 |
| 09/28/2012 | 282607 | STRYKER | 999999 | 56,817.35 |
| 09/28/2012 | 282608 | STRYKER INSTRUMENTS | 999999 | 29,792.77 |
| 09/28/2012 | 282609 | JOHANNA THOMPSON | 4682 | 275.38 |

| CHECK DATE | CHECK NUMBER | VENDOR NAME | VENDOR # | CHECK AMOUNT |
|---|---|---|---|---|
| 09/28/2012 | 282610 | THOMPSON, PATTI | 532 | 119.50 |
| 09/28/2012 | 282611 | TOO CLEAN JANITORIAL | 2220 | 140.00 |
| 09/28/2012 | 282612 | TRACTOR SUPPLY CORP. | 2817 | 68.07 |
| 09/28/2012 | 282613 | TRIMRITE TREE SERVICE | 2966 | 1,800.00 |
| 09/28/2012 | 282614 | TRUGREEN | 390 | 151.00 |
| 09/28/2012 | 282615 | UNITED PARCEL SERVICE | 545 | 104.33 |
| 09/28/2012 | 282616 | VANBECK ROOFING & SIDING CO. | 399 | 2,500.00 |
| 09/28/2012 | 282617 | VANCE OUTDOORS, INC. | 4808 | 1,450.00 |
| 09/28/2012 | 282618 | VANGUARD FIRE & SUPPLY CO., IN | 3996 | 483.00 |
| 09/28/2012 | 282619 | VERIZON WIRELESS SERVICES, LLC | 4653 | 1,655.22 |
| 09/28/2012 | 282620 | WASHCO, LLC | 1104 | 1,285.00 |
| 09/28/2012 | 282621 | WELLS FARGO HOME MORTGAGE | 999999 | 11,030.18 |
| 09/28/2012 | 282622 | WESSENDORF, GREGORY | 532 | 180.00 |
| 09/28/2012 | 282623 | WEST MICHIGAN REALTORS TITLE | 999999 | 885.30 |
| 09/28/2012 | 282624 | WEST MICHIGAN STAMP & SEAL,INC | 415 | 18.20 |
| 09/28/2012 | 282625 | WEST SHORE SERVICES, INC | 417 | 536.40 |
| 09/28/2012 | 282626 | WIBORN, STEVEN OR CINDY | 999999 | 90.00 |
| 09/28/2012 | 282627 | WINDER POLICE EQUIPMENT, INC. | 429 | 129.99 |
| 09/28/2012 | 282629 | XEROX CORPORATION | 2684 | 1,421.73 |
| 09/28/2012 | 282630 | ZERO WASTE USA, INC. | 4435 | 692.90 |
| | | | DATE RANGE TOTAL * | 978,559.16 * |

| PAYMENT NO | VENDOR NO | VENDOR NAME | TRANSFER DATE | AMOUNT | TRACE NUMBER | EFT BATCH | BANK CODE |
|---|---|---|---|---|---|---|---|
| 1427 | | ABONMARCHE CONSULTANTS, INC | 09/28/2012 | 2,358.95 | 072000320000001 | 0000001 | 00 |
| 1428 | | ADMIRAL LOCK & KEY SERVICE | 09/28/2012 | 1,648.55 | 072000320000002 | 0000001 | 00 |
| 1429 | | ANIMAL REMOVAL SERVICE, LLC | 09/28/2012 | 900.00 | 072000320000003 | 0000001 | 00 |
| 1430 | | B & B YARDSCAPE | 09/28/2012 | 4,120.00 | 072000320000004 | 0000001 | 00 |
| 1431 | | BEEBE, RON | 09/28/2012 | 188.00 | 072000320000005 | 0000001 | 00 |
| 1432 | | C D W GOVERNMENT, INC. | 09/28/2012 | 1,495.00 | 072000320000006 | 0000001 | 00 |
| 1433 | | DELTA DENTAL PLAN OF MI | 09/28/2012 | 20,234.12 | 072000320000007 | 0000001 | 00 |
| 1434 | | FORSHEE, MARK | 09/28/2012 | 132.00 | 072000320000008 | 0000001 | 00 |
| 1435 | | HARTFORD LIFE INSURANCE COMPANY | 09/28/2012 | 7,861.96 | 072000320000009 | 0000001 | 00 |
| 1436 | | HI-TECH ELECTRIC CO. | 09/28/2012 | 865.18 | 072000320000010 | 0000001 | 00 |
| 1437 | | INDUSCO SUPPLY CO., INC. | 09/28/2012 | 363.92 | 072000320000011 | 0000001 | 00 |
| 1438 | | IRISH AYRES ENTERPRISES, LLC | 09/28/2012 | 117.00 | 072000320000012 | 0000001 | 00 |
| 1439 | | J B PRINTING COMPANY | 09/28/2012 | 4,027.00 | 072000320000013 | 0000001 | 00 |
| 1440 | | KEHOE, EDWARD J | 09/28/2012 | 300.00 | 072000320000014 | 0000001 | 00 |
| 1441 | | KNAPP ENERGY, INC. | 09/28/2012 | 13,192.70 | 072000320000015 | 0000001 | 00 |
| 1442 | | KOPEC, CASEY | 09/28/2012 | 135.00 | 072000320000016 | 0000001 | 00 |
| 1443 | | KUIPER BUILDING SERVICES LLC | 09/28/2012 | 5,500.00 | 072000320000017 | 0000001 | 00 |
| 1444 | | KUSHNER & COMPANY, INC. | 09/28/2012 | 337.65 | 072000320000018 | 0000001 | 00 |
| 1445 | | LAND & RESOURCE ENGINEERING & SURVE | 09/28/2012 | 1,319.25 | 072000320000019 | 0000001 | 00 |
| 1446 | | MALZ, DONALD | 09/28/2012 | 90.00 | 072000320000020 | 0000001 | 00 |
| 1447 | | MEDEMA, TIMOTHY | 09/28/2012 | 141.00 | 072000320000021 | 0000001 | 00 |
| 1448 | | MICROSYSTEMS, INC. | 09/28/2012 | 364.00 | 072000320000022 | 0000001 | 00 |
| 1449 | | PECKELS, CHRISTINE | 09/28/2012 | 240.00 | 072000320000023 | 0000001 | 00 |
| 1450 | | POULIOT, GRETCHEN | 09/28/2012 | 60.00 | 072000320000024 | 0000001 | 00 |
| 1451 | | PRECISION PRINTER SERVICES INC | 09/28/2012 | 525.15 | 072000320000025 | 0000001 | 00 |
| 1452 | | SARCOM, INC | 09/28/2012 | 131.00 | 072000320000026 | 0000001 | 00 |
| 1453 | | SNELL, DEBRA | 09/28/2012 | 126.00 | 072000320000027 | 0000001 | 00 |
| 1454 | | SUBURBAN MECHANICAL | 09/28/2012 | 177.50 | 072000320000028 | 0000001 | 00 |
| 1455 | | TECHNOLOGY SOLUTIONS | 09/28/2012 | 3,236.25 | 072000320000029 | 0000001 | 00 |
| 1456 | | U A W, LOCAL 2290 | 09/28/2012 | 499.25 | 072000320000030 | 0000001 | 00 |
| 1457 | | UNITED WATER ENVIRONMENTAL SERVICES | 09/28/2012 | 167,775.40 | 072000320000031 | 0000001 | 00 |
| 1458 | | WEST, STEVE | 09/28/2012 | 47.00 | 072000320000032 | 0000001 | 00 |
| 1459 | | 360 SERVICES, INC. | 09/28/2012 | 2,597.27 | 072000320000033 | 0000001 | 00 |

GRAND TOTAL: 241,106.10 NO. OF CHECKS: 33

**CITY OF PORTAGE** **COMMUNICATION**

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**TO:** Honorable Mayor and City Council **DATE:** October 4, 2012

**FROM:** Maurice S. Evans, City Manager

**SUBJECT:** Mueller Copper Tube Products Company – PA198 Tax Abatement

**ACTION RECOMMENDED:** That City Council adopt:

a. Resolution No. 1-12 setting a public hearing on the expansion of Industrial Development District No. 1 for October 23, 2012; and

b. Resolution No. 3-12 setting a public hearing on the issuance of the Industrial Facilities Exemption Certificate for Mueller Copper Tube Products Company for real and personal property in the estimated amount of $26.5 million for October 23, 2012.

The accompanying report from the Community Development Director summarizes the tax abatement application submitted by Mueller Copper Tube Products Company. The application involves building and equipment improvements at the Mueller manufacturing facility at 6700 Sprinkle Road in the estimated amount of $26.5 million. The attached report also explains the tax abatement review and approval process, as well as the environmental, project impact and property tax issues associated with this application. As indicated in the application submitted by Mueller, one existing job will be retained with this project and 78 new jobs are projected to be created.

The City Administration recommends that the resolutions be adopted to set two public hearings on October 23, 2012: the first involving the expansion of the existing Industrial Development District No. 1; and the second involving consideration of the industrial facilities exemption certificate requested by the applicant.

Attachments: Communication from the Department of Community Development
Resolutions No. 1-12 and 3-12

**CITY OF PORTAGE** **COMMUNICATION**

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**TO:** Maurice S. Evans, City Manager **DATE:** October 3, 2012

**FROM:** Vicki Georgeau, Director of Community Development

**SUBJECT:** Mueller Copper Tube Products Company, 6700 Sprinkle Road – PA198 Tax Abatement

Mueller Copper Tube Products Company has submitted a PA198 Tax Abatement application for $2.6 million in real property investments (including a 3,900 square foot building addition, building improvements and construction of a rail spur to the southwest side of the existing building) and $23.9 million in personal property investments including the purchase and relocation of machinery and equipment to the manufacturing facility at 6700 Sprinkle Road. One job will be retained and 78 new jobs are planned within two years of completion of the project. The expansion of Industrial Development District No. 1 is requested to facilitate the proposed rail spur site improvement, while the remaining real and personal property investment will occur within the existing Industrial Development District (IDD).

The process to receive a tax abatement is initiated with the filing of a request to establish, expand or re-establish an IDD. A public hearing is held on the request, which in this case involves the expansion of the existing district to facilitate the planned rail spur improvement that will extend from the southwest corner of the property to the southwest side of the building. Following the public hearing and the decision to expand the existing district, the second step in the process involves review of the application for an industrial facilities exemption certificate. As required by the State of Michigan, the city may not approve a new industrial facilities exemption certificate unless there is a written agreement between the city and the owner of the industrial facility, which must be formally filed with the Michigan Department of Treasury. Also, the Michigan State Tax Commission requires an affidavit, executed by the local unit of government and the applicant, which states that there are no additional payments or similar charges other than the required application fee. The tax abatement agreement is considered by the Council when the industrial facilities exemption certificate is reviewed and will include provisions related to the jobs created or retained, the facility to be constructed and related issues. The necessary affidavit regarding fees will also be considered. The tax abatement procedure concludes when, within 60 days of the date of filing, City Council approves the resolution for an industrial facilities exemption certificate. The application materials and related information are then forwarded to the Tax Commission and the agreement is submitted to the Department of Treasury. If City Council adopts a resolution disapproving the application for the certificate, the applicant may still proceed and file the application with the Tax Commission, which renders final approval or disapproval of the industrial facilities exemption certificate.

The City Council established Industrial Tax Abatement Incentive Policy adopted April 29, 2008 outlines the steps to review an abatement application, and the length of time an abatement can be granted for real and personal property investment respectively.

- With regard to the process for review, consideration of expansion of an IDD, and review and approval of an industrial facilities exemption certificate normally occurs over the course of three separate Council meetings to permit the City Administration and City Council ample time to complete the necessary

analysis and review. With regard to the application submitted by Mueller, it is recommended the process be expedited so that the public hearing to expand the IDD and the public hearing to consider the industrial facility exemption certificate can be considered over the course of two meetings. This process is recommended for the Mueller application so that the city can submit the required information to the Michigan Department of Treasury and State Tax Commission prior to their October 31st annual deadline. In addition, as noted above, the vast majority of the abatement request involves real and personal property tax investment within the existing IDD. The IDD expansion is only requested to facilitate the rail spur investment of $350,000.

- With regard to the length of time an abatement can be granted, the established City Council policy specifies that a six year abatement is appropriate for real property and a three-year abatement is appropriate for personal property investments. The adopted policy also indicates that an additional three-year abatement can be initially granted for both real and personal property where an applicant proposes to locate to an underutilized industrial facility that has been vacant for more than one year. According to Mueller representatives, and consistent with city records, the plant was last used for operations in May 2010, and has been vacant since January 2011. Therefore, consistent with the adopted policy, Mueller is eligible for up to a nine-year abatement on real property and up to a six-year abatement on personal property, while the applicant has requested the maximum abatement permitted by state statute of 12 years for both real and personal property. PA198 of 1974 permits an eligible industry that received abatement for a period shorter than 12 years to apply for another industrial facilities exemption certificate. Per the Tax Commission, the local jurisdiction must permit, by resolution, the additional certificate application and the application must be submitted by the applicant within the final year in which the original certificate is effective. If the local jurisdiction disapproves an application, then the applicant has no right of appeal. The total period of the tax abatement cannot exceed the maximum 12 years established in the statute.

Preliminary Environmental Analysis

A preliminary planning and environmental investigation of the proposed industrial activity has been completed. The facility is situated on property that is zoned I-1, light industry and adjacent properties are also zoned light industry. All state and federal regulations pertaining to hazardous material handling, storage and disposal will be met, and the facility is connected to municipal sanitary sewer and water. The facility is located within the Sprinkle Road Industrial Corridor, an area identified for continued industrial development in the City of Portage Comprehensive Plan.

Project Impact Analysis

A project impact analysis has been prepared for the project. As noted in the impact analysis, the proposed investment consists of $2,635,438 of real property improvements and $23,898,201 of personal property. Assumptions utilized in the analysis are detailed on page one of the report. Sample calculations are included on the following pages and a summary table organizes the results of these calculations for City Council reference.

An analysis has been prepared that shows impact on the city of an abatement approved consistent with the adopted policy of City Council (with a nine-year 50% abatement of real property and a six-year 50% abatement of personal property), and an expanded abatement as requested by the applicant (12-year 50% abatement of both real and personal property). The following table shows the impacts:

| | 9-year/6-year abatement | 12-year abatement |
|---|---|---|
| Cumulative Revenue to the City (over 20 years) | $167,608 | $71,189 |
| Direct General Fund Cost | $218,420 | $314,842 |
| Primary/Secondary Economic Benefits (based on 78 new jobs) | $4,185,729 | $4,185,729 |

As indicated, cumulative net revenue to the city would be reduced by approximately 42% over 20 years, and the direct General Fund cost would be increased by about 44% due to the additional years of the requested 12 year abatement, as compared to a 9-year real and 6-year personal abatement consistent with adopted policy. Also, the resulting primary/secondary economic benefit to the broader community does not increase with a longer abatement period.

**Property Tax Analysis**

An estimate of property taxes has also been prepared. With no abatement and the real property taxed at the full 57.08 mill rate and personal property taxed at a reduced manufacturer rate of 32.84 mills, the estimated taxes generated for all taxing units would total $2,258,251 over a nine-year real and six-year personal property tax abatement period. Over a 12-year period, if no abatement were granted, the estimated taxes generated for all taxing units would total $3,366,771. The table below provides more detail regarding the total tax revenue foregone over the period of the requested real and personal property tax abatement, compared to a nine-year real and six-year personal property tax abatement period:

| | 9-year/6-year abatement | 12-year abatement |
|---|---|---|
| City of Portage | $334,270 | $505,839 |
| Portage District Library | $45,011 | $68,140 |
| Kalamazoo County | $202,716 | $306,883 |
| KVCC | $84,428 | $127,812 |
| KRESA | $146,032 | $221,072 |

Conclusion

The application is complete, and with the exception of the extended abatement time period requested, is generally consistent with the adopted industrial tax abatement policy. The property is served by municipal utilities, zoned for industrial use and developed for industrial activities. The planned real and personal property investment, which will result in the relocation of Mueller back to the City of Portage and the estimated creation of 78 new jobs, will create a significant economic benefit to the community.

Consideration of the expansion of the district to accommodate the proposed rail spur construction, and the requested industrial facility exemption certificate can be accomplished by City Council after separate public hearings on October 23, 2012.

Attachment: Mueller Copper Tube Products Company PA 198 application
Vicinity Map (showing District No. 1 and the proposed expansion area)
Project Impact Analysis

c: Robert Luders, Financial Services Director
Dan Foecking, Finance Director
James Bush, City Assessor

Mueller Industries, Inc.
8285 Tournament Drive, Suite 150
Memphis, TN 38125
P 901.753.3200

RECEIVED
OCT 02 2012
COMMUNITY DEVELOPMENT

Honorable Mayor Peter Strazdas and Portage City Council,

Mueller Industries respectfully submits the attached PA 198 application related to potential expansion and upgrade of the facility located at 6700 Sprinkle Road in Portage, Michigan. In order to outfit the plant to produce large volumes of plastic DWV fittings, Mueller is prepared to invest over $23.9 million in new equipment and $2.6 million in land and building improvements. Mueller would like to make this facility its primary manufacturing facility of plastics fittings. In addition 78 new jobs are planned to be made available to the local public over the next two years.

In order for Mueller to remain profitable and protect the sustainability of their plastic business, a rail spur would have to be added to take advantage of lower raw material delivery costs.

Mueller is requesting incentives from the state of Michigan and the City of Portage to help defray accelerated operating costs associated with manufacturing in Michigan. Mueller is also asking for an abatement of 12 years on the real and personal property.

Please find attached the completed PA 198 form for your review and action. We would like to thank everyone in advance for their consideration of our request and assistance in this process.

Sincerely,

Jack Treas
Vice President and General Manager
Mueller Plastic Systems

Michigan Department of Treasury
1012 (Rev. 5-07)

# Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

| To be completed by Clerk of Local Government Unit | |
|---|---|
| Signature of Clerk | ▸ Date received by Local Unit |
| **STC Use Only** | |
| ▸ Application Number | ▸ Date Received by STC |

## APPLICANT INFORMATION

**All boxes must be completed.**

| ▸ 1a. Company Name (Applicant must be the occupant/operator of the facility) | ▸ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) | |
|---|---|---|
| Mueller Copper Tube Products Co | 3261 | |
| ▸ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) | ▸ 1d. City/Township/Village (indicate which) | ▸ 1e. County |
| 6700 Sprinkle Road, Portage, MI 49002 | City-Portage | Kalamazoo |
| ▸ 2. Type of Approval Requested | ▸ 3a. School District where facility is located | ▸ 3b. School Code |
| [X] New (Sec. 2(4)) [ ] Transfer (1 copy only) | Portage | 39140 |
| [ ] Speculative Building (Sec. 3(8)) [ ] Rehabilitation (Sec. 3(1)) | 4. Amount of years requested for exemption (1-12 Years) | |
| [ ] Research and Development (Sec. 2(9)) | 12 | |

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Please see attached.

| | | |
|---|---|---|
| 6a. Cost of land and building improvements (excluding cost of land)<br>* Attach list of improvements and associated costs.<br>* Also attach a copy of building permit if project has already begun. | ▸ $2,635,438.00 | Real Property Costs |
| 6b. Cost of machinery, equipment, furniture and fixtures<br>* Attach itemized listing with month, day and year of beginning of installation, plus total | ▸ $23,898,201.00 | Personal Property Costs |
| 6c. Total Project Costs<br>* Round Costs to Nearest Dollar | ▸ $26,533,639.00 | Total of Real & Personal Costs |

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

| | Begin Date (M/D/Y) | End Date (M/D/Y) | |
|---|---|---|---|
| Real Property Improvements ▸ | 9/12/12 | 9/12/14 | ▸ [X] Owned [ ] Leased |
| Personal Property Improvements ▸ | 9/12/12 | 9/12/14 | ▸ [X] Owned [ ] Leased |

▸ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. [ ] Yes [X] No

| ▸ 9. No. of existing jobs at this facility that will be retained as a result of this project. | ▸ 10. No. of new jobs at this facility expected to create within 2 years of completion. |
|---|---|
| 1 | 78 |

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land) _____

b. TV of Personal Property (excluding inventory) _____

c. Total TV _____

▸ 12a. Check the type of District the facility is located in:

[X] Industrial Development District [ ] Plant Rehabilitation District

| ▸ 12b. Date district was established by local government unit (contact local unit) | ▸ 12c. Is this application for a speculative building (Sec. 3(8))? |
|---|---|
| 9/23/75 | [ ] Yes [X] No |

## APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

| 13a. Preparer Name | 13b. Telephone Number | 13c. Fax Number | 13d. E-mail Address |
|---|---|---|---|
| Daniel Lawrence | (901) 753-3200 | (901) 753-3231 | dplawrence@muellerindustries |
| 14a. Name of Contact Person | 14b. Telephone Number | 14c. Fax Number | 14d. E-mail Address |
| Jack Treas | (901) 753-3200 | (901) 753-3231 | jbtreas@muellerindustries.com |
| ▶ 15a. Name of Company Officer (No Authorized Agents) | | | |
| Kent McKee | | | |
| 15b. Signature of Company Officer (No Authorized Agents) | | 15c. Fax Number (901) 753-3231 | 15d. Date |
| ▶ 15e. Mailing Address (Street, City, State, ZIP Code) 8285 Tournament Drive Suite 150 Memphis TN 38125 | | 15f. Telephone Number (901) 753-3200 | 15g. E-mail Address kmckee@muellerindustries.co |

## LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit

- ☐ Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12)
  - After Completion ☐ Yes ☐ No
- ☐ Denied (Include Resolution Denying)

16a. Documents Required to be on file with the Local Unit
**Check or Indicate N/A if Not Applicable**

- ☐ 1. Notice to the public prior to hearing establishing a district.
- ☐ 2. Notice to taxing authorities of opportunity for a hearing.
- ☐ 3. List of taxing authorities notified for district and application action.
- ☐ 4. Lease Agreement showing applicants tax liability.

