

**FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
August 10, 2010**

7:30 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations: Muscular Dystrophy Association.

A. Approval of the July 27, 2010 Regular Meeting Minutes.

* B. Approval of Consent Agenda Motions.

* C. Communication from the City Manager recommending that City Council approve the Check Register of August 10, 2010, 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 a budget amendment to the Leaf Pickup Spring Cleanup Fund in the amount of \$36,567 to replenish funds used to clean up storm damage that occurred on July 15, 2010.

* 2. Communication from the City Manager recommending that City Council approve a one-year labor agreement between the City of Portage and the Portage Police Officers Association and authorize the Mayor and City Clerk to execute all documents on behalf of the city.

* 3. Communication from the City Manager recommending that City Council award a contract to GTSI for digital recording equipment for Police interview rooms in an amount not to exceed \$28,928.13 and authorize the City Manager to execute all documents related to this purchase.

* 4. Communication from the City Manager recommending that City Council renew the contract with J.B. Printing Company in the amount not to exceed \$25,390 for the annual production of the *Portager* newsletter and authorize the City Manager to execute all documents related to the contract.

* 5. Communication from the City Manager recommending that City Council approve a one-year managed printer services agreement with the option to exercise three one-year renewals with Precision Printer Services, Incorporated, for the provision of printer supplies and services and authorize the City Manager to execute all documents related to this action on behalf of the city.

* 6. Communication from the City Manager recommending that City Council confirm the appointment of the City of Portage Director of Transportation & Utilities.

* 7. Communication from the City Manager regarding the Downtown Development Authority Annual Report – Information Only.

* 8. Communication from the City Manager regarding privately owned pipelines in Portage – Information Only.

G. Communications:

H. Unfinished Business:

- * I. Minutes of Boards and Commissions Meetings:
 - 1. Portage Senior Center Advisory Board of June 16, 2010.
 - 2. Portage Park Board of July 7, 2010.

- J. Ad-Hoc Committee Reports:

- K. New Business:

- L. Bid Tabulations:

- M. Other City Matters:
 - 1. Statements of Citizens.
 - 2. From City Council and City Manager.

- * 3. Reminder of Meetings:
 - a. Wednesday, August 11, 7:00 p.m., Environmental Board, City Hall Room #1.
 - b. Thursday, August 12, 8:00 a.m., Austin Lake Governmental Board, City Council Chambers.
 - c. Monday, August 16, 8:00 a.m., Legislative Roll Call, Kalamazoo Regional Chamber of Commerce, 346 West Michigan Avenue, Kalamazoo.
 - d. Wednesday, August 18, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.
 - e. Thursday, August 19, 7:00 p.m., Library Board, Portage District Library.
 - f. Thursday, August 19, 7:00 p.m., Planning Commission, City Council Chambers.

- N. Materials Transmitted of July 23 and August 6, 2010.

Adjournment.

CITY COUNCIL MEETING SUMMARY

July 27, 2010

PROCLAMATION

- ◆ Mayor Strazdas issued an Americans With Disabilities Act Proclamation.

CHECK REGISTER

- ◆ Approved the Check Register of July 27, 2010, as presented.

PUBLIC HEARING

- ◆ Adopted Resolution No. 2 renaming the street, Avalon Woods Circle, to Avalon Woods Court.

REPORTS FROM THE ADMINISTRATION

- ◆ Adopted the Resolution of Intent to Approve Second Amendment to Development Agreement Selling Real Estate to H&G, LLC, and place the resolution on file in the Office of the City Clerk for 28 days and will consider final action to approve the agreement on August 24, 2010.
- ◆ Adopted the Resolution to Relinquish a Water Main Easement, placed the Resolution on file with the City Clerk for 28 days and will take final action on August 24, 2010.
- ◆ Confirmed City Manager appointments to the Local Development Finance Authority by adopting the Resolution to Appoint Members to the Local Development Finance Authority of the City of Portage.
- ◆ Approved a two-year extension of a professional service contract with Quadrant II Marketing to provide advertising sales and publication preparation of the Portage Senior Center monthly newsletter at a yearly cost not to exceed \$14,000 and authorized the City Manager to execute all documents related to the action on behalf of the city.
- ◆ Held a closed session immediately following the regularly scheduled City Council Meeting of July 27, 2010 to discuss an attorney/client communication.
- ◆ Received a communication from the City Manager regarding the June 2010 Summary Environmental Activity Report as information only.
- ◆ Received the Department Monthly Reports from the various city departments.

