

7:30 p.m. Call to Order.

Invocation: Pastor Adam Davidson of the Portage Free Methodist Church

Pledge of Allegiance.

Roll Call.

Proclamations:

A. Approval of the City Council Meeting Minutes.

1. Approval of the Regular Meeting Minutes of September 8, 2015.

* B. Approval of Consent Agenda Motions.

* C. Accounts Payable Register:

1. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of September 22, 2015, 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 approve the four-year lease of 299 Lenovo replacement computers and related equipment from Capital Advantage Leasing of Grand Rapids, Michigan, at a lease price of \$146,760 and authorize the City Manager to execute all documents related to this action on behalf of the city.

* 2. Communication from the City Manager recommending that City Council amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2016.

* 3. Communication from the City Manager recommending that City Council approve the amendments to the 2015-2025 Capital Improvement Program.

* 4. Communication from the City Manager recommending that City Council renew the Agreement To Locate Sign in Right-of-Way between the City of Portage and Portage Public Schools/Portage Athletic Foundation and authorize the City Manager to execute the agreement on behalf of the city.

* 5. Communication from City Manager recommending that City Council adopt the resolution approving the issuance of Public Finance Authority Revenue Bonds for Portage Care, LLC, for the Story Point Senior Living Project (3821 West Milham Avenue).

* 6. Communication from the City Manager regarding the August 2015 Environmental Report - Information Only.

* 7. Department Monthly Reports

G. Communications:

1. Presentation by Linda Teeter, Chairperson for the Kalamazoo County Transportation Authority, with an update on transportation in the county.

H. Unfinished Business:

* I. Minutes of Boards and Commissions Meetings:

1. Portage Zoning Board of Appeals of July 13, 2015.

2. Portage Youth Advisory Committee of August 3, 2015.

3. Portage Human Services Board of August 6, 2015.

4. Portage Planning Commission of September 3, 2015.

J. Council Committee Reports:

K. New Business:

L. Bid Tabulations:

1. Communication from the City Manager recommending that City Council award an engineering services contract to Abonmarche Consultants, Incorporated, for the South Westnedge Avenue and Romence Road Local Safety Project in the amount not to exceed \$47,840 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
- * 2. Communication from the City Manager recommending that City Council award a contract to perform design engineering services for the improvements at the intersections of South Westnedge Avenue / Kilgore Road and Portage Road / Lakeview Drive to Abonmarche Consultants, Incorporated, in the amount not to exceed \$46,835 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
- * 3. Communication from the City Manager recommending that City Council approve the low bid from Cardinal Buses, Inc., for motor coach services for the 2016 Portage Senior Center travel program in the estimated amount of \$35,924.25 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. Thursday, September 24, 4:30 p.m., Public Media Network Board of Directors, 359 S. Kalamazoo Mall, 3rd Floor, Kalamazoo.
 - b. Thursday, October 1, 6:30 p.m., Human Services Board, City Hall Room No. 1.
 - c. Thursday, October 1, 7:00 p.m., Planning Commission, Council Chambers.
 - d. Monday, October 5, 6:30 p.m., Youth Advisory Committee, City Hall Room No. 1.
 - e. Tuesday, October 6, 5:15 p.m., Special Meeting to Interview Board and Commission applicants.

N. Materials Transmitted.

1. Materials transmitted of September 4 and 8, 2015.

Adjournment.

CITY COUNCIL MEETING SUMMARY

September 8, 2015

PROCLAMATION

- ◆ Mayor Strazdas issued a Proclamation honoring the Humphrey Products Company.

ACCOUNTS PAYABLE REGISTER

- ◆ Approved the Accounts Payable Register of September 8, 2015, as presented.

REPORTS FROM THE ADMINISTRATION

- ◆ Adopted the Resolution Authorizing Refunding of the City of Portage Capital Improvement Refunding Bonds, Series 2007, and Resolution Approving the Undertaking to Provide Continuing Disclosure by the City of Portage for the Capital Improvement Bonds, Series 2015C.
- ◆ Awarded a contract to Compass Minerals America, Inc. in the low bid amount of \$62.59 per ton for 2,800 tons of ice control salt at a total cost not to exceed \$175,252 for early delivery; Compass Minerals America, Inc. in the low bid amount of \$64.50 per ton for 1,500 tons of ice control salt at a total cost not to exceed \$96,750 for seasonal back up on an as-needed basis; and authorized the City Manager to execute all documents related to these purchases on behalf of the city.
- ◆ Approved the extension of the AT&T Master Contract Agreement for the continuation of telecommunication services through October 2017 in the annual amount of approximately \$59,000 and authorized the City Manager to execute all related documents.
- ◆ Granted the request for a New Resort A-Hotel Liquor License from TMI Hospitality at 500 Trade Centre Way (Portage Homewood Suites).
- ◆ Set a Special Meeting on Tuesday, October 6, 2015, beginning at 5:15 p.m., to interview Board and Commission applicants.

CITY COUNCIL COMMITTEE REPORTS

- ◆ Received the Report from Mayor Strazdas regarding a meeting of the City Manager Salary Review/Evaluation Committee.

NEW BUSINESS

- ◆ Councilmember Urban requested that an amendment be prepared to address the recent amendments to the Firearms and Ammunition Act, MCL 123.1101 *et seq.*

BID TABULATION

- ◆ Awarded an engineering services contract to Paradigm Design, Incorporated, for the reconstruction of Constitution Boulevard (Romence Road to West Milham Avenue), South Westnedge Avenue (Shaver Road to East Centre Avenue) and East Centre Avenue (Shaver Road to South Westnedge Avenue) in the amount not to exceed \$87,950 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

STATEMENTS OF CITIZENS

- ◆ Pat Buckley, 2805 Brahms Avenue, indicated that he was a 40-year resident, spent 37 years as a Portage Police Officer and, based upon the leadership of City Manager Larry Shaffer and the direction of City Council, indicated that morale has never been higher among the City employees.
- ◆ Jan Sackley, 10314 Archwood Drive, took exception to what she termed inaccurate or incomplete representations by members of City Council that could leave incorrect impressions about City matters. She indicated that she has observed many instances over the past several years of partial truths and omissions in Councilmember statements that have resulted in misleading information in the official record of Council meetings that are really Councilmember opinions or uninformed comments not based on fact. She cited the August 25, 2015 Council Meeting and the comments by Councilmember Randall as lack of due diligence regarding the contract renewal of the City Attorney. She reviewed her employment background giving credence to her position and discussion on this matter, as she has held Vice President and CEO positions over the past thirty years, worked extensively with a variety of Attorneys and hired Attorneys as part of her duties. She said she has a lot of familiarity with the legal services that can be commoditized and those that cannot be and commended City Council, except Councilmember Randall because she voted "no" ostensibly on the basis of price, for the contract renewal for legal services provided by Randall Brown and Associates. She cited the extensive research compiled by then City Manager Evans and provided to City Councilmembers Randall, Reid and Urban and Mayor Strazdas on March 19, 2010, to assess the fairness in Mr. Brown's pricing in the prior contract. She acknowledged that this research was not as formal as a Request for Proposal process, City Council was educated that soliciting bids for a replacement City Attorney would be highly unusual for any city absent a performance or pricing issue. She indicated that this research showed that Mr. Brown's law firm provides the City with comprehensive services at a cost lower than that of cities of similar size in the State of Michigan. She said that some citizens may have been left with the incorrect impression that no due diligence has been conducted by the Administration or City Council for decades when, in fact, substantial work had been conducted and provided to City Council. She indicated that from her own work experience, considering only price for professional services is short-sighted and somewhat foolish and akin to hiring a City Manager based on the lowest bid and suggesting such an approach to hiring a professional City Attorney is emblematic of inexperience and naïve purchasing. She surmised that a good experienced attorney saves time and aggravation for his or her client, unlike services that are rote in nature such as form filing or document reviews, and quality advice to a client cannot be commoditized since unnecessary legal time usually results in increased costs, not in the short term, but in the long term. She emphasized that City Council received extensive documentation on comparative fees for City Attorney at the time of the last contract renewal five years ago, and she commended the six Councilmembers who showed wisdom by voting "yes" on the renewal based on the quality of the legal services, and not voting based on price.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Ansari asked for a moment of silence and a prayer for Portage Central High School graduate, Dahlia Yehia, who traveled to Nepal to help with earthquake victims, but was murdered. He asked that her friend be included, also.
- ◆ In recognition of National Preparedness Month, Councilmember Reid indicated that the State of Michigan has a preparation plan for emergencies at michigan.gov/miready for information on what to do in case there is an emergency and michigan.gov/miprepared for a phone app. She and Mayor Strazdas had great conversations with representatives from two Indonesian countries who were interested in regionalization and how the governments in the U.S. and Michigan were broken down and how information and cooperation “moves up and down the line.” Mayor Strazdas later concurred. She announced that the PCOC Strut would take place on Saturday September 12, 2015, with a 10K run, a 5K run/walk and a 1 Mile Kids Fitness Caper event and details could be found at www.portgecommunitycenter.org/pcocstrut. She also mentioned that the Kalamazoo Area Foot Chase, a 3.5 mile fun run which simulates a police foot pursuit of fleeing suspects, will take place on Saturday, 9 a.m. on September 12, 2015, at the Crossroads Mall, as a benefit run for MI-COPS a national non-profit group that aids the survivors of police officers who have lost their lives in the line of duty. She noted that registration is from 7 a.m. until 8:30 a.m. and more information can be obtained at kafc1.wordcraft.com.
- ◆ Councilmember Ford announced a Public Open House for information on single-stream recycling on Wednesday, September 16, 2015, at 7:00 p.m. City Hall Council Chambers and bins can still be obtained through the city website at portage.mi.gov/public_services/curbside_recycling. City Manager Shaffer indicated that everyone will be brought along in the program because it will result in close to a 40% increase in recycling, cost savings and less traffic on City roads. In answer to Councilmember Ford, Mr. Shaffer indicated that a tentative date for the discussion of the options for any surplus funds is the second meeting in October, but nothing has been confirmed and explained that the original \$2.4 million projected amount could be closer to \$3.3 million to \$3.4 million. He restated the suggestion that 50% of the unappropriated Fund Balance above 24% would be used for debt avoidance, meaning that the City would pay cash for an item instead of using the bonding option, and the other 50% would be utilized as an accelerator to fund items on the 2016-17 Capital Improvement Plan. He gave the reconstruction of roads as an example as well as the repair of the Pumper Fire Truck that was struck at the corner of Romence Road and Portage Road.
- ◆ Councilmember Randall thanked Mr. Pat Buckley for coming forward with his comments and for his 37 years of service as a Portage Police Officer keeping the City safe, and mentioned that it is a very unpopular time to be a Police Officer. She responded to the comments and discussion from Jan Sackley by referring to a conversation she had with Catherine Kaufman of the low bid law firm of Bauckham, Sparks, Lohrstorfer, Thall & Seeber, who said that they spent three days of attorney time compiling the bid and that she felt their bid did not receive fair diligence by City Council. She said that they (the firm) thought it was a very fair bid and pointed out that the firm specializes in municipal work and happens to be located in the City of Portage. She said that the last time that a Request for Proposal (RFP) was put out for this Professional Service was in 1997 when seven (7) local firms applied for this Contract and they did not receive it. She also said the past Administration compiled information, but was simply provided for what they “want to show.” She indicated that a true RFP process is what guarantees all contracts are fairly bid out and are competitive in nature as this is the only way we can judge accuracy of value. She pointed out that there was nothing personal (in her decision), but Randall L. Brown and Associates was 16% higher or \$153,640 more expensive over a five year contract which she expressed as considerable and worth the discussion. She expressed her hope that Ms. Kaufman would come back at a future meeting and explain the work they did to bring it forward, and she opined that she did not think there was a member of Council who thought that the process utilized was good. With that, she thanked Jan Sackley for coming. She indicated that she received a Portage Alert message that there would be a meeting on September 28, 2015, at 7 p.m. when the City of Portage will be launching the annual update of the Capital Improvement Program (CIP) and input from Portage residents, business owners and other interested persons is encouraged. She pointed out that it will not be staff-driven, but driven by the citizens and complimented the Administration for this as a welcomed change in the process. City Manager Shaffer indicated that in the past, the CIP Program has been initiated by staff, but Best Practices suggests that the way to initiate a CIP Program is to seek citizen input and ideas which percolate through staff and the Planning Commission giving the CIP extra legitimacy before it is presented to City Council for consideration. He then explained the importance of this approach.
- ◆ Councilmember Urban explained that he was among those who did not sign up for streamline recycling and welcomed the opportunity to attend the upcoming meeting set for those who still need to know about the process at this juncture. He asked that citizens recognize that the children are back in school, so they will be walking to the bus in the morning and from the bus in the evening which may place them in different areas for motorists than in the summer; or, please be careful.
- ◆ Mayor Pro Tem Pearson thanked Mr. Pat Buckley for coming and providing an update of the morale of employees, and recognized his son, Chris Buckley, who is the President of the Portage Community Center and a fellow Rotarian, and is doing a great job there. He said that the Rotary Club had its biggest fundraiser, a golf tournament on August 31st to provide many scholarships for high school students. He recognized the co-chairs who organize this tournament every year: Bonnie Granado, Dick Anderson and Randy Legman and expressed his appreciation to all participants.
- ◆ Mayor Strazdas outlined the challenge with the City of Kalamazoo offered by Consumers Energy regarding the installation of smart electric meters and encouraging non-profit organization participation by going to consumersenergy.com on the smart meter page, signing up to receive a monetary incentive and a prize for the non-profit with the most web contacts.
- ◆ Councilmember Reid announced the debate with all of the Council candidates at the Portage Senior Center, 7-8:30 p.m., tomorrow night.

COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGE.MI.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 8, 2015

DRAFT

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

At the request of Mayor Strazdas, Pastor Chad Wells of the First Baptist Church of Portage gave the invocation and City Council and the audience recited the Pledge of Allegiance.

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

APPROVAL OF MINUTES: Motion by Ansari, seconded by Ford, to approve the Regular Meeting Minutes of August 25, 2015, as presented. Upon a voice vote, motion carried 7 to 0.

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

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF SEPTEMBER 8, 2015:** Motion by Reid, seconded by Pearson, to approve the Accounts Payable Register of September 8, 2015. Upon a roll call vote, motion carried 7 to 0.

REPORTS FROM THE ADMINISTRATION:

* **ADOPTION OF BOND RESOLUTIONS:** Motion by Reid, seconded by Pearson, to adopt the Resolution Authorizing Refunding of the City of Portage Capital Improvement Refunding Bonds, Series 2007, and Resolution Approving the Undertaking to Provide Continuing Disclosure by the City of Portage for the Capital Improvement Bonds, Series 2015C. Upon a roll call vote, motion carried 7 to 0.

* **ICE CONTROL SALT PURCHASE:** Motion by Reid, seconded by Pearson, to award a contract to Compass Minerals America, Inc. in the low bid amount of \$62.59 per ton for 2,800 tons of ice control salt at a total cost not to exceed \$175,252 for early delivery; Compass Minerals America, Inc., in the low bid amount of \$64.50 per ton for 1,500 tons of ice control salt at a total cost not to exceed \$96,750 for seasonal back up on an as-needed basis; and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **EXTENSION OF THE AT&T MASTER CONTRACT AGREEMENT:** Motion by Reid, seconded by Pearson, to approve the extension of the AT&T Master Contract Agreement for the continuation of telecommunication services through October 2017 in the annual amount of approximately \$59,000 and authorize the City Manager to execute all related documents. Upon a roll call vote, motion carried 7 to 0.

* **REQUEST FOR A NEW RESORT A-HOTEL LIQUOR LICENSE:** Motion by Reid, seconded by Pearson, to grant the request for a New Resort A-Hotel Liquor License from TMI Hospitality at 500 Trade Centre Way (Portage Homewood Suites). Upon a roll call vote, motion carried 7 to 0.

* **BOARD AND COMMISSION INTERVIEWS:** Motion by Reid, seconded by Pearson, to set a Special Meeting on Tuesday, October 6, 2015, beginning at 5:15 p.m., to interview Board and Commission applicants. Upon a roll call vote, motion carried 7 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of the Portage Historic District Commission of August 5 and August 14, 2015.

COUNCIL COMMITTEE REPORTS:

CITY MANAGER SALARY REVIEW/EVALUATION COMMITTEE: Mayor Strazdas indicated that the Committee agreed to use the same performance instrument as in past years; that it will be distributed tomorrow; and, that it needs to be returned to the City Manager's Office by Tuesday, September 29, 2015. He said that the Committee will be working with the City Manager's Office by October 2, 2015, to receive compensation information from other municipalities and will review all results. Finally, a closed session will be held on October 6, 2015, to discuss the appraisal and make a public decision at the Regular Meeting. Motion by Pearson, seconded by Reid, to receive the City Manager Salary Review/Evaluation Committee report from Mayor Strazdas. Upon a roll call vote, motion carried 7 to 0.

NEW BUSINESS: Councilmember Urban requested that an amendment be prepared to address the recent amendments to the Firearms and Ammunition Act, MCL 123.1101 *et seq.*

BID TABULATIONS:

* **CONSTITUTION BOULEVARD, SOUTH WESTNEDGE AVENUE AND EAST CENTRE AVENUE – TABULATION OF PROPOSALS:** Motion by Reid, seconded by Pearson, to award an engineering services contract to Paradigm Design, Incorporated, for the reconstruction of Constitution Boulevard (Romence Road to West Milham Avenue), South Westnedge Avenue (Shaver Road to East Centre Avenue) and East Centre Avenue (Shaver Road to South Westnedge Avenue) in the amount not to exceed \$87,950 and authorize the City Manager to execute all documents related to the contract on behalf of the City. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITIZENS: Pat Buckley, 2805 Brahms Avenue, indicated that he was a 40-year resident, spent 37 years as a Portage Police Officer and, based upon the leadership of City Manager Larry Shaffer and the direction of City Council, indicated that morale has never been higher among the City employees.

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Mayor Strazdas outlined the challenge with the City of Kalamazoo offered by Consumers Energy regarding the installation of smart electric meters and encouraging non-profit organization participation by going to consumersenergy.com on the smart meter page, signing up to receive a monetary incentive and a prize for the non-profit with the most web contacts.

Councilmember Reid announced the debate with all of the Council candidates at the Portage Senior Center, 7-8:30 p.m., tomorrow night.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:15 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Finance Director

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of September 22, 2015 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks and auto-pay payments. The attached Accounts Payable Register covers the period August 30, 2015 through September 13, 2015 and notes \$138,210.62 in automated clearing house payments, \$1,444,989.20 in paper checks and \$29,175.52 in auto-pay payments for a grand total of \$1,612,375.34.