16b. The State Tax Commission Requires the following documents be filed for an administratively complete application:
**Check or Indicate N/A if Not Applicable**

- ☐ 1. Original Application plus attachments, and one complete copy
- ☐ 2. Resolution establishing district
- ☐ 3. Resolution approving/denying application.
- ☐ 4. Letter of Agreement (Signed by local unit and applicant)
- ☐ 5. Affidavit of Fees (Signed by local unit and applicant)
- ☐ 6. Building Permit for real improvements if project has already begun
- ☐ 7. Equipment List with dates of beginning of installation
- ☐ 8. Form 3222 (if applicable)
- ☐ 9. Speculative building resolution and affidavits (if applicable)

| 16c. LUCI Code | 16d. School Code |
|---|---|
| 17. Name of Local Government Body | ▶ 18. Date of Resolution Approving/Denying this Application |

**Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.**

| 19a. Signature of Clerk | 19b. Name of Clerk | 19c. E-mail Address |
|---|---|---|
| 19d. Clerk's Mailing Address (Street, City, State, ZIP Code) | | |
| 19e. Telephone Number | 19f. Fax Number | |

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission**
**Michigan Department of Treasury**
**P.O. Box 30471**
**Lansing, MI 48909-7971**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

| STC USE ONLY | | | | |
|---|---|---|---|---|
| ▶ LUCI Code | ▶ Begin Date Real | ▶ Begin Date Personal | ▶ End Date Real | ▶ End Date Personal |

Mueller Industries, Inc. is a global leader in the manufacturing and distribution of copper tube and fittings; brass and copper alloy rod, bar and shapes; aluminum and brass forgings; aluminum and copper impact extrusions; plastic fittings, pipe and valves; refrigeration valves and fittings; and fabricated tubular products. Operations are located throughout the United States, Canada, Mexico, China, and Great Britain.

Mueller Industries acquired Colonial Engineering's Kalamazoo plastics manufacturing operation in 1994, and later expanded the facility to accommodate a distribution center. In September 2011, one of Mueller's plastics facilities was destroyed by a fire. All of Mueller's injection molding presses were lost in this fire. Mueller is committed to grow its plastics business, and made the decision to rebuild and expand at a permanent location, to be decided. There were several possible sites discussed to rebuild this operation, and Mueller decided to go back to the facility in Portage for the short term, and would like to expand there, hoping to defray many of the higher operating costs with incentives from the state of Michigan and the city of Portage.

Mueller intends to add seventy eight new jobs over the span of the next two years. Mueller anticipates the average salary of new employment created will be over forty five thousand dollars per year, including benefits. Mueller will also be investing over twenty six million dollars in infrastructure and equipment for the new operation. Mueller's facility located at 6700 Sprinkle Road, Portage MI 49002, will be remodeled to accommodate a state of the art plastics injection molding operation. Mueller will utilize new equipment, and intends to add a rail spur for bulk material delivery. New injection molding machines will make a wide range of PVC and ABS plastic fittings for flow control. There will also be a warehouse and distribution center.

The Mueller facility will undergo a variety of improvements to better accommodate the proposed manufacturing process. The floors will be resurfaced. The walls and inside of the building will be resurfaced and painted. The parking lot will also be repaired to better accommodate our employees as well as distribution needs. Mueller will also be adding a grinding room to recycle scrap materials. Also, the offices and restrooms will receive upgrades and improvements.

Mueller has requested a twelve year abatement for real and personal property. The state of Michigan recently changed the manner by which it taxes corporate consolidated groups. While the expectation was that the liability of companies with a significant in-state presence would decrease, the corporate tax liability of the Mueller group has actually increased significantly. Despite this increase in the cost of doing business in Michigan, Mueller is still considering making this investment due to the availability of the facility and our longstanding partnership with the city and state. The abatements will assist Mueller in cost savings which will allow Mueller to further invest in the facility as growth continues.

**Mueller Industries Proposed Employment**

Mueller Industries
6700 Sprinkle Road
Portage MI 49002

| | New Jobs Created | Average Salary |
|---|---|---|
| Managers | 4 | $ 65,520 |
| Material Handling | 14 | $ 34,320 |
| Clerical | 5 | $ 40,560 |
| Technicians | 16 | $ 62,400 |
| Mechanics | 7 | $ 49,920 |
| Unskilled | 29 | $ 34,320 |
| Plant Manager | 1 | $ 118,750 |
| Engineers | 2 | $ 84,375 |
| Total New Jobs | 78 | $ 45,846 |

## Industrial Facility Tax Exemption Machine & Equipment List

Mueller Industries
6700 Sprinkle Road
Portage MI 49002

*Beginning Date of Construction June 2012
*Completion Date of Construction June 2014

| Machinery and Equipment | Installation Dates | | Costs |
|---|---|---|---|
| Presses | ** See Note 1 | $ | 15,683,000 |
| Molds/Tooling | June-13 | $ | 3,400,000 |
| Other Equipment (QC,Toolroom,Cranes,Maint,Signage,Safety) | December-12 | $ | 275,000 |
| Grinders (Press side and central) | 50% Jan 2013, 50% with remainder of presses by end of 2013 | $ | 644,000 |
| Conveyers (Press side) | 50% Jan 2013, 50% with remainder of presses by end of 2013 | $ | 342,000 |
| Barcode Printers for Packline | December-12 | $ | 40,000 |
| Resin,Water,Compressed Air,Silo, Pumps, Railcar Pump | February-13 | $ | 1,507,000 |
| Forklifts & Stretch Wrappers | December-12 | $ | 180,000 |
| IT & Security | December-12 | $ | 150,000 |
| Pack Line/Label Printers/Pushback Racking Re-Install | December-12 | $ | 165,000 |
| Distribution Center- Racking | June-13 | $ | 150,000 |
| Contingency | December-13 | $ | 352,201 |
| Machine Rigging | 50% Jan 2013, 50% with remainder of presses by end of 2013 | $ | 100,000 |
| Automatic Guided Vehicles | December-13 | $ | 500,000 |
| Barcode Laser Printers at Presses | December-13 | $ | 410,000 |
| | | $ | 23,898,201 |
| **Land/Building Improvements** | | | |
| Rail Spur Contruction | February-13 | $ | 350,000 |
| Building Improvements | January-13 | $ | 1,957,438 |
| Lighting/Electrical | January-13 | $ | 328,000 |
| | | $ | 2,635,438 |
| **Building Improvements** | | | |
| **Grand Total** | | **$** | **26,533,639** |

Notes:
1- First 4 Presses were installed in June-July 2012. The second order of presses will be installed toward the end of 2012.
The remainder of the presses will be installed by end of 2013

The facility is located on Parcel- 00012-101-C. The legal description is as follows:

SEC 12-3-11 BEG AT A POINT 1,253.43 FT N OF THE S 1/4 POST SEC 12 FOR POB; TH W 1091.61 FT, TH S 42 DEG W 355.92 FT, TO PENN RR ROW; TH N ALONG S ROW 907.26 FT; TH E 639.70 FT; TH S 84 DEG E 397.08 FT; TH E 264.3 FT; TH S 620 FT TO POB.

MUELLER COPPER TUBE PRODUCTS INC.

CERTIFICATE OF SECRETARY

I, Kent A. McKee, Vice President - Finance and Treasurer of Mueller Copper Tube Products Inc., a corporation duly organized and existing under the laws of the State of Delaware (the "Company"), hereby certify that I am authorized to make the following certifications and do so hereby certify:

1. The Company's facility at 6700 Sprinkle Road in Portage, Michigan, is not under any enforcement action by the Michigan Department of Natural Resources and Environment or the United States Environmental Protection Agency.

2. I further certify that the officers of the Company were elected to the office shown below effective May 3, 2012, and that they remain officers of the Company as of this date:

| NAME | OFFICE |
|---|---|
| Gregory L. Christopher | President |
| Kent A. McKee | Vice President—Finance and Treasurer |
| Gary C. Wilkerson | Vice President—Legal and Secretary |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Company this 27 day of September, 2012.

Kent A. McKee

Corporate Seal

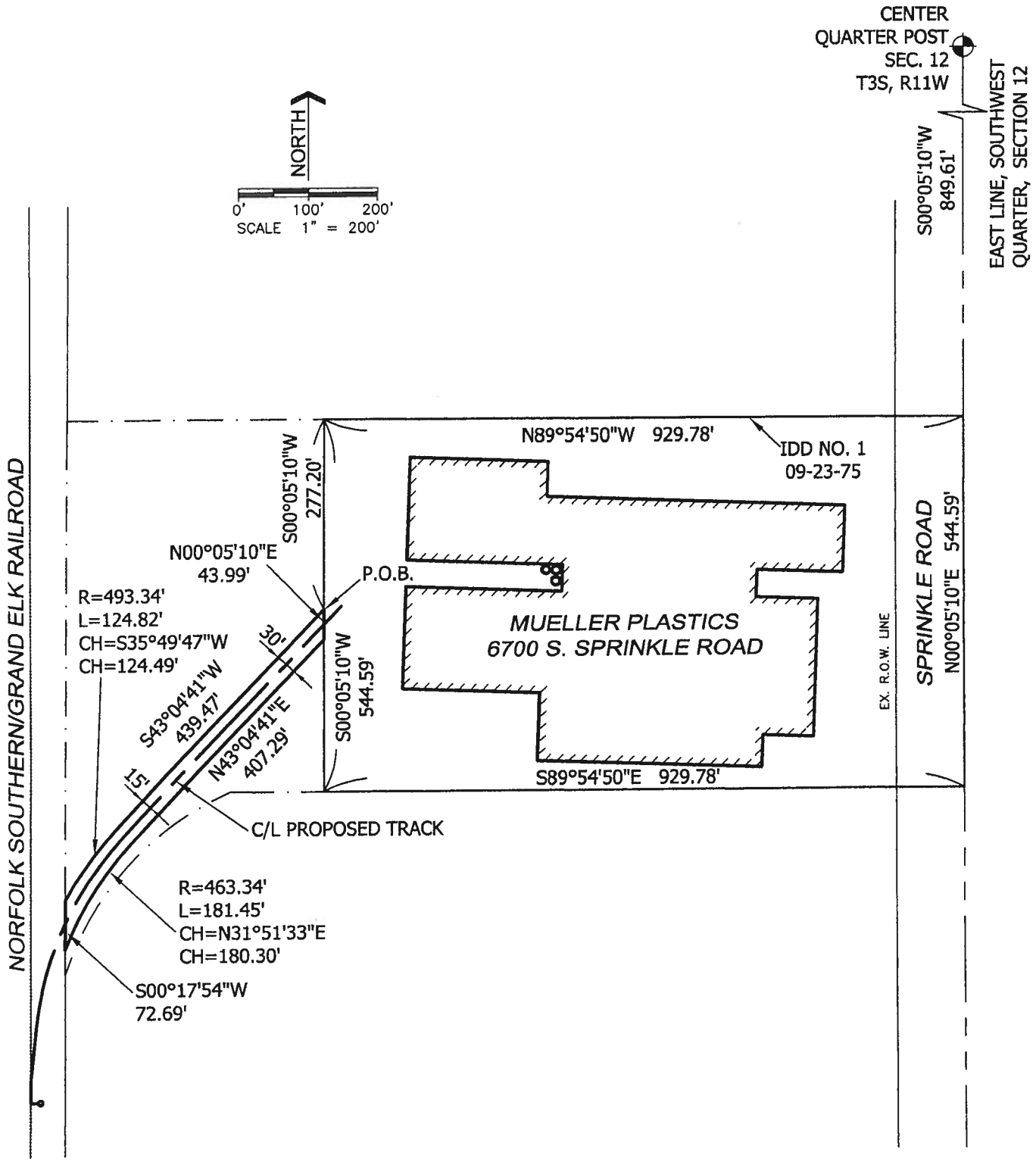
STATE OF TENNESSEE )
) ss.
COUNTY OF SHELBY )

PERSONALLY appeared before me, KENT A. MCKEE, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained and who further acknowledged that he is the Vice President—Finance and Treasurer of the Company and is authorized by the Company to execute this instrument.

WITNESS my hand, at office this 27th day of September, 2012.

Mara E. Seaton, Notary Public

MARA E. SEATON
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY, TENN.
My Comm. Expires August 15, 2015




# PROPERTY SKETCH & DESCRIPTION OF PROPOSED RAILROAD TRACK AREA OUTSIDE OF EXISTING INDUSTRIAL DEVELOPMENT DISTRICT: P.A. 198

PREPARED FOR:
MUELLER PLASTICS
6700 S. SPRINKLE ROAD
PORTAGE, MICHIGAN

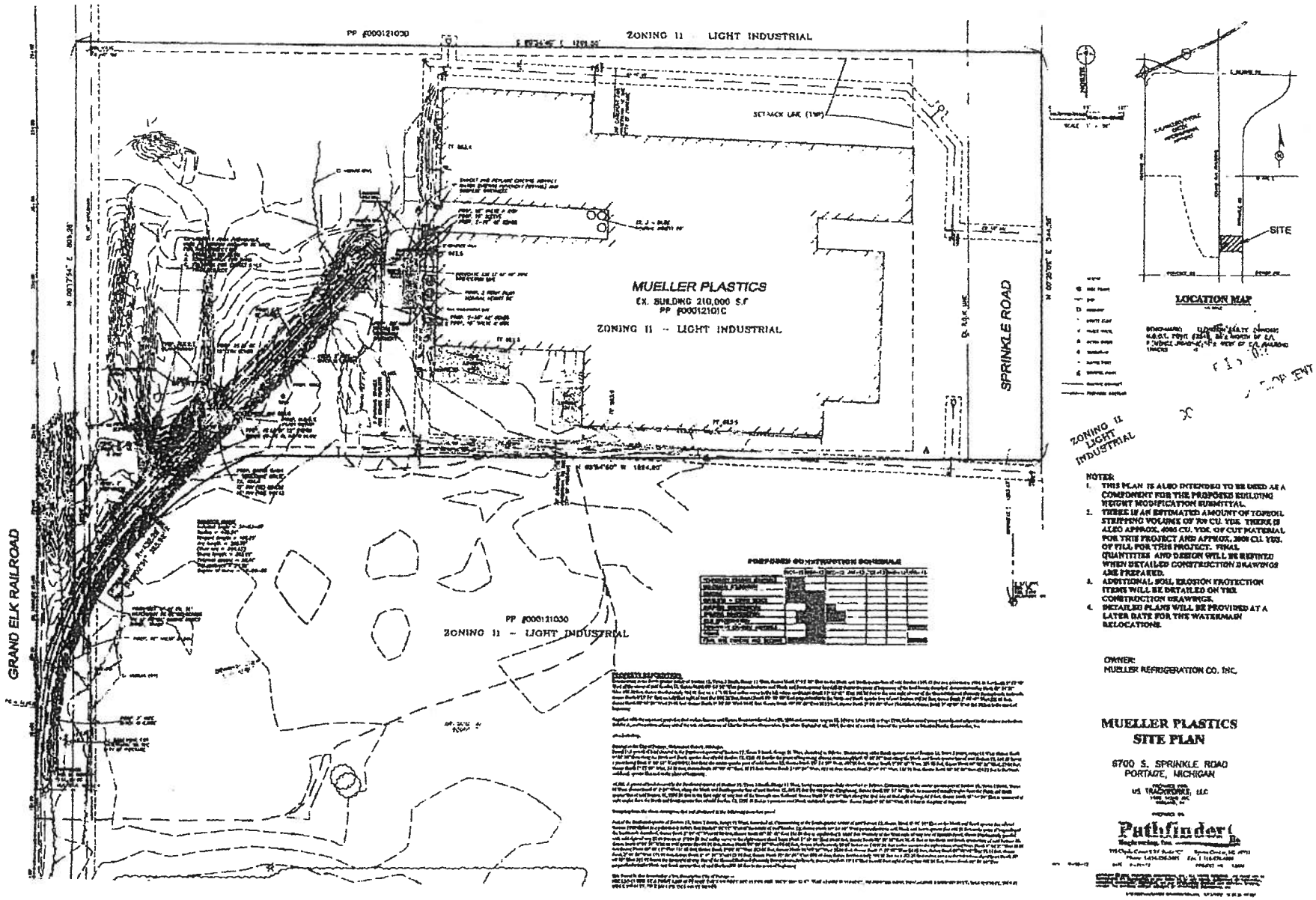
DATE
9-27-12
PROJECT NO.
12038
SHEET NO.
1 OF 2

**Pathfinder**
**Engineering, Inc.**
795 Clyde Court S.W. Suite "C" Byron Center, MI 49315
Phone 1-616-878-3885 Fax 1-616-878-4559

S:\12038\dwg\12038 CONSTRUCTION 9-21-12.dwg 9/27/2012 9:20:56 AM EDT

PATHFINDER ENGINEERING 12038 – MUELLER PLASTICS

PROPOSED RAILROAD TRACK AREA DESCRIPTION OUTSIDE OF EXISTING INDUSTRIAL DEVELOPMENT DISTRICT:
PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWN 3 SOUTH, RANGE 11 WEST, COMMENCING AT THE CENTER QUARTER POST OF SECTION 12; THENCE SOUTH 0° 05' 10" WEST 849.61 FEET ALONG THE EAST LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 12; THENCE NORTH 89° 54' 50" WEST 929.78 FEET; THENCE SOUTH 0° 05' 10" WEST 277.20 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION: THENCE SOUTH 43° 04' 41" WEST 439.47 FEET; THENCE SOUTHWESTERLY 124.82 FEET ON A 493.34 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS SOUTH 35° 49' 47" WEST 124.49 FEET TO THE EASTERLY RIGHT OF WAY OF THE NORFOLK SOUTHERN/GRAND ELK RAILROAD; THENCE SOUTH 00° 17' 54" WEST 72.69 FEET ALONG THE SAID RAILROAD RIGHT OF WAY; THENCE NORTHEASTERLY 181.45 FEET ON A 463.34 FOOT RADIUS CURVE TO THE RIGHT WHOSE LONG CHORD BEARS NORTH 31° 51' 33" EAST 180.30 FEET; THENCE NORTH 43° 04' 41" EAST 407.29 FEET; THENCE NORTH 0° 05' 10" EAST 43.99 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.40 ACRES. SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.