AD HOC COMMITTEE REPORT

- ◆ Adopted the 2010-2011 Advisory Boards and Commissions Goals and Objectives and requested that various boards and commissions provide a report to City Council on an annual basis.

NEW BUSINESS

- ◆ Denied an appeal by Mr. Jerry McNeely for the reason that his request for public records under the Freedom of Information Act was granted and he was furnished all records that pertained to his request. However, the motion was supplemented by asking City Administration to deliver a duplicate copy of the materials previously provided at no cost. Additionally, in an abundance of caution, as a one-time courtesy, the documents will be provided by a method indicating that delivery was accepted.

BID TABULATION

- ◆ Approved the low bid from J. Allen and Company, Incorporated, to provide repairs to selected major street bike lanes in the not-to-exceed amount of \$21,045.40 and authorized the City Manager to execute all documents related to this contract on behalf of the city.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Reid commented that the Environmental Report indicated that groundwater levels have remained stable despite five inches of rain since June and that the City continues to monitor water levels. She also mentioned the upcoming performances of *Alice in Wonderland* at the Hayloft Theater. Councilmember Reid then read a statement in response to comments related to tax assessments made by two individuals who spoke during the public comment section of the most recent City Council meeting, Dr. Elluru and State Representative Jones.
- ◆ Mayor Pro Tem Sackley thanked Councilmember Reid and offered comments regarding the 2nd annual Paddlefest. He then commented on a pipeline leak that has resulted in at least 800,000 gallons of petroleum being released into Talmadge Creek which has subsequently flowed into the Kalamazoo River. Mayor Pro Tem Sackley asked City Administration to provide a report on any pipelines in Portage that go near lakes, streams and other bodies of water. He asked that the report reflect transmission of not just oil but other fluids as well, including sanitary sewer trunks, and that a map be provided. Finally, Mayor Pro Tem Sackley commented on a recent *Kalamazoo Gazette* article regarding items that Councilmember Reid referenced in her statement.
- ◆ Mayor Strazdas commented that he had been out of town at a number of localities and stated that, when he travels, he realizes how he misses the City of Portage. He commented that every area is facing challenges but that Portage, thankfully, does not have as many challenges as others. He concluded by stating that he is pleased with the low level of taxes and high level of service in Portage.

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



City of Portage Proclamation

FIREFIIGHTERS FILL THE BOOT DAYS FOR MUSCULAR DYSTROPHY

- WHEREAS,** Muscular Dystrophy refers to a group of more than 40 neuromuscular diseases that cause generalized weakness and muscle wasting; and
- WHEREAS,** research and studies have helped make great strides in better understanding of the disease and developing effective new techniques to diagnose, treat, prevent and find a cure; and
- WHEREAS,** the Muscular Dystrophy Association is a dedicated partnership of scientists and citizens aimed at conquering neuromuscular diseases through research, patient care and education; and
- WHEREAS,** the selfless men and women of the Grand Rapids Fire Department generously donate their time and energy every year to support the battle against muscular dystrophy; and
- WHEREAS,** during Fill the Boot Days, local firefighters will fan out across various intersections with boots in hand, asking donations to support the Muscular Dystrophy Association.

NOW, THEREFORE, BE IT RESOLVED THAT I, Peter Strazdas, Mayor of the City of Portage, do hereby proclaim August 12, 13 and 14, 2010, as **FILL IN THE BOOTS DAYS** in Portage and ask all citizens to support the efforts of the Portage Firefighters and the Muscular Dystrophy Association.



Signed this 10th day of August 2010

Peter J. Strazdas, Mayor

CITY COUNCIL MEETING MINUTES FROM JULY 27, 2010

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

At the request of Mayor Strazdas, the Kids Ministry Pastor of the Kalamazoo Valley Family Church, Tim Hoult, gave the invocation and the City Council and the audience recited the Pledge of Allegiance.