FUNDING: N/A

Attachments: 1. Accounts Payable Register

CITY OF PORTAGE CHECK REGISTER
 Check Dates From: 8/30/2015 To: 9/13/2015

Check Date	Check	Vendor Name	Amount
09/11/15	4373(A)	ARGUS-HAZCO	2,545.00
09/11/15	4374(A)	BEEBE, RONALD E.	96.00
09/11/15	4375(A)	BRENNER OIL CO.	21,130.75
09/11/15	4376(A)	C D W GOVERNMENT, INC.	1,086.47
09/11/15	4377(A)	CARRIER & GABLE	1,357.00
09/11/15	4378(A)	CITY OF PORTAGE	3,636.99
09/11/15	4379(A)	CLEAN EARTH ENVIRONMENTAL SERV	1,634.00
09/11/15	4380(A)	E J USA, INC.	710.31
09/11/15	4381(A)	EMPLOYMENT GROUP, INC.	2,877.04
09/11/15	4382(A)	GLOBAL TELEMATIC SOLUTIONS LLC	800.00
09/11/15	4383(A)	HURST MECHANICAL, INC.	6,685.00
09/11/15	4384(A)	INDUSCO SUPPLY CO., INC.	187.25
09/11/15	4385(A)	IRISH AYRES ENTERPRISES, LLC	18,680.00
09/11/15	4386(A)	JAROTH, INC	303.00
09/11/15	4387(A)	KEHOE, EDWARD J	260.00
09/11/15	4388(A)	LANDS END	436.60
09/11/15	4389(A)	MATERIALS RESOURCES	315.86
09/11/15	4390(A)	MAURER'S TEXTILE RENTAL SERVICES	725.69
09/11/15	4391(A)	MEDEMA, TIMOTHY	188.00
09/11/15	4392(A)	MEJEUR ELECTRIC LLC	622.00
09/11/15	4393(A)	ONE WAY PRODUCTS	603.86
09/11/15	4394(A)	PCM SALES, INC.	40,550.00
09/11/15	4395(A)	PECKELS, CHRISTINE	180.00
09/11/15	4396(A)	PETERS CONSTRUCTION CO.	5,595.00
09/11/15	4397(A)	POWERDMS, INC.	4,869.59
09/11/15	4398(A)	QUALITY CONCRETE AND MASONRY LLC	5,000.00
09/11/15	4399(A)	RIETH-RILEY CONSTRUCTION CO., INC	140.53
09/11/15	4400(A)	S B F ENTERPRISES, INC.	753.90
09/11/15	4401(A)	SAFETY SERVICES, INC.	636.14
09/11/15	4402(A)	SHULTS EQUIPMENT,LLC.	12,426.30
09/11/15	4403(A)	SNELL, DEBRA	144.00
09/11/15	4404(A)	THOMPSON, HELENE	471.00
09/11/15	4405(A)	W W GRAINGER INC	614.84
09/11/15	4406(A)	WIGHTMAN & ASSOCIATES, INC.	1,600.00
09/11/15	4407(A)	WOLVERINE POWER SYSTEMS	348.50
		SUBTOTAL:	35 CHECKS 138,210.62
08/31/15	294886	MATER HOME IMPROVEMENT LTD	1,650.00
09/02/15	294887	BOB PETERSON CODE SERVICES	584.00
09/02/15	294888	NATIONAL LINK	55.65
09/11/15	294889	17TH DISTRICT COURT	382.00
09/11/15	294890	A I S CONSTRUCTION EQUIP. CO.	1,825.60
09/11/15	294891	A NEW LEAF	170.00
09/11/15	294892	A T & T	2,732.92

CITY OF PORTAGE CHECK REGISTER
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Check Date	Check	Vendor Name	Amount
09/11/15	294893	ALL-PHASE ELECTRIC SUPPLY CO.	114.18
09/11/15	294894	ALL-TRONICS, INC.	81.00
09/11/15	294895	ALLEGRA PRINT & IMAGING	1,136.86
09/11/15	294896	ALLIED MECHANICAL SERVICE	306.90
09/11/15	294897	ALTA EQUIPMENT CO.	58,032.00
09/11/15	294898	AMWAY GRAND PLAZA HOTEL	405.48
09/11/15	294899	ASSOCIATED GOVERNMENT SERVICES INC	350.00
09/11/15	294900	AUTOMATIC MICROFILM CO.	955.66
09/11/15	294901	BARNES, W. CHRISTOPHER	500.00
09/11/15	294902	BESCO WATER TREATMENT, INC.	9.25
09/11/15	294903	BILL'S LOCK SHOP, INC.	110.00
09/11/15	294904	BUMPER 911	350.00
09/11/15	294905	BURKELL & ASSOCIATES	5,245.46
09/11/15	294906	BUSH, JAMES	137.00
09/11/15	294907	BYHOLT INC.	866.49
09/11/15	294908	C T S TELECOM, INC.	1,357.90
09/11/15	294909	CAMPBELL AUTO SUPPLY	14.00
09/11/15	294910	CHICAGO TITLE OF MICHIGAN	56.70
09/11/15	294911	CHICAGO TITLE OF MICHIGAN, INC.	297.25
09/11/15	294912	CITY OF KALAMAZOO	465.70
09/11/15	294913	CITY OF KALAMAZOO (TRANS MILLAGE)	1,051.80
09/11/15	294914	CITY OF KALAMAZOO TREASURER	347,178.30
09/11/15	294915	CONSUMERS CREDIT UNION	2,382.35
09/11/15	294916	CONTRACTORS EQUIPMENT & SUPPLY	120.46
09/11/15	294917	CORELOGIC REAL ESTATE TAX SERVICE	143,428.07
09/11/15	294918	COSTAR REALTY INFORMATION, INC.	294.68
09/11/15	294919	COURTYARD TRAVERSE CITY	390.72
09/11/15	294920	CROSSROADS CAR WASH	39.00
09/11/15	294921	CTT-MTU	300.00
09/11/15	294922	DAVE'S CONCRETE PRODUCTS, INC.	3,582.00
09/11/15	294923	DIGITAL HIGHWAY WIRELESS SOLUTIONS	397.90
09/11/15	294924	DMOCH, ADAM	145.00
09/11/15	294925	EKLOV, ERICA	69.24
09/11/15	294926	EMERGENCY VEHICLE PRODUCTS	37,255.49
09/11/15	294927	F D LAKE COMPANY	22.46
09/11/15	294928	FADER EQUIPMENT, INC.	390.60
09/11/15	294929	FEATZ, MARGARET	20.00
09/11/15	294930	FLETCHER ENTERPRISES	5,287.00
09/11/15	294931	FORSHEE, MARK	184.00
09/11/15	294932	FOUR WINDS CASINO SHUTTLE	162.00
09/11/15	294933	GORDON FOOD SERVICE	120.33
09/11/15	294934	GORDON WATER SYSTEMS	81.75
09/11/15	294935	GRAHAM FORESTRY SERVICE, INC.	1,840.00
09/11/15	294936	GRAND HOTEL	22,880.00

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Check Date	Check	Vendor Name	Amount
09/11/15	294937	GRIFFIN PEST SOLUTIONS, INC.	169.00
09/11/15	294938	GROVE, JENNIFER	250.00
09/11/15	294939	HALL BUILDERS LLC	600.00
09/11/15	294940	HAWTHORN SUITES BY WYNDHAM	990.00
09/11/15	294941	HOEKSTRA, ASHLEY	300.00
09/11/15	294942	HOGNACHI, DAVID	138.00
09/11/15	294943	HOME DEPOT	963.51
09/11/15	294945	HOWARD PRINTING	5,852.60
09/11/15	294946	INDIANA WIPING CLOTH, INC.	1,065.00
09/11/15	294947	IRWA CHAPTER 7	350.00
09/11/15	294948	J. ALLEN & CO. INC.	74,160.00
09/11/15	294949	JCP SSC, INC	11,650.22
09/11/15	294950	JOHN DEERE LANDSCAPES	364.10
09/11/15	294951	KALAMAZOO COUNTY TREASURER	17,047.75
09/11/15	294952	KALAMAZOO COUNTY TREASURER	331.00
09/11/15	294953	KALAMAZOO DEPART OF PUBLIC SAFETY	400.00
09/11/15	294954	KALAMAZOO GAZETTE	41.55
09/11/15	294955	KALAMAZOO OIL COMPANY	80.52
09/11/15	294956	KALAMAZOO REG'L EDUC SVS AGENG	12,843.02
09/11/15	294957	KALAMAZOO VALLEY COMMUNITY COL	7,398.08
09/11/15	294958	KLOSTERMAN DISTRIBUTING	86.18
09/11/15	294959	KRELL, JOANNE	150.00
09/11/15	294960	KZOO TIRE COMPANY	478.36
09/11/15	294961	LACOSTA FACILITY SUPPORT SERVICES	3,360.79
09/11/15	294962	LAKE MICHIGAN MAILERS, INC.	46.00
09/11/15	294963	LERETA	3,126.88
09/11/15	294964	LOWE'S HOME CENTER	3,414.23
09/11/15	294965	MAIN STREET PORTRAITS INC	1,170.00
09/11/15	294966	MAXWELL PRODUCTS, INC.	11,249.43
09/11/15	294967	MEEKHOF TIRE SALES & SERVICE INC.	654.88
09/11/15	294968	MI CRISIS RESPONSE ASSOC	405.00
09/11/15	294969	MI GOVT FINANCE OFFICERS ASSOC	115.00
09/11/15	294970	MI-AWWA	390.00
09/11/15	294971	MICH ASSOC OF HOSTAGE NEGOTIATORS	150.00
09/11/15	294972	MICH MUNICIPAL POLICE & FIRE REPAIR	1,441.14
09/11/15	294973	MICHIGAN CRISIS RESPONSE ASSOC.	760.00
09/11/15	294974	MICHIGAN FIRE TRAINING CONSULTANTS	2,750.00
09/11/15	294975	MICHIGAN MUNICIPAL LEAGUE	449.00
09/11/15	294976	MICHIGAN PAVING & MATERIALS CO.	80,179.69
09/11/15	294977	MOORE, LARRY	139.09
09/11/15	294978	MR. ROOF GRAND RAPIDS LLC	345.00
09/11/15	294979	MULDER'S MOVING AND STORAGE	1,675.00
09/11/15	294980	NEMETH, SUZANNE	150.00
09/11/15	294981	NEW FRESH CLEANING SERVICE	1,495.00

CITY OF PORTAGE CHECK REGISTER
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Check Date	Check	Vendor Name	Amount
09/11/15	294982	NEW WORLD SYSTEMS	375,846.00
09/11/15	294983	NEWSTED, BRYNN	100.00
09/11/15	294984	NORRIS, DEANNA	30.00
09/11/15	294985	NORTHERN CONSTRUCTION SERVICES CORP	47,322.40
09/11/15	294986	NORTHERN TOOL & EQUIPMENT CATALOG	378.43
09/11/15	294987	NYE UNIFORMS	516.98
09/11/15	294988	OAKLAND COMMUNITY COLLEGE	695.00
09/11/15	294989	OAKLAND COMMUNITY COLLEGE	695.00
09/11/15	294990	OFFICE DEPOT, INC.	1,206.19
09/11/15	294991	OFFICETEAM	1,769.60
09/11/15	294992	ONSTAFF USA INC	9,369.08
09/11/15	294993	PATESEL, TERRY	188.00
09/11/15	294994	PERCEPTIVE CONTROLS, INC.	3,400.00
09/11/15	294995	PETERMAN CONCRETE CO.	1,218.24
09/11/15	294996	PETTY CASH-SENIOR CENTER	411.23
09/11/15	294997	PICKLEBALLCENTRAL	2,319.91
09/11/15	294998	PODGORSKI, JOHN	272.65
09/11/15	294999	PORTAGE CLEANERS & LAUNDRY	1,290.55
09/11/15	295000	PORTAGE DISTRICT LIBRARY	3,944.25
09/11/15	295001	PORTAGE PUBLIC SCHOOLS	15,251.10
09/11/15	295002	POSTMAN INC., THE	3,980.00
09/11/15	295003	RATHCO SAFETY SUPPLY, INC.	1,461.54
09/11/15	295004	REPUBLIC SERVICES OF WEST MICHIGAN	787.20
09/11/15	295005	RHINO PRODUCTS, INC.	59.00
09/11/15	295006	RIDGE AUTO NAPA	6.88
09/11/15	295007	RIGHT-WAY RENTAL, INC.	56.60
09/11/15	295008	ROBINSON, DETRICK	160.00
09/11/15	295009	SAFE KIDS	85.00
09/11/15	295010	SAM'S REAL ESTATE BUSINESS TRUST	10,455.18
09/11/15	295011	SCHEPERS, INC.	2,109.00
09/11/15	295012	SECANT TECHNOLOGIES	3,900.00
09/11/15	295013	SEVERANCE ELECTRIC COMPANY, INC	3,700.00
09/11/15	295014	SHIPLEY, MICHELE	150.00
09/11/15	295015	SIMMONS FORD	1,573.83
09/11/15	295016	SMALL, JACKIE	150.00
09/11/15	295017	SMITH, BONNIE	50.00
09/11/15	295018	SMITH, JESSICA	300.00
09/11/15	295019	SOUTHWEST MICHIGAN FIRST	1,800.00
09/11/15	295020	STAP BROS LAWN & LANDSCAPE, INC	6,727.90
09/11/15	295021	STATE OF MICHIGAN (BOILER DIV)	150.00
09/11/15	295022	STATE OF MICHIGAN (DEPT LABOR)	150.00
09/11/15	295023	STATE OF MICHIGAN (DEPT LABOR)	225.00
09/11/15	295024	STATE SYSTEMS RADIO, INC	1,141.65
09/11/15	295025	T D S METROCOM, LLC	4,506.92

CITY OF PORTAGE CHECK REGISTER
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Check Date	Check	Vendor Name	Amount
09/11/15	295026	T-MOBILE USA INC	29.99
09/11/15	295027	TIGER DIRECT, INC.	327.78
09/11/15	295028	TIME	20.00
09/11/15	295029	TOO CLEAN JANITORIAL	3,325.00
09/11/15	295030	TRUCK & TRAILER SPECIALTIES	2,975.70
09/11/15	295031	U S LAWNS- KALAMAZOO	269.12
09/11/15	295032	U S POSTAL SERVICE	3,000.00
09/11/15	295033	U S POSTAL SERVICE	225.00
09/11/15	295034	U S POSTAL SERVICE	8,000.00
09/11/15	295035	UNDERGROUND PIPE & VALVE, INC.	739.00
09/11/15	295036	UNITED PARCEL SERVICE	59.36
09/11/15	295037	VERIZON WIRELESS SERVICES, LLC	2,068.53
09/11/15	295038	VICKSBURG ROOFING & SIDING CO.	9,500.00
09/11/15	295039	VOLOGY DATA SYSTEMS	4,031.15
09/11/15	295040	W. S. DARLEY & CO.	2,430.00
09/11/15	295041	WASHCO, LLC	550.00
09/11/15	295042	WATKINS, GREG	92.00
09/11/15	295043	WOLVERINE LAWN SERVICE, INC.	262.29
09/11/15	295044	WRAPS N SIGNS	180.38
09/11/15	295045	XEROX CORPORATION	1,162.70
09/11/15	295046	ZOLL DATA SYSTEMS, INC.	150.00
09/11/15	295047	COURTYARD TRAVERSE CITY	390.72
09/11/15	295048	HOEKSTRA, ASHLEY	300.00
		SUBTOTAL:	
			162 CHECKS 1,444,989.20
08/31/15	2023	City of Portage Auto-pay	13,236.39
08/31/15	2021	Consumers Auto-Pay	244.13
09/09/15	2058	Consumers Auto-Pay	4,492.98
09/20/15	2071	Consumers Auto-Pay	11,202.02
		SUBTOTAL:	
			4 CHECKS 29,175.52
		GRAND TOTAL:	
			201 CHECKS 1,612,375.34

** (A) DENOTES ACH PAYMENTS

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Computer Replacement

SUPPORTING PERSONNEL: Devin Mackinder, Director of Technology Services

ACTION RECOMMENDED: That City Council approve the four-year lease of 299 Lenovo replacement computers and related equipment from Capital Advantage Leasing of Grand Rapids, Michigan, at a lease price of \$146,760 and authorize the City Manager to execute all documents related to this action on behalf of the city.

The technology infrastructure of the City of Portage is an important asset, providing efficiency and cost savings in the daily operation of the organization. As such, regular maintenance and upgrades are necessary to take advantage of the most current technology available and ensure system reliability and compatibility. The 2015-2016 Capital Improvement Program budget provides for maintaining and upgrading this important infrastructure through a cost-efficient technology leasing program allowing for the continuous replacement of city computers and related equipment.

Leasing bulk commodity items such as computers provides numerous advantages such as providing for appropriately timed replacements and upgrades in order to keep up with technology requirements. In this case, leasing also reduces maintenance issues by providing for a continuously standardized fleet of computers as well as reducing the expense and time associated with equipment disposal. Leasing also allows for a predictable year-to-year budget. Capital Advantage Leasing, a vendor in good standing with the city, continues to provide competitive lease rates which are typically at or below commercial lease rates and flexible terms such as no-cost equipment disposal or reimbursement for non-functioning equipment that is returned at the end of the lease.

The proposed lease represents approximately 75 percent of city computers, which have been in service for a period of three years. The term of this proposed lease extension will be for a period of four (4) years with sixteen (16) quarterly payments of \$9,172.50. The City of Portage participated in a special cooperative government pricing program called National IPA to obtain the lowest and best bid pricing for the replacement of the 299 computers and related equipment.

It is recommended that City Council approve the lease of 299 Lenovo replacement computers from Capital Advantage Leasing at a lease price of \$146,760 and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: Funds are available and budgeted in the 2015-16 Capital Improvement Program budget for this purpose.

Attachments: 1. N/A

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Amendment to the General Appropriations Act

SUPPORTING PERSONNEL: William Furry, Finance Director

ACTION RECOMMENDED: That City Council amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2016.

The normal government procurement process involves issuance of purchase orders to obtain goods and services necessary to provide service to citizens. Purchase orders specify description, quantity and price of the required goods. With each purchase order, an encumbrance is entered in the city accounting system to reserve budgeted funds to pay for the goods. As goods are received and the related invoices paid, the encumbrances are relieved. At the end of each fiscal year, open purchase orders (encumbrances) must be carried forward to the next fiscal year to reserve funds required to pay for goods and services already ordered. In effect, this is completed by adding the reserved funds to the annual budget of the next fiscal year. The “encumbrance carry forward” process is a standard practice in governmental accounting. The City of Portage Charter, Section 7.6(d), requires the production of this listing for approval by City Council.

The attached list shows the dollar value of the open purchase orders as of June 30, 2015, all of which are for necessary supplies and services. Receipt of these goods and services will require subsequent payment by the city. Council action to amend the fiscal year 2015-2016 budget will allow payment for goods and services ordered in fiscal year 2014-2015 from the fiscal year 2015-2016 budget.

Therefore, it is recommended that City Council amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2016.

FUNDING: N/A

Attachments: 1. List of encumbrances to be carried forward into Fiscal Year 2015-2016 budget

PO NUMBER	VENDOR NAME	CARRY-FORWARD AMOUNT
065980	KALAMAZOO COUNTY TREASURER	73,557.82
066034	ONSTAFF USA INC	3,308.57
066056	TAX MANAGEMENT ASSOCIATES, INC	6,000.00
066062	HUMPHREYS CAMPBELL DUST & HUMPHREYS	4,011.80
066079	OFFICE DEPOT, INC.	27.98
066087	AMERICAN SAFETY & FIRST AID	69.37
066094	KENT COUNTY DPW	67.50
066100	ALL-PHASE ELECTRIC SUPPLY CO.	44.55
066116	TRACTOR SUPPLY CORP.	201.45
066165	MENARDS, INC	23.97
066175	SHULTS EQUIPMENT	3,696.00
066182	CITY OF KALAMAZOO TREASURER	1,141.11
066190	TRUGREEN	1,500.00
066201	TRUCK & TRAILER SPECIALTIES	94,095.00
066217	GRIFFIN PEST SOLUTIONS, INC.	50.00
066218	U S LAWNS- KALAMAZOO	1.25
066228	KALAMAZOO COUNTY TREASURER	3,200.00
066239	CITY OF KALAMAZOO TREASURER	200,000.00
066271	WINDEMULLER ELECTRIC, INC.	1,435.43
066273	CONSUMERS ENERGY - KALAMAZOO	2,700.00
066274	T-MOBILE USA INC	29.99
066281	DRIEENGA & ASSOCIATES, INC.	2,649.83
066351	MAURER'S TEXTILE RENTAL SERVICES	2,080.65
066353	HURST MECHANICAL, INC.	9,602.03
066356	WINDEMULLER ELECTRIC, INC.	17,400.00
066358	AMERICAN HYDROGEOLOGY CORP.	5,677.87
066367	PETERS CONSTRUCTION CO.	1,984.90
066377	NOVA CONSULTANTS, INC	19,756.02
066428	HALT FIRE, INC.	331.27
066435	WOLVERINE LAWN SERVICE, INC.	2,270.00
066531	RATHCO SAFETY SUPPLY, INC.	35.00
066558	EMERGENCY VEHICLE PRODUCTS	2,010.16
066697	GRIFFIN PEST SOLUTIONS, INC.	95.00
066710	MICH MUNICIPAL POLICE & FIRE REPAIR	4,956.00
066899	ALLEGRA PRINT & IMAGING	140.08
066942	RESTORATIVE LAKE SCIENCES, LLC	1,500.00
066947	COSTAR REALTY INFORMATION, INC.	2,632.92
067006	CAMPBELL AUTO SUPPLY	31.33
067011	EMPLOYMENT GROUP, INC.	164.74
067075	CONSUMERS ENERGY	2,300.00
067081	PROFESSIONAL LAKE MANAGEMENT	1,797.01
067099	MATERIALS RESOURCES	118.58
067133	PROFESSIONAL LAKE MANAGEMENT	691.81