CITY OF KALAMAZOO/BATTLE CREEK INTERNATIONAL AIRPORT
GRAND ELK RAILROAD
PP #000121030
ZONING I1 - LIGHT INDUSTRIAL
SETBACK LINE (TYP)
MUELLER PLASTICS
EX. BUILDING 210,000 S.F
PP #000121010
ZONING I1 - LIGHT INDUSTRIAL
SPRINKLE ROAD
PP #000121030
ZONING I1 - LIGHT INDUSTRIAL
SITE
LOCATION MAP
ZONING I1
LIGHT
INDUSTRIAL
PROPOSED DESCRIPTION SCHEDULE
NOTES:
1. THIS PLAN IS ALSO INTENDED TO BE USED AS A COMPONENT FOR THE PROPOSED BUILDING WEIGHT MODIFICATION SUBMITTAL.
2. THERE IS AN ESTIMATED AMOUNT OF TOPSOIL STRIPPING VOLUME OF 700 CU. YDS. THERE IS ALSO APPROX. 4000 CU. YDS. OF CUT MATERIAL FOR THIS PROJECT AND APPROX. 3300 CU. YDS. OF FILL FOR THIS PROJECT. FINAL QUANTITIES AND DESIGN WILL BE REFINED WHEN DETAILED CONSTRUCTION DRAWINGS ARE PREPARED.
3. ADDITIONAL SOIL EROSION PROTECTION ITEMS WILL BE DETAILED ON THE CONSTRUCTION DRAWINGS.
4. DETAILED PLANS WILL BE PROVIDED AT A LATER DATE FOR THE WATERMAIN RELOCATIONS.
OWNER:
MUELLER REFRIGERATION CO. INC.
MUELLER PLASTICS
SITE PLAN
6700 S. SPRINKLE ROAD
PORTAGE, MICHIGAN
Pathfinder

IDD #1



CITY OF PORTAGE, MICHIGAN

RESOLUTION
DESIGNATION PORTAGE INDUSTRIAL DEVELOPMENT DISTRICT NO. 1

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on September 23, 1975, at 8 o'clock p.m., eastern standard time at the Police-Court Building in the City Council Chambers.

PRESENT: Ongley, Adams, Bloom, Centilla, Corsetange, Hinga, Stern

ABSENT: None

The following resolution was offered by Councilman Hinga and supported by Councilman Adams:

WHEREAS, the City Council has met in public hearing as heretofore resolved and noticed for the purpose of reviewing the request of the Permafit Corporation that a certain described area owned by Carroll J. Haas and Elaine Haas be established as an Industrial Development District of the City of Portage;

WHEREAS, during said public hearing the City Council has heard all persons desiring to be heard either orally or in writing with respect to the designation of the subject area as an Industrial Development District, pursuant to 1974 PA 198, MCLA, Sec. 207.551, et seq.;

WHEREAS, such application and designation meet all of the prerequisites of the cited Act;

NOW, THEREFORE, BE IT RESOLVED, that the following described property be designated Portage Industrial Development District No. 1:

Section 12, Town 3 South, Range 11 West,
Beginning at a point 849.61 feet South of center quarter post of said Section 12, thence West 929.78 feet, thence South 544.59 feet, thence East 929.78 feet to the East line of said Section, thence North along the East line 544.59 feet to place of beginning, reserving Burkhardt Road right-of-way for highway, approximately 10.5 acres.

AYES: Councilmen Ongley, Adams, Bloom, Centilla, Corsetange, Hinga, Stern

NAYS: None

RESOLUTION DECLARED ADOPTED: 9-23-75

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held on September 23, 1975, the original of which is in the official proceedings of the City Council.

Lois B. Johnson

LOIS B. JOHNSON, City Clerk

# IDD #1
# 6700 S Sprinkle Road

1 inch = 300 feet

Path: R:\GISADMIN\karl\projects\DEPTS\COM DEV\idd\idd_1.mxd

## PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.

Assumptions used in the following calculations:

| | |
|---|---|
| Market value of property to be added (including rail spur): | |
| Real property | $2,635,438 |
| Personal property | $23,898,201 |
| Percentage tax abatement requested: (consistent with City Council policy) | |
| Real property | 50.00% |
| Personal property | 50.00% |
| Years of abatement requested: | |
| Real property | 9 |
| Personal property | 6 |
| Non-recoverable City share costs of requested: | |
| Roadway improvements | $0 |
| Drainage improvements | $0 |
| Sanitary sewer improvements | $0 |
| Water delivery improvements | $0 |
| Number of new employees | 78 |
| Average annual income of each new employee | $45,846 |
| Percentage of new employees assumed to be residents | 32.30% |
| Propensity for resident employees to consume locally | 60.00% |
| Propensity for non-resident employees to consume locally | 50.00% |
| County income multiplier | 2.00 |
| Percentage of new employees constructing new homes | 20.00% |
| Value of new home as a factor of annual income | 2.00 |
| Number of members per household (2010 census) | 2.40 |
| Population, 2010 (Bureau of Census) | 46,292 |
| General Fund expenditures net of certain offsetting revenues: | |
| i.e., user charges and fees, grants, reimbursements | $19,071,167 |
| Current General Fund millage rate | 7.5000 |
| Per capita state revenue sharing to General Fund | $69.56 |
| Average annual inflation rate (2007 to 2012) | 2.03% |
| Annual increase in industrial real property value | -3.50% |
| Annual increase in residential real property value | 0.00% |

**PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.**

CALCULATION OF ECONOMIC BENEFITS TO THE COMMUNITY:

Equation 1-Calculation of additional payroll generated

| Number of new employees | Average annual income | Total new annual payroll |
|---|---|---|
| 78 | $45,846 | $3,575,980 |

Equation 2-Calculation of primary economic benefit to the community from payroll income

| | |
|---|---|
| Percentage of new employees assumed to be residents..... | 32.30% |
| Propensity for resident employees to consume locally..... | 60.00% |
| Propensity for non-resident employees to consume locally..... | 50.00% |

| | Distribution of labor force | Average annual income | Propensity to consume locally | Primary economic benefit | |
|---|---|---|---|---|---|
| Resident employees..... | 25 | $45,846 | 60.00% | $687,688 | |
| Non-resident employees..... | 53 | $45,846 | 50.00% | $1,214,916 | |
| | | | | $1,902,604 | $1,902,604 |

Equation 3-Calculation of secondary economic benefit to the community from payroll income

| Total primary benefit | County income multiplier | Propensity to consume locally | Secondary economic benefit | |
|---|---|---|---|---|
| $1,902,604 | 2.00 | 60.00% | $2,283,125 | $2,283,125 |

----ADDITIONAL ECONOMIC BENEFITS TO THE COMMUNITY..... $4,185,729

**PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.**

CALCULATION OF ADDITIONAL GENERAL FUND REVENUE:

Equation 4-Calculation of gross taxes to be generated from new project

| | | | | |
|---|---|---|---|---|
| Market value of property to be added: | | | | |
| Real property | | | $2,635,438 | |
| Personal property | | | $23,898,201 | |
| Current General Fund millage rate | | | 7.50 | |
| | First year property SEV | Millage rate | First year property taxes | |
| Real | $1,317,719 | 7.50 | $9,883 | |
| Personal | $10,873,681 | 7.50 | $81,553 | $91,436 |

Equation 5-Calculation of additional property tax from new residents

| | | | | | |
|---|---|---|---|---|---|
| Percentage of new employees constructing new homes | | | | 20.00% | |
| Value of new home as a factor of annual income | | | | 2.00 | |
| Number of new homes | Avg market value of each new home | Total SEV of new homes | General Fund millage rate | First year property taxes | |
| 16 | $91,692 | $733,534 | 7.50 | $5,502 | $5,502 |

Equation 6-Calculation of additional state revenue sharing to the General Fund

| | | | | | |
|---|---|---|---|---|---|
| Number of members per household | | | | 2.40 | |
| Per capita state revenue sharing to General Fund | | | | $70 | |
| Number of new resident employees | Number of members per household | Number of new residents | Per capita state revenue sharing | Additional state revenue sharing | |
| 25 | 2.40 | 60 | $70 | $4,173 | $4,173 |

----ADDITIONAL GENERAL FUND REVENUE ..... $101,111

**PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.**

CALCULATION OF ADDITIONAL GENERAL FUND COSTS:

Equation 7-Annual tax abatement costs

Percentage tax abatement requested:

| | |
|---|---|
| Real property | 50.00% |
| Personal property | 50.00% |

Years of abatement requested:

| | |
|---|---|
| Real property | 9 |
| Personal property | 6 |

| | First year General Fund property tax | Requested abatement rate | First year tax abatement | |
|---|---|---|---|---|
| Real | $9,883 | 50.00% | $4,942 | |
| Personal | $81,553 | 50.00% | $40,777 | $45,719 |

Equation 8-Additional service costs

Population, 2010 (Bureau of Census) 46,292

General Fund expenditures net of certain offsetting revenues:
i.e., user charges and fees, grants, reimbursements $19,071,167

| Costs of services | Number of residents | Cost per resident | Number of new residents | Additional cost for new residents | |
|---|---|---|---|---|---|
| $19,071,167 | 46,292 | $412 | 60 | $24,720 | $24,720 |

Equation 9-Public facilities cost, non-recoverable City share

| Road improvements | Drainage improvements | Sanitary sewer improvements | Water delivery improvements | Total improvements | |
|---|---|---|---|---|---|
| $0 | $0 | $0 | $0 | $0 | $0 |

----TOTAL ADDITIONAL GENERAL FUND COSTS $70,439

CALCULATION OF RELATIVE COMPARISON FACTOR

Equation 10-Relative comparison investment factor/initial cost per job created

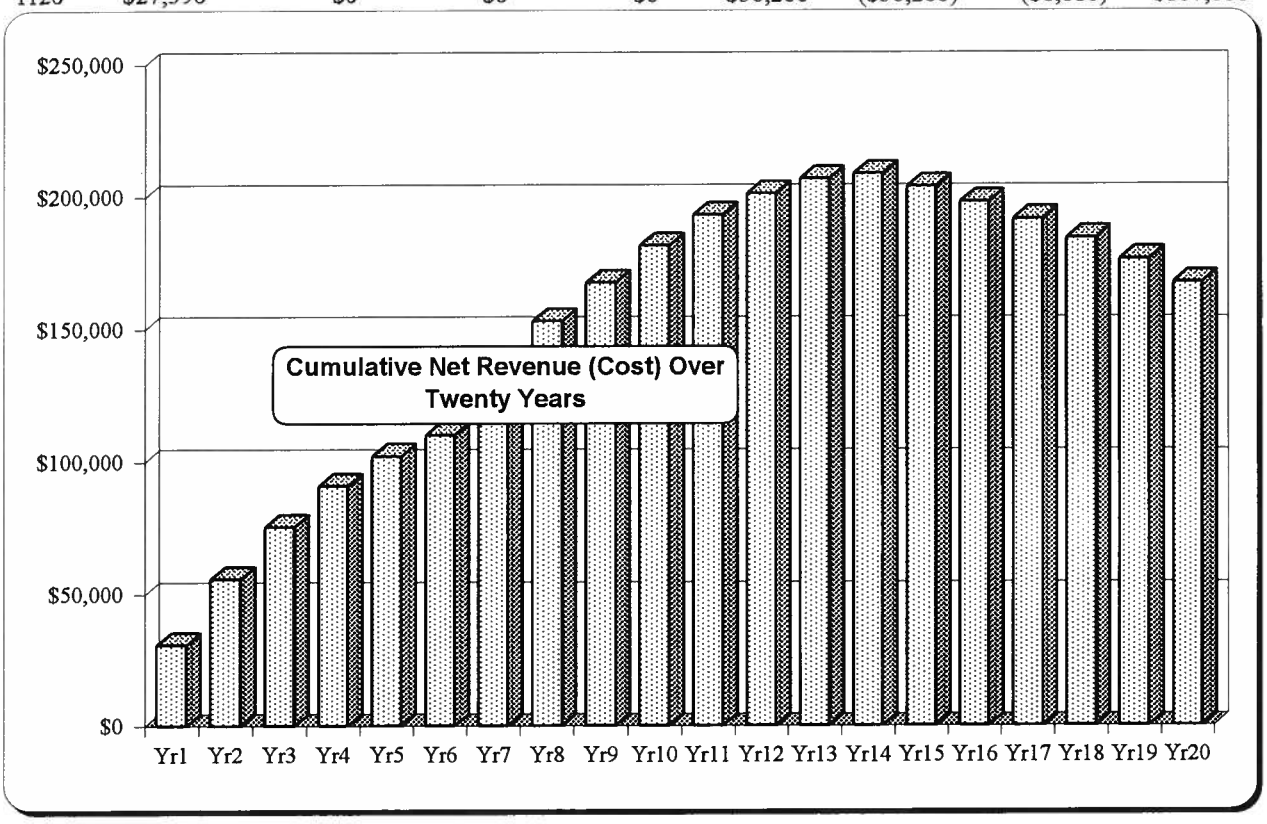
| Additional revenues | Additional (costs) | Net additional (cost)/revenue | Number of jobs created | (Cost)/revenue per job created |
|---|---|---|---|---|
| $101,111 | ($70,439) | $30,672 | 78 | $393 |

Long term comparison of increased revenues to increased costs

## PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.

reflecting the effects of inflation on property values and General Fund expenditures
and the decreasing value of personal property due to depreciation

| Year | Revenue | Infrastructure costs | General Fund real property tax abatement | General Fund personal prop. tax abatement | General Fund service costs | Expenditures | Net annual (cost)/revenue | Cumulative (cost)/revenue |
|---|---|---|---|---|---|---|---|---|
| Yr1 | $101,111 | $0 | $4,942 | $40,777 | $24,720 | ($70,438) | $30,673 | $30,673 |
| Yr2 | $90,992 | $0 | $4,769 | $35,848 | $25,221 | ($65,837) | $25,155 | $55,828 |
| Yr3 | $80,886 | $0 | $4,602 | $30,919 | $25,733 | ($61,253) | $19,633 | $75,461 |
| Yr4 | $73,482 | $0 | $4,441 | $27,334 | $26,255 | ($58,029) | $15,453 | $90,914 |
| Yr5 | $66,092 | $0 | $4,285 | $23,749 | $26,787 | ($54,821) | $11,271 | $102,185 |
| Yr6 | $60,507 | $0 | $4,135 | $21,061 | $27,330 | ($52,526) | $7,982 | $110,167 |
| Yr7 | $55,831 | $0 | $3,991 | $0 | $27,884 | ($31,875) | $23,957 | $134,123 |
| Yr8 | $51,166 | $0 | $3,851 | $0 | $28,450 | ($32,301) | $18,865 | $152,988 |
| Yr9 | $47,409 | $0 | $3,716 | $0 | $29,027 | ($32,743) | $14,666 | $167,654 |
| Yr10 | $43,663 | $0 | $0 | $0 | $29,616 | ($29,616) | $14,047 | $181,701 |
| Yr11 | $41,721 | $0 | $0 | $0 | $30,216 | ($30,216) | $11,505 | $193,206 |
| Yr12 | $38,894 | $0 | $0 | $0 | $30,829 | ($30,829) | $8,065 | $201,271 |
| Yr13 | $36,973 | $0 | $0 | $0 | $31,454 | ($31,454) | $5,519 | $206,790 |
| Yr14 | $34,166 | $0 | $0 | $0 | $32,092 | ($32,092) | $2,074 | $208,864 |
| Yr15 | $27,786 | $0 | $0 | $0 | $32,743 | ($32,743) | ($4,957) | $203,907 |
| Yr16 | $27,688 | $0 | $0 | $0 | $33,407 | ($33,407) | ($5,719) | $198,188 |
| Yr17 | $27,599 | $0 | $0 | $0 | $34,084 | ($34,084) | ($6,485) | $191,703 |
| Yr18 | $27,520 | $0 | $0 | $0 | $34,775 | ($34,775) | ($7,255) | $184,448 |
| Yr19 | $27,451 | $0 | $0 | $0 | $35,481 | ($35,481) | ($8,030) | $176,418 |
| Yr20 | $27,390 | $0 | $0 | $0 | $36,200 | ($36,200) | ($8,810) | $167,608 |



**PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.**

Assumptions used in the following calculations:

| | |
|---|---|
| Market value of property to be added (including rail spur): | |
| Real property | $2,635,438 |
| Personal property | $23,898,201 |
| Percentage tax abatement requested: (consistent with City Council policy) | |
| Real property | 50.00% |
| Personal property | 50.00% |
| Years of abatement requested: | |
| Real property | 12 |
| Personal property | 12 |
| Non-recoverable City share costs of requested: | |
| Roadway improvements | $0 |
| Drainage improvements | $0 |
| Sanitary sewer improvements | $0 |
| Water delivery improvements | $0 |
| Number of new employees | 78 |
| Average annual income of each new employee | $45,846 |
| Percentage of new employees assumed to be residents | 32.30% |
| Propensity for resident employees to consume locally | 60.00% |
| Propensity for non-resident employees to consume locally | 50.00% |
| County income multiplier | 2.00 |
| Percentage of new employees constructing new homes | 20.00% |
| Value of new home as a factor of annual income | 2.00 |
| Number of members per household (2010 census) | 2.40 |
| Population, 2010 (Bureau of Census) | 46,292 |
| General Fund expenditures net of certain offsetting revenues: | |
| i.e., user charges and fees, grants, reimbursements | $19,071,167 |
| Current General Fund millage rate | 7.5000 |
| Per capita state revenue sharing to General Fund | $69.56 |
| Average annual inflation rate (2007 to 2012) | 2.03% |
| Annual increase in industrial real property value | -3.50% |
| Annual increase in residential real property value | 0.00% |

**PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.**

CALCULATION OF ECONOMIC BENEFITS TO THE COMMUNITY:

Equation 1-Calculation of additional payroll generated

| Number of new employees | Average annual income | Total new annual payroll |
|---|---|---|
| 78 | $45,846 | $3,575,980 |

Equation 2-Calculation of primary economic benefit to the community from payroll income

| | |
|---|---|
| Percentage of new employees assumed to be residents | 32.30% |
| Propensity for resident employees to consume locally | 60.00% |
| Propensity for non-resident employees to consume locally | 50.00% |

| | Distribution of labor force | Average annual income | Propensity to consume locally | Primary economic benefit | |
|---|---|---|---|---|---|
| Resident employees | 25 | $45,846 | 60.00% | $687,688 | |
| Non-resident employees | 53 | $45,846 | 50.00% | $1,214,916 | |
| | | | | $1,902,604 | $1,902,604 |

Equation 3-Calculation of secondary economic benefit to the community from payroll income

| Total primary benefit | County income multiplier | Propensity to consume locally | Secondary economic benefit | |
|---|---|---|---|---|
| $1,902,604 | 2.00 | 60.00% | $2,283,125 | $2,283,125 |

----ADDITIONAL ECONOMIC BENEFITS TO THE COMMUNITY ..... $4,185,729

**PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.**

CALCULATION OF ADDITIONAL GENERAL FUND REVENUE:

Equation 4-Calculation of gross taxes to be generated from new project

| | | | | | |
|---|---|---|---|---|---|
| Market value of property to be added: | | | | | |
| Real property | | | | $2,635,438 | |
| Personal property | | | | $23,898,201 | |
| Current General Fund millage rate | | | | 7.50 | |
| | First year property SEV | Millage rate | | First year property taxes | |
| Real | $1,317,719 | 7.50 | | $9,883 | |
| Personal | $10,873,681 | 7.50 | | $81,553 | $91,436 |

Equation 5-Calculation of additional property tax from new residents

| | | | | | |
|---|---|---|---|---|---|
| Percentage of new employees constructing new homes | | | | 20.00% | |
| Value of new home as a factor of annual income | | | | 2.00 | |
| Number of new homes | Avg market value of each new home | Total SEV of new homes | General Fund millage rate | First year property taxes | |
| 16 | $91,692 | $733,534 | 7.50 | $5,502 | $5,502 |