The Deputy City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Margaret E. O'Brien, Patricia M. Randall, Claudette S. Reid and Mayor Pro Tem Edward J. Sackley and Mayor Peter J. Strazdas. Councilmember Terry R. Urban was absent with excuse. Also in attendance were Deputy City Manager Brian J. Bowling, City Attorney Randall Brown and Deputy City Clerk Adam D. Herringa.

PROCLAMATION: Mayor Strazdas issued a proclamation recognizing and celebrating the 20th Anniversary of passage of the Americans with Disabilities Act and reaffirmed the commitment of the City of Portage to work toward full ADA compliance.

APPROVAL OF MINUTES: Motion by O'Brien, seconded by Reid, to approve the July 13, 2010 Regular Meeting Minutes as amended. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Mayor Pro Tem Sackley to read the Consent Agenda. No items were removed from the Consent Agenda. Motion by Sackley, seconded by Campbell, to approve the Consent Agenda motions as presented/amended. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF CHECK REGISTER OF JULY 27, 2010:** Motion by Sackley, seconded by Campbell, to approve the Check Register of July 27, 2010. Upon a roll call vote, motion carried 6 to 0.

PUBLIC HEARING:

AVALON WOODS CIRCLE – PROPOSED STREET NAME CHANGE: Mayor Strazdas introduced Community Development Director Jeffrey Erickson, who reviewed the matter and the reason for the proposed name change from Avalon Woods Circle to Avalon Woods Court. Mr. Erickson assured City Council that residents of the street have been notified of the proposed change.

Mr. Richard Ender, who lives on Avalon Woods Circle (Court), commented that he was the resident who raised the matter of the name change and emphasized the importance of the change as it will help to alleviate confusion for emergency responders. Councilmember O'Brien thanked Mr. Ender for bringing the matter to the attention of City Administration.

Motion by Sackley, seconded by Campbell, to close the public hearing. Upon a voice vote, motion carried 6 to 0. Motion by O'Brien, seconded by Sackley, to adopt Resolution No. 2 renaming the street from Avalon Woods Circle to Avalon Woods Court. Upon a roll call vote, motion carried 6 to 0.

REPORTS FROM THE ADMINISTRATION:

* **PORTAGE DOWNTOWN DEVELOPMENT AUTHORITY SALE OF PROPERTY:** Motion by Sackley, seconded by Campbell, to adopt the Resolution of Intent to Approve Second Amendment to Development Agreement Selling Real Estate to H&G, LLC, and place the resolution on file in the Office of the City Clerk for 28 days and consider final action to approve the agreement on August 24, 2010. Upon a roll call vote, motion carried 6 to 0.

- * **WATER MAIN EASEMENT RESOLUTION, 10619 WOODLAWN DRIVE AND 10625 WOODLAWN DRIVE:** Motion by Sackley, seconded by Campbell, to adopt the Resolution to Relinquish a Water Main Easement, place the Resolution on file with the City Clerk for 28 days and take final action on August 24, 2010. Upon a roll call vote, motion carried 6 to 0.
- * **LOCAL DEVELOPMENT FINANCE AUTHORITY:** Motion by Sackley, seconded by Campbell, to confirm City Manager appointments to the Local Development Finance Authority by adopting the Resolution to Appoint Members to the Local Development Finance Authority of the City of Portage. Upon a roll call vote, motion carried 6 to 0.
- * **PROFESSIONAL SERVICES CONTRACT - QUADRANT II MARKETING:** Motion by Sackley, seconded by Campbell, to approve a two-year professional services contract with Quadrant II Marketing to provide advertising sales and publication preparation of the Portage Senior Center monthly newsletter at an annual cost not to exceed \$14,000 and authorize the City Manager to execute all documents related to the contract. Upon a roll call vote, motion carried 6 to 0.
- * **CLOSED SESSION:** Motion by Sackley, seconded by Campbell, to go into closed session immediately following the regularly scheduled meeting of Tuesday, July 27, 2010 to discuss an attorney/client communication. Upon a roll call vote, motion carried 6 to 0.
- * **JUNE 2010 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Sackley, seconded by Campbell, to receive the communication from the City Manager regarding the June 2010 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 6 to 0.
- * **MONTHLY REPORTS:** Motion by Sackley, seconded by Campbell, to receive the Department Monthly Reports from the various city departments. Upon a roll call vote, motion carried 6 to 0.
- * **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:
 - Portage Zoning Board of Appeals of June 14, 2010.
 - Portage Board of Education Regular Business of June 21, 2010.
 - Kalamazoo County Board of Commissioners Committee of the Whole of July 6 and Regular of July 7, 2010