PO NUMBER	VENDOR NAME	CARRY-FORWARD AMOUNT
067141	CONSUMERS ENERGY	490.00
067144	CONSUMERS ENERGY	2,400.00
067162	CONSUMERS ENERGY	9,225.00
067164	MAURER'S TEXTILE RENTAL SERVICES	85.35
067209	INDUSCO SUPPLY CO., INC.	192.91
067311	PERCEPTIVE CONTROLS, INC.	2,875.00
067323	WEDEL'S INC.	1,800.00
067327	KALAMAZOO GAZETTE	124.58
067330	STAP BROS LAWN & LANDSCAPE,INC	1,482.86
067358	PREIN & NEWHOF	2,975.50
067359	STAP BROS LAWN & LANDSCAPE,INC	80.00
067371	PETERS CONSTRUCTION CO.	19,900.00
067503	PROFESSIONAL LAKE MANAGEMENT	15,120.00
067539	CARRIER & GABLE	13,923.00
067614	SAFETY SERVICES, INC.	242.86
067632	ANY CUTTING & WELDING	300.00
067641	RATHCO SAFETY SUPPLY, INC.	168.00
067642	JOHN DEERE LANDSCAPES	118.14
067666	FLETCHER ENTERPRISES	3,500.00
067695	LOCEY SWIM POOL CO.	33.50
067699	NYE UNIFORMS	451.71
067758	P K CONTRACTING, INC.	1,817.50
067762	HURLEY & STEWART, LLC	188,603.96
067772	PEDAL	1,087.00
067786	A-1 SIGNS	3,016.70
067803	EMPLOYMENT GROUP, INC.	356.19
067807	STATE SYSTEMS RADIO, INC	4,826.42
067863	A-1 SIGNS	868.00
067874	MLIVE MEDIA GROUP	5,139.00
067887	KALAMAZOO LANDSCAPE SUPPLIES	85.94
067891	ULINE, INC.	259.52
067899	WITMER PUBLIC SAFETY GROUP	59.97
067915	M & M CUSTOM FABRICATING INC.	23.50
067918	STATE SYSTEMS RADIO, INC	2,840.00
067924	PRO-FLEET	2,880.00
067939	EMPLOYMENT GROUP, INC.	216.05
067950	KALAMAZOO GAZETTE	266.45
067953	ROMENCE GARDENS, INC	9.04
067993	ONSTAFF USA INC	696.37
067999	PERCEPTIVE CONTROLS, INC.	5,680.00
068006	BELL EQUIPMENT COMPANY	1,482.70
068008	SEVERANCE ELECTRIC COMPANY,INC	19,465.00
068009	SEVERANCE ELECTRIC COMPANY,INC	12,985.00

PO NUMBER	VENDOR NAME	CARRY-FORWARD AMOUNT
068011	GORDON FOOD SERVICE	200.14
068013	KLOSTERMAN DISTRIBUTING	755.56
068021	WRAPS N SIGNS	300.78
068036	ARGUS-HAZCO	10,684.00
068056	THIN BLUE LINE POLICE SUPPLY	67.50
068065	BEACON ATHLETICS	35.00
068067	MICHIGAN ASSOC OF MUNICIPAL CLERKS	300.00
068071	NORTHERN AUTO BODY	3,260.65
068088	HOCKEY SERVICES	1,938.90
068101	WRAPS N SIGNS	150.38
068102	NYE UNIFORMS	66.00
068117	KALAMAZOO OPTIMIST HOCKEY ASSOC	900.00
068120	UNITED PARTY & EVENT SERVICES	787.50
068126	ALTA EQUIPMENT CO.	8,100.00
068136	ARGUS-HAZCO	3,902.40
068153	WOLVERINE POWER SYSTEMS	1,320.00
068171	HOEKSTRA ROOFING CO.	3,118.00
068184	RATHCO SAFETY SUPPLY, INC.	2,848.15
068198	CITY OF KALAMAZOO TREASURER	717.34
068200	LOWE'S HOME CENTER	88.63
068207	MLIVE MEDIA GROUP	240.02
068211	F D LAKE COMPANY	189.60
068218	VANGUARD FIRE & SUPPLY CO., INC.	1,055.90
068224	RATHCO SAFETY SUPPLY, INC.	2,100.00
068231	CUSTOMIZED CLEANING SERVICES, INC.	2,405.00
068233	MATERIALS RESOURCES	163.28
068235	INDUSCO SUPPLY CO., INC.	180.10
068236	RATHCO SAFETY SUPPLY, INC.	2,294.10
068242	GORDON WATER SYSTEMS	218.00
068243	PRINTING SERVICES INC	523.90
068256	MATERIALS RESOURCES	524.23
068259	SECANT TECHNOLOGIES	3,900.00
068270	HOME DEPOT	1,911.42
068272	RATHCO SAFETY SUPPLY, INC.	2,778.50
068273	SHULTS EQUIPMENT,LLC.	3,350.40
068276	MATER HOME IMPROVEMENT LTD	1,300.00
068286	BECKER ARENA PRODUCTS, INC.	1,945.00
068294	KALAMAZOO COUNTY HEALTH & COMMUNITY	5,800.00
068295	TINK INC.	15,865.00
068304	EMPLOYMENT GROUP, INC.	663.44
068305	ADP, INC.	24,000.00
068307	GRAND VALLEY METRO COUNCIL	13,989.30
068311	FLETCHER ENTERPRISES	1,613.00

PO NUMBER	VENDOR NAME	CARRY-FORWARD AMOUNT
068314	OFFICE DEPOT, INC.	81.50
068315	TRINH'S FURNITURE REPAIR SHOP	3,955.00
068318	SHULTS EQUIPMENT,LLC.	2,359.44
068322	BORGESS HEALTH ALLIANCE	2,282.00
068323	PEOPLEFACTS, LLC	134.55
068327	KALAMAZOO COUNTY ROAD COMMISSI	4,541.36
068331	UNITED PETROLEUM	800.00
068333	U S LAWNS- KALAMAZOO	250.90
068342	BACK CARE BASICS, INC.	537.00
068346	PURITY CYLINDER GASES, INC	1,468.15
068347	QUALITY CONCRETE AND MASONRY LLC	1,050.00
068348	FAWLEY OVERHEAD DOOR, INC.	340.00
068350	FAWLEY OVERHEAD DOOR, INC.	333.00
068354	BOB PETERSON CODE SERVICES	1,264.00
068355	ATTORNEYS TITLE AGENCY LLC	100.00
068356	OFFICETEAM	415.64
068359	TERMINAL SUPPLY CO.	1,834.81
068365	AUTOMATIC MICROFILM CO.	4,092.33
068366	GRAND VALLEY METRO COUNCIL	8,031.70
068369	FLETCHER ENTERPRISES	2,225.00
068370	A-1 SIGNS	1,500.00
068376	HOME DEPOT	1,171.66
068383	WIGHTMAN & ASSOCIATES, INC.	1,800.00
068386	FLETCHER ENTERPRISES	3,800.00
068390	MIDWEST GUTTER SYSTEMS LLC	450.00
068396	ASPHALT RESTORATION INC	2,894.60
068397	MAIN STREET PORTRAITS INC	360.00
068402	FLUID POWER ENGINEERING	3,900.00
068405	STATE SYSTEMS RADIO, INC	52.00
068407	NYE UNIFORMS	141.90
068414	SET ENVIRONMENTAL INC	3,954.30
068415	HOME DEPOT	1,412.75
068418	KALAMAZOO SPORTSWEAR	350.00
068419	FLETCHER ENTERPRISES	1,700.00
068420	SEVERANCE ELECTRIC COMPANY,INC	3,180.00
068421	SEVERANCE ELECTRIC COMPANY,INC	3,990.00
068424	SEVERANCE ELECTRIC COMPANY,INC	2,213.00
068425	SCOTT W TAYLOR EXCAVATING	3,990.00
068427	SEVERANCE ELECTRIC COMPANY,INC	3,670.00
068428	ALLEGRA PRINT & IMAGING	242.00
068429	SEVERANCE ELECTRIC COMPANY,INC	2,900.00
068430	SEVERANCE ELECTRIC COMPANY,INC	2,213.00
068431	SEVERANCE ELECTRIC COMPANY,INC	2,900.00

PO NUMBER	VENDOR NAME	CARRY-FORWARD AMOUNT
068432	DEPATIE FLUID POWER CO., INC.	1,268.38
068435	TRUE-TECH INDUSTRIES CO.	2,944.00
068437	RIETH-RILEY CONSTRUCTION CO., INC	1,682.85
068438	ANIMAL REMOVAL SERVICE, LLC	1,180.00
068440	WESTERN MICHIGAN INT'L TRUCKS	2,409.84
068442	ALRO STEEL CORPORATION	100.00
068443	NORTHERN CONCRETE PIPE	130.00
068449	ARGUS-HAZCO	5,180.00
068452	AMALGAM LLC	3,500.00
068456	BURKELL & ASSOCIATES	5,500.00
068457	PEERLESS-MIDWEST, INC.	24,515.00
068458	MOTOROLA SOLUTIONS, INC.	42,324.75
068459	M P E L R A	25.00
068463	ALLEGRA PRINT & IMAGING	157.50
068465	ALL-TRONICS, INC.	477.00
068466	MED EXPRESS	320.00
068467	SET ENVIRONMENTAL INC	300.00
068471	HALL BUILDERS LLC	1,196.00
068475	PORTAGE GLASS & MIRROR	813.00
068478	C D W GOVERNMENT, INC.	2,517.53
068493	HENRY LAWS	2,600.00
068494	LOWE'S HOME CENTER	2,831.99
068496	A-1 SIGNS	104.25
068503	KANTOLA PRODUCTIONS	95.00
068779	WATKINS, ROSS & CO.	2,500.00
068794	WATKINS, ROSS & CO.	13,400.00
068816	CORNERSTONE CONSTRUCTION	5,728.00
068817	MEJEUR ELECTRIC LLC	975.00
068818	CORNERSTONE CONSTRUCTION	2,719.00
068819	HURST MECHANICAL, INC.	3,407.00
068830	HURST MECHANICAL, INC.	3,278.00
068831	FARRELL AUDIO VIDEO LLC	1,225.00
069054	HOME DEPOT	3,355.62
069091	MULDER'S MOVING AND STORAGE	2,000.00
069210	QUALITY CONCRETE AND MASONRY LLC	5,000.00
		\$ 1,158,732.13

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: 2015-2025 Capital Improvement Program Amendments

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development
W. Christopher Barnes, Director of Transportation and Utilities
Richard White, Director of Public Safety - Police / Fire Chief

ACTION RECOMMENDED: That City Council approve the amendments to the 2015-2025 Capital Improvement Program.

Attached is a communication from Vicki Georgeau, Director of Community Development, regarding two proposed amendments to the adopted 2015-2025 ten-year Capital Improvement Program (CIP). As explained in the attachment, amendments are proposed to: 1) complete safety improvements to the intersection of South Westnedge Avenue and Romence Road; and 2) replace a fire pumper that was involved in an auto accident in July 2015.

With regard to the South Westnedge Avenue and Romence Road improvements, this is a new project proposed for FY 2015-2016 and funding is provided by a \$261,000 grant award from the Michigan Department of Transportation (MDOT) to complete the improvements and \$100,000 from the CIP Fund for the city share portion of the project, including engineering design.

Replacement of two fire pumpers is included in the 2015-2025 CIP; one fire pumper replacement was planned to occur in FY 2018-2019 and the other in FY 2019-2020. Due to the aforementioned accident involving the pumper truck, the age of the truck and extent of the damage, replacement, rather than repair, is recommended during FY 2015-2016. Funding to purchase a new pumper truck is available from the insurance settlement and the CIP Fund.

On September 3, 2015, the Planning Commission reviewed and unanimously recommended approval of the proposed amendments to City Council. It is recommended that City Council approve the proposed amendments, which will result in important safety enhancements to the intersection of two major thoroughfares in the community and replacement of a critical piece of fire safety equipment.

FUNDING: For the South Westendge Avenue/Romence Road project, a Michigan Department of Transportation grant in the amount of \$261,000 was awarded and \$100,000 from the CIP Fund is available. For the Fire Pumper replacement, an \$84,000 insurance settlement and \$566,000 from the CIP Fund is available.

Attachments:

1. September 4, 2015 Planning Commission communication
2. September 3, 2015 Planning Commission minutes

3. August 31, 2015 Planning Commission staff report

TO: Honorable Mayor and City Council
FROM: Planning Commission
DATE: September 4, 2015
SUBJECT: FY 2015-2025 Capital Improvement Program Amendments

During the September 3, 2015 Planning Commission meeting, the Commission discussed the communications received from Christopher Barnes, Director of Transportation and Utilities, and Richard White, Public Safety Director, requesting that the FY 2015-2025 Capital Improvement Program (CIP) be amended to include two projects in FY 2015-2016: Safety improvements to the intersection of South Westnedge Avenue and Romence Road and replacement of a fire pumper that was involved in an accident in July 2015.

Based on the information provided, it is understood the \$261,000 grant from the Michigan Department of Transportation (MDOT) to complete the South Westnedge Avenue and Romence Road improvements was awarded after the FY 2015-2025 CIP was finalized and due to time constraints associated with the grant, the project needs to move forward in FY 2015-16. With regard to replacing the fire pumper, replacement is programmed to occur in FY 2018-2019 but due to an accident and amount of damage caused to the truck, age of the truck and amount of mileage, replacement rather than repair is requested.

The Planning Commission discussed with staff, including Assistant Fire Chief Stacy French, the two proposed amendments. Subsequent to this discussion, the Commission voted unanimously to recommend to City Council the FY 2015-2025 Capital Improvement Program be amended to include the proposed South Westnedge Avenue/Romence Road intersection safety improvements and purchase of a fire pumper replacement vehicle in FY 2015-2016.

Sincerely,


Paul Welch
Chairman

PLANNING COMMISSION

 DRAFT

September 3, 2015

The City of Portage Planning Commission meeting of September 3, 2015 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. No citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development & Neighborhood Services and Stacy French, Assistant Fire Chief

ROLL CALL:

Mr. Forth called the roll and the following Commissioners were present: Patterson (yes), Stoffer (yes), Welch (yes), Felicijan (yes), Dargitz (yes), Somers (yes), Schimmel (yes) and Richmond (yes). A motion was made by Commissioner Felicijan, seconded by Commissioner Somers, to approve the roll excusing Commissioner Bosch. The motion was unanimously approved 8-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the August 20, 2015 meeting minutes contained in the agenda packet. A motion was made by Commissioner Somers, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved 8-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

None.

OLD BUSINESS:

1. Annual Capital Improvement Program Process Changes - Update. Mr. Forth provided an update concerning the changes being made to the FY 2016-2026 Capital Improvement Program (CIP) process intended to encourage citizen and Commission input earlier in the CIP process. Mr. Forth indicated an article already appeared in the September issue of the Portager, CIP web page on the city website and on-line survey were live and an email communication was sent out to all boards and commissioners earlier today. Mr. Forth discussed the special CIP "Open House" meeting with city staff and the Planning Commission that will be held on Monday, September 28th to provide additional opportunity for general public input. The Commission had no further questions or comments.

NEW BUSINESS:

1. FY 2015-2025 Capital Improvement Program Amendments. Mr. Forth summarized the August 31, 2015 Department of Community Development staff report that included communications from Christopher Barnes,

Director of Transportation and Utilities and Richard White, Public Safety Director regarding two proposed amendments to the adopted FY 2015-2025 Capital Improvement Program (CIP). Mr. Forth indicated both amendments were proposed for FY 2015-2016 and referred the Commission to the CIP Project Profiles, Project Expenditures and Project Funding Sources tables included in the agenda materials.

Mr. Forth stated the first amendment involves the completion of safety improvements to the South Westnedge Avenue/Romence Road intersection. The second amendment involves the replacement of a fire pumper truck that was involved in an accident in July 2015. Mr. Forth indicated the replacement of the fire pumper is scheduled for FY 2018-2019 but is being advanced as a result of the accident. The city-share funding for both projects is from the general fund that is in excess of the 24% reserve balance. Commissioner Dargitz inquired if the South Westnedge Avenue/Romence Road grant funding can only be used at that intersection. Mr. Forth indicated funding is restricted to that intersection. Chairman Welch asked why the intersection project was not currently in the CIP. Mr. Forth stated the award of the grant came after the FY 2015-2025 CIP had been finalized and due to time constraints related to MDOT deadlines, the project needs to be move forward before the FY 2016-2026 CIP is prepared/adopted.

Assistant Fire Chief Stacy French was present to explain and answer questions concerning replacement of the fire pumper. Mr. French explained the amount of damage caused as a result of the accident, age of truck and amount of mileage. Mr. French also indicated arrangements have been made to store the truck for three years and use it for parts on an as-needed basis, which will save the city additional money. The Commission discussed the advantages and disadvantages of repairing the truck versus replacing it.

There being no further discussion concerning the two Capital Improvement Program amendments, a motion was made by Commissioner Felicijan, seconded by Commissioner Stoffer, that the Planning Commission recommend to City Council the FY 2015-2025 Capital Improvement Program be amended to include the proposed South Westnedge Avenue/Romence Road intersection safety improvements and purchase of a fire pumper replacement vehicle in FY 2015-2016. The motion was unanimously approved.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Christopher T. Forth, AICP
Deputy Director of Planning, Development and Neighborhood Services

TO: Planning Commission

DATE: August 31, 2015

FROM: Vicki Georgeau, ^WDirector of Community Development

SUBJECT: FY 2015-2025 Capital Improvement Program Amendments

Attached is a communication from Christopher Barnes, Director of Transportation and Utilities, and Richard White, Public Safety Director regarding two proposed amendments to the adopted FY 2015-2025 Capital Improvement Program (CIP). As explained in the attachments, an amendment to the CIP is proposed for FY 2015-2016 to 1) complete safety improvements to the intersection of South Westnedge Avenue and Romence Road and 2) replace a fire pumper that was involved in an accident in July 2015.

With regard to the South Westnedge Avenue and Romence Road improvements, a CIP Project Profile, Project Expenditures, and Project Funding Sources tables are attached and describe the project in more detail. Funding is provided by a \$261,000 grant award from the Michigan Department of Transportation (MDOT) to complete the improvements and \$100,000 from the CIP Fund for the city share portion of the project, including engineering design.

Replacement of two fire pumpers is included in the FY 2015-2025 CIP: One fire pumper replacement was planned to occur in FY2018-19 and the other in FY2019-20. Due to the recent accident involving a pumper truck, the age of the truck and extent of damage, replacement rather than repair is recommended during FY 2015-16. Funding to purchase a new pumper truck is available from the insurance settlement and the CIP Fund. Attached for Commission information are the revised CIP Project Profile, Project Expenditures, and Project Funding Sources tables.

The City Administration has reviewed the proposed CIP amendments for FY 2015-2016, which will result in important safety enhancements to the intersection of two major thoroughfares in the community and replacement of a critical piece of fire safety equipment.

It is recommended that the Planning Commission review and approve the CIP amendments and forward it to City Council for final action. Staff will be prepared to answer any questions and provide additional information during the September 3, 2015 meeting.

Attachments: August 24, 2015 communication from Director Barnes
August 28, 2015 communication from Director White

CITY OF PORTAGE

RECEIVED

AUG 24 2015

COMMUNICATION

COMMUNITY DEVELOPMENT

TO: Vicki Georgeau, Director of Community Development

DATE: August 24, 2015

FROM: W. Christopher Barnes, Director of Transportation & Utilities



SUBJECT: Revision of 2015/2016 CIP to Add Local Safety Program Project

The Transportation & Utilities Department is pleased to submit a revision to 2015/2016 CIP to include the South Westnedge Avenue and Romence Road project. In September 2014, the City submitted an application for the safety enhancement of the intersection at this location. On April 9, 2015, we received notification of the project receiving \$261,000 from the Michigan Department of Transportation (MDOT). In order to receive the federal funding, we must submit the complete project design to MDOT for bidding by August 24, 2016.

In order to complete the engineering services necessary, we have issued a "Request for Proposal" for the necessary design and bidding documents. Proposals were received on August 18, 2015. Due to the complexity of the project, design needs to start early. There are sufficient funds available in the Major Street Reconstruction Program for the engineering design fees.

The project involved the traffic signal upgrades including new mast arms and poles, installation of signal back-plates, relocation of traffic signal controller cabinet, streetlight enhancement, countdown pedestrian signals, "No Turn On Red" disappearing legend message signs, new ramps to meet ADA requirements, etc.

Once design is underway, the complete package will need to be submitted to MDOT in August 2016 in order to meet the funding requirements. Construction of the actual traffic signal work will likely occur in late 2016.

If you should have any questions regarding this submittal, please let me know.

Attachments: CIP Profile
CIP Funding Summary

c: Laurence Shaffer, City Manager
Rob Boulis, Deputy City Manager
Muhammad Arif, Traffic Engineer
Transportation & Utilities Staff

CAPITAL IMPROVEMENT PROJECT PROFILE

DEPARTMENT:
Transportation and Utilities

PROJECT CATEGORY:
Streets

PROJECT NUMBER:

PROJECT TITLE: South Westnedge Avenue/Romence Road
Intersection Safety Improvements

PROJECT DESCRIPTION: Improvements to the South Westnedge Avenue/Romence Road intersection includes new mast arms and poles, installation of signal back-plates, relocation of traffic signal controller cabinet, streetlight enhancement, countdown pedestrian signals, "No Turn On Red" disappearing legend message signs, and new ramps to meet ADA requirements.