Equation 6-Calculation of additional state revenue sharing to the General Fund

| | | | | | |
|---|---|---|---|---|---|
| Number of members per household | | | | 2.40 | |
| Per capita state revenue sharing to General Fund | | | | $70 | |
| Number of new resident employees | Number of members per household | Number of new residents | Per capita state revenue sharing | Additional state revenue sharing | |
| 25 | 2.40 | 60 | $70 | $4,173 | $4,173 |

----ADDITIONAL GENERAL FUND REVENUE ..... $101,111

**PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.**

CALCULATION OF ADDITIONAL GENERAL FUND COSTS:

Equation 7-Annual tax abatement costs

Percentage tax abatement requested:

| | |
|---|---|
| Real property | 50.00% |
| Personal property | 50.00% |

Years of abatement requested:

| | |
|---|---|
| Real property | 12 |
| Personal property | 12 |

| | First year General Fund property tax | Requested abatement rate | First year tax abatement | |
|---|---|---|---|---|
| Real | $9,883 | 50.00% | $4,942 | |
| Personal | $81,553 | 50.00% | $40,777 | $45,719 |

Equation 8-Additional service costs

Population, 2010 (Bureau of Census) 46,292

General Fund expenditures net of certain offsetting revenues:
i.e., user charges and fees, grants, reimbursements $19,071,167

| Costs of services | Number of residents | Cost per resident | Number of new residents | Additional cost for new residents | |
|---|---|---|---|---|---|
| $19,071,167 | 46,292 | $412 | 60 | $24,720 | $24,720 |

Equation 9-Public facilities cost, non-recoverable City share

| Road improvements | Drainage improvements | Sanitary sewer improvements | Water delivery improvements | Total improvements | |
|---|---|---|---|---|---|
| $0 | $0 | $0 | $0 | $0 | $0 |

----TOTAL ADDITIONAL GENERAL FUND COSTS $70,439

CALCULATION OF RELATIVE COMPARISON FACTOR

Equation 10-Relative comparison investment factor/initial cost per job created

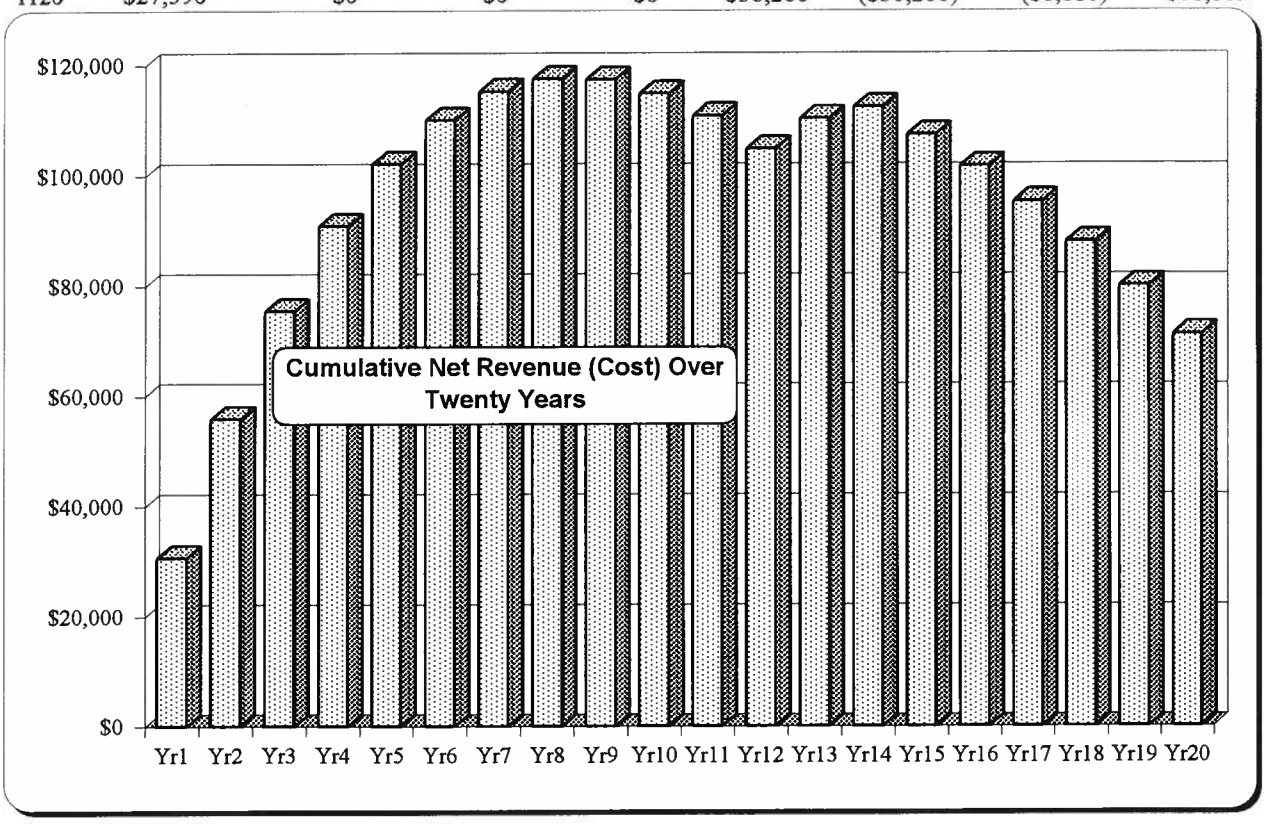
| Additional revenues | Additional (costs) | Net additional (cost)/revenue | Number of jobs created | (Cost)/revenue per job created |
|---|---|---|---|---|
| $101,111 | ($70,439) | $30,672 | 78 | $393 |

Long term comparison of increased revenues to increased costs

## PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.

reflecting the effects of inflation on property values and General Fund expenditures
and the decreasing value of personal property due to depreciation

| Year | Revenue | Infrastructure costs | General Fund real property tax abatement | General Fund personal prop. tax abatement | General Fund service costs | Expenditures | Net annual (cost)/revenue | Cumulative (cost)/revenue |
|---|---|---|---|---|---|---|---|---|
| Yr1 | $101,111 | $0 | $4,942 | $40,777 | $24,720 | ($70,438) | $30,673 | $30,673 |
| Yr2 | $90,992 | $0 | $4,769 | $35,848 | $25,221 | ($65,837) | $25,155 | $55,828 |
| Yr3 | $80,886 | $0 | $4,602 | $30,919 | $25,733 | ($61,253) | $19,633 | $75,461 |
| Yr4 | $73,482 | $0 | $4,441 | $27,334 | $26,255 | ($58,029) | $15,453 | $90,914 |
| Yr5 | $66,092 | $0 | $4,285 | $23,749 | $26,787 | ($54,821) | $11,271 | $102,185 |
| Yr6 | $60,507 | $0 | $4,135 | $21,061 | $27,330 | ($52,526) | $7,982 | $110,167 |
| Yr7 | $55,831 | $0 | $3,991 | $18,820 | $27,884 | ($50,695) | $5,137 | $115,303 |
| Yr8 | $51,166 | $0 | $3,851 | $16,580 | $28,450 | ($48,881) | $2,286 | $117,589 |
| Yr9 | $47,409 | $0 | $3,716 | $14,787 | $29,027 | ($47,530) | ($121) | $117,468 |
| Yr10 | $43,663 | $0 | $3,586 | $12,995 | $29,616 | ($46,197) | ($2,534) | $114,934 |
| Yr11 | $41,721 | $0 | $3,461 | $12,099 | $30,216 | ($45,775) | ($4,054) | $110,880 |
| Yr12 | $38,894 | $0 | $3,340 | $10,754 | $30,829 | ($44,923) | ($6,029) | $104,852 |
| Yr13 | $36,973 | $0 | $0 | $0 | $31,454 | ($31,454) | $5,519 | $110,371 |
| Yr14 | $34,166 | $0 | $0 | $0 | $32,092 | ($32,092) | $2,074 | $112,445 |
| Yr15 | $27,786 | $0 | $0 | $0 | $32,743 | ($32,743) | ($4,957) | $107,488 |
| Yr16 | $27,688 | $0 | $0 | $0 | $33,407 | ($33,407) | ($5,719) | $101,769 |
| Yr17 | $27,599 | $0 | $0 | $0 | $34,084 | ($34,084) | ($6,485) | $95,284 |
| Yr18 | $27,520 | $0 | $0 | $0 | $34,775 | ($34,775) | ($7,255) | $88,029 |
| Yr19 | $27,451 | $0 | $0 | $0 | $35,481 | ($35,481) | ($8,030) | $79,999 |
| Yr20 | $27,390 | $0 | $0 | $0 | $36,200 | ($36,200) | ($8,810) | $71,189 |



**PROJECT IMPACT ANALYSIS - Mueller Copper Tube Products Co.**

Assumptions used in the following calculations:

| | |
|---|---|
| Market value of property to be added (including rail spur): | |
| Real property | $2,635,438 |
| Personal property | $23,898,201 |
| Percentage tax abatement requested: (consistent with City Council policy) | |
| Real property | 50.00% |
| Personal property | 50.00% |
| Years of abatement requested: | |
| Real property | 9 |
| Personal property | 6 |
| Non-recoverable City share costs of requested: | |
| Roadway improvements | $0 |
| Drainage improvements | $0 |
| Sanitary sewer improvements | $0 |
| Water delivery improvements | $0 |
| Number of new employees | 78 |
| Average annual income of each new employee | $45,846 |
| Percentage of new employees assumed to be residents | 32.30% |
| Propensity for resident employees to consume locally | 60.00% |
| Propensity for non-resident employees to consume locally | 50.00% |
| County income multiplier | 2.00 |
| Percentage of new employees constructing new homes | 20.00% |
| Value of new home as a factor of annual income | 2.00 |
| Number of members per household (2010 census) | 2.40 |
| Population, 2010 (Bureau of Census) | 46,292 |
| General Fund expenditures net of certain offsetting revenues: i.e., user charges and fees, grants, reimbursements | $19,071,167 |
| Current General Fund millage rate | 7.5000 |
| Per capita state revenue sharing to General Fund | $69.56 |
| Average annual inflation rate (2007 to 2012) | 2.03% |
| Annual increase in industrial real property value | -3.50% |
| Annual increase in residential real property value | 0.00% |

**CITY OF PORTAGE, MICHIGAN**
**RESOLUTION NO. 1-12**

**ESTABLISHING A PUBLIC HEARING FOR THE EXPANSION OF INDUSTRIAL DEVELOPMENT DISTRICT NO. 1**
**MUELLER COPPER TUBE PRODUCTS CO.**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan, held on _____, 2012, at 7:30 p.m. local time at the City Hall in the City of Portage, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember _____, and supported by Councilmember _____.

BE IT RESOLVED:

That a public hearing be held on the _____ day of _____, 2012, at 7:30 p.m. or as soon thereafter as may be heard at the City Hall, in the City of Portage, Michigan on the request of MUELLER COPPER TUBE PRODUCTS CO., for the expansion of an Industrial Development District under Michigan Act No. 198 of P.A. 1974; and

That written notice by certified mail of said hearing be sent to the owners of all real property and the legislative body of each taxing unit which levies ad valorem taxes on the property located within the proposed district described in the attached Exhibit A at least ten (10) days before said hearing; and

That notice in substantially the form attached as Exhibit A be published in the Kalamazoo Gazette at least ten (10) days prior to said hearing.

ADOPTED: YEAS: Councilmember: _____

NAYS: Councilmember: _____

ABSENT: Councilmember: _____

RESOLUTION DECLARED ADOPTED:

_____
JAMES R. HUDSON, City Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on the _____ day of _____, 2012, the original of which is in the official proceedings of the City Council.

_____
James R. Hudson, City Clerk

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

Approved as to Form:
Date: 4/28/12
By: _____
City Attorney

EXHIBIT A

**CITY OF PORTAGE**
**NOTICE OF HEARING ON THE EXPANSION OF**
**INDUSTRIAL DEVELOPMENT DISTRICT NO. 1**
**UNDER ACT 198 OF P.A. 1974**

PLEASE TAKE NOTICE that on the _____ day of _____, 2012, at 7:30 p.m. or as soon thereafter as may be heard, a public hearing will be held at the City Hall in the City of Portage, Michigan on the request of MUELLER COPPER TUBE PRODUCTS CO., for the expansion of Industrial Development District No.1 under Michigan Act 198 of P.A. 1974 for a partial tax exemption for ad valorem property taxes.

PLEASE TAKE FURTHER NOTICE that said district is commonly described as property located at 6700 Sprinkle Road, Portage, Michigan, and more particularly described as follows:

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

PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWN 3 SOUTH, RANGE 11 WEST, COMMENCING AT THE CENTER QUARTER POST OF SECTION 12; THENCE SOUTH 0° 05' 10" WEST 849.61 FEET ALONG THE EAST LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 12; THENCE NORTH 89° 54' 50" WEST 929.78 FEET; THENCE SOUTH 0° 05' 10" WEST 277.20 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION: THENCE SOUTH 43° 04' 41" WEST 439.47 FEET; THENCE SOUTHWESTERLY 124.82 FEET ON A 493.34 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS SOUTH 35° 49' 47" WEST 124.49 FEET TO THE EASTERLY RIGHT OF WAY OF THE NORFOLK SOUTHERN/GRAND ELK RAILROAD; THENCE SOUTH 00° 17' 54" WEST 72.69 FEET ALONG THE SAID RAILROAD RIGHT OF WAY; THENCE NORTHEASTERLY 181.45 FEET ON A 463.34 FOOT RADIUS CURVE TO THE RIGHT WHOSE LONG CHORD BEARS NORTH 31° 51' 33" EAST 180.30 FEET; THENCE NORTH 43° 04' 41" EAST 407.29 FEET; THENCE NORTH 0° 05' 10" EAST 43.99 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.40 ACRES. SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.

Any resident or taxpayer of the City or other interested person shall have the right to appear and be heard at said hearing.

Dated: _____, 2012

_____
James R. Hudson, City Clerk

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**CITY OF PORTAGE, MICHIGAN**
**RESOLUTION NO. 3-12**
**TO SET THE PUBLIC HEARING ON A FACILITIES TAX EXEMPTION CERTIFICATE FOR MUELLER COPPER TUBE PRODUCTS CO. EXPANDED INDUSTRIAL DEVELOPMENT DISTRICT NO. 1**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on _____, 2012 at 7:30 p.m., local time in the City Hall in the City of Portage.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Councilmember _____, and supported by: Councilmember _____ .

WHEREAS, pursuant to 1974 PA 198, MCLA Sec. 207.551, et seq., the City Council has established Expanded Industrial Development District No.1 ("Expanded District");

WHEREAS, MUELLER COPPER TUBE PRODUCTS CO., owner of the realty located within said Expanded District, has applied for an Industrial Facilities Exemption Certificate under the provisions of 1974 PA 198, Sec. 5(1);

WHEREAS, 1974 PA 198 Sec. 5(2) provides that before acting upon an application for an Industrial Facilities Certificate, the City Council shall afford the applicant, the assessor, and a representative of the affected taxing units an opportunity for a hearing;

NOW THEREFORE, BE IT RESOLVED as follows:

(1) That the application of MUELLER COPPER TUBE PRODUCTS CO., for an Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.

(2) That the City Council shall meet at the City Hall on _____, 2012 at 7:30 p.m., local time, or as soon thereafter as may be heard, and shall provide to the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of MUELLER COPPER TUBE PRODUCTS CO., application for an Industrial Facilities Exemption Certificate with regard to proposed new facility and installation of equipment and machinery within said Expanded District.

(3) That the City Clerk immediately inform, by letter, the City Assessor, and the legislative body of each taxing unit which levies ad valorem taxes in the City of Portage on the property located within said Expanded District, as follows:

(a) The City of Portage has established MUELLER COPPER TUBE PRODUCTS CO., Expanded District No.1 and has now received and will consider an application for a Facilities Exemption Certificate for building construction and the installation of equipment and machinery within said district.

(b) That the City Council shall meet on _____, 2012, at the City Hall at 7:30 p.m., local time, or as soon thereafter as may be heard, to afford the City Assessor and a representative of each said taxing unit an opportunity to be heard with regard to the said application.

(c) That, as to MUELLER COPPER TUBE PRODUCTS CO., Expanded District No. 1, the Facilities Exemption Certificate would be in the amount of $_____, for expenditures in the amount of $_____.

(4) All resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

ADOPTED: AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

_____
James R. Hudson, City Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on the day of _____, 2012, the original of which is in the official proceedings of the City Council.

_____
James R. Hudson, City Clerk

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

Approved as to Form:
Date: 9/28/12
By: _____
City Attorney

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**CITY OF PORTAGE** **COMMUNICATION**

---

**TO:** Honorable Mayor and City Council **DATE:** October 2, 2012

**FROM:** Maurice S. Evans, City Manager

**SUBJECT:** Height Modification for Mueller Plastics (silos), 6700 Sprinkle Road

**ACTION RECOMMENDED:** That City Council approve the height modification for Mueller Plastics, 6700 Sprinkle Road, to allow three existing 50-foot tall silos and construction of two new 60-foot tall silos.

Attached is information concerning a height modification request by Mueller Plastics. The company is seeking approval for three existing silos and two proposed silos measuring to a height of 60-feet at the existing manufacturing facility located at 6700 Sprinkle Road. The three existing silos located at the site were installed sometime during the 1980s, prior to Mueller Plastics acquiring the property, without the necessary height modification approval. These three silos are 50-feet in height (with a 3.5 foot safety railing on top). The two proposed silos are 60-feet in height (also with a 3.5 foot safety railing on top) and are being relocated from Mueller Plastics previous facility in Wynne, Arkansas.

The City Administration is supportive of the application and the Planning Commission voted unanimously to recommend approval of the proposed height modification during the September 20, 2012 meeting. The location of the silos in relation to the existing manufacturing building and distance from property lines mitigate potential adverse impacts on surrounding properties and land uses consistent with Section 42-350(B)(6)(a) of the Zoning Code.

It is recommended that City Council approve the height modification for Mueller Plastics, 6700 Sprinkle Road, to allow three existing 50-foot tall silos and construction of two new 60-foot tall silos.

Attachment: Communication from the Department of Community Development

**CITY OF PORTAGE** **COMMUNICATION**

---

**TO:** Maurice S. Evans, City Manager **DATE:** September 28, 2012

**FROM:** Vicki Georgeau, Director of Community Development

**SUBJECT:** Height Modification for Mueller Plastics (silos), 6700 South Sprinkle Road.

A height modification application has been submitted by Mueller Plastics requesting approval for three existing silos and two proposed silos up to a height of 60-feet at the existing manufacturing facility located at 6700 South Sprinkle Road. The three existing silos located at the site were installed sometime during the 1980s, prior to Mueller Plastics acquiring the property, without the necessary height modification approval. These three silos are 50-feet in height (with a 3.5 foot safety railing on top). The two proposed silos are 60-feet in height (also with a 3.5 foot safety railing on top) and are being relocated from Mueller Plastics previous facility in Wynne, Arkansas. All the silos will be utilized to store PVC and ABS plastic resin used in plastic injection molding operations.

The three existing silos are located within the middle portion of the property, surrounded by the manufacturing building on three sides and situated approximately 215 feet from the north property line, 300 feet from the south property line, 490 feet from the east property line (South Sprinkle Road right-of-way) and 690 feet from the west property line. The two proposed silos will be situated along the west side of the facility approximately 300 feet from the north property line, 210 feet from the south property line, 720 feet from the east property line (South Sprinkle Road right-of-way) and 470 feet from the west property line. Residential properties are not situated near the zoning lot and the Kalamazoo-Battle Creek International Airport, to the west, has reviewed and approved the proposed height and location of the new silos.