AD HOC COMMITTEE REPORT: Mayor Strazdas asked Councilmember Campbell to initiate discussion on this topic. Councilmember Campbell stated that the Advisory Board Review Committee, composed of herself, Councilmember Randall and Councilmember Reid, met on July 14 to review the proposed goals and objectives of various advisory boards and commissions. Councilmember Campbell indicated that the subcommittee is recommending two changes to the goals and objectives process. The changes are to require certain boards and commissions to appear before City Council and provide a verbal presentation once per year and to move the deadline for submission of proposed goals and objectives to April of each year.

Mayor Pro Tem Sackley, Councilmember Reid and Mayor Strazdas each offered support for the idea of asking boards and commissions to provide an annual report to City Council. Mayor Pro Tem Sackley asked that the Youth Advisory Committee be included in the report to City Council. Discussion followed.

Motion by O'Brien, seconded by Campbell, to adopt the 2010-2011 Advisory Boards and Commissions Goals and Objectives including the two recommendations from the Committee and

including asking the Youth Advisory Board to also provide goals and objectives and a report each year. Upon a roll call vote, motion carried 6 to 0.

NEW BUSINESS: Motion by Sackley, seconded by Reid, that Mr. McNeely's appeal be denied for the reason that his request for public records under the Freedom of Information Act was granted and he was furnished all records of the City of Portage that pertain to his request. However, the motion is supplemented by delivery of a duplicate copy of the materials previously provided to Mr. McNeely, this one time only, at no cost to the requestor, and we understand from talking with Administration that the original materials were sent out via regular mail and we have no verification of delivery although he did not say he did not receive them. In an abundance of caution, as a courtesy this time only, the documents will be provided by a method that indicates that delivery was accepted. Upon a roll call vote, motion carried 6 to 0.

BID TABULATION:

* **BIKE LANE ASPHALT REPAIRS - RECOMMENDATION:** Motion by Sackley, seconded by Campbell, to approve the low bid from J. Allen and Company, Incorporated, to provide repairs to selected major street bike lanes in the not-to-exceed amount of \$21,045.40 and authorize the City Manager to execute all documents related to this contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid commented that the Environmental Report indicated that groundwater levels have remained stable despite five inches of rain since June and that the City continues to monitor water levels. She also mentioned the upcoming performances of *Alice in Wonderland* at the Hayloft Theater. Councilmember Reid then read a statement in response to comments related to tax assessments made by two individuals who spoke during the public comment section of the most recent City Council meeting, Dr. Elleru and State Representative Jones. She noted that this was her opinion and not a statement expressing opinions of other Councilmembers or City staff. Councilmember Reid then commented on the Board of Review, the need for City Administration to protect the interests of the City as a whole, rulings and proceedings related to the tax appeal of Dr. Elleru and reviewed the various actions taken by City Council and Administration in response to issues raised regarding tax assessment in the City of Portage. Councilmember Reid opined that the current system of property appraisal sets up an adversarial relationship between cities and their citizens and commented that property taxes are highly misunderstood. Councilmember Reid concluded her statement by offering that she believes the City of Portage is doing the very best it can in this regard and implored all state legislators to study and improve the property valuation, appeals and taxation process.

Mayor Pro Tem Sackley thanked Councilmember Reid and offered comments regarding the 2nd annual Paddlefest. He then commented on a pipeline leak that has resulted in at least 800,000 gallons of petroleum being released into Talmadge Creek which has subsequently flowed into the Kalamazoo River. Mayor Pro Tem Sackley asked City Administration to provide a report on any pipelines in Portage that go near lakes, streams and other bodies of water. He asked that the report reflect transmission of not just oil but other fluids as well, including sanitary sewer trunks, and that a map be provided. Finally, Mayor Pro Tem Sackley commented on a recent *Kalamazoo Gazette* article regarding items that Councilmember Reid referenced in her statement. Mayor Pro Tem Sackley stated that the article insinuated that the City Council made a decision to appeal a tax assessment ruling in closed session. Mr. Sackley strongly emphasized that City Council does not make decisions in closed session and cited the FOIA appeal from earlier in the evening in which City Council discussed the matter in closed session but voted openly. He then stated that a review into assessment practices began in

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September of last year and was concluded on April 23, 2010. He also stated that it was his belief that the tax assessment issue is being politicized and asked that those involved rethink their decision to make this a partisan matter. He concluded by emphasizing that the Portage City Council is not a partisan body and expressed his hope that anyone looking to politicize an issue in Portage would reconsider.