PROJECT JUSTIFICATION/NEED: The City submitted an application and received funding for the safety enhancement of this intersection due to limited visibility of pedestrians to drivers. The northwest corner houses the traffic signal controller cabinet which blocks the view of pedestrians to southbound drivers on South Westnedge Avenue turning right onto Romence Road. ADA upgrades need to be made to the ramps on the north side of the intersection. The traffic signal at the South Westnedge Avenue/Romence Road intersection is reaching the end of its service life and needs to be replaced.

PROJECT BENEFIT/IMPACT: Relocating the traffic signal controller cabinet from the northwest corner to the southeast corner of the intersection and the addition of streetlights will improve visibility of pedestrians to drivers, especially at the northwest corner. Replacing the traffic signal poles and mast arms will improve signal operation and reliability.

OPERATING FUND IMPACT: Nominal impact on operating costs.

CAPITAL IMPROVEMENT PROJECT SUMMARY

STREETS

Project Expenditures (\$000)

Project Number/Title	Fiscal Year										Total
	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	23-24	24-25	
1 Major Street Reconstruction Program	2,703	2,604	2,957	2,625	2,654	2,893	2,904	2,675	2,706	2,504	27,225
2 Local Street Reconstruction Program	920	920	920	920	920	920	920	920	920	920	9,200
3 Lovers Lane Traffic Signal Improvements	400										400
4 South Westnedge Avenue/Kilgore Road Intersection Improvements	270										270
5 US-131 Improvements, south city limits to West Milham Avenue	220										220
6 West Centre Avenue/Cooley Drive/Old Centre Road Improvements	220				530						750
7 Railroad Crossings Upgrades	85		85	85							255
8 Portage Road/Lakeview Drive Intersection Improvements	40		310								350
9 Local Street Calming Program	25										25
10 Accessible Pedestrian Signal Installation	20										20
11 South Westnedge Avenue Traffic Signal System Upgrade			180								180
12 I-94 Improvements, west city limits to Portage Road						695					695
13 Vincent Drive/Oakland Drive Intersection Improvements										1,020	1,020
14 South Westnedge Ave./Romence Rd. Safety Improvements	361										361
TOTALS	5,264	3,524	4,452	3,630	4,104	4,508	3,824	3,595	3,626	4,444	40,971
Other Revenues (City of Kalamazoo)	40										40
Federal Transportation Funds	1,205	956	800	800	800	800	1,000	1,000	1,000	1,000	9,361
Other Financing DDA Bonds											
Municipal Street Fund	1,502	1,481	1,599	1,488	1,498	1,578	1,581	1,505	1,515	1,448	15,196
City Share Bonds											
Building Authority Bonds											
MTF Bonds	1,485	900	1,550	1,300	1,770	1,500	1,200	1,000	750	1,500	12,955
Utility Capital Improvement Bonds (Water)											
City Share Cash	1,032	187	503	42	36	630	43	90	361	496	3,419

CITY OF PORTAGE

RECEIVED

AUG 31 2015

COMMUNICATION

COMMUNITY DEVELOPMENT

TO: Victoria Georgeau, Director of Community Development **DATE:** August 28, 2015

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

SUBJECT: Revision of 2015/16 CIP
Moving Forward 2018/19 Fire Apparatus Purchase

The Portage Department of Public Safety requests a revision to the 2015/16 CIP, moving forward the purchase of a fire pumper from the 2018/19 CIP. It was anticipated that the future purchase would be no more than \$650,000.

In July of this year, the apparatus scheduled for replacement in the 2018/19 CIP was involved in a traffic crash. The extent of the damage, age of the vehicle, and mileage indicate that repair should not be pursued. It is believed that the best course of action is to replace this vehicle. As the pumper that was damaged is a critical piece of equipment necessary to meet the minimum requirement for fire suppression duties of our fleet, it should be replaced as soon as is practical.

Therefore, it is requested that the 2018/19 CIP apparatus purchase be moved to this current year.

RJW:jh

c: Laurence Shaffer, City Manager
Rob Boulis, Deputy City Manager
John Podgorski, Senior Deputy Fire Chief

CAPITAL IMPROVEMENT PROJECT PROFILE

DEPARTMENT:
Public Safety, Fire Division

PROJECT CATEGORY:
Fire

PROJECT NUMBER: 14

PROJECT TITLE: Replace Two 2004 Pumper Squad Vehicles

PROJECT DESCRIPTION: Replace Two 2004 Pumper Squad Vehicles

PROJECT JUSTIFICATION/NEED: FY 2015-16: One Pumper Squad Vehicle is proposed to be replaced due to damage incurred in a traffic crash. Due to the extent of damage, age and mileage, replacement of the vehicle is proposed.

FY 2019-20: At the time of replacement, the second pumper apparatus will be 15 years old and approaching the end of its useful life. Repair parts will become more difficult to obtain.

Replacement of the above vehicles is in accord with the Fire Department Apparatus Strategic Plan, which specifies the replacement of each fire apparatus at the end of its useful life. The new vehicles will incorporate advances in fire apparatus design and will be compliant with all current NFPA 1901 standards and requirements.

PROJECT BENEFIT/IMPACT: New pumper squad vehicles will allow the Fire Division to safely perform life safety and fire suppression activities. An apparatus of this type combines many needed components in one vehicle. The new vehicles will comply with all current standards and safety features.

OPERATING FUND IMPACT: Reduced maintenance and operating expenses.

Project Expenditures (\$000)

Project Number/Title	Fiscal Year										Total
	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	23-24	24-25	
1 Mobile Computer/Mobile Video Replacement	180										180
2 Breathing Air System	98										98
3 Replace 2003 Chevy Utility Vehicle	70						75				145
4 Fire Station No. 2 Facility Improvements	65	21							32		118
5 Replace Personal Protective Equipment	63				70	70					203
6 Fire Station No. 1 Facility Improvements	50	21	35					69			175
7 Fire Station No. 2 Fire Alarm	25										25
8 Replace Rescue Units		100			110			120			330
9 Replace Battalion Chief Vehicle		80			82			85			247
10 Replace 2004 Ford Explorer		45					50				95
11 Fire Station No. 3 Facility Improvements		35									35
12 Replace 1998 Aerial Apparatus with Fire Pumper			1,500								1,500
13 Replace Thermal Imaging Cameras			30	30				26			86
14 Replace 2004 Pumper/Squad	650				650						1,300
15 Self-Contained Breathing Apparatus									300		300
16 Replace 2001 Sutphen Aerial Tower										1,800	1,800
TOTALS	1,201	302	1,565	30	912	70	125	300	332	1,800	6,637
Other Revenues (City of Kalamazoo)											
Federal/State Grants											
Other Revenues, Vehicle Trade In	84		40							40	164
Special Assessments											
City Share Bonds											
General Obligation Bonds	278	180	1,260	30	912	70	125	300	300	1,760	5,215
Utility Capital Improvement Bonds											
Building Authority Bonds											
City Share Cash	839	122	265						32		1,258

Funding Sources (\$000)

Project Number/Title	BANs	Fed/State Grants	Trade-in Revenues	S/A's & S/A Bonds	City Share Bonds	Gen'l. Ob. Bonds	Utility Bonds	Building Authority	CIP Fund	Total
1 Mobile Computer/Mobile Video Replacement						180				180
2 Breathing Air System						98				98
3 Replace 2003 Chevy Utility Vehicle						75			70	145
4 Fire Station No. 2 Facility Improvements									118	118
5 Replace Personal Protective Equipment						140			63	203
6 Fire Station No. 1 Facility Improvements						69			106	175
7 Fire Station No. 2 Fire Alarm									25	25
8 Replace Rescue Units						330				330
9 Replace Battalion Chief Vehicle						247				247
10 Replace 2004 Ford Explorer						50			45	95
11 Fire Station No. 3 Facility Improvements									35	35
12 Replace 1998 Aerial Apparatus with Fire Pumper			40			1,260			200	1,500
13 Replace Thermal Imaging Cameras						56			30	86
14 Replace 2004 Pumper/Squad			84			650			566	1,300
15 Self-Contained Breathing Apparatus						300				300
16 Replace 2001 Sutphen Aerial Tower			40			1,760				1,800
TOTALS			164			5,215			1,258	6,637

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Portage Public Schools/Portage Athletic Foundation Agreement to Locate Sign in Right-of-Way

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council renew the Agreement To Locate Sign in Right-of-Way between the City of Portage and Portage Public Schools/Portage Athletic Foundation and authorize the City Manager to execute the agreement on behalf of the city.

Attached is correspondence from Portage Public Schools (PPS) and the Portage Athletic Foundation (PAF) requesting renewal of an agreement executed in January 2006 that allowed for placement of a PPS/PAF championship sign on the southeast corner of Oakland Drive and West Milham Avenue, as well as a second sign on the south side of West Centre Avenue, east of Angling Road. The agreement is due to expire in January 2016 unless renewed by the City of Portage. Attached is a copy of the 2006 agreement.

The City Administration has reviewed the request and notes there have been no problems associated with the signs at either location during the term of the current agreement. As a result, it is recommended the agreement be renewed for another ten-year period. Attached is an updated agreement that has been approved by the City Attorney.

FUNDING: N/A

Attachments:

1. July 24, 2015 communication from PPS and PAF
2. 2015 Agreement to Locate Sign In Right-of-Way
3. 2006 Agreement to Locate Sign In Right-of-Way

Portage Public Schools

THE FUTURE LEARNS HERE

To: Chris Forthye, City of Portage

From: Ronald Herron, Assistant Superintendent of Operations, PPS

Date: July 24, 2015

Re: Renewal of Agreement to Locate Sign(s) in City Right-of-Way

RECEIVED
AUG 28 2015
COMMUNITY DEVELOPMENT

Chris,

Thank you for your inquiry into the renewal of Portage Public Schools (PPS) and Portage Athletic Foundations (PAF) Sign agreement with the City of Portage. This agreement is to maintain two signs on city property, as outlined in our current agreement. As you stated in our conversation, the current agreement expires December 31, 2015, however the city would like to extend this agreement for an additional 10 years.

We have enjoyed this relationship and the city's cooperative spirit over the past ten years and would like to extend the agreement without change, for an additional ten years, as provided for by section 3 of the current agreement. We believe that by maintaining this agreement, we will continue to enhance our community's image, as well as continue to recognize the outstanding accomplishments of our students and staff; and attract new residents and businesses to our community.

This letter has been signed by PPS Administration and PAF in support of extending our current agreement for an additional 10 years. This would mean that the new agreement will remain in effect until December 31, 2025, unless notice is given.

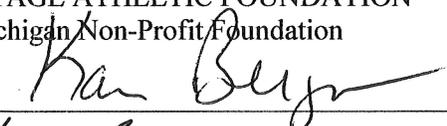
Again thank you for your assistance and attention to this matter.

Ronald Herron
Assistant Superintendent of Operations

PORTAGE PUBLIC SCHOOLS

BY: 
Ronald Herron - PPS, Assist. Supt of Operations

PORTAGE ATHLETIC FOUNDATION
A Michigan Non-Profit Foundation

By: 
Karen Bergman

AGREEMENT TO LOCATE SIGN IN CITY RIGHT-OF-WAY

AGREEMENT dated _____, between PORTAGE ATHLETIC FOUNDATION, a Michigan Non-Profit Corporation, (hereinafter PAF), whose address is P.O. Box 235, Portage, Michigan 49081, and the CITY OF PORTAGE, a Michigan Municipal Corporation, whose address is 7900 South Westnedge Avenue, Portage, Michigan 49002 (hereinafter City) and PORTAGE PUBLIC SCHOOLS (hereinafter PPS), whose address is 8107 Mustang Drive, Portage, Michigan 49002. Portage Athletic Foundation and Portage Public Schools are collectively referred to as PAF/PPS.

WHEREAS, PAF is incorporated as a Michigan non-profit corporation to encourage, support and supplement the athletic programs as established by the Board of Education of the Portage Public Schools;

WHEREAS, City and PPS desire to assist PAF in recognizing the varsity team state championships of the Portage Northern and Portage Central High Schools as well as displaying the logos of local service organizations;

WHEREAS, the two (2) signs in the public right of way at agreed locations recognize the achievements of the Portage Public Schools, serve to attract new residents and businesses, and enhances the community's image;

WHEREAS, the City will not be expending any public funds for improvements to or maintenance of the signs; and

WHEREAS, the parties wish to enter in a mutual, beneficial and cooperative agreement.

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants and agreements set forth herein and for other good and valuable consideration, the parties hereby agree as follows:

1. In 2006, the City granted PPS permission to erect, improve and maintain two (2) signs in the public right-of-way at the following locations: (a) South side of West Centre Avenue east of US 131; and (b) the southeast corner of Oakland Drive and West Milham Avenue (collectively referred to as Site). Such grant is continued for the term of this Agreement.
2. PPS shall own the sign structures while this Agreement remains in effect. PPS appoints PAF as its agent to perform the obligations and responsibilities required under this Agreement.
3. This Agreement shall remain in effect for ten (10) years at which time it may be extended for an additional ten years with the City's written consent.
4. PAF shall be solely responsible for all costs associated with any license or permit fee required by any jurisdiction.

5. PAF shall be responsible for maintenance and repair of all signage and improvements, as well as maintaining the Site in an attractive manner. City shall pay all monthly electrical expenses. The area of the Site shall be defined in the site plan as shown in the 2006 executed agreement.
6. PAF/PPS shall comply with all laws, rules and regulations of any governing body which may now or hereafter have jurisdiction over the subject matter of this agreement while this agreement remains in effect.
7. No more than one sign structure shall be allowed at each site.
8. All improvements shall be constructed in a workmanlike manner without the attachment of any liens to the Site and shall be completed in compliance with all applicable, laws, rules, ordinances and regulations.
9. PAF shall cause all work performed in connection with this agreement to be accomplished with care and in a manner and time that will cause the least interference with the surface of the right-of-way area and shall be performed as expeditiously as possible so as to minimize interference with surrounding property and traffic.
10. During the term of this agreement, PAF/PPS shall use the Site solely for the location of signage communicating the varsity team championships of Portage Central and Portage Northern High Schools, as well as identifying logos of service organizations.
11. PAF shall, at its own expense, keep the sign equipment and any other personal property installed upon the Site in good working order, condition and repair. PAF shall also keep the Site free of debris and anything of offensive nature which would create a hazard or interference. City may request in writing PAF/PPS to conduct maintenance and/or repair at the Site. If such work is not completed in 30 days, City may perform the required work and charge PAF/PPS for all time and materials expended.
12. PAF and PPS may have access to the Site at all reasonable times to inspect, maintain and repair the improvements located at the Site with reasonable prior notice given to City.
13. No other structures, (other than the permitted signs), or other improvements shall be allowed on the Site without site plan amendment and approval by the Director of the Department of Community Development. However, maintenance and repair of the signs may be conducted without written City approval if the maintenance and repair does not result in a change of the signs' location, height, width or depth.
14. Nothing contained herein shall be interpreted or construed to grant PAF or PPS any interest in the public way or the Site to be utilized by the signs and the City retains all property rights in and to such areas including but not limited to the right to utilize the same for construction of roadways, sidewalks, driveways, curbs, gutters, public utilities or for any other improvement.

15. City reserves the right at any time and from time to time in its sole discretion, with 30 days written notice to PAF and PPS, to cause the relocation or removal at PAF'S expense of all signs and other improvements in the public right-of-way for the installation or relocation of public improvements, including but not limited to, street widening, utilities, etc.
16. The nature of the relationship between PAF/PPS and City is governed by this agreement. In no event shall this agreement be interpreted to create a tenancy or leasehold of any kind or create a landlord/tenant relationship between PAF/PPS and City. This agreement shall not be deemed or construed as transferring to PAF/PPS any interest in the personal property or land of City or any right in the nature of any interest in any personal property or land with the City, in whole or in part, irrespective of any expenditure by PAF/PPS for the preparation or use of the Site. Nothing contained in this Agreement nor any act of the parties shall be deemed or construed by any party or by any third party to create the relationship of principal and agent, of partnership, of joint venture, of joint enterprise, or of any association between the parties hereto, nor shall anything contained in this Agreement or any act of the parties be construed to render any party liable for the debts and obligations of any other party.
17. Upon termination or expiration of this agreement for whatever reason, PAF and PPS shall immediately surrender the Site and remove all its property and equipment and leave the Site in as good of condition as when taken, reasonable wear and tear accepted, within 30 days. Any such personal property not removed within the time stated above, shall be deemed abandoned by PAF/PPS.
18. City shall not be liable to PAF or PPS or their agents, contractors, subcontractors, employees, invitees for any personal injury, property damage, or loss of life or property caused by or arising out of or in connection with the use of the Site. PSF/PPS, their heirs, successors and assigns and transferees waives any claim it may have now or in the future against City for damage due to the signs and other improvements located within City's right-of-way which may occur during installation or maintenance of City utilities in the public right-of-way or during maintenance or construction of other City improvements.
19. PPS/PAF agree to defend, indemnify and save City harmless from and against all actions claims, demands, judgments, loss damage, expense, including actual attorney fees which the City may suffer, incur or sustain or for which the City may become liable, arising or growing out of any injury or damage to persons or to real or personal property arising by reason of the existence, use, operation, installation, maintenance, repair, removal, replacement or inspection of the signs and other improvements at the Site or caused by the action, inaction and/or negligence of PPS or PAF or its contractors, subcontractors, agents or representatives or any of them in the performance of work performed at the Site or in connection therewith.

20. During the term of this agreement, PAF/PPS, and its contractors who are performing work on the Site, shall maintain or cause to maintain in full force and effect and at its sole cost and expense the following types and limits of insurance: (1) workers' compensation meeting Michigan Statutory requirements (may not be required when work is complete); (2) comprehensive general liability insurance with minimum limits of five million (\$5,000,000) Dollars as the combined single limit for each occurrence of bodily injury, personal injury and property damage; and (3) automobile liability insurance covering all owned, hired, and non-owned vehicles in use by PAF/PPS, its employees and agents, with personal protection insurance and property protection insurance to comply with the provisions of the Michigan No Fault Insurance Law including residual liability, insurance with minimum limits of one million (\$1,000,000) Dollars as the combined single limit for each occurrence for bodily injury and property damage. All policies other than those for workers' compensation shall be written on an occurrence and not on a claims made basis. The coverage amount set forth above may be met by a combination of underlying and umbrella policies so long as in combination the limits equal or exceed those stated. All policies, except for workers compensation, shall name City and its respective officers, boards, commissions, employees, agents and contractors, as their respective interests may appear as additional insureds, (herein referred to as the Additional Insured).
21. Certificates of insurance for each insurance policy required to be obtained by PAF/PPS in compliance with this paragraph shall be filled by PAF/PPS before site improvement and maintained with City annually during the term of this agreement.
22. All insurance shall be affected under valid and enforceable policies, insured by insurers licensed to do business by the State of Michigan which are satisfactory to City.
23. PAF/PPS shall require that each and every one of its contractors and their subcontractors carry, in full force and effect, workers' compensation, comprehensive public liability and automobile liability insurance coverage of the type which PAF/PPS is required to obtain under the terms of this paragraph with appropriate limits of insurance. City may require proof of such coverage to be provided.
24. All the policies of insurance (and the certificates or other evidence thereof) required to be purchased and maintained in accordance with this Agreement will contain a provision or endorsement that the coverage afforded will not be cancelled or materially changed or renewal refused until at least thirty days prior written notice has been given to the City and to each other additional insured to whom a certificate of insurance has been issued.
25. Nothing herein contained constitutes, nor should the same be construed as, a waiver of any governmental immunity provided to the City, its agents, employees, officers, or representatives as provided for under common law or statute.