A public hearing to consider the height modification was convened by the Planning Commission at the September 20, 2012 meeting. Mr. Bob Goodheart of Pathfinder Engineering and Mr. Brendan Caffrey of Mueller Plastics were present to support the application. No citizens spoke in regard to the proposed height modification. After careful consideration, the Planning Commission voted 8-0 to recommend to City Council that the Height Modification for Mueller Plastics, 6700 South Sprinkle Road, be approved to allow three existing 50-foot tall silos and construction of two new 60-foot tall silos.

The City Administration also supports the requested height modification based on a finding that the location of the silos in relation to the existing manufacturing building and distance from property lines mitigate potential adverse impacts on surrounding properties and land uses consistent with Section 42-350(B)(6)(a).

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

Attachments: Planning Commission transmittal dated September 28, 2012
Planning Commission Minutes dated September 20, 2012
Department of Community Development report dated September 14, 2012

**TO:** Honorable Mayor and City Council

**FROM:** Planning Commission

**DATE:** September 28, 2012

**SUBJECT:** Height Modification for Mueller Plastics (silos), 6700 South Sprinkle Road

During the September 20, 2012 meeting, the Planning Commission convened a public hearing to consider a Height Modification request from Mueller Plastics for three existing silos and two proposed silos to the height of 60-feet at the existing manufacturing facility located at 6700 South Sprinkle Road. Mr. Bob Goodheart of Pathfinder Engineering and Mr. Brendan Caffrey of Mueller Plastics were present to support the application. No additional citizens spoke in regard to the proposed height modification.

After careful consideration of the development proposal and Zoning Code criteria, a motion was offered by Commissioner Stoffer, seconded by Commissioner Dargitz, to recommend to City Council that the height modification request for Mueller Plastics, 6700 South Sprinkle Road, be approved to allow three existing 50-foot tall silos and construction of two new 60-foot tall silos. The Commission concluded the location of the silos in relation to the existing manufacturing building and distance from property lines mitigate potential adverse impacts on surrounding properties and land uses consistent with the Zoning Code provisions. The motion was unanimously approved 8-0.

Sincerely,

James Cheesebro, Chairman
City of Portage Planning Commission

s:\commdev\2012-2013 department files\memos\manager\2012 09 28 mcc mueller plastics (silos), 6700 south sprinkle road (height mod) pc.doc

DRAFT

# PLANNING COMMISSION

## September 20, 2012

The City of Portage Planning Commission meeting of September 20, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Three citizens were in attendance.

**MEMBERS PRESENT:**

Wayne Stoffer, Bill Patterson, Dave Felicijan, Rick Bosch, Miko Dargitz, David Artley, Allan Reiff and James Cheesebro.

**MEMBERS ABSENT:**

None.

**MEMBERS EXCUSED:**

Paul Welch.

**IN ATTENDANCE:**

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

**PLEDGE OF ALLEGIANCE:**

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

Chairman Cheesebro referred the Commission to the September 6, 2012 meeting minutes contained in the agenda packet. Commissioner Dargitz indicated she would be abstaining from voting since she was not present at this meeting. A motion was offered by Commissioner Bosch, seconded by Commissioner Felicijan, to approve the minutes as submitted. The motion was approved 7-0-1.

Chairman Cheesebro introduced and welcomed new Planning Commissioner David Artley.

**PUBLIC HEARINGS:**

1 Height Modification: Mueller Plastics (silos), 6700 South Sprinkle Road. Mr. Forth summarized the staff report dated September 14, 2012 regarding a height modification request for approval of three existing silos and two proposed silos up to a height of 60-feet. Mr. Forth stated the three existing silos at the site were installed sometime during the 1980s, prior to Mueller Plastics acquiring the property, without the necessary height modification approval. Mr. Forth indicated these three silos are 50-feet in height (with a 3.5 foot safety railing on top), while the two proposed silos are 60-feet in height (also with a 3.5 foot safety railing on top). Mr. Forth discussed the proposed setback distances of the silos from adjacent property lines and the land use and zoning of adjacent parcels.

Mr. Bob Goodheart of Pathfinder Engineering and Mr. Brendan Caffrey of Mueller Plastics were present to support the application. The public hearing was opened by Chairman Cheesebro. No citizens spoke in regard to the proposed height modification. A motion was then made by Commissioner Artley, seconded by Commissioner Patterson, to close the public hearing. The motion was unanimously approved. After a brief

discussion, a motion was made by Commissioner Stoffer, seconded by Commissioner Dargitz, to recommend to City Council that the Height Modification for Mueller Plastics, 6700 South Sprinkle Road, be approved to allow three existing 50-foot tall silos and construction of two new 60-foot tall silos. The location of the silos in relation to the existing manufacturing building and distance from property lines mitigate potential adverse impacts on surrounding properties and land uses consistent with the Zoning Code provisions. The motion was unanimously approved.

**SITE/FINAL PLANS:**

1. Site Plan: Portage Brewing Company, 7842 and 7908 (portion thereof) Portage Road. Chairman Cheesebro stated he would be abstaining from discussion and voting on this agenda item due to a conflict of interest.

Mr. West summarized the staff report dated September 14, 2012 regarding a request by Mike and Ruth Stoddard to construct an approximate 9,700 square foot micro-brewery/restaurant and associated site improvements. Mr. West stated the applicant has a purchase agreement pending with the current owner of 7842 Portage Road and has recently secured a license agreement with Consumers Energy Company to use a portion of 7908 Portage Road for "vehicle parking and lawn area." Mr. West also indicated that the applicant was in the process of acquiring a 5-foot strip of land from the adjacent property to the north (7840 Portage Road) to accommodate the required setback for the proposed micro-brewery/restaurant building. In conjunction with the site plan review, Mr. West indicated the applicant is also requesting approval to exceed the maximum parking provision of the Zoning Code: A total of 100 parking spaces are proposed. Mr. West stated the applicant has submitted written documentation in support of these additional parking spaces. Mr. West also summarized the applicant's request to defer sidewalk installation along the Portage Road frontage until sidewalks are installed on adjacent property. Mr. West reviewed the sidewalks that exist along East Centre Avenue and Portage Road south of East Centre and the number of people who either live or work in the area that may choose to walk to the Portage Brewing Company. Given the surrounding area characteristics, Mr. West indicated that staff believes installation of sidewalk along the Portage Road frontage was appropriate with the development project.

The applicant, Mr. Mike Stoddard, was present to support the site plan and explain the request to exceed the maximum parking provision of the ordinance and the requested sidewalk deferment. Mr. Stoddard stated the sidewalk installation would cost approximately $5,000 and he believes most of the patronage of the micro-brewery/restaurant will occur by people driving to the location. The Commission, Mr. Stoddard and staff discussed various aspects of the development project including parking, planned outdoor seating area, sidewalk installation and the staff recommended conditions of approval.

After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to approve the Site Plan for Portage Brewing Company, 7842 and 7908 (portion thereof) Portage Road, subject to the following conditions: 1) Administrative review and approval of a lot line adjustment application for 5-foot strip of land proposed to be transferred from 7840 Portage Road to 7842 Portage Road; 2) Approval of the request to exceed the maximum parking requirement for the use and allow construction of 100 total parking spaces based upon documented evidence provided by the applicant that the additional parking is necessary and will not adversely impact the subject property, surrounding properties or related natural features; 3) Installation of a 6-foot tall screening fence and deciduous tree plantings (minimum 2½ inch caliper, 30-feet on-center) or a staggered row of 6-8 foot tall evergreen trees spaced ten feet on-center along the western portion of 7842 Portage Road; and 4) Installation of a 5-foot wide concrete sidewalk along the full frontage (7842 and 7908 Portage Road) of the zoning lot. The motion was subsequently approved 7-0-1 with Chairman Cheesebro abstaining.

CITY OF
**PORTAGE**
*A Place for Opportunities to Grow*

Department of Community Development

**TO:** Planning Commission **DATE:** September 14, 2012

**FROM:** Vicki Georgeau, Director of Community Development

**SUBJECT:** Height Modification: Mueller Plastics (silos), 6700 South Sprinkle Road

## I. INTRODUCTION/BACKGROUND:

A height modification application has been submitted by Mueller Plastics requesting approval for three existing silos and two proposed silos up to a height of 60-feet at the existing manufacturing facility located at 6700 South Sprinkle Road. Other site improvements including construction of a railroad spur and relocation of a public water main are also planned along the west side of the facility. The approximate 18 acre property is zoned I-1, light industry.

The three existing silos located at the site were installed sometime during the 1980s, prior to Mueller Plastics acquiring the property, without the necessary height modification approval. These three silos are 50-feet in height (with a 3.5 foot safety railing on top). The two proposed silos are 60-feet in height (also with a 3.5 foot safety railing on top) and are being relocated from Mueller Plastics previous facility in Wynne, Arkansas. All the silos will be utilized to store PVC and ABS plastic resin used in plastic injection molding operations.

## II. ZONING CODE REQUIREMENTS:

Section 42-350(A), Schedule of Regulations, of the Land Development Regulations establishes a building height standard of 40-feet for buildings/structures located in the I-1, light industry district that can be increased with Planning Commission and City Council review/approval pursuant to Section 42-350(B)(6)(a). In granting building height modifications, the Commission/Council *"...shall require that all yards shall be at least equal in their depth to the height of the structure."* Furthermore, the Commission/Council must determine that the *"...topography, natural features or other land use characteristics, including the distance of the proposed structure from other uses, adequately mitigate adverse impacts on any adjoining or surrounding uses."*

## III. ANALYSIS:

The approximate 18 acre zoning lot is bordered to the north and south by vacant land zoned I-1, light industry. To the east (across South Sprinkle Road), are industrial facilities also zoned I-1, light industry. The Grand Elk Railroad and Kalamazoo-Battle Creek International Airport, located within the City of Kalamazoo, borders the site to the west.

The three existing silos are located within the middle portion of the property and surrounded by the manufacturing building along the north, south and east sides. These silos are situated approximately 215 feet from the north property line, 300 feet from the south property line, 490 feet from the east property line (South Sprinkle Road right-of-way) and 690 feet from the west property line. The two proposed silos will be situated along the west side of the facility approximately 300 feet from the north property line, 210 feet from the south property line, 720 feet from the east property line (South Sprinkle Road right-of-way) and 470 feet from the west property line. The silos will be constructed at

the existing grade consistent with the finished floor elevation of the main building. The northwest portion of the property is characterized by mature trees and natural vegetation. Residential properties are not situated near the zoning lot. The Kalamazoo-Battle Creek International Airport has reviewed and approved the proposed height and location of the new silos.

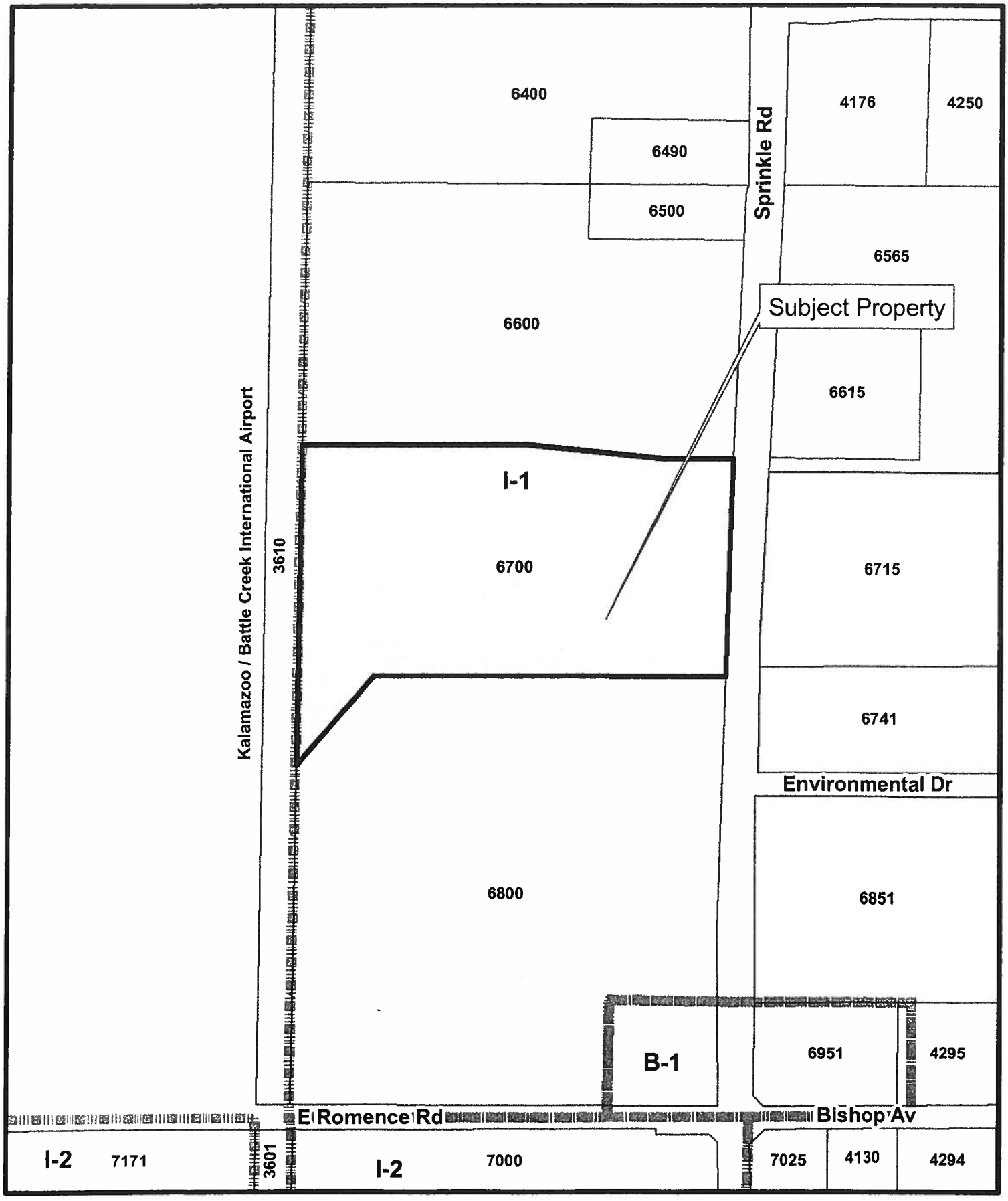
Per statutory requirements, property owners within 300 feet of the zoning lot have been notified in writing of the special land use permit application and Planning Commission meeting. A notice was also placed in the local newspaper.

## IV. RECOMMENDATION:

Based on the foregoing analysis and subject to any public comment received during the public hearing, the Planning Commission is advised to recommend to City Council that the Height Modification for Mueller Plastics, 6700 South Sprinkle Road, be approved to allow three existing 50-foot tall silos and construction of two new 60-foot tall silos. The location of the silos in relation to the existing manufacturing building and distance from property lines mitigate potential adverse impacts on surrounding properties and land uses consistent with Section 42-350(B)(6)(a).

Attachments: Vicinity/Zoning Map
Aerial Photo Map
Height Modification Application/Narrative dated September 13, 2012
Site Plan
Elevation Sheet

s:\commdev\2012-2013 department files\board files\planning commission\pc reports\height modifications\2012 09 14 mueller plastics (silos), 6700 south sprinkle road.doc

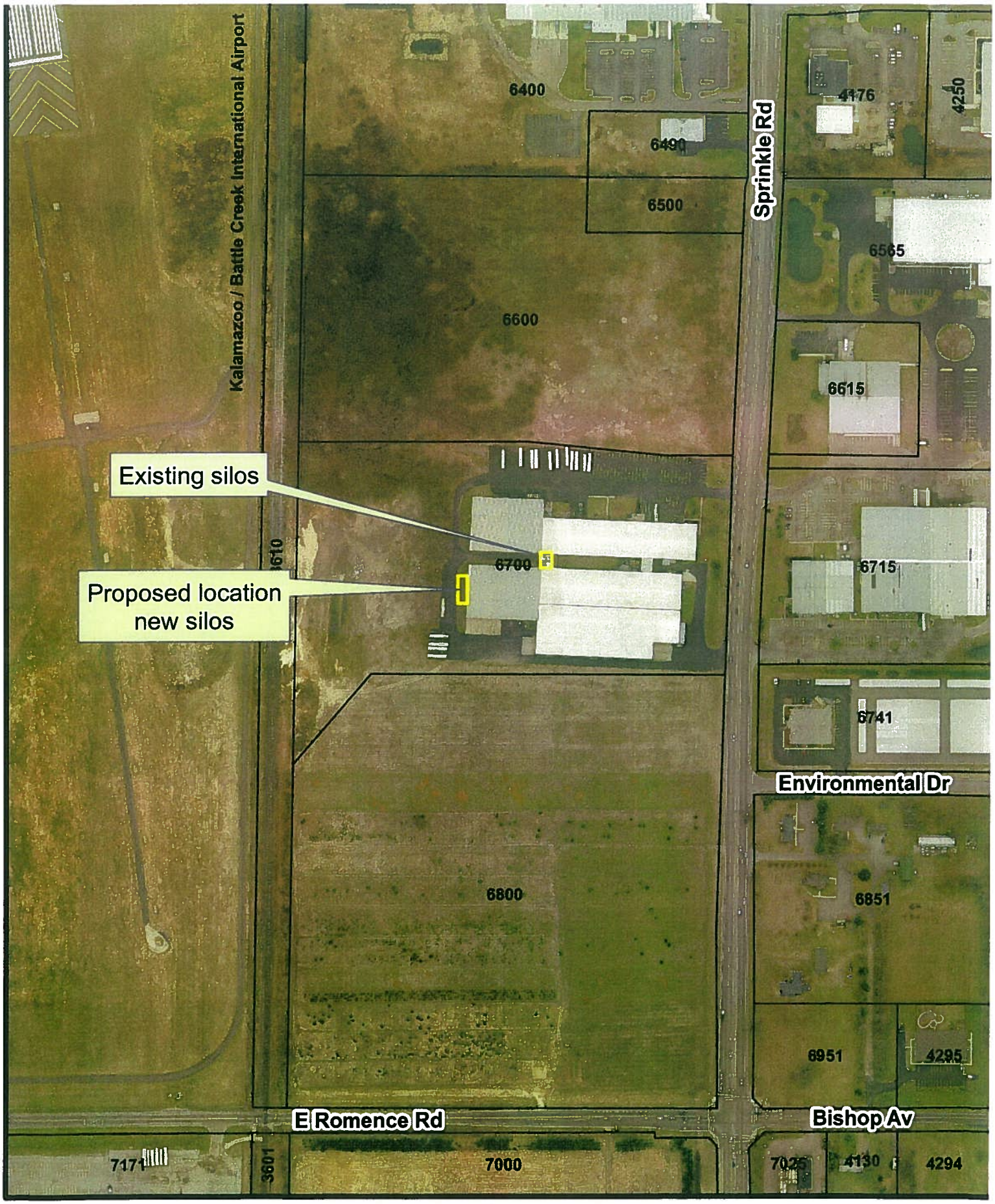



Zoning Boundary

Subject Property

# Height Modification
# 6700 South Sprinkle Road

1 inch = 350 feet




# Aerial Photography
# 6700 South Sprinkle Road

Date of Photography: March 2009

1 inch = 350 feet

Pathfinder
Engineering, Inc.