Mayor Strazdas commented that he had been out of town at a number of localities and stated that, when he travels, he realizes how he misses the City of Portage. He commented that every area is facing challenges but that Portage, thankfully, does not have as many challenges as others. He concluded by stating that he is pleased with the low level of taxes and high level of service in Portage.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:34 p.m.

Adam D. Herringa, Deputy City Clerk

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

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 3, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Accounts Payable Register

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of August 10, 2010 as presented.

Attached please find the Accounts Payable Register for the period July 21, 2010 through August 3, 2010, which is recommended for approval. Electronic fund transfers are now used for account payments and will henceforth be identified along with the check payments in the "Accounts Payable Register."

c: Daniel S. Foecking, Finance Director

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
07/23/2010	272057	AT&T	849	3,505.16
07/23/2010	272058	ACCURINT	3491	159.50
07/23/2010	272059	ADAMS REMCO, INC.	103	714.90
07/23/2010	272060	AGRO SALES NORTH LLC	3943	31.77
07/23/2010	272061	AIRGAS GREAT LAKES	106	292.50
07/23/2010	272062	ALEXANDER, ALLISON	999999	176.59
07/23/2010	272063	ALL-PHASE ELECTRIC SUPPLY CO.	108	273.48
07/23/2010	272064	ALL-TRONICS, INC.	109	885.00
07/23/2010	272065	ALLEGRA PRINT & IMAGING	533	1,215.86
07/23/2010	272066	ALLIED INFORMATION SOLUTIONS	3370	4,200.00
07/23/2010	272067	ALRO STEEL CORPORATION	2934	515.40
07/23/2010	272068	AMERICAN HYDROGEOLOGY CORP.	114	1,133.64
07/23/2010	272069	AMERICAN SAFETY & FIRST AID	113	167.85
07/23/2010	272070	AMERICAN TOWER	999999	58.73
07/23/2010	272071	GAIL ANDRUS TRAVEL	2071	1,360.00
07/23/2010	272072	ANIMAL REMOVAL SERVICE, LLC	3428	1,330.00
07/23/2010	272073	APOLLO FIRE EQUIPMENT COMPANY	1253	686.46
07/23/2010	272074	AUMACK, MICHAEL	670	423.00
07/23/2010	272075	AUTOMATIC DATA PROCESSING	3305	1,811.28
07/23/2010	272076	AUTOMATIC MICROFILMING CO.	863	124.50
07/23/2010	272077	BANK OF AMERICA	999999	59.65
07/23/2010	272078	BCHS-HELPNET	1732	1,307.13
07/23/2010	272079	BEEBE, RON	3018	94.00
07/23/2010	272080	BEST BUY GOV, LLC	4142	675.37
07/23/2010	272081	BILL'S LOCK SHOP, INC.	146	380.00
07/23/2010	272082	BLUE CROSS/BLUE SHIELD OF MICH	642	124,247.19
07/23/2010	272083	BOOTH NEWSPAPERS INC	89	511.39
07/23/2010	272084	BOYNE MOUNTAIN RESORT	999999	306.06
07/23/2010	272085	BREATHING AIR SYSTEMS	4466	81.95
07/23/2010	272086	BRINK'S, INC	153	227.01
07/23/2010	272087	BRONSON VICKSBURG HOSPITAL	157	300.00
07/23/2010	272088	RANDALL L BROWN & ASSOC. PLC	2351	369.37
07/23/2010	272089	BYHOLT INC.	68	353.15
07/23/2010	272090	C L MOBERLEY CONSTRUCTION, INC	4536	1,888.12
07/23/2010	272091	C M P DISTRIBUTORS, INC.	3356	1,980.00
07/23/2010	272092	C T ELECTRICAL SERVICES, INC.	2407	1,995.00
07/23/2010	272093	CAMPBELL AUTO SUPPLY	437	36.60
07/23/2010	272094	CAMPBELL MURCH MEMORIALS, INC	1525	.00
07/23/2010	272095	CANNON ENGINEERING & EQUIPMENT	1177	874.75
07/23/2010	272096	CARNEGIE HALL	999999	1,665.00
07/23/2010	272097	CATHOLIC FAMILY SERVICES	752	5,568.50
07/23/2010	272098	CENTER STAGE THEATRE	3872	235.00
07/23/2010	272099	CHARTER COMMUNICATIONS	3080	71.52
07/23/2010	272100	CINTAS CORP.	2206	957.30
07/23/2010	272101	CITY OF KALAMAZOO (PUBLIC UTIL	540	223,411.40
07/23/2010	272102	CITY OF KALAMAZOO (PUBLIC UTIL	540	345.57
07/23/2010	272103	CITY OF PORTAGE	177	1,319.53
07/23/2010	272104	CIVIC COSTUME SHOP	999999	150.00
07/23/2010	272105	CLASSIC ENGINEERING LLC	4530	300.00
07/23/2010	272106	COLE CENTURY BUICK PONTIAC GMC	902	336.72
07/23/2010	272107	COMMERCIAL DOOR SERVICES	1688	100.00
07/23/2010	272108			