26. No party may assign or otherwise transfer any part of its interest in this agreement without the prior written consent of all parties. The prohibition against any assignment shall be construed to include a prohibition against any assignment by creation of law. This Agreement is personal to the parties.
27. Whenever words herein are used in the masculine, they shall be read in the feminine or neuter whenever they would so apply and vice versa, and words in this Agreement that are singular shall be read as plural whenever the latter would so apply and vice versa.
28. This Agreement represents the entire agreement between the parties. It may not be amended, altered or modified unless done so in writing by the persons against whom enforcement of any waiver, change or modification or discharge is sought.
29. This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan that are applicable to Agreements made and to be performed in that State.
30. In the event any of the provisions of this Agreement are deemed to be invalid or unenforceable, those provisions shall be deemed severable from the remainder of this Agreement and shall not cause the invalidity or unenforceability of the remainder of this Agreement. If any provision of this Agreement shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.
31. Any waiver, alteration or modification of any of the provisions of this Agreement, or cancellation or replacement of this Agreement, shall not be valid unless in writing and executed by the parties with the same formality as this Agreement. Any waiver by any party of any provision of this Agreement or any right or option under this Agreement shall not be controlling, nor shall it prevent or estop such party from thereafter enforcing such provision, right or option. The failure of any party to insist in any one or more instances upon the strict performance of any of the terms or provisions of this Agreement by another party shall not be construed as a waiver or relinquishment for the future of any such term or provision, and the same shall continue in full force and effect.
32. No provision in this Agreement is to be interpreted for or against any party because that party or that party's legal representative drafted the provision.
33. If any party commences an action against another party as the result of a breach or alleged breach of this Agreement, the prevailing party shall be entitled to have and recover from the losing party reasonable attorney fees and costs of suit.
34. This Agreement and any originals of exhibits referred to herein may be executed in any number of duplicate originals or counterparts, each of which (when the original signatures are affixed) shall be an original but all of which shall constitute one and the same instrument.

35. Each party to this Agreement which is a corporation, limited partnership, general partnership, trust or other entity warrants and represents that it is properly authorized by its board of directors, stockholders, partners and/or holders of beneficial interests to enter into this Agreement.

PORTAGE ATHLETIC FOUNDATION,
A Michigan Non-Profit Corporation

By: _____
Karen Bergman
Its: President

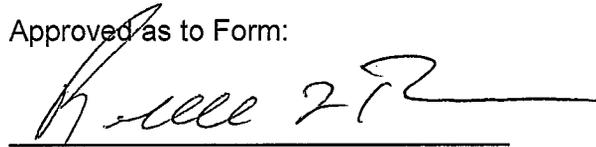
PORTAGE PUBLIC SCHOOLS

By: _____
Mark T. Bielang
Its: Superintendent

CITY OF PORTAGE,
A Michigan Municipal Corporation

By: _____
Laurence Shaffer
Its: City Manager

Approved as to Form:



Randall L. Brown, Portage City Attorney

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1-2-06

AGREEMENT TO LOCATE SIGN IN CITY RIGHT-OF-WAY

AGREEMENT between PORTAGE ATHLETIC FOUNDATION, a Michigan Non-Profit Corporation, (hereinafter PAF), whose address is P.O. Box 235, Portage, Michigan 49081, and the CITY OF PORTAGE, a Michigan Municipal Corporation, whose address is 7900 South Westnedge Avenue, Portage, Michigan 49002 (hereinafter City) and PORTAGE PUBLIC SCHOOLS (hereinafter PPS), whose address is 8111 South Westnedge Avenue, Portage, Michigan 49002. Portage Athletic Foundation and Portage Public Schools are collectively referred to as "PAF/PPS".

WHEREAS, PAF is incorporated as a Michigan non-profit corporation to encourage, support and supplement the athletic programs as established by the Board of Education of the Portage Public Schools;

WHEREAS, City and PPS desire to assist PAF in recognizing the varsity team state championships of the Portage Northern and Portage Central High Schools as well as displaying the logos of local service organizations;

WHEREAS, the placement of two (2) signs in the public right of way at agreed locations recognizes the achievements of the Portage Public Schools, will attract new residents and businesses, and enhances the community's image;

WHEREAS, the existing signage is outdated, obscured and unattractive;

WHEREAS, the City will not be expending any public funds for the placement, construction or maintenance of the signs to be located in the public right of way; and

WHEREAS, the parties wish to enter in a mutual, beneficial and cooperative agreement.

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants and agreements set forth herein and for other good and valuable consideration, the parties hereby agree as follows:

1. City grants PPS permission to erect two (2) signs in the public right-of-way at the following locations: (a) South side of West Centre Avenue east of US 131; and (b) the southeast corner of Oakland Drive and West Milham Avenue (collectively referred to as "Site").
2. PPS shall own the sign structures while this Agreement remains in effect. PPS appoints PAF as its agent to perform the obligations and responsibilities required under this Agreement.
3. This Agreement shall remain in effect until January 1, 2016, at which time it may be extended for an additional ten years with the City's written consent.

4. PAF shall be solely responsible for all costs associated with Site preparation, removal of the existing structures, electrical connection, sign preparation and installation as well as any license or permit fee required by any jurisdiction.
5. PAF shall be responsible for maintenance and repair of all signage and improvements, as well as maintaining the Site in an attractive manner. City shall pay all monthly electrical expenses. The area of the Site shall be defined in the site plan required herein.
6. PAF/PPS shall comply with all laws, rules and regulations of any governing body which may now or hereafter have jurisdiction over the subject matter of this agreement while this agreement remains in effect.
7. Within 30 days after execution of this agreement, PAF shall provide complete plans and specifications to City of the work PPS/PAF wishes to perform at the Site containing the description and intended location of the signs at each site. At minimum, PAF shall supply detailed drawings of the signs and all landscaping at the Site as well as screening of ground equipment. No work on the Site is permitted until the site plan is approved by the Director of the Department of Community Development. No more than one sign structure shall be allowed at each site. Completion of the installation of the signage at the Site shall be accomplished no later than the time allowed in the sign permit provided that provided that City approves all plans, specifications and drawings prior to receipt of such permit. PAF may request reasonable extensions for delays beyond its control.
8. Prior to commencing construction, PAF shall provide City with the name of the contractor(s) that will be constructing improvements or working at the Site. All such work shall be performed by properly trained, skilled workers who are fully qualified to perform such work. All improvements shall be constructed in a workmanlike manner without the attachment of any liens to the Site and shall be completed in compliance with all applicable, laws, rules, ordinances and regulations.
9. PAF shall cause all work performed in connection with this agreement to be accomplished with care and in a manner and time that will cause the least interference with the surface of the right-of-way area and shall be performed as expeditiously as possible so as to minimize interference with surrounding property and traffic.
10. During the term of this agreement, PAF/PPS shall use the Site solely for the location of signage communicating the varsity team championships of Portage Central and Portage Northern High Schools, as well as identifying logos of service organizations previously existing on prior signage.
11. PAF shall, at its own expense, keep the sign equipment and any other personal property installed upon the Site in good working order, condition and repair. PAF shall also keep the Site free of debris and anything of offensive nature which would create a hazard or interference. City may request in writing PAF/PPS to

conduct maintenance and/or repair at the Site. If such work is not completed in 30 days, City may perform the required work and charge PAF/PPS for all time and materials expended.

12. PAF and PPS may have access to the Site at all reasonable times to inspect, maintain and repair the improvements located at the Site with reasonable prior notice given to City.
13. No other structures, (other than the permitted signs), or other improvements shall be allowed on the Site without site plan amendment and approval by the Director of the Department of Community Development. However, maintenance and repair of the signs may be conducted without written City approval if the maintenance and repair does not result in a change of the signs' location, height, width or depth.
14. Nothing contained herein shall be interpreted or construed to grant PAF or PPS any interest in the public way or the Site to be utilized by the signs and the City retains all property rights in and to such areas including but not limited to the right to utilize the same for construction of roadways, sidewalks, driveways, curbs, gutters, public utilities or for any other improvement.
15. City reserves the right at any time and from time to time in its sole discretion, with 30 days written notice to PAF and PPS, to cause the relocation or removal at PAF'S expense of all signs and other improvements in the public right-of-way for the installation or relocation of public improvements, including but not limited to, street widening, utilities, etc.
16. The nature of the relationship between PAF/PPS and City is governed by this agreement. In no event shall this agreement be interpreted to create a tenancy or leasehold of any kind or create a landlord/tenant relationship between PAF/PPS and City. This agreement shall not be deemed or construed as transferring to PAF/PPS any interest in the personal property or land of City or any right in the nature of any interest in any personal property or land with the City, in whole or in part, irrespective of any expenditure by PAF/PPS for the preparation or use of the Site. Nothing contained in this Agreement nor any act of the parties shall be deemed or construed by any party or by any third party to create the relationship of principal and agent, of partnership, of joint venture, of joint enterprise, or of any association between the parties hereto, nor shall anything contained in this Agreement or any act of the parties be construed to render any party liable for the debts and obligations of any other party.
17. Upon termination or expiration of this agreement for whatever reason, PAF and PPS shall immediately surrender the Site and remove all its property and equipment and leave the Site in as good of condition as when taken, reasonable wear and tear excepted, within 30 days. Any such personal property not removed within the time stated above, shall be deemed abandoned by PAF/PPS.

18. City shall not be liable to PAF or PPS or their agents, contractors, subcontractors, employees, invitees for any personal injury, property damage, or loss of life or property caused by or arising out of or in connection with the use of the Site. PSF/PPS, their heirs, successors and assigns and transferees waives any claim it may have now or in the future against City for damage due to the signs and other improvements located within City's right-of-way which may occur during installation or maintenance of City utilities in the public right-of-way or during maintenance or construction of other City improvements.
19. PPS/PAF agree to defend, indemnify and save City harmless from and against all actions claims, demands, judgments, loss damage, expense, including actual attorney fees which the City may suffer, incur or sustain or for which the City may become liable, arising or growing out of any injury or damage to persons or to real or personal property arising by reason of the existence, use, operation, installation, maintenance, repair, removal, replacement or inspection of the signs and other improvements at the Site or caused by the action, inaction and/or negligence of PPS or PAF or its contractors, subcontractors, agents or representatives or any of them in the performance of work performed at the Site or in connection therewith.
20. During the term of this agreement, PAF/PPS, and its contractors who are performing work on the Site, shall maintain or cause to maintain in full force and effect and at its sole cost and expense the following types and limits of insurance: (1) workers' compensation meeting Michigan Statutory requirements (may not be required when work is complete); (2) comprehensive general liability insurance with minimum limits of five Million (\$5,000,000) Dollars as the combined single limit for each occurrence of bodily injury, personal injury and property damage; and (3) automobile liability insurance covering all owned, hired, and non-owned vehicles in use by PAF/PPS, its employees and agents, with personal protection insurance and property protection insurance to comply with the provisions of the Michigan No Fault Insurance Law including residual liability, insurance with minimum limits of one Million (\$1,000,000) Dollars as the combined single limit for each occurrence for bodily injury and property damage. All policies other than those for workers' compensation shall be written on an occurrence and not on a claims made basis. The coverage amount set forth above may be met by a combination of underlying and umbrella policies so long as in combination the limits equal or exceed those stated. All policies, except for workers' compensation, shall name City and its respective officers, boards, commissions, employees, agents and contractors, as their respective interests may appear as additional insureds, (herein referred to as the "Additional Insured").
21. Certificates of insurance for each insurance policy required to be obtained by PAF/PPS in compliance with this paragraph shall be filled by PAF/PPS before site preparation and maintained with City annually during the term of this agreement.

22. All insurance shall be effected under valid and enforceable policies, insured by insurers licensed to do business by the State of Michigan which are satisfactory to City.
23. PAF/PPS shall require that each and every one of its contractors and their subcontractors carry, in full force and effect, workers' compensation, comprehensive public liability and automobile liability insurance coverage of the type which PAF/PPS is required to obtain under the terms of this paragraph with appropriate limits of insurance. City may require proof of such coverage to be provided.
24. All the policies of insurance (and the certificates or other evidence thereof) required to be purchased and maintained in accordance with this Agreement will contain a provision or endorsement that the coverage afforded will not be cancelled or materially changed or renewal refused until at least thirty days prior written notice has been given to the City and to each other additional insured to whom a certificate of insurance has been issued.
25. Nothing herein contained constitutes, nor should the same be construed as, a waiver of any governmental immunity provided to the City, its agents, employees, officers, or representatives as provided for under common law or statute.
26. No party may assign or otherwise transfer any part of its interest in this agreement without the prior written consent of all parties. The prohibition against any assignment shall be construed to include a prohibition against any assignment by creation of law. This agreement is personal to the parties.
27. Whenever words herein are used in the masculine, they shall be read in the feminine or neuter whenever they would so apply and vice versa, and words in this Agreement that are singular shall be read as plural whenever the latter would so apply and vice versa.
28. This Agreement represents the entire agreement between the parties. It may not be amended, altered or modified unless done so in writing by the persons against whom enforcement of any waiver, change or modification or discharge is sought.
29. This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan that are applicable to Agreements made and to be performed in that State.
30. In the event any of the provisions of this Agreement are deemed to be invalid or unenforceable, those provisions shall be deemed severable from the remainder of this Agreement and shall not cause the invalidity or unenforceability of the remainder of this Agreement. If any provision of this Agreement shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

31. Any waiver, alteration or modification of any of the provisions of this Agreement, or cancellation or replacement of this Agreement, shall not be valid unless in writing and executed by the parties with the same formality as this Agreement. Any waiver by any party of any provision of this Agreement or any right or option under this Agreement shall not be controlling, nor shall it prevent or estop such party from thereafter enforcing such provision, right or option. The failure of any party to insist in any one or more instances upon the strict performance of any of the terms or provisions of this Agreement by another party shall not be construed as a waiver or relinquishment for the future of any such term or provision, and the same shall continue in full force and effect.
32. No provision in this Agreement is to be interpreted for or against any party because that party or that party's legal representative drafted the provision.
33. If any party commences an action against another party as the result of a breach or alleged breach of this Agreement, the prevailing party shall be entitled to have and recover from the losing party reasonable attorney fees and costs of suit.
34. This Agreement and any originals of exhibits referred to herein may be executed in any number of duplicate originals or counterparts, each of which (when the original signatures are affixed) shall be an original but all of which shall constitute one and the same instrument.
35. Each party to this Agreement which is a corporation, limited partnership, general partnership, trust or other entity warrants and represents that it is properly authorized by its board of directors, stockholders, partners and/or holders of beneficial interests to enter into this Agreement.

PORTAGE ATHLETIC FOUNDATION,
A Michigan Non-Profit Corporation

By: Beth Covey / Melanie Drogobetti
Beth Covey / Melanie Drogobetti
Its: Co-President

PORTAGE PUBLIC SCHOOLS

By: Dr. Peter McFarlane
Dr. Peter McFarlane
Its: Superintendent

CITY OF PORTAGE,
A Michigan Municipal Corporation

By: Maurice S. Evans
Maurice S. Evans
Its: ___ City Manager

Approved as to Form:

Randall L. Brown
Randall L. Brown, Portage City Attorney

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TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Story Point Senior Living Project - Public Finance Authority Revenue Bonds

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council adopt the resolution approving the issuance of Public Finance Authority Revenue Bonds for Portage Care, LLC for the Story Point Senior Living Project (3821 West Milham Avenue).

Attached is a communication from Triple M Investments (Portage Care, LLC) requesting City of Portage approval of bond financing for the Story Point Senior Living Facility at 3821 West Milham Avenue. The Tentative Plan Amendment and Final/Site Plan for the Story Point Senior Living Facility was approved by City Council on June 23, 2015. Subsequent to this approval, Triple M Investments submitted building plans for the project, which have also been administratively approved by the City of Portage.

To facilitate the project financing, Triple M Investments is seeking taxable bond financing for a portion of the project and plans to obtain the bonds through the Public Finance Authority (PFA) of Wisconsin. As explained in the attachments, the PFA is authorized to issue bonds in other states, but local approval by the city is required prior to PFA bond issuance. As additional information, the developer initially proposed to finance the project through the City of Portage Economic Development Corporation. However, it was determined the development was not eligible for financing under the Michigan Economic Development Corporations Act, PA 338 of 1974.

The city bond counsel, John Axe, has reviewed this request and prepared a resolution approving the issuance of the PFA bonds for the Story Point Senior Living (Portage Care, LLC) project. As indicated in the attached communication from Mr. Axe, the requested approval does not incur any liability for the city in connection with the project.

Therefore, it is recommended that City Council adopt the resolution approving the issuance of Public Finance Authority Revenue Bonds for Portage Care, LLC for the Story Point Senior Living project (3821 West Milham Avenue).

FUNDING: N/A

Attachments:

1. September 14, 2015 communication from Triple M Investments
2. September 14, 2015 communication from Bond Counsel Axe
3. Resolution Approving Issuance of Public Finance Authority Revenue Bonds



September 14, 2015

City of Portage Planning Commission
C/O Vicki Georgeau, Director Department of Community Development
7900 South Westnedge Avenue
Portage MI, 49002

Re: Request for City Council Bond Approval, 3821 West Millham Avenue

Dear Vicki,

As you know we received final site plan approval on June 23, 2015 for the above referenced project. It is our intent to break ground next month provided we are able to secure taxable bonds for a portion of the project. Taxable bond financing will be issued by PFA. PFA is a political subdivision of the State of Wisconsin that has been formed by Wisconsin statute to serve as a conduit issuer of municipal bonds for local governments and private entities.

PFA has been granted extraterritorial powers by its authorizing legislation and is experienced in issuing bonds and loaning the proceeds of its bonds to entities in other states, for projects in other states. PFA is one of a number of similar authorities that have been formed in other states to facilitate low cost financing of projects. These governmental authorities provide economies of scale and efficiency in the financing process that result in lower borrowing costs.

By statute, PFA may not issue bonds to finance a capital improvement project in any state or territory of the United States unless a political subdivision within whose boundaries the project is to be located has approved the financing of the project. Local approval of a financing is required in order to assure the issuing authority that the public benefits that are a prerequisite for authorization of the bonds are actually anticipated and to allow local jurisdictions to maintain awareness of, and, if desired, exercise their jurisdictional authority with respect to, bond-financed projects.

However, in no way will City Council's approval be an endorsement of the bonds or any responsibility with respect to the project or the bonds themselves. I have attached more details on the project and the process of funding via bond financing.

Because the PFA statutory framework is designed to require approval by an elected representative, the City Council of Portage, as the City's elected representative legislative body, needs to provide approval of the financing in order to satisfy the PFA statute.

City Council approval would be accomplished by the Council's passage of the attached Resolution. City Council approval is essential to the Project in that the Bonds are a necessary component of the financing plan for the Project, and the 2015 Bonds cannot be issued by PFA without the City Council's approval.

Should you have any questions please feel free to contact me at 310.709.7788.

Sincerely,

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

Mark Murphy
Managing Member

LAW OFFICES OF
AXE & ECKLUND, P.C.
SUITE 355
21 KERCHEVAL AVENUE
GROSSE POINTE FARMS, MICHIGAN 48236
TELEPHONE: (313) 884-9811, TELECOPIER (313) 884-0626
EMAIL: email@axelaw.com

September 14, 2015

Mr. Lawrence Shaffer
City Manager
City of Portage
7900 South Westnedge Ave.
Portage, Michigan 49002

RE: Storypoint Senior Living Affordable Care Project

Dear Mr. Shaffer:

Attached hereto please find a resolution which we have prepared for submission to the Portage City Council at their meeting next week.

This resolution (the form of which has been provided to us by the bond counsel for the Public Finance Authority of the State of Wisconsin ["Authority"]) is necessary before the Authority may issue bonds to finance the captioned project. All the City Council is doing is agreeing that the project may be financed by the Authority within the jurisdiction of the City of Portage and nothing more.

The City of Portage is not agreeing to take any action or incur any liability in connection with the project other than whatever action it has taken to date to approve zoning and other matters which relate to the project.

We recommend that the City Council approve the resolution attached hereto.

If you have any other questions, please give me a call.

Very truly yours,

Axe & Ecklund

John R. Axe

cc: Vicky Georgeau, City of Portage
Frederick Kuhlman, Hawkins Delafield & Wood LLP
Mark Murphy, Storypoint

JRA/dmh

Jra.l-por219

CITY OF PORTAGE

At a _____ meeting of the City Council of the City of Portage held at 7900 South Westnedge Ave., Portage, Michigan, 49002 on _____, 2015 at __:__ .m. Eastern Daylight Savings Time, there were:

PRESENT:

ABSENT:

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

RESOLUTION APPROVING THE ISSUANCE OF PUBLIC FINANCE AUTHORITY REVENUE BONDS (PORTAGE CARE, LLC PROJECT) TAXABLE SUBORDINATE SERIES 2015, IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$12,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF A CONTINUING CARE RETIREMENT COMMUNITY TO BE OWNED AND OPERATED BY PORTAGE CARE 2015, LLC AND RELATED COMPANIES, AND CERTAIN OTHER MATTERS RELATING THERETO

WHEREAS, the Public Finance Authority (the "Issuer") is authorized pursuant to Subchapter III of Chapter 66, Wisconsin Statutes (the "Statute"), to issue revenue bonds for the purpose of financing specified types of projects, including projects located in the City of Portage, Kalamazoo County, Michigan (the "City"); and

WHEREAS, Portage Care 2015, LLC (the "Obligor") has requested that the Issuer participate in a proposed plan of finance of the Obligor by providing for the issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$12,000,000 (the "Bonds") (i) for the acquisition, construction, improvement and equipping of a continuing care retirement community to be owned and operated by the Obligor, and located within the City (the "Facilities") as described in Appendix A attached hereto, and (ii) to pay other costs related to the issuance of the Bonds; and

WHEREAS, pursuant to Section 66.0304(11)(a) of the Statute, the City Council of the City (the "Council"), as the applicable elected representatives of the governmental unit having jurisdiction over the area in which the Facilities are located, must approve the issuance of the Bonds by the Issuer; and

WHEREAS, the Obligor has requested that the Council approve the issuance of the Bonds to satisfy the public approval requirement of the Statute; and

WHEREAS, it is intended that this resolution shall constitute the approval of the issuance of the Bonds as required of by the Statute,

WHEREAS, Bond Counsel, of the Issuer in order to comply with the Statute, has prepared this resolution;

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

1. This Council, for and on behalf of the City of Portage, hereby approves the issuance of the Bonds by the Issuer for the purpose of financing the Facilities as described in Appendix A attached hereto. It is the purpose and intent of this Council that this resolution shall constitute approval of the Bonds and the plan of finance providing for the issuance of the Bonds, for the purposes of the Statute.

2. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.

3. The City Clerk is hereby directed to forward a certified copy of this Resolution to Bond Counsel:

John O. Renken, Esq.
Hawkins Delafield & Wood LLP
One Embarcadero Center, 38th Floor
San Francisco, CA 94111

4. This resolution shall take effect upon its final adoption.

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

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

YES:

NO:

ABSTAIN:

CERTIFICATION

The undersigned, being the duly qualified and acting Clerk of the City of Portage, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Council of the City of Portage at a _____ meeting held on _____, 2015, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the City, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Clerk, City of Portage

SEAL

Dmh/RC-POR219 Story Point Resolution

Appendix A

DESCRIPTION OF THE PROJECT AND THE PROJECT FINANCING

Project Description

The financing which the City Council is being asked to approve is part of a plan of Portage Care 2015, LLC to construct an assisted living facility consisting of 92 independent living apartments, 30 enhanced living units, 18 assisted living units and 18 memory support units as well as supporting common areas (the "Project"). The Project is to be known as "StoryPoint of Portage" and is to be located on a site of approximately 21 acres on West Milham Avenue in the City of Portage, Kalamazoo County, Michigan.

Ownership and Management

Portage Care 2015, LLC (the "Obligor" or the "Borrower") and its operator Senior Living Portage, LLC (the "Operating Company") (herein referred to as the "Company") are Michigan limited liability companies. The Obligor plans to lease the building to the Operating Company which will be the licensed operator of the Project. CSIG Development Company, LLC, doing business as StoryPoint Development (the "Developer"), will provide development services for the Project. The Operating Company plans to hire Senior Village Management, LLC as the Manager of the Project (the "Manager"). The Obligor, the Developer, the Operating Company, and the Manager all have common ownership interests and are considered related parties. Management of the Obligor, the Developer, the Operating Company, and the Manager are collectively referred to as the "Management".

The Manager was formed in Michigan and specializes in the management and marketing of senior living communities throughout the United States. The Manager's primary office is located in Brighton, Michigan. The Manager's management team members have been participants in the planning, development, marketing and management of senior living communities. Over the past 20 years, they have been involved in the planning, development, management, and marketing of more than \$400 million of senior living communities in the Midwestern United States. The Manager currently operates ten senior housing communities and five are under development or construction.

Plan of Finance

The Project is to be financed through the following sources (dollar amounts are preliminary estimates and are subject to change): a bank construction loan of \$20,000,000 (the "Construction Loan") and the issuance of \$9,775,000 Public Finance Authority Revenue Bonds (Portage Care, LLC Project) Taxable Subordinate Series 2015 (the "Bonds"). The Company also plans to provide \$2,500,000 of equity to the Project. The Company's equity, combined with the proceeds from the Construction Loan and the Series 2015A Bonds, are to be used as follows:

To pay all costs for the Project, including reimbursement of a portion of pre-finance costs, development, construction, land acquisition and architectural costs;

To fund a Working Capital Fund;

To fund a Debt Service Reserve Fund;

To fund interest on the Construction Loan and the Bonds for a period of approximately 21 months (16 months of construction and 5 months post-construction); and

To pay costs associated with the issuance of the Construction Loan and the Bonds.

Feasibility Study

The Company has retained DHG Healthcare (Dixon Hughes Goodman LLP), Atlanta Georgia, to prepare a feasibility study to evaluate the Company's ability to generate sufficient funds to meet its operating expenses, working capital needs and other financial requirements, including the debt service requirements associated with the Project.

The Bonds

The Bonds will be issued by Public Finance Authority ("PFA"), a political subdivision of the State of Wisconsin. The Bonds are anticipated to be sold by the Underwriter in a public offering. The Bonds are issued, and their terms are governed, by an Indenture of Trust (the "Indenture"), by and between PFA and U.S. Bank National Association (the "Trustee"). PFA will loan the proceeds of the Bonds to the Obligor under a Loan Agreement (the "Loan Agreement") by and between PFA and the Obligor. In the Loan Agreement the Obligor promises to make Loan Payments to the Trustee that are matched in timing and amount to the scheduled principal and interest payments on the Bonds. The Trustee, in turn, pledges under the Indenture to use the Loan

Payments to make the scheduled principal and interest payments to the owners of the Bonds.

The Issuer

PFA is a political subdivision of the State of Wisconsin that has been formed by Wisconsin statute to serve as a conduit issuer of municipal bonds for local governments and private entities. It has been granted extraterritorial powers by its authorizing legislation and is experienced in issuing bonds and loaning the proceeds of its bonds to entities in other states, for projects in other states. PFA is one of a number of similar authorities that have been formed in other states to facilitate low cost financing of projects that have a public benefit. Colorado and Arizona also allow public entities formed under their laws to issue conduit financing bonds for projects located outside of those states' boundaries. These governmental authorities provide economies of scale and efficiency in the financing process that result in lower borrowing costs to local entities and their conduit borrowers.

As of the date of its 2014 Community Benefit Report, PFA had issued over \$2 billion of bonds, in over 93 bond issues, including 18 multifamily affordable housing bonds and seven continuing care community bonds. To date PFA has issued bonds in 37 states.

Examples of other PFA bond issues that are similar to the Bonds contemplated for the Project include the following:

\$63,155,000 Wisconsin Public Finance Authority Continuing Care Retirement Community Revenue Bonds (The Glenridge on Palmer Ranch, Inc. Project - Sarasota, Fl), Series 2011A.

\$96,500,000 Wisconsin Public Finance Authority Variable Rate Revenue Bonds, Series 2013 (Fellowship Senior Living Project).

\$22,905,000 Public Finance Authority Taxable Healthcare Facility First Mortgage Bonds, Series 2015 (Bridge Loan Program - Meridian Senior Living Ct 6 Assisted Living Facility Bonds).

\$6,510,000 Public Finance Authority Revenue Bonds (Retirement Housing Foundation Obligated Group) Series 2014B.

The PFA is headquartered at 22 E. Mifflin Street, Suite 900, Madison, Wisconsin 53703, phone no. (888) 508-7188. The PFA program manager with primary responsibility for the Storypoint Portage Care bond issuance is Phil Letendre, Program Manager, (301) 980-4160, pletendre@pfauthority.org.

Project Approval by PFA

Before PFA will agree to serve as the governmental issuer of conduit bonds, it requires prospective conduit borrowers to complete an approval process designed to assure compliance with the statutory requirements for PFA bonds. PFA's approval is based on completion of a project questionnaire, proof of local governmental approval of the project, and other requirements.

By statute, PFA may not issue bonds to finance a capital improvement project in any state or territory of the United States unless a political subdivision within whose boundaries the project is to be located has approved the financing of the project. Local approval of a financing is required in order to assure the issuing authority that the public benefits that are a prerequisite for authorization of the bonds are actually anticipated and to allow local jurisdictions to maintain awareness of, and, if desired, exercise their jurisdictional authority with respect to, bond-financed projects.

PFA's local approval procedure is patterned after the federal "TEFRA hearing" requirements of Internal Revenue Code Section 147(f). Section 147(f) provides that a bond issue must be approved by "each governmental unit having jurisdiction over the area in which the facility financed by the proceeds of such bond is located," and that such local governmental approval must be made by the "applicable elected representative."

Because the PFA statutory framework is designed to require approval by an elected representative, the City Council of Portage, as the City's elected representative legislative body, needs to provide approval of the financing in order to satisfy the PFA statute.

City Council approval will be accomplished by the Council's passage of the Resolution to which this description is attached. City Council approval is essential to the Project in that the Bonds are a necessary component of the financing plan for the Project, and the 2015 Bonds cannot be issued by PFA without the City Council's approval.



TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: August 2015 Environmental Report

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

ACTION RECOMMENDED: Information Only

Attached please find the August 2015 Summary Environmental Activity Report from Department of Transportation & Utilities Director, W. Christopher Barnes, P.E. New material or material of specific interest to City Council is presented in italics.

City Council has a quality of environment goal to “enhance environmental quality and protect natural resources.” The summary report is intended for informational purposes and to keep the Council, Planning Commission and Environmental Board apprised of current environmental issues.

FUNDING: N/A

Attachments: 1. August 2015 Environmental Activity Report

SUMMARY ENVIRONMENTAL ACTIVITY REPORT

August 2015 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-Beginning in 1991, South Westnedge Park (landfill) has been monitored for on-site and off-site contamination. On July 23, 2013, City Council approved a three-year contract with American Hydrogeologic Corporation (AHC) to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. Initial groundwater and methane results indicate no off-site impact. AHC currently compiling MDEQ sampling requirement costs necessary for closure at the former landfill site. Weekly methane sampling is continuing on-site to collect base line data. AHC is completing the installation of private methane detection devices at several adjacent properties. Soil boring installation was completed on May 28, 2014. Current methane readings have been below detection levels. The 2 nd year of AHC's contract is underway with annual report pending.
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. <i>-Review of 5 site/building plans and/or plats completed in August 2015.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<i>-Sanitary sewer hookup permits issued in August 2015: 20 residential; 1 commercial.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions. Special emphasis on weed control and non-point source pollution reduction.	-Five Year Lake Management Assessment District process was approved by City Council. The West Lake Improvement association has completed a five year plan for a new special assessment district. Special assessment process for 2015-2019 began on August 26, 2014. Resolution No. 5 completing the assessment was adopted October 21, 2014. Year-end report by the consultant is complete. The Association has selected to use

Restorative Lake Sciences, LLC for consulting services for 2015. Treatment application completed in mid-June. Follow-up inspection of treatment will be done by Restorative Lake. The 2015 weed treatment bids were received on February 24, 2015. City Council approved weed treatment contract with Professional Lake Management Company on April 10, 2015. Weed treatment was completed in June.

Retention Basin
Sampling Program
(Groundwater
Elevation)

Investigation regarding potential impact of retention basins on groundwater levels.

-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to storm water infiltration. Alternative road salt practices continue to be considered and evaluated. The 2013 report was received noting minimal impacts. The 2013 report is available on the website for public information. Bids were received for a new four year program on April 16, 2014. The low bidder, Nova Consultants, was awarded a four-year contract by City Council on April 29, 2014. *Monitoring performed in October 2014 and July 2015. Monthly sampling at two retention basins continues. Current findings show a rise in groundwater levels of approximately 6 inches over 2014 levels.*

Wellhead Protection
Program (WHPP)

Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.

-Current Wellhead Protection was approved March, 2001. Staff has met internally to discuss the future needs to update the plan pending grant opportunities. Staff participated in a MDEQ Water Supply Emergency planning roundtable on June 10, 2013. Update of the program has been initiated as part of the Water Reliability Study in conjunction with Fishbeck, Thompson, Carr & Huber update work currently underway. Wellfield delineation completed. Engineering intern has completed contamination source inventory. Final report preparation was submitted to the Michigan Department of Environmental Quality for review and approval. Letter of approval received from MDEQ on June 15, 2015. Program implementation is ongoing.

Leaf Compost
Monitoring Program

Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.

-City Council awarded contract on August 21, 2001 to Soil & Materials Engineers for monitoring and analysis of groundwater impact of the new compost operation. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi-annual sampling was performed from 2002 to 2008 in June and January. Sampling and analysis results continue to show negligible groundwater impacts from the

leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. Sampling completed in June 2015, with report submitted. No significant change in groundwater impacts.

National Pollution
Discharge Elimination
System (NPDES)
Permit Implementation

Five year plan to implement the
current NPDES stormwater permit.

-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Storm Water Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) completed December 11, 2009. Received a notice from MDEQ rescinding the 2008 permit due to a recent court case ruling. MDEQ reinstated the 2003 permit for implementation. Information on new permit requirement was received in February 2011. MDEQ expected to issue new permit in 2014. MDEQ scheduled an audit of the program on July 12, 2012. Audit completed with satisfactory results. City website updated in February to provide education of Illicit Storm Water Discharge. Program implementation is ongoing. Annual 2012-13 report was submitted on December 24, 2013. Comments received back have been reviewed by staff and response submitted to MDEQ. MDEQ concurred with city staff response. New permit application process announced in November 2014. New permit application was submitted in March 2015. Implementation is ongoing.

National Pollution
Discharge Elimination
System (NPDES)
Permit Implementation

Kalamazoo River Mainstream
Watershed Management Plan

-First meeting was held September 17, 2004. Proposals for completing the watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Review comments received from MDEQ and revised watershed plan due in December 2006. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Watershed council completed a watershed update in November, 2011. No new developments.

Portage River Watershed
Management Plan

-Public participation plan submitted June 28, 2004. Proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Based upon MDEQ comments, the plan was revised and resubmitted on December 21, 2009. Interest has been raised by local conservation groups to update the Watershed Plan using grant funds. Grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan in 2012. Grant for watershed update was awarded to Calhoun County Conversation District. First kick-off meeting held December 13, 2012 to introduce working partners and information gathering. A meeting was held on March 12, 2013 to discuss the designated uses of the Portage River/Little Portage Creek watershed, the total maximum daily load of E-coli from samples taken and a review of community ordinances and policies that help protect the Watershed. Meeting held on June 11, 2013 to discuss identified water quality problems in the watershed. Meeting held on December 11, 2013 to inform stakeholders of progress on data collection. Canoe trip inspection was held on September 13, 2014. No new developments.

Plan to implement and maintain an
Illicit Discharge Elimination Program
(IDEP) Storm Sewer Outfall Testing.

-On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled “Storm Water Illicit Discharges and Connections.” Program implementation is ongoing. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDEQ on June 25, 2010, and part of the SWIPPI. Completed an area-wide brochure to educate the public on Illicit Storm Water Discharges in conjunction with the Kalamazoo County Drain Commissioner. On April 29, 2014 City Council awarded a contract to Nova Consultants, Inc., to perform annual investigations of storm outfalls and investigate all outfalls on a four-year cycle. Investigations scheduled for 2014 were completed in July with summary report received. Report will be submitted to MDEQ as part of the annual report. *Next report due in December 2015.*

Garden Lane Arsenic Removal Facility	<i>Native Prairie Restoration</i>	Staff currently working with the Environmental Board on informative signs and long-term maintenance plans for the native planting landscape design in front of the Garden Lane Treatment Plant. <i>New informational signs are complete and maintenance is ongoing.</i>
Environmental Incident/Spill Clean Up Notification	Environmental Protection Program to assist Portage Police/Fire Departments with spill containment and spill cleanup.	Emergency spill response contract for 2014-15 with Terra Contracting has been renewed. <i>The number of environmental incident/spill investigations performed in August – 0. Number of environmental cleanups in August – 0.</i>
Southwest Michigan Regional Sustainability Covenant	Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.	On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to MDEQ for a greenhouse gas inventory study of the area. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs. No new developments.



KALAMAZOO METRO TRANSIT SYSTEM
RIDERSHIP ANALYSIS
December 2014



Route #	Route	Month to Date						Year to Date					
		# of Rides		Increase / decrease	Rides per hour		Increase / decrease	# of Rides		Increase / decrease	Rides per hour		Increase / decrease
		2014	2013		2014	2013		2014	2013		2014	2013	
01	Westnedge	32,564	30,701	6.07%	43.66	42.64	2.40%	387,377	376,371	2.92%	43.97	42.56	3.30%
02	Portage	14,177	14,067	0.78%	34.33	35.06	-2.08%	177,576	180,388	-1.56%	36.30	36.61	-0.85%
03	West Michigan	7,239	8,657	-16.38%	17.16	20.90	-17.89%	119,890	129,850	-7.67%	23.88	25.40	-5.97%
04	Oakland	7,588	6,559	15.69%	18.39	16.41	12.09%	91,674	79,099	15.90%	18.75	16.29	15.11%
05	East Main	11,115	9,778	13.67%	27.00	24.55	9.98%	127,830	138,051	-7.40%	26.21	28.22	-7.12%
06	Parchment	6,481	5,983	8.32%	19.30	18.39	4.94%	78,589	74,742	5.15%	19.75	18.70	5.62%
07	Alamo	15,698	15,648	0.32%	23.26	23.83	-2.39%	183,021	194,097	-5.71%	23.05	24.20	-4.74%
08	Egleston	9,674	8,800	9.93%	23.75	22.33	6.36%	118,023	109,985	7.31%	24.46	22.72	7.64%
09	Gull Road	19,560	17,888	9.35%	27.26	25.74	5.90%	230,812	226,409	1.94%	27.15	26.53	2.35%
10	Comstock	7,002	5,444	28.62%	17.01	13.67	24.42%	82,331	76,032	8.28%	16.88	15.54	8.61%
11	Stadium Drive	15,651	14,825	5.57%	24.83	24.33	2.04%	207,295	209,163	-0.89%	27.93	28.07	-0.49%
12	Duke	1,850	1,325	39.62%	10.83	7.92	36.71%	19,872	18,218	9.08%	9.99	8.97	11.45%
13	Burdick	15,490	16,681	-7.14%	21.49	23.89	-10.06%	196,897	203,159	-3.08%	23.06	23.70	-2.70%
14	West Main	20,212	18,247	10.77%	28.00	26.10	7.27%	247,652	226,367	9.40%	28.96	26.37	9.83%
15	Paterson	11,616	12,681	-8.40%	28.13	31.74	-11.38%	146,944	142,199	3.34%	31.36	28.98	8.22%
16	Lovell	26,581	27,373	-2.89%	31.74	33.44	-5.09%	417,979	417,085	0.21%	41.95	41.57	0.92%
17	Douglas (Discontinued 3/31/14)	0	162	-100.00%	n/a	1.59	n/a	580	2,532	-77.09%	5.21	3.33	56.45%
26	West Centre	3,742	3,405	9.90%	9.59	8.95	7.21%	40,124	40,450	-0.81%	8.72	8.61	1.36%
27	East Romence	2,815	2,932	-3.99%	7.27	7.61	-4.41%	31,254	33,720	-7.31%	6.30	6.75	-6.65%
21/22	Solon/Kendall/Lafayette	7,879	7,599	n/a	53.82	50.75	6.05%	121,743	109,512	11.17%	57.77	49.41	16.93%
	Total Fixed Route	236,934	228,755	3.58%	25.29	24.83	1.83%	3,027,463	2,987,429	1.34%	27.14	26.40	2.82%

Metro County Connect													
Demand-Response	11,912	9,570	24.47%	1.91	1.80	5.97%	143,385	132,643	8.10%	1.87	1.79	4.97%	
ADA Trips	5,496	3,838	43%	1.97	1.79	9.97%	63,259	50,222	25.96%	1.95	1.88	4.00%	
Specialized Service	3,375	1,796	88%	12.57	10.55	19.11%	39,504	14,020	181.77%	10.81	4.33	149.92%	
Charters		0		N/A	N/A	N/A	-	117	0.00%	N/A	N/A	N/A	
Total Services	252,221	240,121	5%	15.88	16.34	-2.82%	3,210,352	3,134,209	2.43%	16.75	16.43	1.90%	

Other Data	Month to Date			Year to Date		
	# of Rides		Increase / decrease	# of Rides		Increase / decrease
	2014	2013		2014	2013	
WMU	40,433	49,490	-18.30%	725,939	747,653	-2.90%
KVCC	5,338	-	N/A	30,472	-	N/A
Transfers	69,572	65,194	6.72%	809,235	793,981	1.92%
Wheelchair	271	359	-24.51%	4,838	5,133	-5.75%
Bikes	1,785	1,702	4.88%	33,282	39,301	-15.32%