Revised 9-13-12
12038

Mueller Plastics
6700 S. Sprinkle Rd.
City of Portage, Michigan

## Building Height Modification - Narrative

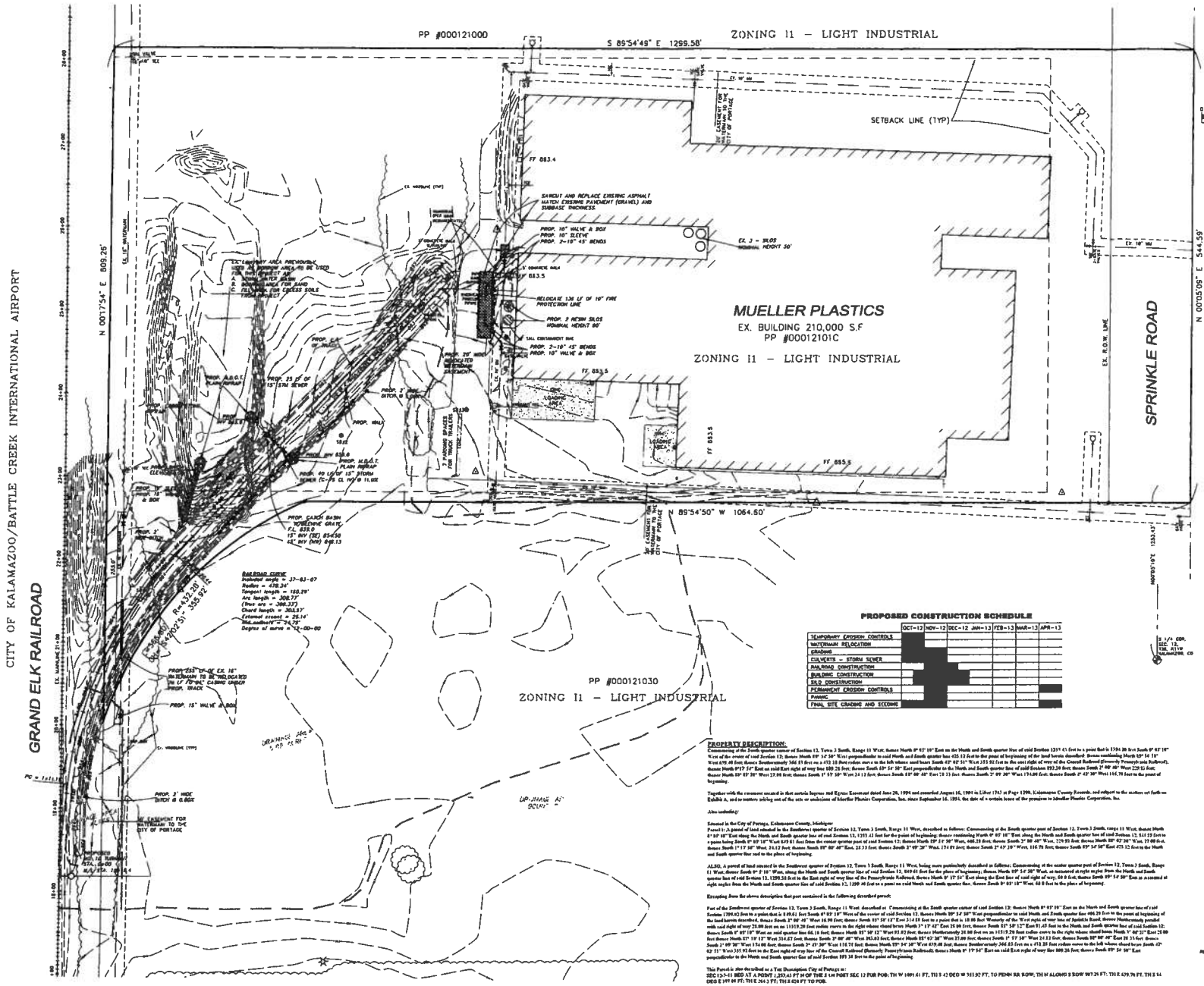
Mueller is requesting a height modification to accommodate three silos currently on site at 6700 Sprinkle road and two silos being relocated from another Mueller facility. All silos are used to store PVC and ABS plastic resin, used in the injection molding operations on site.

The three existing silos have been in place since prior to Mueller acquiring the property in 1994. In April of 2012 Mueller was informed that there was not a height modification request on file for the three existing silos, and that Mueller should file one with the City of Portage. The nominal heights of the three existing silos are 50 feet and elevations of the three silos are indicated on the attached revised Sheet A101.

The two new silos are being relocated from Mueller's previous plastics facility in Wynne, Arkansas and are proposed to be located on the northwest side of the south building indicated on the attached site plan included in this document. These silos are nominally 60 feet in height, and the elevations are also shown on the attached revised Sheet A101. The airport authority has been contacted regarding the intention to place the silos in their proposed locations and they have not expressed any objection to their placement. The silos will be located on the back side of the building posing no visual impact or encumbrance from sprinkle road or adjacent properties.

Section 42-350.B.6. of the City Zoning Code has requirements regarding site features that are to be reviewed as part of the decision making process. The three existing silos are located in a 225 foot cove between the two building wings. These silos are also located 210 feet from the north property line and 300 feet from the south property line. The two new silos will also be located near the building at the west side in the grass area between the building and the driveway around the building. These will be located 210 feet from the south property line, 300 feet from the north property line, and 470 feet from the west property line. The two proposed silos are also located more than 80 feet from the closest point of the proposed railroad track.

The proposed request is required to allow Mueller to purchase raw materials at an economic scale necessary to make it feasible to conduct business in Portage. The modification will allow Mueller to extend a rail spur to the property, allowing for rail car filling of the proposed silos. Mueller will be repainting all of the five silos once they are in place, this will result in a pleasing visual presentation.




**PROPERTY DESCRIPTION:**

Commencing at the South quarter corner of Section 12, Town 3 South, Range 11 West; thence North 0° 03' 10" East on the North and South quarter line of said Section 12317.45 feet to a point that is 1504.36 feet South 0° 03' 10" West of the center of said Section 12; thence North 89° 54' 50" West perpendicular to said North and South quarter line 420.12 feet to the point of beginning of the land herein described; thence continuing North 89° 54' 50" West 639.48 feet; thence Southwesterly 566.85 feet on a 432.28 foot radius curve to the left whose cord bears South 52° 02' 51" West 355.92 feet to the east right of way of the Conrail Railroad (formerly Pennsylvania Railroad); thence North 0°17' 54" East on said East right of way line 880.26 feet; thence South 89° 54' 50" East perpendicular to the North and South quarter line of said Section 893.30 feet; thence South 3° 00' 00" West 229.91 feet; thence North 89° 09' 39" West 27.00 feet; thence South 1° 55' 50" West 24.12 feet; thence South 88° 00' 00" East 28.33 feet; thence South 3° 09' 39" West 174.00 feet; thence South 4° 43' 39" West 116.79 feet to the point of beginning.

Together with the easement created in that certain Ingress and Egress Easement dated June 28, 1994 and recorded August 16, 1994 in Liber 1743 at Page 1290, Kalamazoo County Records, and subject to the matters set forth on Exhibit A, and to matters arising out of the acts or omissions of Mueller Plastics Corporation, Inc. since September 16, 1994, the date of a certain lease of the premises to Mueller Plastics Corporation, Inc.

Also excluding:

Situated in the City of Portage, Kalamazoo County, Michigan:

Parcel 1: A parcel of land situated in the Southwest quarter of Section 12, Town 3 South, Range 11 West, described as follows: Commencing at the South quarter post of Section 12, Town 3 South, range 11 West; thence North 0° 03' 10" East along the North and South quarter line of said Section 12, 1255.12 feet for the point of beginning; thence continuing North 0° 03' 10" East along the North and South quarter line of said Section 12, 541.33 feet to a point being South 0° 03' 10" West 849.61 feet from the center quarter post of said Section 12; thence North 89° 54' 50" West, 606.18 feet; thence South 3° 00' 00" West, 229.91 feet; thence North 89° 09' 39" West, 27.00 feet; thence South 1° 55' 50" West, 24.12 feet; thence South 88° 00' 00" East, 28.33 feet; thence South 3° 09' 39" West, 174.00 feet; thence South 4° 43' 39" West, 116.79 feet; thence South 89° 54' 50" East 473.32 feet to the North and South quarter line and to the place of beginning.

ALSO, A parcel of land situated in the Southwest quarter of Section 12, Town 3 South, Range 11 West, being more particularly described as follows: Commencing at the center quarter post of Section 12, Town 3 South, Range 11 West; thence South 0° 3' 10" West, along the North and South quarter line of said Section 12, 849.61 feet for the place of beginning; thence North 89° 54' 50" West, at metsured at right angles from the North and South quarter line of said Section 12, 1299.58 feet to the East right of way line of the Pennsylvania Railroad; thence North 0° 17' 54" East along the East line of said right of way, 60.0 feet; thence South 89° 54' 50" East as measured at right angles from the North and South quarter line of said Section 12, 1299 .58 feet to a point on said North and South quarter line; thence South 0° 03' 10" West, 60.0 feet to the place of beginning.

Excepting from the above description that part contained in the following described parcel:

Part of the Southwest quarter of Section 12, Town 3 South, Range 11 West described as: Commencing at the South quarter corner of said Section 12; thence North 0° 03' 10" East on the North and South quarter line of said Section 1299.62 feet to a point that is 849.61 feet South 0° 03' 10" West of the center of said Section 12; thence North 89° 54' 50" West perpendicular to said North and South quarter line 606.20 feet to the point of beginning of the land herein described; thence South 3° 00' 00" West 68.98 feet; thence North 89° 54' 50" West 314.68 feet to a point that is 18.00 feet Westerly of the West right of way line of Sprinkle Road, thence Northwesterly parallel with said right of way 28.00 feet on an 11519.20 foot radius curve to the right whose cord bears North 3° 17' 42" East 28.00 feet; thence South 89° 54' 50" East 91.45 feet to the North and South quarter line of said Section 12; thence South 0° 03' 10" East on said quarter line 66.18 feet; thence North 89° 09' 12" West 93.02 feet; thence Northeasterly 28.00 feet on an 11519.20 foot radius curve to the right whose chord bears North 3° 00' 57" East 28.00 feet thence North 89° 09' 12" West 314.42 feet; thence South 3° 09' 48" West 393.03 feet; thence North 89° 03' 38" West 27.00 feet; thence South 3° 57' 16" West 24.13 feet; thence South 89° 09' 48" East 29.35 feet thence South 3° 09' 39" West 174.00 feet; thence South 3° 43' 39" West 116.71 feet; thence North 89° 54' 50" West 639.48 feet; thence Southwesterly 566.85 feet on a 432.28 foot radius curve to the left whose chord bears South 52° 02' 51" West 355.92 feet to the East right of way line of the Conrail Railroad (formerly Pennsylvania Railroad); thence North 0° 17' 54" East on said East right of way line 809.26 feet; thence South 89° 54' 50" East perpendicular to the North and South quarter line of said Section 893.30 feet to the point of beginning

The Parcel is also described as a Tax Description: City of Portage as:
SEC 12-3-11 BEG AT A POINT 1,320.43 FT W OF THE S 1/4 POST SEC 12 FOR POB; TH W 1089.41 FT, TH S 42 DEG W 353.92 FT, TO PENN RR ROW, TH N ALONG S ROW 907.29 FT; TH E 639.76 FT, TH S 44 DEG E 197.09 FT; TH E 564.2 FT; TH S 826 FT TO POB.

**NOTES:**

1. THIS PLAN IS ALSO INTENDED TO BE USED AS A COMPONENT FOR THE PROPOSED BUILDING HEIGHT MODIFICATION SUBMITTAL.
2. THERE IS AN ESTIMATED AMOUNT OF TOPSOIL STRIPPING VOLUME OF 700 CU. YDS. THERE IS ALSO APPROX. 4000 CU. YDS. OF CUT MATERIAL FOR THIS PROJECT AND APPROX. 3000 CU. YDS. OF FILL FOR THIS PROJECT. FINAL QUANTITIES AND DESIGN WILL BE REFINED WHEN DETAILED CONSTRUCTION DRAWINGS ARE PREPARED.
3. ADDITIONAL SOIL EROSION PROTECTION ITEMS WILL BE DETAILED ON THE CONSTRUCTION DRAWINGS.
4. DETAILED PLANS WILL BE PROVIDED AT A LATER DATE FOR THE WATERMAIN RELOCATIONS.

OWNER:
MUELLER REFRIGERATION CO. INC.

# MUELLER PLASTICS SITE PLAN

6700 S. SPRINKLE ROAD
PORTAGE, MICHIGAN

PREPARED FOR:
US TRACKWORKS, LLC
11155 142ND AVE
WAYLAND, MI

PREPARED BY:

Pathfinder Engineering, Inc.
795 Clyde Court S.W. Suite "C" Byron Center, MI 49315
Phone 1-616-878-3585 Fax 1-616-878-4399

REV: 8-13-12
DATE: 8-24-12
PROJECT NO.: 12838

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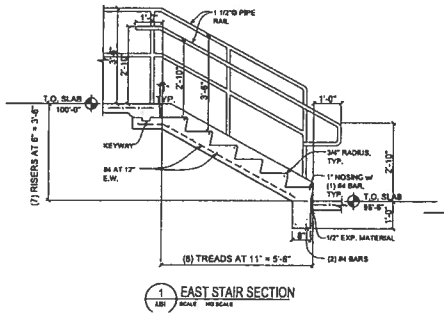
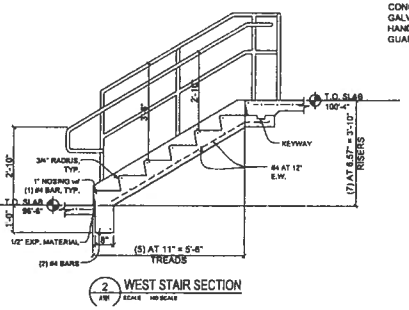
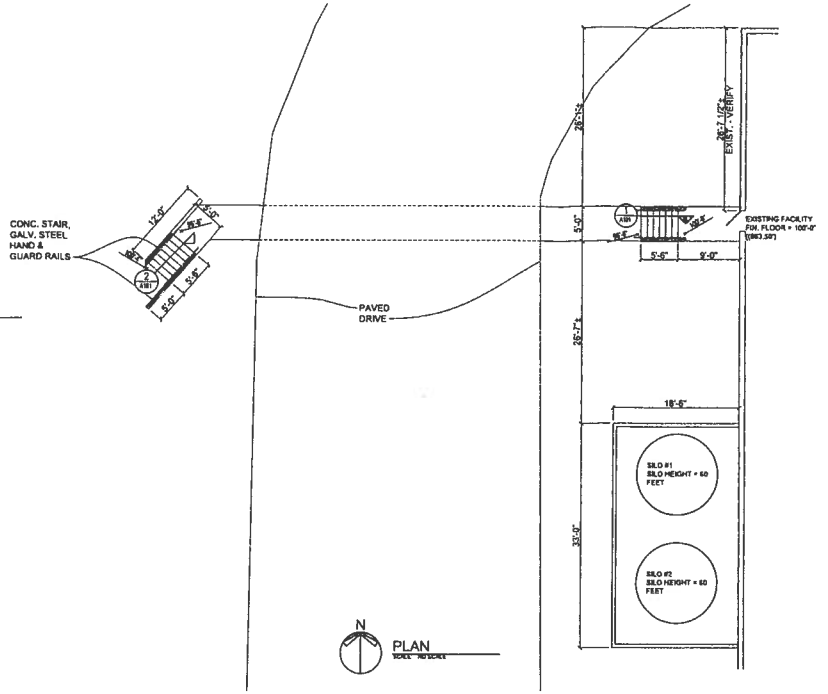


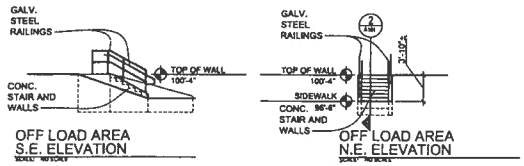

1 A101 EAST STAIR SECTION




2 A101 WEST STAIR SECTION



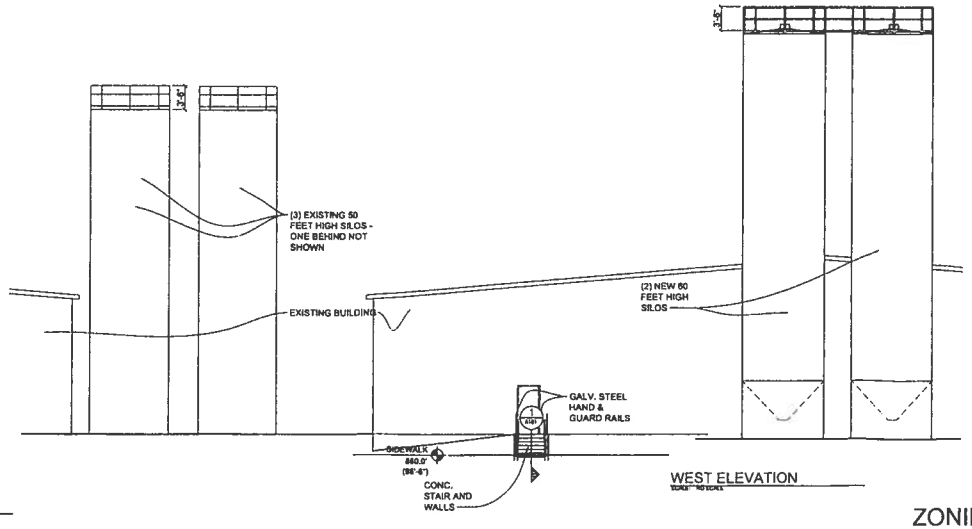

PLAN




OFF LOAD AREA S.E. ELEVATION




OFF LOAD AREA N.E. ELEVATION




WEST ELEVATION

ZONING APPROVAL


paradigm design
550 3 MILE N.W.
SUITE 8
GRAND RAPIDS, MI 49544
PHONE (616) 785 - 5656
FAX (616) 785 - 5657
WEB PARADIGMAE.COM


PROJECT

MUELLER PLASTICS

PUMP ROOM ADDITION
6700 S. SPRINKLE ROAD
PORTAGE MI, 49002

PCS

RELEASE DATE

| | |
|---|---|
| 8-31-12 | FOR REVIEW |
| 09/24/12 | APPROVAL & CONSTRUCTION |
| 9-13-12 | APPROVAL & CONSTRUCTION |

PROJECT 1208080

SHEET A101

**CITY OF PORTAGE** **COMMUNICATION**

---

**TO:** Honorable Mayor and City Council **DATE:** October 1, 2012

**FROM:** James R. Hudson, City Clerk

**SUBJECT:** Transfer ownership of the 2012 Tavern License to the newly constructed building at 6300 South Westnedge Avenue (Pizza Hut).

**ACTION RECOMMENDED:** That City Council grant the request from Trigo Pizza Company, Inc., to transfer ownership of the 2012 Tavern License to the newly constructed building at 6300 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County (Pizza Hut), from the razed building at the same address.

The Michigan Liquor Control Commission has requested that City Council approve the transfer of ownership of the Tavern License to the newly constructed building at 6300 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County (Pizza Hut), from the razed building at the same address.

The Community Development, Finance and Public Safety departments recently completed approvals for this request. Therefore, it is recommended that City Council approve the transfer.

Attachment: Department of Licensing and Regulatory Affairs Letter

c: Maurice S. Evans, City Manager

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

STEVEN H. HILFINGER
DIRECTOR

August 28, 2012

City of Portage
Attn: Clerk
7900 S. Westnedge Ave
Portage, MI 49002-5160

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

**Request ID#:** 667845

**Transfer of location of Tavern License**

**Name of applicant(s):** Trigo Pizza Company, Inc.

**Business address and phone:** 6300 S. Westnedge, Portage, MI 49002, Kalamazoo County; B (269) 556-5000

**Home address and phone number of partner(s)/subordinate(s):**

Joyce Lunsford, 3090 Johnson Rd., Stevensville, MI 49127; H (269) 313-8924
Bank of America, Trustee of the Irr Trust f/b/o Gregory A. Molter u/t/a dated 7/1/94, 2600 W. Big Beaver Rd, Troy, MI 49084; no number listed

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit. Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.



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www.michigan.gov/lcc • (866) 813-0011

**CITY OF PORTAGE** **COMMUNICATION**

---

**TO:** Honorable Mayor and City Council **DATE:** October 2, 2012

**FROM:** James R. Hudson, City Clerk

**SUBJECT:** Transfer ownership of 2012 Class C Licensed Business from escrow to Riviera Maya, Inc.

**ACTION RECOMMENDED:** That City Council grant the request to transfer ownership of 2012 Class C Licensed Business located at 5036 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County, from escrow.