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
07/23/2010	272109	COMSTOCK PUBLIC SCHOOLS	1671	65.64
07/23/2010	272112	CONSUMERS ENERGY-BILL PMT CNT	189	59,276.50
07/23/2010	272113	CONTINENTAL LINEN SUPPLY CO.	191	89.57
07/23/2010	272114	CONTRACTORS EQUIPMENT & SUPPLY	192	225.60
07/23/2010	272115	CROSSROADS CAR WASH	195	56.50
07/23/2010	272116	CROSSROADS EXPERT AUTO SERVICE	4109	1,613.89
07/23/2010	272117	D & D PRINTING CO.	920	97.05
07/23/2010	272118	DELISLE ASSOCIATES LTD	1070	1,390.00
07/23/2010	272119	DOERR, DONALD	999999	200.00
07/23/2010	272120	DRENTH, JACOB	4542	236.50
07/23/2010	272121	DRISENGA & ASSOCIATES, INC.	3277	16,044.60
07/23/2010	272122	E TITTLE AGENCY	999999	115.39
07/23/2010	272123	ETNA SUPPLY, INC.	692	181.70
07/23/2010	272124	FADER EQUIPMENT, INC.	532	1,402.81
07/23/2010	272125	FEENSTRA, JOHN	688	220.09
07/23/2010	272126	FIRST AMERICAN R/E TAX SERVICE	999999	20.00
07/23/2010	272127	FISHBECK, THOMPSON, CARR & HUB	17	6,413.90
07/23/2010	272128	FLETCHER ENTERPRISES	1399	1,779.00
07/23/2010	272129	FLINT NEW HOLLAND, INC.	1114	871.63
07/23/2010	272130	FULL COMPASS SYSTEMS, LTD	3907	2,404.18
07/23/2010	272131	GILBARCO INC.	3864	99.00
07/23/2010	272132	GORDON WATER SYSTEMS	517	280.88
07/23/2010	272133	GRIFFIN PEST CONTROL, INC.	598	224.00
07/23/2010	272134	GRYPHON PLACE	3419	2,748.00
07/23/2010	272135	HANSEN COLLISION FLEET-KALAMAZ	3885	1,612.50
07/23/2010	272136	HARTMAN, CHARLES	913	.00
07/23/2010	272137	HEMLER, KEVIN	4543	43.00
07/23/2010	272138	HI-TECH ELECTRIC CO.	1327	6,106.10
07/23/2010	272139	ROADLEY, LEO	4228	220.00
07/23/2010	272140	HOCKEY SERVICES	2898	219.98
07/23/2010	272143	HOME DEPOT	691	1,233.67
07/23/2010	272144	HOPE HEALTH	3890	309.90
07/23/2010	272145	IERVOLINA, SUSAN	2074	42.50
07/23/2010	272146	INDUSCO SUPPLY CO., INC.	63	100.57
07/23/2010	272147	INT'L PERSONNEL MGMT ASSOC	1048	1,791.50
07/23/2010	272148	INTL. CODE COUNCIL, INC.	999999	100.00
07/23/2010	272149	IRISH AYRES ENTERPRISES, LLC	4143	6,621.50
07/23/2010	272150	IRWIN JR., LOUIS A	3303	1,036.36
07/23/2010	272151	J-AD GRAPHICS, INC	4444	487.00
07/23/2010	272152	JEREMY & ASSOCIATES, INC.	4561	595.00
07/23/2010	272153	JONS TO GO PORTABLE RESTROOM	3201	138.00
07/23/2010	272154	KAL CO MEDICAL CONTROL AUTH	735	150.54
07/23/2010	272155	KALAMAZOO COUNTY TREASURER	514	735.22
07/23/2010	272156	H. I. HERITAGE INN OF KALAMAZOO	4146	186.90
07/23/2010	272157	KALAMAZOO LANDSCAPE SUPPLIES	90	323.00
07/23/2010	272158	KALAMAZOO REG'L EDUC SVS AGENG	721	275.82
07/23/2010	272159	KALAMAZOO VALLEY COMMUNITY COL	230	160.61
07/23/2010	272160	KAMMINGA & ROODVOETS, INC.	4567	1,920.00
07/23/2010	272161	KEALA, TRICIA	999999	159.97
07/23/2010	272162	KENT COUNTY DPW	2663	74.25
07/23/2010	272163	KNAPP ENERGY, INC.	235	16,916.31