Metro County Connect

2014 Jurisdictional Report

<i>Municipality</i>	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	ANNUAL TOTAL
Alamo Township	71	88	73	68	68	58	37	81	39	67	75	81	806
Augusta Village	45	46	56	19	8	21	20	8	26	34	32	57	372
Brady Township	14	8	0	0	4	0	2	0	0	0	2	4	34
Charleston Township	10	22	28	82	64	79	49	44	64	93	57	55	647
Climax Township	96	111	119	58	45	59	68	73	51	45	28	27	780
Climax Village	0	0	0	53	52	26	29	28	25	40	32	28	313
Comstock Township	480	495	539	588	480	381	441	436	465	617	521	630	6,073
Cooper Township	638	741	767	855	842	918	907	921	840	937	696	721	9,783
Galesburg City	59	62	45	46	49	59	51	53	78	88	54	73	717
Kalamazoo Twp	1,027	1,213	1,227	1,114	1,090	1,098	1,171	1,171	1,122	1,202	913	907	13,255
Kalamazoo City	3,409	3,769	3,830	4,110	4,100	3,700	4,043	3,951	4,282	4,610	3,649	3,936	47,389
OCC (Out County Transfers)	36	62	58	70	81	77	100	86	76	81	39	71	837
Oshtemo Township	783	885	1,028	1,166	1,146	1,141	1,235	1,248	1,306	1,561	1,147	1,170	13,816
Parchment City	96	111	102	110	128	129	153	149	165	183	159	135	1,620
Pavilion Township	140	173	189	228	244	271	248	244	235	250	230	256	2,708
Portage City	1,883	2,202	2,428	2,512	2,521	2,470	2,531	2,521	2,527	2,907	2,236	2,481	29,219
Prairie Ronde Township	81	92	90	102	97	101	83	86	97	96	62	86	1,073
Richland Township	128	123	130	132	155	147	204	215	213	210	147	182	1,986
Richland Village	2	0	0	0	0	0	0	0	0	0	0	0	2
Ross Township	30	50	58	65	64	71	65	67	73	67	51	61	722
Schoolcraft Township	163	195	188	219	191	187	192	205	282	318	237	249	2,626
Schoolcraft Village	16	16	19	23	28	17	22	39	26	33	25	25	289
Texas Township	471	514	480	508	486	415	450	406	386	421	408	405	5,350
Vicksburg Village	203	254	256	207	213	198	211	181	282	333	249	269	2,856
Wakeshma Township	8	10	0	15	14	19	10	6	14	5	8	3	112
MONTHLY TOTALS	9,889	11,242	11,710	12,350	12,170	11,642	12,322	12,219	12,674	14,198	11,057	11,912	143,385
2014	32,841 <i>1st Quarter</i>			36,162 <i>2nd Quarter</i>			37,215 <i>3rd Quarter</i>			37,167 <i>4th Quarter</i>			143,385 <i>Annual</i>



KALAMAZOO METRO TRANSIT SYSTEM
RIDERSHIP ANALYSIS
August 2015



Route #	Route	Month to Date						Year to Date					
		# of Rides			Rides per hour			# of Rides			Rides per hour		
		2015	2014	Increase / decrease	2015	2014	Increase / decrease	2015	2014	Increase / decrease	2015	2014	Increase / decrease
01	Westnedge	26,832	31,202	-14.01%	36.08	41.96	-14.01%	235,592	253,609	-7.10%	40.19	43.05	-6.64%
02	Portage	11,279	14,664	-23.08%	27.31	35.51	-23.08%	103,756	117,693	-11.84%	31.87	35.97	-11.41%
03	West Michigan	5,386	6,679	-19.36%	13.01	16.14	-19.36%	65,373	76,436	-14.47%	19.78	22.89	-13.60%
04	Oakland	6,339	7,719	-17.88%	15.37	18.71	-17.88%	57,776	58,429	-1.12%	17.76	17.87	-0.60%
05	East Main	9,578	10,270	-6.74%	23.27	24.95	-6.74%	82,493	83,083	-0.71%	25.43	25.47	-0.18%
06	Parchment	5,404	5,510	-1.92%	16.09	16.41	-1.92%	46,677	50,623	-7.79%	17.63	19.03	-7.35%
07	Alamo	12,582	11,665	7.86%	18.97	17.59	7.86%	113,355	119,672	-5.28%	21.42	22.55	-4.98%
08	Egleston	8,290	9,721	-14.72%	20.37	23.86	-14.63%	70,273	76,403	-8.02%	21.88	23.67	-7.56%
09	Gull Road	17,253	18,500	-6.74%	24.04	25.78	-6.74%	144,612	149,515	-3.28%	25.56	26.30	-2.80%
10	Comstock	5,978	7,482	-20.10%	14.52	18.17	-20.10%	53,714	52,799	1.73%	16.55	16.19	2.26%
11	Stadium Drive	12,072	12,660	-4.64%	19.45	20.40	-4.64%	119,188	127,442	-6.48%	24.10	25.68	-6.16%
12	Duke	1,130	1,234	-8.43%	6.93	7.57	-8.43%	13,708	12,405	10.50%	10.32	9.34	10.50%
13	South Burdick	14,280	14,802	-3.53%	19.83	20.54	-3.47%	120,277	132,196	-9.02%	21.17	23.15	-8.55%
14	West Main	18,813	20,169	-6.72%	26.06	27.94	-6.72%	151,352	163,768	-7.58%	26.59	28.63	-7.13%
15	Paterson	8,716	11,019	-20.90%	21.11	26.68	-20.90%	82,722	98,938	-16.39%	25.41	32.27	-21.28%
16	Lovell	18,352	22,700	-19.15%	22.00	26.56	-17.17%	224,285	255,231	-12.12%	33.92	38.28	-11.40%
17	Douglas (discontinued 3/14)	0	0	n/a	0.00	0.00	n/a	-	580	-100.00%	-	5.21	0.00%
26	West Centre	3,920	3,321	18.04%	10.05	8.52	18.04%	29,388	25,853	13.67%	9.56	8.42	13.46%
27	East Romence	2,649	2,583	2.56%	6.85	6.67	2.56%	21,473	20,723	3.62%	7.04	6.02	16.93%
21	Solon/Kendall/Lafayette	0	0	n/a	0.00	0.00	n/a	61,248	64,325	-4.78%	57.17	61.17	-6.54%
Total Fixed Route		188,853	211,900	-10.88%	20.57	23.03	n/a	1,797,262	1,939,723	-7.34%	24.39	26.10	-6.57%

Metro County Connect													
Demand-Response	12,467	12,219	2.03%	1.92	1.88	1.84%	102,735	93,544	9.83%	1.91	1.88	1.97%	
ADA Trips	5,869	5,515	6%	2.03	1.94	4.18%	48,404	39,843	21.49%	2.04	1.98	3.18%	
Specialized Service	6,530	4,303	52%	11.08	15.17	-26.99%	39,169	24,399	60.54%	12.15	9.97	21.87%	
Charters	0	0	0%	0.00	0.00	N/A	-	0	0.00%	N/A	N/A	N/A	
Total Services	207,850	228,422	-9.0%	12.78	14.31	-10.67%	1,939,166	2,057,666	-5.76%	14.85	16.26	-8.64%	

Other Data	Month to Date			Year to Date		
	# of Rides		Increase / decrease	# of Rides		Increase / decrease
	2015	2014		2015	2014	
WMU	22,897	35,079	-34.73%	346,641	450,062	-22.98%
KVCC	1,069	487	119.51%	28,415	487	5734.70%
Transfers	58,515	60,207	-2.81%	511,800	527,398	-2.96%
Wheelchair	544	415	31.08%	2,785	3,354	-16.96%
Bikes	4,035	4,222	-4.43%	21,538	22,243	-3.17%

Metro County Connect

2015 Jurisdictional Report

<i>Municipality</i>	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	ANNUAL TOTAL
Alamo Township	83	89	102	94	86	95	90	88	0	0	0	0	727
Augusta Village	50	25	14	24	26	9	0	9	0	0	0	0	157
Brady Township	5	2	0	2	6	0	7	6	0	0	0	0	28
Charleston Township	62	45	66	68	55	70	80	76	0	0	0	0	522
Climax Township	29	39	61	29	42	37	35	36	0	0	0	0	308
Climax Village	32	32	43	40	40	41	42	37	0	0	0	0	307
Comstock Township	587	590	695	676	622	559	623	594	0	0	0	0	4,946
Cooper Township	773	745	949	951	886	846	862	809	0	0	0	0	6,821
Galesburg City	87	91	80	100	91	93	94	73	0	0	0	0	709
Kalamazoo Twp	935	965	1,123	1,123	1,080	1,137	1,143	1,184	0	0	0	0	8,690
Kalamazoo City	3,913	3,985	4,428	4,479	4,123	4,420	4,214	4,001	0	0	0	0	33,563
OCC (Out County Transfers)	63	53	57	66	35	47	33	20	0	0	0	0	374
Oshtemo Township	1,203	1,169	1,367	1,241	1,098	1,292	1,282	1,190	0	0	0	0	9,842
Parchment City	157	155	155	149	160	140	118	127	0	0	0	0	1,161
Pavilion Township	239	190	306	296	269	232	214	196	0	0	0	0	1,942
Portage City	2,373	2,502	2,913	2,891	2,702	2,807	2,796	2,646	0	0	0	0	21,630
Prairie Ronde Township	84	79	89	90	82	90	92	82	0	0	0	0	688
Richland Township	141	141	156	127	93	90	81	110	0	0	0	0	939
Richland Village	0	0	0	0	0	0	0	0	0	0	0	0	0
Ross Township	64	78	92	95	91	78	86	71	0	0	0	0	655
Schoolcraft Township	268	243	346	299	274	330	301	313	0	0	0	0	2,374
Schoolcraft Village	23	21	32	28	34	23	33	24	0	0	0	0	218
Texas Township	424	445	465	433	366	453	455	438	0	0	0	0	3,479
Vicksburg Village	287	297	358	350	293	337	369	335	0	0	0	0	2,626
Wakeshma Township	4	3	8	6	0	2	4	2	0	0	0	0	29
MONTHLY TOTALS	11,886	11,984	13,905	13,657	12,554	13,228	13,054	12,467	0	0	0	0	102,735
2015	37,775 <i>1st Quarter</i>			39,439 <i>2nd Quarter</i>			25,521 <i>3rd Quarter</i>			0 <i>4th Quarter</i>			102,735 <i>Annual</i>

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – July 13, 2015

The City of Portage Zoning Board of Appeals meeting was called to order by Jeffrey Bright at 7:00 p.m. in the Council Chambers. Nine people were in the audience.

MEMBERS PRESENT: Glenn Smith, Jeffrey Bright, Lowell Seyburn, Michael Robbe, John Byrnes, and Alexander Philipp.

MEMBERS EXCUSED: A motion was made by Robbe, seconded by Smith to excuse Randall Schau, Phillip Schaefer, and Chadwick Learned. Upon voice vote, motion was approved 6-0.

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator and Randy Brown, City Attorney.

APPROVAL OF THE MINUTES: Byrnes moved and Robbe seconded a motion to approve the June 8, 2015 minutes as submitted. Upon voice vote, the motion was approved 5-0 (Seyburn abstained).

NEW BUSINESS:

ZBA #15-1, Great Lakes Self Storage 1, LLC, 800 Gladys Street, 6529 Naomi Street: Mais summarized the request for a variance from the conflicting land use screening requirements along the southwest portion of the site, between the Cross Creek Self Storage facility and the nonconforming single family residence at 6527 Naomi Street. Scott Carter agreed with staff's report and provided additional photographs of the site. Seyburn noted the razor wire referenced in the report appeared to be barbed wire. Mr. Carter stated it was necessary for security. Robbe inquired about the timing of the request, noting that the site plan had been approved in November, 2014. Pat Flanagan with Ingersoll, Watson & McMachen stated he did the plan and the timing was due to construction considerations imposed by the onset of winter. Robbe inquired if the existing chain link fence was part of the former automobile repair facility at 6529 Naomi Street. Mr. Carter said yes. Robbe inquired where the lights would be in relation to the nonconforming residence. Mr. Flanagan stated there would be two lights to the west of the new building and both will be directed downwards and not at the adjacent residence. Seyburn inquired where site access would be. Mais stated off Gladys Street.

The public hearing was opened. No one spoke for or against the request. The public hearing was closed.

A motion was made by Smith, seconded by Byrnes, to grant a variance from the conflicting land use screening requirements along the southwest portion of the site, between the Cross Creek Self Storage facility and the nonconforming single family residence at 6527 Naomi Street for the following reasons: there are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district, which include the presence of existing fences and mature trees and the location and orientation of the new self-storage building; the variance is necessary for the preservation and enjoyment of a substantial property right, the right to construct a storage facility that meets the spirit and intent of the Zoning Code; the immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood, and; the variance will not materially impair the intent and purpose of the zoning ordinance. Upon roll call vote: Smith-Yes, Phillip-Yes, Robbe-No, Bright-Yes, Seyburn-No, Byrnes-Yes. The motion passed 4-2.

ZBA #15-2, 7540 South Westnedge Avenue: Mais summarized the request for a Temporary Use Permit to operate a mobile food trailer at 7540 South Westnedge Avenue from July 14, 2015 through December 31, 2014. Nicholas Lambright stated he wanted to stay at the proposed location for a six month period so his customers would know where to find the business.

A public hearing was opened. A letter for support from Carrie Wesley, 8126 Shaver Road was read. Jim Schalenko spoke on behalf of Main Street Pub, 7509 South Westnedge Avenue. Mr. Schalenko supported the Temporary Use as he felt it will bring additional traffic to the area and that the trailer looked clean and attractive. Seyburn inquired how he would feel about Nick's Gyros customers using their bathrooms. Mr. Schalenko responded any time they can bring people into his restaurant it is an opportunity to attract new customers. Jeff Maddox, 781 Lenox Avenue, spoke in support of the request. The public hearing was closed.

Bright questioned staff's recommendation to limit the Temporary Use to 60 days, and limit the hours of operation, as he felt new businesses should get flexibility. Seyburn stated he was not clear why the Board was reviewing this application. Mais responded staff did not consider a mobile food trailer to be a restaurant, and Temporary Use Permits are intended for uses not otherwise permitted and that while staff could approve a Business Special Event for periods up to 28 days, the applicant was proposing to operate for almost six months. Attorney Brown added it also allowed the Board the opportunity to place whatever conditions on operations they felt appropriate. Seyburn noted in terms of the hours of operation lighting may become an issue later in the year as the daylight hours get shorter and that the lack of bathroom facilities could potentially burden surrounding businesses. The applicant stated his trailer is equipped with its own generator and external electrical receptacles and that he has portable LED lights available. The applicant added his impression was that his customers didn't typically linger like they might at a restaurant and were not there long enough to need to use the bathroom. Bright requested the applicant speak to the issue of hours of operation. Mr. Lambright stated he would like the flexibility to stay open later if there is a special need, such as after a high school football game that gets out at 10:00 p.m., but it has been his experience that business slows down by 8:00 p.m. Robbe stated he would not support a motion permitting hours of operation after 10:00 p.m. A motion was made by Robbe, seconded by Seyburn, to grant a Temporary Use Permit to operate a mobile food trailer at 7540 south Westnedge Avenue from July 14, 2015 through December 31, 2015 with the following conditions: 1. The food trailer be licensed by the Kalamazoo County Department of Health and Community Services; 2. The food trailer, tables, and off-street parking set-up be consistent with the submitted site sketch; 3. Hours of operation be limited to 10:00 a.m. to 9:00 p.m. Sunday through Saturday; 4. The site be kept free from trash and refuse; 5. Temporary signage be limited to one sign not exceeding 40 square feet; 6. There be no sound amplifying equipment; 7. The trailer must be setback 30 feet from the east (front) property line; 8. Any lighting provided must conform to the lighting ordinance. Upon roll call vote: Smith-Yes, Phillip-Yes, Robbe-Yes, Bright-Yes, Seyburn-Yes, Byrnes-Yes. The motion passed 6-0.

OTHER BUSINESS: None.

STATEMENT OF CITIZENS: None.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator

Portage Youth Advisory Committee Meeting of August 3, 2015

- I. Call to Order
 - a. Called to order at 2:05
 - b. Question: Favorite Kind of Donut?
- II. Minutes were approved
- III. Youth Advisory Committee Overview
 - a. Create Events to promote causes
 - b. Partner with groups that have similar goals
- IV. Community Movie Night – Friday August 7th
 - a. Partner with BOC – to get funding
 - b. Swat, Police, etc. Will be there to answer the kids questions
 - c. \$400 donation
 - d. Kalamazoo 10 donating pop-corn
 - e. Decided to sell glow sticks as a fundraiser
 - f. Soda: Sprite, Coke, Diet Coke (200 Cans)
 - g. Volunteers needed for accounting
 - h. All but one said they could volunteer
- V. Local Government
 - a. Two forms of Local Governing: Council/Manager, Strong Mayor
 - b. Portage uses the Council Manager form
 - c. Showed the organization of the different positions in local government
- VI. Goals
 - a. Learn about local government
 - b. Raise awareness for causes
 - c. Educate the community
 - d. Learn about day to day operations in city hall
 - e. Meet new people
 - f. Refine movie selection process
- VII. Teen Movie Night – 2015 reflection
 - a. It was fun – successful
 - b. Do it again next year
- VIII. Above the Influence Summit 9:00 a.m. to 1:00 p.m. (THIS IS A CHANGE!!!)
 - a. Good clean fun
 - b. Passed out fliers
 - c. Kinetic Affect Will be there
- IX. Election of Officers
 - a. Chairman – Vice Chair – Secretary
 - b. Elected during October/November meeting
- X. Next Meeting – Monday, September 14th at 6:30 p.m.

CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of Meeting August 6, 2015

CALL TO ORDER: 6:30 p.m.

MEMBERS PRESENT: Diane Durian, Effie Kokkinos, Ray LaPoint, Elma (Pat) Maye, Edward Morgan, Sandra Sheppard, Amanda Woodin.

MEMBERS EXCUSED: Nadeem Mirza.

STAFF PRESENT: Elizabeth Money, Neighborhood Program Specialist

APPROVAL OF MINUTES: Morgan moved and Durian supported approval of the April 2, 2015 minutes. Motion passed 6-0 (Maye and LaPoint arrived after vote).

OLD BUSINESS

1. Human/Public Service Application/Process Review update: Sheppard gave an overview of the discussion on the application form, review forms, and application process that had been discussed by LaPoint, Woodin, city staff member Money, and herself at a May meeting including streamlining the application, questioning some of the criteria (such as points awarded for use of volunteers), and how to better evaluate new organization who apply and are competing against established applicants. New applicants were discussed and Money informed the Board that the funds awarded to the Kalamazoo Anti-Human Trafficking Coalition (KAHTC) were not dispersed because they could not provide the insurance coverage that is required of all recipients. KAHTC was grateful for the opportunity but not in a position to acquire the insurance needed. The Board discussed the impact of carrying such insurance by start-up organizations and that several organizations who had previously applied (but weren't awarded funds) may have had the same difficulty. Woodin indicated such insurance requirements were typical and that perhaps more prominent wording on the grant application could prevent a future problem as new organizations may not realize the upfront cost involved.

NEW BUSINESS:

1. The Salvation Army of Kalamazoo presentation: Tim Summers and Keith Welch were present from The Salvation Army to provide the Board with information about services and programs available through their organization. Programs highlighted included: emergency utility assistance, Pathway of Hope, food pantry, holiday assistance, blood drives, and Little Pine Island Youth Camp. The Salvation Army is a tier 1 utility assistance organization and 129 Portage residents have received assistance in 2015. The Board inquired about the Pathways of Hope mentoring program and disaster relief efforts. It was stated that the Salvation Army works with other disaster relief organizations to not duplicate efforts and that they primarily provide support for the emergency personnel and other organizations (such as the National Guard) that are already on site by providing things like fresh water. Sheppard thanked Summers and Welch for their information and for all the work they do in Portage and throughout the county.
2. Resignation of Board Member Shawn Havens: the Board indicated that they were sorry to see Havens resign as he was a valued member of the Board. Woodin moved and Durian supported accepting the resignation of Shawn Havens. Motion passed 8-0.

3. Kalamazoo Transit Authority LAC Update – Maye: Maye indicated that she had nothing new to report other than the recent millage to expand bus service passed.

ADJOURNMENT: Maye moved and Woodin supported adjournment of the meeting at 7:25. Motion passed 8-0.