The Michigan Liquor Control Commission has requested that City Council approve the transfer of ownership of the 2012 Class C Licensed Business located at 5036 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County, from escrow.

The Community Development, Finance and Public Safety departments recently completed approvals for this request. Therefore, it is recommended that City Council approve the transfer.

Attachment: Department of Licensing and Regulatory Affairs Letter

c: Maurice S. Evans, City Manager

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

STEVEN H. HILFINGER
DIRECTOR

Sept. 18, 2012

Portage City Council
Attn: Clerk
7900 S Westnedge Avenue
Portage, MI 49002-5160

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

**Request ID#:** 668685

**Transfer ownership of escrowed 2012 Class C licensed business**

**Name of applicant(s):** Riviera Maya, Inc.

**Business address and phone:** 5036 S Westnedge, Portage, MI 49002, Kalamazoo County

**Home address and phone number of partner(s)/subordinate(s):**
Francisco Hernandez, 225 Hatch Avenue, Coldwater, MI 49036

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit. Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

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www.michigan.gov/lcc • (866) 813-0011

**CITY OF PORTAGE** **COMMUNICATION**

---

**TO:** Honorable Mayor and City Council **DATE:** October 2, 2012

**FROM:** James R. Hudson, City Clerk

**SUBJECT:** Transfer ownership of the 2012 Class C Licensed Business from Applebee's of Michigan (Applebee's) to TSFR Apple Venture, LLC.

**ACTION RECOMMENDED:** That City Council grant the request to transfer ownership of the 2012 Class C Licensed Business located at 6675 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County, from Applebee's of Michigan, Inc., (Applebee's) to TSFR Apple Venture, LLC.

The Michigan Liquor Control Commission has requested that City Council approve the transfer of ownership of the 2012 Class C Licensed Business located at 6675 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County, from Applebee's of Michigan, Inc., (Applebee's) to TSFR Apple Venture, LLC.

The Community Development, Finance and Public Safety departments recently completed approvals for this request. Therefore, it is recommended that City Council approve the transfer.

Attachment: Department of Licensing and Regulatory Affairs Letter

c: Maurice S. Evans, City Manager

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

STEVEN H. HILFINGER
DIRECTOR

August 24, 2012

Portage City
7900 South Westnedge Avenue
Portage, MI 49002

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

**Request ID#:** 667577

**Transfer ownership of 2012 Class C License**

**Name of applicant(s):** TSFR Apple Venture LLC

**Business address and phone:** 6675 S. Westnedge, Portage, MI 49002

**Home address and phone number of partner(s)/subordinate(s):**
TSFR Apple Holdings LLC, 17800 Laurel Park Drive North, Ste 200 C, Livonia, MI 48152
(248) 262-1000

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit. Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

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**CITY OF PORTAGE** **COMMUNICATION**

---

**TO:** Honorable Mayor and City Council **DATE:** October 4, 2012

**FROM:** James R. Hudson, City Clerk

**SUBJECT:** Special Meeting with Investment Committee Applicants

**ACTION RECOMMENDED:** That City Council set a Special Meeting on Tuesday, October 23, 2012, beginning at 6:30 p.m. to interview applicants for the Investment Committee.

Applicants are needed at this time to fill two vacancies on the Investment Committee. At the establishment of the Investment Committee on November 12, 1996, the recommendation was that the Committee consist of one City Councilmember, one member of the Administration appointed by the City Manager, one local banker and one local financial analyst. The Committee meets quarterly to ensure appropriate direction regarding city investments. It is recommended that City Council set a Special Meeting on Tuesday, October 23, 2012, beginning at 6:30 p.m. to interview Investment Committee applicants.

Attachment: City Manager Communication dated November 12, 1996

C: Maurice S. Evans, City Manager

# CITY OF PORTAGE COMMUNICATION

**TO:** Honorable Mayor and City Council **DATE:** November 12, 1996

**FROM:** Michael L. Stampfler, City Manager

**SUBJECT:** Investment Committee

**ACTION RECOMMENDED:** That City Council establish an Investment Committee for the purpose of monitoring the city investment policy.

As a typical function of managing assets, city funds are routinely invested in various bonds, securities and other financial obligations. Although specific policy guidelines exist for the investment of city funds, establishment of an Investment Committee to assist with the monitoring of performance under the investment policy is a prudent management step. The city maintained such a committee for a short time several years ago; however, the committee met on only a sporadic basis.

It is recommended that the Council appoint an Investment Committee consisting of one Council member, one member of the City Administration appointed by the City Manager, one local banker and one local financial analyst. It is suggested that the Investment Committee meet on a quarterly basis to ensure appropriate direction regarding city investments.

**CITY OF PORTAGE** **COMMUNICATION**

**TO:** Honorable Mayor and City Council **DATE:** October 2, 2012

**FROM:** Maurice S. Evans, City Manager

**SUBJECT:** Analysis of Zoning Consistency (FY 2011-2012 Update) – Information Only

The City Administration annually reviews Zoning Map amendments that have been considered by the City Administration and the Planning Commission to assess the consistency of the recommendations with City Council decisions. The consistency of these recommendations and decisions in the context of the adopted Comprehensive Plan is also reviewed.

During FY 2011-2012, five applications were reviewed under the 2008 Comprehensive Plan, which was adopted by the Planning Commission on April 24, 2008. Rezoning Application #11-01 involved a 1.3 acre portion of 1901 Romence Road Parkway and a zoning change to I-2, heavy industry. Rezoning Application #11-02 involved 1106 West Centre Avenue and a proposed zoning change to OS-1, office service. Rezoning Application #11-03 involved several properties located along the north and south side of Romence Road Parkway, between Lovers Lane and Portage Road, and a zoning change to OTR, office technology and research. Rezoning Application #11-04 involved several properties located along the north side of East Centre Avenue, between Lakewood Drive and Garden Lane, and a zoning change to OS-1. Finally, Rezoning Application #11-05 involved 7812, 7840, 7842 and 7908 (portion thereof) Portage Road and a zoning change to B-3, general business and P-1, vehicular parking.

The Comprehensive Plan is a guide for future development within the community and was considered during the deliberation of these rezoning applications. The recommendations of the City Administration and the Planning Commission, as well as the final decision of City Council on Rezoning Application #11-01 recognized that the 1.3 acre "island" of R-1B zoning within the larger 1901 Romence Road Parkway parcel was a residual from past rezoning activities and inconsistent with the existing I-2 zoning of the majority of the property (the change to OTR for the entire parcel occurred later – Rezoning Application #11-03). The recommendations of the City Administration and the Planning Commission and the final decision of City Council were also consistent within Rezoning Applications #11-02, #11-03 and #11-05. While the final decision of City Council was slightly different than the recommendations of the City Administration and Planning Commission on Rezoning Application #11-04, both the recommendations and decision reflected general consistency with the Comprehensive Plan and Future Land Use Map.

Attached is a report from Community Development Director Georgeau that provides more detail in regard to this matter.

Attachment: September 28, 2012 communication from Community Development DirectorGeorgeau

**CITY OF PORTAGE** **COMMUNICATION**

---

**TO:** Maurice S. Evans, City Manager **DATE:** September 28, 2012

**FROM:** Vicki Georgeau, Director of Community Development

**SUBJECT:** Analysis of Zoning Consistency (FY 2011-2012 Update)

Attached for your review is the annually updated Zoning Amendment Listing of rezoning applications. The updated listing includes the five rezoning applications considered during FY 2011-2012. A total of 46 rezoning applications have been received and considered since 2002 when the Comprehensive Plan was formally updated. A five-year Plan update was completed by the Planning Commission in April 2008.

The Comprehensive Plan serves as a policy guide to decision makers to manage growth and promote a more effective pattern of development, enhancing the quality of life in Portage. The Comprehensive Plan is long-range in scope and the Future Land Use Plan Map, one component of the Comprehensive Plan, prescribes general land use arrangements and development patterns. The Planning Commission is charged with the primary responsibility of planning, and making recommendations for the development and redevelopment of the community.

As background, the first City of Portage Comprehensive Plan was adopted by the Planning Commission on July 16, 1981. Formal updates to the original Comprehensive Plan were approved on August 15, 1996 and again on October 17, 2002. The Municipal Planning Act (PA 33 of 2008, as amended), requires that the Comprehensive Plan be reviewed every five years. The Planning Commission completed the required five-year review, incorporated citizen comments received during the Portage 2025 Visioning project, and adopted the Plan update on April 24, 2008. A review and update of the Plan is scheduled for FY 2013-2014.

The Zoning Code and Zoning Districts Map represent one of the several "tools" used to implement the Comprehensive Plan. With regard to zoning administration issues and rezoning applications that are reviewed, the Comprehensive Plan and Future Land Use Plan Map are utilized in the development of recommendations on each rezoning that is received. Examples of other "tools" used to accomplish Plan goals and objectives are Land Development Regulations, the Capital Improvements Program and a variety of other municipal ordinances intended to achieve vibrant and orderly development.

The attached Zoning Amendment Listing shows each rezoning application that has been considered since adoption of the 2002 Comprehensive Plan including Rezoning Applications #11-01, #11-02, #11-03, #11-04 and #11-05, which were received during the past fiscal year. The listing also indicates the Comprehensive Plan designation for the property involved in the rezoning, the staff recommendation, the Planning Commission recommendation, and the final decision of the City Council. A high degree of consistency is again indicated with the recommendations of the Comprehensive Plan and decisions of the City Administration, Planning Commission and City Council.

Please let me know if you have any questions or need additional information.

Attachment: Updated Zoning Amendment Listing (October 2002 – present)

# Zoning Amendment Listing (October 2002 – present)

| APPLICATION NUMBER | | LOCATION | REZONING REQUEST | COMPREHENSIVE PLAN DESIGNATION | STAFF RECOMMENDATION | PLANNING COMMISSION RECOMMENDATION | CITY COUNCIL | NOTES |
|---|---|---|---|---|---|---|---|---|
| 1. | 02-01 | 8250, 8332, 8336, 8338, 8340, 8400 and 8442 Shaver Road | From RM-1, Multiple Family Residential and I-1, Light Industry to B-3, General Business | Shaver Road Business Corridor | Approve (CPD) | Approve (CPD) | Approve (CPD) | Citizen group referendum vote failed and City Council rezoning affirmed. |
| 2. | 02-02 | 10441 Shaver Road | B-3, General Business to RM-1, Multiple Family Residential | Area of Transition Between Local Business and High Density Residential | | | | Applicant withdrew application prior to Planning Commission action |
| 3. | 02-03 | 6305, 6317, 6327, 6415 and 6421 South 12th Street | R-1T, Attached Residential to R-1B, One-Family Residential | Low Density Residential | Approve | | | Staff initiated rezoning. Planning Commission voted to withdraw the application prior to City Council action. |
| 4. | 02-04 | 6439 and 6507 Oakland Drive | R-1B, One-Family Residential to PD, Planned Development | Medium Density Residential | Approve | Approve | Approve | |
| 5. | 02-05 | 2411 Fairfield Road | R-1B, One-Family Residential to P-1, Vehicular Parking | Area of Transition Between General Business and Low Density Residential | Approve | Approve | Deny | City Council denied rezoning request citing concerns over potential impacts on adjacent neighborhood. |
| 6. | 02-06 | 10126 Shaver Road | R-1B, One-Family Residential to B-3, General Business | Area of Transition Between General Business and Low Density Residential | Approve (exception of 40-foot wide strip of property along south, west and north sides of site) | Approve (exception of 40-foot wide strip of property along south, west and north sides of site) | Approve (exception of 40-foot wide strip of property along south, west and north sides of site) | |
| 7. | 02-07 | 8013 Perry Street | R-1A, One-Family Residential to OS-1, Office Service | City Centre | Approve (exception of 10-foot wide strip of property along south side of site) | Approve (exception of 5-foot wide strip of property along south side of site) | Approve (exception of 10-foot wide strip of property along south side of site) | |
| 8. | 03-01 | 8508, 8536, 8538 and 8540 Shaver Road | I-1, Light Industry, RM-1, Multiple Family Residential and B-3, General Business to CPD, Commercial Planned Development | Shaver Road Business Corridor | Approve | Approve | Approve | |
| 9. | 03-02 | 1906, 1908, 1918 and 1930 West Milham Avenue | P-1, Vehicular Parking to OS-1, Office Service | Medium Density Residential | Approve (exception of 1906 West Milham to remain zoned P-1) | Approve (exception of 1906 West Milham to remain zoned P-1) | Approve (exception of 1906 West Milham to remain zoned P-1) | OS-1 district was consistent with adjacent zoning/land use pattern and retaining 1906 West Milham in P-1 would protect Roanoke Street neighborhood to east. |
| 10. | 03-03 | 9300 Portage Road | R-1C, One Family Residential to | Low Density Residential | | | | Applicant withdrew |

# Zoning Amendment Listing (October 2002 – present)

| APPLICATION NUMBER | | LOCATION | REZONING REQUEST | COMPREHENSIVE PLAN DESIGNATION | STAFF RECOMMENDATION | PLANNING COMMISSION RECOMMENDATION | CITY COUNCIL | NOTES |
|---|---|---|---|---|---|---|---|---|
| | | and portion of 9420 Portage Road | PD, Planned Development | | | | | application prior to staff recommendation. |
| 11. | 03-04 | 377, 387 and 397 West Kilgore Road | R-1C, One Family Residential to OS-1, Office Service | Low Density Residential | Approve (exception of south and east 25 feet to remain zoned R-1C) | Approve (exception of south and east 25 feet to remain zoned R-1C. | Approve (exception of south and east 25 feet to remain zoned R-1C) | OS-1 district was consistent with adjacent zoning/land use pattern to west and increasing traffic volumes on Kilgore and retaining 25-foot R-1C strip along south and east would provide enhanced buffer to Ridgebrook residence. |
| 12. | 03-05 | 1405, 1419, 1425 and 1503 East Centre Avenue | R-1B, One Family Residential to OS-1, Office Service (south 450 feet) and RM-1, Multiple Family Residential (north 837 feet) | Office and High Density Residential | Approve | Approve | Approve | |
| 13. | 03-06 | | Application Number Reserved, Never Used | | | | | |
| 14. | 03-07 | 1706 West Centre Avenue | R-1B, One Family Residential to OS-1, Office Service | Office | Approve | Approve | Approve | |
| 15. | 04-01 | 4301 Branch Avenue | R-1B, One Family Residential to PD, Planned Development | Single Family Detached – Medium Density Residential | Approve | Approve | Approve | The Woodlands at Austin Lake Planned Development |
| 16. | 04-02 | 950 Trade Center Way | R-1C, One Family Residential to CPD, Commercial Planned Development | Low Density Residential | Approve | Approve | Approve | Trade Center II office development |
| 17. | 04-03 | 8536, 8542, 8610, 8646, 8650, 8716, 8720, 8730, 8736, 8800 and 8850 (portion thereof) Shaver Road and 1501 and 1601 Dogwood Drive | RM-1, Multiple Family Residential, B-3, General Business and I-1, Light Industry to CPD, Commercial Planned Development | Shaver Road Business Corridor | Approve with exception of 8542 and 8720 Shaver Road (to remain zoned I-1 and B-3) | Approve with exception of 8542 and 8720 Shaver Road (to remain zoned I-1 and B-3) | Approve with exception of 8542 Shaver Road (to be rezoned to B-3) and 8720 Shaver Road (to remain zoned B-3) | Staff initiated rezoning within the Shaver Road Business Corridor |
| 18. | 04-04 | 8706, 8716, 8948 and 9000 Oakland Drive | R-1C, One Family Residential to PD, Planned Development | Low Density Residential | Approve | Approve | Approve | Oakland Hills Planned Development |
| 19. | 04-05 | 4613 and 4707 West Milham Avenue | B-2, Community Business and RM-1, Multiple Family Residential to OS-1, Office Service | General Business | Approve with exception of west 10-feet (to remain zoned B-2), east 30-feet (to remain zoned RM-1) and south 30-feet (to be rezoned to R-1B) | Approve with exception of west 10-feet (to remain zoned B-2), east 30-feet (to remain zoned RM-1) and south 30-feet (to be rezoned to R-1B) | Approve with exception of west 10-feet (to remain zoned B-2), east 30-feet (to remain zoned RM-1) and south 30-feet | |

# Zoning Amendment Listing (October 2002 – present)

| APPLICATION NUMBER | | LOCATION | REZONING REQUEST | COMPREHENSIVE PLAN DESIGNATION | STAFF RECOMMENDATION | PLANNING COMMISSION RECOMMENDATION | CITY COUNCIL | NOTES |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | (to be rezoned to R-1B) | |
| 20. | 04-06 | 121 East VanHoesen Boulevard | R-1A, One Family Residential to P-1, Vehicular Parking | Zone of Transition Between General Business and Single Family Detached Medium Density Residential | Approve with exception of east 25 feet (to remain zoned R-1A) | Approve with exception of east 25 feet (to remain zoned R-1A) | Approve with exception of east 25 feet (to remain zoned R-1A) | |
| 21. | 04-07 | 246 East Kilgore Road (southern portion) | R-1C, One Family Residential to OS-1, Office Service | Low Density Residential | Approve (consistent with applicant's amended request – see Notes in far right column) | Approve (consistent with applicant's amended request – see Notes in far right column) | Approve (consistent with applicant's amended request – see Notes in far right column) | Applicant's amended rezoning request proposed to retain the south and west 150 feet of the southern portion of 246 East Kilgore as R-1C to serve as buffer to adjacent neighborhood |
| 22. | 04-08 | 3205 and 3223 Cooley Drive | OS-1, Office Service to RM-2, Multiple Family Residential | Office | Deny | Deny | Approve | |
| 23. | 04-09 | 1414 and 1422 East Centre Avenue | R-1B, One Family Residential to OS-1, Office Service | Office | Approve with exception of south 30-feet (to remain zoned R-1B) | Approve with exception of south 30-feet (to remain zoned R-1B) | Approve (entire property with no R-1B buffer area to south) | |
| 24. | 05-01 | 412 West Centre Avenue and 7844, 7890, 7910, 7920 and 7928 Shaver Road | B-1, Local Business, OS-1, Office Service and I-1, Light Industry to CPD, Commercial Planned Development | City Centre | Approve | Approve | Approve | CPD rezoning/conceptual plan for Portage Creek Landings – City Centre planned development |
| 25. | 05-02 | 5933 South Westnedge Avenue and 124 and 202 Colonial Avenue | B-3, General Business and R-1A, One Family Residential to CPD, Commercial Planned Development | Zone of Transition between General Business and Single Family Detached – Medium Density Residential | Approve | Approve | Approve | CPD rezoning/conceptual plan for Neighborhood Walgreen's Pharmacy |
| 26. | 05-03 | 8037 and 8043 Portage Road (eastern portion) | I-2, Heavy Industry to B-3, General Business | General Business | Approve | Approve | Approve | |
| 27. | 05-04 | 6859 Quality Way and 4605 Bishop Avenue | I-1, Light Industry and R-1B, One Family Residential to OTR, Office, Technology and Research | General Industrial | Approve | Approve | Approve | |
| 28. | 05-05 | 2301 West Centre Avenue and 8080 Oakland Drive | OTR, Office, Technology and Research to PD, Planned Development | Office | Approve | Approve | Approve | PD rezoning/tentative plan for Oakland Hills at Centre planned development |
| 29. | 05-06 | 1511 and 1521 East Centre Avenue | R-1B, One Family Residential to OS-1, Office Service (south 450 feet) and RM-1, Multiple Family Residential (north 837 feet) | Office and High Density Residential | Approve | Approve | Approve | |
| 30. | 05-07 | 5717, 5731, 5743 and 5811 Oakland Drive | R-1B, One Family Residential to OS-1, Office Service | Medium Density Residential | Approve with exception of east 100 feet of 5717, 5731 | Approve with exception of east 100 feet pf 5717, 5731 and 5811 | Approve (without 100 foot R-1A | |