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
07/23/2010	272164	KOPEC, CASEY	4409	168.00
07/23/2010	272165	KUHN'S YARD & GARDEN CARE, INC	4551	215.66
07/23/2010	272166	KUIPERS BROTHERS MOVING INC.	1066	519.00
07/23/2010	272167	LABOR READY, INC.	238	487.60
07/23/2010	272168	LAKE MICHIGAN MAILERS, INC.	682	23.93
07/23/2010	272169	LAKE, ELISABETH	3778	44.00
07/23/2010	272170	LAWN PERFECT	3811	346.05
07/23/2010	272171	LEWIS PAPER PLACE, INC.	242	72.43
07/23/2010	272172	LOCEY SWIM POOL CO.	243	19.47
07/23/2010	272173	LOWE'S HOME CENTER	2630	102.73
07/23/2010	272174	M M R M A	945	136,071.00
07/23/2010	272175	M S PRODUCTIONS	283	1,000.00
07/23/2010	272176	MACKS FIRE PROTECTION	3849	104.00
07/23/2010	272177	MCLAIN, JAN	999999	100.00
07/23/2010	272178	MCNALLY ELEVATOR CO.	256	424.50
07/23/2010	272179	MEDEMA, TIMOTHY	4406	176.00
07/23/2010	272180	MENARDS, INC	258	60.30
07/23/2010	272181	MI CAMP	999999	50.00
07/23/2010	272182	MI GOVT FINANCE OFFICERS ASSOC	2134	150.00
07/23/2010	272183	MICHIGAN ELECTION RESOURCES, L	264	265.48
07/23/2010	272184	MICHIGAN MUNICIPAL LEAGUE	4515	111.00
07/23/2010	272185	MICHIGAN OFFICE SOLUTIONS	180	155.00
07/23/2010	272186	MICHIGAN PAVING & MATERIALS CO	3389	442.50
07/23/2010	272187	MICHIGAN POLICE EQUIPMENT CO.	269	4,118.00
07/23/2010	272188	MIDWEST COMMUNICATION SERVICES	1983	550.00
07/23/2010	272189	MIDWEST CUSTOM EMBROIDERY COMP	613	58.00
07/23/2010	272190	MIDWEST ENERGY COOPERATIVE	2030	223.69
07/23/2010	272191	MML UNEMPLOYMENT FUND	4476	1,944.02
07/23/2010	272192	MOORE MEDICAL, LLC	3850	657.69
07/23/2010	272193	MOORS I, LLC	3834	24.34
07/23/2010	272194	MORDAS, DON	4003	188.00
07/23/2010	272195	T MORGAN INC.	376	200.00
07/23/2010	272196	MUSIC THEATRE INTERNATIONAL	3983	35.00
07/23/2010	272197	NEMITZ, ARTHUR E	2318	229.84
07/23/2010	272198	NEW FRESH CLEANING SERVICE	4351	5,112.40
07/23/2010	272199	A NEW LEAF	635	85.00
07/23/2010	272200	NEWCOMER GUIDES OF MICHIGAN	2788	1,590.00
07/23/2010	272201	NICHOLS, ANDREW	4229	235.00
07/23/2010	272202	NON-DESTRUCTIVE TESTING GROUP	1524	1,315.60
07/23/2010	272203	NYE UNIFORMS	299	129.50
07/23/2010	272205	OFFICE DEPOT, INC.	1721	1,555.62
07/23/2010	272206	ONE WAY PRODUCTS	440	1,876.23
07/23/2010	272207	ORIENTAL TRADING CO.	3819	224.03
07/23/2010	272208	OUTLAW, AMANDA	999999	.00
07/23/2010	272209	P C MALL GOV. INC.	3945	1,997.96
07/23/2010	272210	PARKER ARNTZ PLUMBING & HEATIN	4560	10,728.00
07/23/2010	272211	PARKER, KYLE	4557	188.00
07/23/2010	272212	PARKER, ROBERT	2298	94.00
07/23/2010	272213	PEERLESS-MIDWEST, INC.	1231	15,600.00
07/23/2010	272214	PEERLESS, INC.	1171	232.50
07/23/2010	272215	PERRY BALLARD INCORPORATED	4348	3,553.50