Respectfully Submitted,

Elizabeth Money, Neighborhood Program Specialist

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PLANNING COMMISSION

September 3, 2015

The City of Portage Planning Commission meeting of September 3, 2015 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. No citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development & Neighborhood Services and Stacy French, Assistant Fire Chief

ROLL CALL:

Mr. Forth called the roll and the following Commissioners were present: Patterson (yes), Stoffer (yes), Welch (yes), Felicijan (yes), Dargitz (yes), Somers (yes), Schimmel (yes) and Richmond (yes). A motion was made by Commissioner Felicijan, seconded by Commissioner Somers, to approve the roll excusing Commissioner Bosch. The motion was unanimously approved 8-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the August 20, 2015 meeting minutes contained in the agenda packet. A motion was made by Commissioner Somers, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved 8-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

None.

OLD BUSINESS:

1. Annual Capital Improvement Program Process Changes - Update. Mr. Forth provided an update concerning the changes being made to the FY 2016-2026 Capital Improvement Program (CIP) process intended to encourage citizen and Commission input earlier in the CIP process. Mr. Forth indicated an article already appeared in the September issue of the Portager, CIP web page on the city website and on-line survey were live and an email communication was sent out to all boards and commissioners earlier today. Mr. Forth discussed the special CIP "Open House" meeting with city staff and the Planning Commission that will be held on Monday, September 28th to provide additional opportunity for general public input. The Commission had no further questions or comments.

NEW BUSINESS:

1. FY 2015-2025 Capital Improvement Program Amendments. Mr. Forth summarized the August 31, 2015 Department of Community Development staff report that included communications from Christopher Barnes,

Director of Transportation and Utilities and Richard White, Public Safety Director regarding two proposed amendments to the adopted FY 2015-2025 Capital Improvement Program (CIP). Mr. Forth indicated both amendments were proposed for FY 2015-2016 and referred the Commission to the CIP Project Profiles, Project Expenditures and Project Funding Sources tables included in the agenda materials.

Mr. Forth stated the first amendment involves the completion of safety improvements to the South Westledge Avenue/Romence Road intersection. The second amendment involves the replacement of a fire pumper truck that was involved in an accident in July 2015. Mr. Forth indicated the replacement of the fire pumper is scheduled for FY 2018-2019 but is being advanced as a result of the accident. The city-share funding for both projects is from the general fund that is in excess of the 24% reserve balance. Commissioner Dargitz inquired if the South Westledge Avenue/Romence Road grant funding can only be used at that intersection. Mr. Forth indicated funding is restricted to that intersection. Chairman Welch asked why the intersection project was not currently in the CIP. Mr. Forth stated the award of the grant came after the FY 2015-2025 CIP had been finalized and due to time constraints related to MDOT deadlines, the project needs to be move forward before the FY 2016-2026 CIP is prepared/adopted.

Assistant Fire Chief Stacy French was present to explain and answer questions concerning replacement of the fire pumper. Mr. French explained the amount of damage caused as a result of the accident, age of truck and amount of mileage. Mr. French also indicated arrangements have been made to store the truck for three years and use it for parts on an as-needed basis, which will save the city additional money. The Commission discussed the advantages and disadvantages of repairing the truck versus replacing it.

There being no further discussion concerning the two Capital Improvement Program amendments, a motion was made by Commissioner Felicijan, seconded by Commissioner Stoffer, that the Planning Commission recommend to City Council the FY 2015-2025 Capital Improvement Program be amended to include the proposed South Westledge Avenue/Romence Road intersection safety improvements and purchase of a fire pumper replacement vehicle in FY 2015-2016. The motion was unanimously approved.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Christopher T. Forth, AICP
Deputy Director of Planning, Development and Neighborhood Services

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: South Westnedge Avenue and Romence Road Local Safety Project - Tabulation of Proposals

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

ACTION RECOMMENDED: That City Council award an engineering services contract to Abonmarche Consultants, Incorporated, for the South Westnedge Avenue and Romence Road Local Safety Project in the amount not to exceed \$47,840 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The Fiscal Year 2015 – 2016 Capital Improvement Program budget is proposed to be amended by City Council on September 22, 2015, to include improvements at South Westnedge Avenue and Romence Road. The improvements include the replacement of obsolete mast arms and equipment, relocation of the existing signal cabinet to the southeast corner and relocation of all the poles closer to the intersection to enhance streetlights at the crosswalks. In addition, the project includes the installation of light emitting diode (LED) streetlights on the four corners of the intersection to improve night visibility in the area.

Proposals were received on August 20, 2015 from three consultant firms for the necessary engineering services. Proposed costs for design and inspection services ranged from \$47,840 to \$71,150.

Selection of the engineering consultant is based on the submitted cost, qualifications, experience and expected project hours. As part of the consultant's scope, the existing eastbound Romence Road right-turn lane will be evaluated for effectiveness and possible conversion to a combination through- and right-turn lane.

Based on the proposals received, the firm of Abonmarche Consultants, Inc., best meets the needs of the project. Abonmarche Consultants has performed excellent work on many other traffic signal installations in the city, with the most recent being Milham Avenue at South Westnedge Avenue.

Therefore, it is recommended that City Council award an engineering services contract to Abonmarche Consultants, Incorporated, for the South Westnedge Avenue and Romence Road Local Safety Project in the amount not to exceed \$47,840 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are programmed in the 2016 Kalamazoo Area Transportation Study Transportation Improvement Program. Total project funding is \$361,000, which

includes \$261,000 in Federal Local Safety Program funding. The FY 2015-2016 Capital Improvement Program budget is proposed to be amended by City Council on September 22, 2015, to include this project for engineering services and the city's share of construction costs.

Attachments: 1. Proposal Tabulation

TABULATION OF PROPOSALS
LOCAL SAFETY PROJECT - SOUTH WESTNEDGE AVENUE AND ROMENCE ROAD INTERSECTION

<u>FIRM</u>	<u>TOTAL</u>
Abonmarche Consultants, Inc. 95 W. Main Street Benton Harbor, MI 49022	\$47,840.00
Wightman & Associates, Inc. 9835 Portage Rd. Portage, MI 49002	\$59,000.00
Wade Trim 2851 Charlevoix Dr. SE, Ste. 108 Grand Rapids, MI 49546	\$71,150.00

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Design Engineering Services for Intersection Improvements

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

ACTION RECOMMENDED: That City Council award a contract to perform design engineering services for the improvements at the intersections of South Westnedge Avenue / Kilgore Road and Portage Road / Lakeview Drive to Abonmarche Consultants, Incorporated, in the amount not to exceed \$46,835 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The Fiscal Year 2015 - 2016 Capital Improvement Program budget includes funding for the design and installation of a traffic signal upgrade at South Westnedge Avenue and Kilgore Road, as well as conceptual and preliminary design of intersection improvements at Portage Road and Lakeview Drive. With increasing development in recent years in the proximity of the South Westnedge Avenue and Kilgore Road intersection, combined with the age of the existing traffic signal structures, a signal upgrade to improve traffic progression and safety is necessary. Additionally, the intersection of Portage Road and Lakeview Drive was identified for sight distance improvements in a report to City Council on December 17, 2014. The project will require the consultant to identify several design alternatives for the intersection with recommendation of a final design and submission to the Michigan Department of Transportation for federal safety funds.

On September 10, 2015, proposals were received for design and construction engineering services for the project. Advertisements were sent to 15 engineering firms which have previously shown interest in this type of project. Two firms expressed interest in the project and submitted proposals. City staff have contacted a number of the firms to inquire as to why they chose not to respond. The primary reason for firms not submitting a proposal is the large volume of engineering workload under contract across the state and the specialized nature of traffic engineering. The project design entails specialized engineering design of traffic signal video camera operation, fiber optic cable installation and traffic progression computer software. Based on the project requirements, staff is confident that the proposal from Abonmarche Consultants, Incorporated, contains the necessary expertise required of the project and represents the best value for the city. Abonmarche Consultants has proven their experience and qualifications on similar projects in the city.

Therefore, it is recommended that City Council award a contract to Abonmarche Consultants, Incorporated, to perform design engineering services for improvements at the intersections of South Westnedge Avenue / Kilgore Road Intersection and Portage Road / Lakeview Drive Intersection in the amount not to exceed \$46,835 and authorize the City Manager to execute all documents related to the

contract on behalf of the city.

FUNDING: Funds in the amount of \$310,000 are budgeted in the FY 2015 - 2016 Capital Improvement Program budget.

Attachments: 1. Tabulation of Proposals

TABULATION OF PROPOSALS
 INTERSECTION IMPROVEMENTS
 SOUTH WESTNEDGE AVENUE/KILGORE ROAD & PORTAGE ROAD/LAKEVIEW DRIVE

<u>Firm</u>	<u>S. Westnedge/Kilgore</u>			<u>Portage/Lakeview</u>	<u>Grand</u>
	<u>Design Phase</u>	<u>Utility Investigation</u>	<u>Analysis/Report</u>	<u>Conceptual Design</u>	<u>Total</u>
Abonmarche Consultants, Inc. 95 W. Main Street Benton Harbor, MI 49022	\$19,430.00	\$5,000.00	\$10,090.00	\$12,315.00	\$46,835.00
Jones & Henry Engineers, Ltd. 4791 Campus Drive Kalamazoo, MI 49008	\$34,970.00	\$5,000.00	\$11,380.00	\$28,630.00	\$79,980.00

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: 2016 Portage Senior Center Motor Coach Services

SUPPORTING PERSONNEL: Kendall Klingelsmith, Director of Parks, Recreation and Senior Citizen Services

ACTION RECOMMENDED: That City Council approve the low bid from Cardinal Buses, Inc., for motor coach services for the 2016 Portage Senior Center travel program in the estimated amount of \$35,924.25 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 older adults. Many of the trips require the services of motor coaches. Bids for motor coaches for the 2016 travel schedule were received from three vendors. The low bid in the amount of \$35,924.25 was submitted by Cardinal Bus, Inc.

As background information, motor coach services for the senior center travel program for the prior year (2015) were provided by Gail Andrus Travel in the amount of \$41,981.50.

Therefore it is recommended that City Council approve the low bid from Cardinal Bus, Inc., for motor coach services for the 2016 Portage Senior Center travel program in the estimated amount of \$35,924.25 and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: Funds for payment are received from participants who sign up for the trips. Should there be a lack of sufficient participants for a particular trip, the event and associated motor coach reservation, will be canceled. As such, the travel program is self-supporting through user fees.

Attachments: 1. 2016 Senior Bus Trip Bid Tab Summary

BID TABULATION
2016 SENIOR CENTER BUS TRIP TRANSPORTATION

Bidder

Bid

Cardinal Buses, Inc.
P.O. Box 59
Middlebury, IN 46540

\$35,924.25

Non-Responsive Bids

Exceptions to Bid Request

Gail Andrus Travel, LLC
400 Ann Street NW, Suite 206
Grand Rapids, MI 49504

Extra charges for day trips
exceeding 7 hours. Additional
charge not stated.

Great Lakes Motorcoach
3933 Three Mile Road NW
Grand Rapids, MI 49534

Incomplete Bid. Did not bid on
alternate bus sizes.

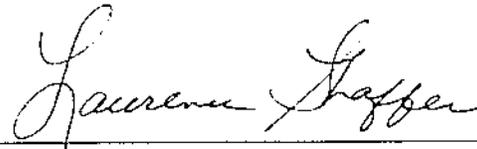
Compass Coach, Inc.
13550 White Creek Ave., Ste. A
Cedar Springs, MI 49319

Estimate only, exceptions to
contract terms, did not bid on
all alternate bus sizes.

MATERIALS TRANSMITTED

Friday, September 4, 2015

1. Communication from Christopher D. Morris (9830 East Shore) regarding the new curbside recycling program – Information Only.
2. Communication from the City Manager to Mr. Morris in response to his letter regarding the curbside recycling program – Information Only.

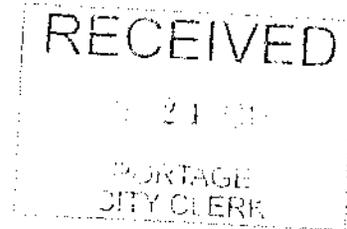


Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

Portage city Council
7900 S. Westnedge Ave.
Portage, Michigan 49002

*C: CML
CC*



Re: Curbside Recycling

Dear Members of the Board:

I am writing to complain about part of the new curbside recycling program. I am objecting to the proposal because the smallest size bin is way too large for our use. We live on Austin Lake and due to zoning restrictions have a small garage. For decades we have been able to keep the 13 gallon bin in the garage to allow for convenient recycling. We rarely fill the 13 gallon size on a weekly basis so even if the recycling only occurs every 2 weeks, the maximum size we would fill would be less than 30 gallons. Quite frankly, the new program bins are far too large to be practical. The large size bins are also unsightly and will contribute to clutter in the neighborhoods.

Unfortunately, unless we are able to get a smaller size container we will not be able to participate in the recycling. Before implementing this new plan would you please have the contractor supply, smaller bins?

Very truly yours,

A handwritten signature in black ink, appearing to read "Christopher D Morris".

Christopher D Morris

9830 East Shore Dr.

Portage, MI 49002



Office of the City Manager

August 27, 2015

Christopher D. Morris
9830 East Shore Drive
Portage, MI 49002

Dear Mr. Morris,

Thank you for your letter to the City Council received on August 24, 2015. Please note, the City of Portage's goal has been and will continue to be to increase the volume and participation levels for citizens in the recycling program. By allowing for single-stream recycling and bi-weekly collection, city staff understand from history and past practice has demonstrated that we should see a dramatic increase in the volume of materials recycled in the community.

Having said that, I know it will be inconvenient for those property owners who do not have the feasible space to accommodate either the 96- or 64-gallon container. I have asked the Department of Public Services whether there is an alternate size container to the 64-gallon that might be feasible and what it might take to secure such an alternative. As an option, it may make sense for you and a neighbor in a similar condition to share a larger recycling cart.

I am very sorry to hear the recycling program as presently conceived will not meet your circumstances. Be assured that city staff will do everything to accommodate as many citizens as possible in order to encourage increased recycling. Thank you for your letter.

Sincerely,

Laurence Shaffer
City Manager

c: Portage City Council
Rob Boulis, Deputy City Manager
Rod Russell, Director of Public Services
Ray Waurio, Deputy Director of Streets & Parks



MATERIALS TRANSMITTED

Tuesday, September 8, 2015

1. **Supplemental Information for the September 8, 2015 City Council Agenda Item F.2:**
Communication from the City Manager regarding the Ice Control Salt Purchase –
Information Only.

Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager



MATERIALS TRANSMITTED
SEPTEMBER 8, 2015

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

A handwritten signature in black ink, appearing to read 'Laurence Shaffer', is written over the printed name in the 'FROM' field.

SUBJECT: Supplemental Information – Agenda Item F.2 (Ice Control Salt Purchase)

SUPPORTING PERSONNEL: Rod Russell, Director of Public Services

In response to an e-mail received from Councilmember Reid, note that the ice control salt purchase from the Michigan Extended Purchasing Program (Mi-DEAL) has always been used as a fully acceptable substitute for a formal bidding process. By combining the purchasing power for all participating entities throughout the State of Michigan, Mi-DEAL is able to achieve extraordinary prices through its ability to leverage as a result of large purchases.

It appears from the Mi-DEAL website that the contract prices were renegotiated for this year's ice control salt purchase. The state does not advertise or post the individual bid responses for the purchasing program items they offer. Nonetheless, the city can assume that it is receiving a much better price than would be possible in purchasing ice control salt as a singular entity.

Attachments: September 8, 2015 E-mail from C. Reid
Compass Minerals America MiDEAL Contract Change Notices

Laurence Shaffer

From: Claudette Reid
Sent: Tuesday, September 08, 2015 3:11 PM
To: Laurence Shaffer
Subject: Bid info

Larry,

Welcome back!

While reviewing the packet I noted that the ice control salt purchase item did not include a listing of the bids received from all companies. I believe this was a cooperative purchasing bid. Can that information be made available on the dias for the meeting tonight?

Thanks!
Claudette

Claudette S. Reid
Reid.clauds@gmail.com



ENABLING MICHIGAN'S REINVENTION

Road Salt

***ROAD SALT 2015/2016 WINTER SEASON:

The new contracts for the 2015/2016 winter season are listed below:

For those of you who are new to the road salt process:

Early fill awards - awarded vendor for your location will contact you about delivery in Sept/Oct.

Seasonal Back-up - Contact the vendor after Nov 1 for road salt as needed. The requests must be in at least 50 ton increments.

Please note that you must be a MiDEAL member to participate in the road salt contract. If you are not a member and would like to join, contact us at MiDeal@michigan.gov .

The 2015/2016 road salt pricing is good through August, 2016:

Table with 4 columns: Contract, Company, Contact, Phone. Lists 6 road salt contracts with details on company and contact information.

A few highlights of the MiDEAL Road Salt Contracts:

- Your quantity is guaranteed, which helps alleviate supply headaches.
• You have additional product available if you max out your supply - all vendors are required to keep 30% extra here in Michigan to ensure that MiDEAL Members have what they need in case of a heavy winter.
• You are only required to accept 70% of your seasonal backup commitment.

MiDEAL is more than just salt! Roughly 350 different contracts are extended to Members - from computers and copiers to lawn equipment and vehicles. To review the list of contracts, visit the "Contracts and Categories" tab.

Your feedback and questions are always welcome. Reach us by phone at 517/284-7013 or by email at MiDEAL@michigan.gov .

STATE OF MICHIGAN
 DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET
 PROCUREMENT
 P.O. BOX 30026, LANSING, MI 48909
 OR
 525 W. ALLEGAN, LANSING, MI 48933

CHANGE NOTICE NO. 8
 to
CONTRACT NO. 071B1300341
 between
THE STATE OF MICHIGAN
 and

NAME & ADDRESS OF CONTRACTOR	PRIMARY CONTACT	EMAIL
Compass Minerals America, Inc. 9900 West 10th Street, Suite 600 Overland, KS 66210	Doug G. Dyer	dyerd@compassminerals.com
	PHONE	CONTRACTOR'S TAX ID NO. (LAST FOUR DIGITS ONLY)
	(913) 344-9346	7632

STATE CONTACTS	AGENCY	NAME	PHONE	EMAIL
PROGRAM MANAGER / CCI	MDOT	Tim Croze	517-322-3385	Crozet@michigan.gov
CONTRACT ADMINISTRATOR	DTMB	Lymon C. Hunter, CPPB	517-284-7015	HunterL@michigan.gov

CONTRACT SUMMARY			
DESCRIPTION: Bulk Salt, Seasonal Back-Up – Michigan Department of Transportation			
INITIAL EFFECTIVE DATE	INITIAL EXPIRATION DATE	INITIAL AVAILABLE OPTIONS	EXPIRATION DATE BEFORE CHANGE(S) NOTED BELOW
September 1, 2011	August 31, 2016	2, one year	August 31, 2016
PAYMENT TERMS		DELIVERY TIMEFRAME	
½% 10 Net 30 Days		Per the attached terms and conditions	
ALTERNATE PAYMENT OPTIONS			EXTENDED PURCHASING
<input type="checkbox"/> P-card <input type="checkbox"/> Direct Voucher (DV) <input type="checkbox"/> Other			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MINIMUM DELIVERY REQUIREMENTS			
N/A			

DESCRIPTION OF CHANGE NOTICE				
EXERCISE OPTION?	LENGTH OF OPTION	EXERCISE EXTENSION?	LENGTH OF EXTENSION	REVISED EXP. DATE
<input type="checkbox"/>		<input type="checkbox"/>		
CURRENT VALUE	VALUE OF CHANGE NOTICE	ESTIMATED AGGREGATE CONTRACT VALUE		
\$37,377,850.00	\$10,433,351.00	\$47,811,201.00		
DESCRIPTION: Effective August 1, 2015, the Drop Points for 2015/2016 Road Salt Year are per the attached spreadsheets. Contract is increased by \$10,433,351.00. All the terms, conditions, and specifications, are the same. Per vendor and agency agreement, DTMB Procurement approval and the approval of the State Administrative Board on June 30, 2011.				

STATE OF MICHIGAN
 DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET
 PROCUREMENT
 P.O. BOX 30026, LANSING, MI 48909
 OR
 525 W. ALLEGAN, LANSING, MI 48933

CHANGE NOTICE NO. 8

to
CONTRACT NO. 071B1300341

between
THE STATE OF MICHIGAN
 and

NAME & ADDRESS OF CONTRACTOR	PRIMARY CONTACT	EMAIL
Compass Minerals America, Inc. 9900 West 10th Street, Suite 600 Overland, KS 66210	Doug G. Dyer	dyerd@compassminerals.com
	PHONE	CONTRACTOR'S TAX ID NO. (LAST FOUR DIGITS ONLY)
	(913) 344-9346	7632

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MINIMUM DELIVERY REQUIREMENTS			
N/A			

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