# Zoning Amendment Listing (October 2002 – present)

| APPLICATION NUMBER | | LOCATION | REZONING REQUEST | COMPREHENSIVE PLAN DESIGNATION | STAFF RECOMMENDATION | PLANNING COMMISSION RECOMMENDATION | CITY COUNCIL | NOTES |
|---|---|---|---|---|---|---|---|---|
| | | | | | and 5811 Oakland Drive (to remain zoned R-1B to serve as buffer to adjacent neighborhood) | Oakland Drive (to remain zoned R-1B to serve as buffer to adjacent neighborhood) | buffer along eastern portion of 5717, 5731 and 5811 Oakland Drive) | |
| 31. | 06-1 | 524, 602 and 610 West Milham Avenue and 5932 Iowa Avenue | R-1A, One Family Residential to OS-1, Office Service | Office | Approve to OS-1 with exception of 5932 Iowa Avenue to be rezoned to P-1 | Approve to OS-1 with exception of 5932 Iowa Avenue to be rezoned to P-1 | Approve to OS-1 with exception of 5932 Iowa Avenue to be rezoned to P-1 | P-1 zone to provide appropriate transition between residential home to north and future office use to south. |
| 32. | 06-2 | 9810, 9818 (portion) and 9838 (portion) Oakland Drive | R-1C, One Family Residential and I-1, Light Industry to R-1B, One Family Residential | Low Density Residential | Deny | Deny | Deny | Retention of R-1C zone is consistent with predominant surrounding R-1C zoning pattern. |
| 33. | 06-3 | 9600 and 9529 Adkins Court | R-1C, One Family Residential and R-1A, One Family Residential to PD, Planned Development | Low Density Residential | Approve | Approve | Approve | Sterling Oaks West Planned Development with mixture of housing types and ownership with development density of 2.3 units per acre. |
| 34. | 06-04 | 710 East Centre Avenue | P-1, Vehicular Parking and R-1A, One Family Residential to B-3, General Business | Medium Density Residential | Deny | Deny | | Applicant withdrew application prior to City Council action |
| 35. | 07-01 | 2700 and 2900 (east portion), West Centre Avenue | B-2, Community Business to OS-1, Office Service | Office | Approve | Approve | Approve | |
| 36. | 08-01 | 8232-8726 Portage Road (west portions) and 2250 Corstange Road | R-1B, One Family Residential and P-1, Vehicular Parking to B-3, General Business | General Business and Low Density Residential (zone of transition) | Approve with exception of 2250 Corstange Road and western 50 feet of 22 Portage Road properties to be retained as R-1B buffer areas | Approve with exception of 2250 Corstange Road, the western 50 feet of 22 Portage Road properties, the north 50 feet of 8232/8302 Portage Road and south 50 feet of 8502 Portage Road to be retained as R-1B buffer areas | Approve with exception of 2250 Corstange Road, the western 50 feet of 22 Portage Road properties, the north 50 feet of 8232/8302 Portage Road and south 50 feet of 8502 Portage Road to be retained as R-1B buffer areas | Consistent with Comprehensive Plan and Future Land Use Map and will allow for greater commercial use, expansion and/or redevelopment options for property owners while providing neighborhood protection and separation. |
| 37. | 09-01 | Greenspire Planned Development (West Centre Avenue and Greenspire Drive) | RM-1, Multiple Family Residential and R-1C, One Family Residential to PD, Planned Development | High Density Residential and General Business | Approve | Approve | Approve | PD rezoning application for 95 acres including 47 acres of existing apartments, 37 acres of |

# Zoning Amendment Listing (October 2002 – present)

| APPLICATION NUMBER | | LOCATION | REZONING REQUEST | COMPREHENSIVE PLAN DESIGNATION | STAFF RECOMMENDATION | PLANNING COMMISSION RECOMMENDATION | CITY COUNCIL | NOTES |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | additional apartments (three phases) and 11 acres of retail/office land use along West Centre. |
| 38. | 09-02 | 9804, 9810 (east portion), 9818, 9832 and 9842 Oakland Drive and 2180-2408 Oakland Farms Trail (all lots) | R-1C, One Family Residential and R-1T, Attached Residential to R-1B, One Family Residential | Low Density Residential | Approve | Approve (except 9842 Oakland Drive) | Approve (except 9832 and 9842 Oakland Drive) | Rezoning application to facilitate Phase II of the Oakland Farms single family residential subdivision. |
| 39. | 10-01 | 9602 and 9616 Portage Road, 1704 South Shore Drive, and 1712, 1720, 1726 and 1806 Fairlane Avenue | I-1, Light Industry and R-1C, One Family Residential to OS-1, Office Service | General Industrial and Low Density Residential | Approve | Approve | Approve | OS-1 rezoning application to facilitate The Great Lakes Center for Autism Treatment and Research. OS-1 provides zone of transition/buffer between I-1 district and R-1B district. |
| 40. | 10-02 | 4815 West Milham Avenue and 6027 South 12th Street | B-2, Community Business to B-3, General Business | General Business | | | | Application withdrawn prior to recommendation by City Administration and Planning Commission. |
| 41. | 10-03 | 1302, 1306, 1316 and 1330 East Centre Avenue | OS-1, Office Service and R-1B, One Family Residential to B-1, Local Business | Local Business and Office | Approve (1302, 1306 and 1316 to B-1 and 1330 to OS-1) | Approve (1302, 1306 and 1316 to B-1 and 1330 to OS-1) | Approve (1302, 1306 and 1316 to B-1 and 1330 to OS-1) | Original application involved 1316 East Centre: Planning Commission expanded consideration to also include 1302, 1306 and 1330 East Centre. |
| 42. | 11-01 | 1901 Romence Road Parkway (1.3 acre portion) | R-1B, One Family Residential to I-2, Heavy Industry | Office, Technology and Research | Approve | Approve | Approve | Rezoning application involving a 1.3 acre portion of 1901 Romence Road Parkway ("island") that was a residual R-1B zoned. |
| 43. | 11-02 | 1106 West Centre Avenue | RM-2, Multiple Family Residential and R-1B, One Family Residential (north 75-feet) to OS-1, Office Service | Medium Density Residential (but in zone of transition between Office and Low Density Residential) | Approve (South 539.5 feet to OS-1, Middle 668 feet remain RM-2 and North 75 feet to remain R-1B) | Approve (South 539.5 feet to OS-1, Middle 668 feet remain RM-2 and North 75 feet to remain R-1B) | Approve (South 539.5 feet to OS-1, Middle 668 feet remain RM-2 and North 75 feet to remain R-1B) | Rezoning application to facilitate redevelopment of southern portion of parcel for office land use. |
| 44. | 11-03 | Romence Road Parkway, Between Lovers Lane and Portage Road (several properties) | I-2, Heavy Industry; OS-1, Office Service and R-1B, One Family Residential to OTR, Office, Technology and Research | Research & Development/ Technology | Approve (1901 and 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road, 2328 and 2402 | Approve (1901 and 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road, 2328 and 2402 | Approve (1901 and 2301 Romence Road Parkway, 6710, 6718 | Planning Commission initiated rezoning consideration in response to comments received during review of Rezoning |

# Zoning Amendment Listing (October 2002 – present)

| | APPLICATION NUMBER | LOCATION | REZONING REQUEST | COMPREHENSIVE PLAN DESIGNATION | STAFF RECOMMENDATION | PLANNING COMMISSION RECOMMENDATION | CITY COUNCIL | NOTES |
|---|---|---|---|---|---|---|---|---|
| | | | | | Lansing Avenue to OTR; 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1; Retain I-2 for 7005 Lovers Lane and 7000 Portage Road) | Lansing Avenue to OTR; 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1; Retain I-2 for 7005 Lovers Lane and 7000 Portage Road) | and 6726 Portage Road, 2328 and 2402 Lansing Avenue to OTR; 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1; Retain I-2 for 7005 Lovers Lane and 7000 Portage Road) | Application #11-01. |
| 45. | 11-04 | East Centre Avenue, Between Lakewood Drive and Garden Lane | R-1A, One Family Residential and R-1B, One Family Residential to OS-1, Office Service | Office and Low Density Residential | Approve (7932 Lakewood, 707, 743, 775 and 903 East Centre and south 264-feet of 801, 809, 815, 821 and 827 East Centre to OS-1) – Retain north 198-feet of 801, 809, 815, 821 and 827 East Centre in R-1A) | Approve (7932 Lakewood, 707, 743, 775 and 903 East Centre and south 264-feet of 801, 809, 815, 821 and 827 East Centre to OS-1) – Retain north 198-feet of 801, 809, 815, 821 and 827 East Centre in R-1A) | Approve (7932 Lakewood, 707, 743, 775 and 903 East Centre and all of 801, 809, 815, 821 and 827 East Centre with exception of north 50-feet to OS-1) – Retain north 50-feet of 801, 809, 815, 821 and 827 East Centre in R-1A to serve as a buffer) | Original application involved 775, 801, 809, 821, 827 and 903 East Centre: Planning Commission expanded consideration to also include 7932 Lakewood and 707, 743 and 815 East Centre. |
| 46. | 11-05 | 7812, 7840, 7842 and 7908 (portion thereof) Portage Road | B-2, Community Business and I-1, Light Industry to B-3, General Business and P-1, Vehicular Parking | General Business and Park/Recreation | Approve (7812, 7840 and 7842 Portage Road to B-3 and portion of 7908 Portage Road to P-1) | Approve (7812, 7840 and 7842 Portage Road to B-3 and portion of 7908 Portage Road to P-1) | Approve (7812, 7840 and 7842 Portage Road to B-3 and portion of 7908 Portage Road to P-1) | Rezoning application to facilitate Portage Brewing Company redevelopment project. |

**CITY OF PORTAGE** **COMMUNICATION**

**TO:** Honorable Mayor and City Council **DATE:** October 3, 2012

**FROM:** Maurice S. Evans, City Manager

**SUBJECT:** Contracted Snowplow Operators – Recommendation

**ACTION RECOMMENDED:** That City Council award a three-year contract to Mulder's Landscape Supply, Incorporated, to provide eight contracted seasonal snowplow operators at a cost of $67,336 for Fiscal Year 2012-2013, $67,336 for Fiscal Year 2013-2014 and $70,072 for Fiscal Year 2014-2015 with the option to renew the contract for up to three years and authorize the City Manager to execute all documents related to the contract and subsequent renewals on behalf of the city.

The City of Portage has experienced an increase in street lane miles during the past several years. In order to meet the increasing needs for responsive winter maintenance operations, the city has invested in a high-tech winter maintenance fleet. However, to fully utilize this expanded fleet during prolonged winter storm events, the use of contracted seasonal snowplow operators, trained in City of Portage snow removal operations, is required. The contracted seasonal snowplow operators supplement city operators during the 24-hour, two-shift operations. The use of contracted seasonal snowplow operators, available on-call 24-hours per day, is a cost-effective approach to meeting this seasonal high-demand service delivery.

The current contract with Mulder's Landscape Supply expired at the conclusion of Fiscal Year 2011-2012. Bids were sought to provide eight qualified on-call snowplow operators for a three-year period with the option to renew for up to three additional years. Mulder's Landscape Supply was the only vendor to respond. Mulder's has provided this contractual work for the city for 13 years and proven to be a responsive and dependable vendor. Although the total number of hours has been reduced by five percent (from 1,600 hours to 1,520 hours) the contact price has not seen an increase for the past three years and Mulder's has held their price for the first two years of this contract, consistent with the 2011-2012 season. For the third year of this contract, Mulder's is requesting a four percent contract increase due to anticipated cost increases for fuel and labor.

It is recommended that City Council award a three-year contract to Mulder's Landscape Supply, Incorporated to provide eight seasonal snowplow operators at cost of $67,336 for Fiscal Year 2012-2013, $67,336 for Fiscal Year 2013-2014 and $70,072 for Fiscal Year 2014-2015 with the option to renew the contract for up to three years and authorize the City Manager to execute all documents related to this contract and subsequent renewals. Funds are budgeted and available for these services in the Major Streets and Local Streets budgets.

**CITY OF PORTAGE** **COMMUNICATION**

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**TO:** Honorable Mayor and City Council **DATE:** October 3, 2012

**FROM:** Maurice S. Evans, City Manager

**SUBJECT:** 2012 Storm Drainage Improvements Project

**ACTION RECOMMENDED:** That City Council award a contract to the low bidder, Peters Construction Company, Incorporated, for the construction of the 2012 Storm Drainage Improvements Project in the not to exceed amount of $147,450 and authorize the City Manager to execute all documents related to this project on behalf of the city.

As part of the Fiscal Year 2012-13 Capital Improvement Program, funds were budgeted to investigate and correct storm drainage problem areas indentified during the September 2008 storm event. The September 14, 15 and 16, 2008 storm event deposited between 7.5 and 9 inches of rain in the Portage area and exposed several storm drainage deficient locations. The storm event caused serious flooding throughout the Kalamazoo County area and was classified as a "100-year" storm event, meaning that a rain event of this magnitude has a one-percent chance of occurring in any given year.

Fluctuating groundwater levels affect the storm water capacity of several areas throughout the city. One area specifically budgeted for addressing in this years Capital Improvement Program is the 6500 block of Evergreen Street. This location typically suffers roadway flooding several times a year. The Evergreen Street area has been targeted for improvements which will involve enhancing the capacity of the existing infiltration systems through expansion of the underground storm water system.

On September 27, 2012, two construction bids were received for the project, with the low bid submitted by Peters Construction. Peters Construction has successfully completed many similar projects for the city and is very capable of completing this project. If approved, construction will be substantially completed during this fall.

It is recommended that City Council award a contract to the low bidder Peters Construction Company, Incorporated, for construction of the 2012 Storm Drainage Improvements in the not to exceed amount of $147,450 and authorize the City Manager to execute all documents related to these contracts on behalf of the city. Sufficient funds are budgeted in the Fiscal Year 2012-2013 Capital Improvement Program for this project. A bid tabulation is attached for the information of City Council.

Attachment

# Bid Tabulation

## 2012 Storm Drainage Improvements Program

| **Bidders** | **Total Bid** |
|---|---|
| Peters Construction Co.<br>3325 East Kilgore Road<br>Kalamazoo, Michigan 49001 | $147,450.00 |
| James E. Fulton & Sons, Inc<br>2516 Miller Road<br>Kalamazoo, MI 49001 | $151,782.36 |

**CITY OF PORTAGE** **COMMUNICATION**

**TO:** Honorable Mayor and City Council **DATE:** October 3, 2012

**FROM:** Maurice S. Evans, City Manager

**SUBJECT:** South Westnedge Park Softball Field Improvements

**ACTION RECOMMENDED:** That City Council award a contract for softball field improvements at South Westnedge Park to TJM Services, LLC, in the amount of $29,040 and authorize the City Manager to execute all documents related to this agreement on behalf of the city.

The softball fields at South Westnedge Park were constructed on top of the former city landfill, requiring ongoing maintenance and field improvements due to continual transformations in the elevations of existing playing surfaces. The adult softball program is the largest recreation program for the Parks division and serves over 3,000 active participants and spectators annually. In order to address current safety issues due to depressions and mounds in the existing outfield playing surfaces of two fields, a Capital Improvement Program (CIP) project is included in the current budget. The softball field improvements project will consist of contractual services to grade and reseed the outfields. The city has retained the services of a professional landscape architect firm to help develop specifications, bid and monitor the field improvement project.

Sealed bid proposals were opened on October 3, 2012. Three bids were received with the low proposal submitted by TJM Services, LLC, in the amount of $29,040. TJM Services has excellent references and the resources available to accomplish this improvement project. Subject to weather, the project should be completed by November 15, 2012.

It is recommended that City Council award a contract to TJM Services, LLC, for softball field improvements at South Westnedge Park in the amount of $29,040 and authorize the City Manager to execute all documents related to this agreement on behalf of the city. Funds are available in the Fiscal Year 2012-2013 CIP budget. The bid tabulation is attached for City Council information.

Attachment

BID TABULATION
SOUTH WESTNEDGE PARK BALL DIAMOND IMPROVEMENTS

| Bidder | Bid |
|---|---|
| TJM Services<br>2745 Alyssa Lane<br>Allegan, MI 49010 | $29,040.00 |
| Apex Contractors, Inc.<br>4101 - 27th Street<br>Dorr, MI 49323 | $42,714.00 |
| Cripps Fontaine Excavating, Inc.<br>7729 Douglas<br>Kalamazoo, MI 49009 | $61,100.00 |

Bids Opened 10/3/12

**CITY OF PORTAGE** **COMMUNICATION**

**TO:** Honorable Mayor and City Council **DATE:** October 3, 2012

**FROM:** Maurice S. Evans, City Manager

**SUBJECT:** Bid Recommendation - 2013 Portage Senior Center Motor Coach Services

**ACTION RECOMMENDED:** That City Council approve the low bid from Gail Andrus Travel, LLC, for motor coach services for the 2013 Portage Senior Center travel program in the amount of $23,653 and authorize the City Manager to execute all documents related to this action on behalf of the city.

The Portage Senior Center provides an extensive travel program for area seniors. Bids for necessary motor coaches for the 2013 travel schedule were received from three vendors. The low bid in the amount of $23,653 was from Gail Andrus Travel, LLC, located in Grand Rapids. Gail Andrus Travel, LLC, provided motor coach services for the 2012 Portage Senior Center travel program and has proven to be a competent vendor.

It is recommended that City Council approve the low bid from Gail Andrus Travel, LLC, for motor coach services for the 2012 Portage Senior Center travel program in the amount of $23,653 and authorize the City Manager to execute all documents related to this action. The travel program is extremely popular for area senior citizens and is self-supporting through user fees. The costs for motor coach services is covered through the user fees. A bid tabulation is attached for the information of City Council.

Attachment

BID TABULATION
2013 SENIOR CENTER BUS TRIP TRANSPORTATION

| Bidder | Bid |
|---|---|
| Gail Andrus Travel<br>400 Ann Street NW #206<br>Grand Rapids, MI 49504 | $23,653.00 |
| Cardinal Buses, Inc.<br>PO Box 59<br>Middlebury, IN 46540 | $23,776.00 |
| Indian Trails, Inc.<br>109 E. Comstock St.<br>Owosso, MI 48867 | $30,111.00 |

Bids Opened 9/27/2012

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## MATERIALS TRANSMITTED

Friday, September 21, 2012

1. Communication from the City Manager regarding Neighborhood Quality – A Guide for Housing Maintenance brochure – Information Only.

2. Communication from the City Manager regarding the August 2012 Citizen Comment Summary – Information Only.

3. Copy of September 20, 2012 letter responding to Ms. Marilynn Kline (805 Rainbow).

Maurice S. Evans

Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager

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## MATERIALS TRANSMITTED

Tuesday, September 25, 2012

1. **To be Replaced in Item F.1 of the September 25, 2012 City Council Agenda:** Communication from the City Manager recommending approve the City of Kalamazoo – City of Portage Water Supply Agreement and authorize the Mayor to sign the agreement on behalf of the city.

2. **To be Replaced in Item F.2 of the September 25, 2012 City Council Agenda:** Communication from the City Manager recommending that City Council amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2013, for the total amount of $3,388,773.38.

3. **To be Replaced in Item F.4 of the September 25, 2012 City Council Agenda:** Communication from the Mayor recommending that City Council appoint a City Council 50th Anniversary Committee to consider additional suggested activities and events from Advisory Board and Commissions and Portage residents and present the additional suggested activities and events to the City Council no later than October 23, 2012.

4. **To be Replaced in Item L.1 of the September 25, 2012 City Council Agenda:** Communication from the City Manager recommending that City Council approve the lease of 141 Lenovo replacement computers and peripheral equipment from Capital Advantage Leasing of Grand Rapids, Michigan, at a total lease price of $106,286.40 for a three year period and authorize the City Manager to execute all documents related to this action on behalf of the city.

5. Communication from the City Manager regarding the State of Michigan Fiscal Year 2012-2013 Economic Vitality Incentive Program – Information Only.

Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager

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