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
07/23/2010	272216	PETERS CONSTRUCTION CO.	1638	4,554.29
07/23/2010	272218	PETTY CASH-CITY HALL	767	784.69
07/23/2010	272219	PETTY CASH-POLICE DEPT.	890	429.87
07/23/2010	272220	PETTY CASH-SENIOR CENTER	537	496.41
07/23/2010	272221	PORTAGE DISTRICT LIBRARY	810	81.56
07/23/2010	272222	PORTAGE NORTHERN HIGH SCHOOL	2319	1,037.50
07/23/2010	272223	PORTAGE PUBLIC SCHOOLS	590	1,315.28
07/23/2010	272224	PREIN & NEWHOF	1738	2,263.50
07/23/2010	272225	PRIORITY HEALTH	4254	20,747.63
07/23/2010	272226	PRO-FLEET	3209	3,368.50
07/23/2010	272227	PROFESSIONAL LAKE MANAGEMENT	461	150.00
07/23/2010	272228	RATHCO SAFETY SUPPLY, INC.	327	216.56
07/23/2010	272229	RELIABLE MANAGEMENT SYSTEMS, I	4354	331.00
07/23/2010	272230	RIDGE AUTO NAPA	438	2,093.20
07/23/2010	272231	RIETH-RILEY CONSTRUCTION CO.,	4386	6,417.56
07/23/2010	272232	ROAD EQUIPMENT PARTS CENTER	339	430.66
07/23/2010	272233	ROMENCE GARDENS, INC	343	51.50
07/23/2010	272234	ROSE PEST SOLUTIONS	634	182.00
07/23/2010	272235	S & S ELECTRIC	999999	153.00
07/23/2010	272236	SAFETY SERVICES, INC.	349	226.28
07/23/2010	272237	SCHNEIDER AUTOMATION / SQUARE	2933	500.00
07/23/2010	272238	SINCLAIR RECREATION, LLC	3149	18.44
07/23/2010	272239	SMART MONEY	999999	18.00
07/23/2010	272240	SNELL, DEBRA	1505	654.00
07/23/2010	272241	SMELLING PERSONNEL SERVICES	2107	720.00
07/23/2010	272242	SPARKS, MELISSA	999999	150.00
07/23/2010	272243	STATE INDUSTRIAL PRODUCTS CORP	2010	193.65
07/23/2010	272244	STATE OF MICH - STATE POLICE	367	25.00
07/23/2010	272245	STATE OF MICHIGAN	4070	345.60
07/23/2010	272246	STATE OF MICHIGAN (DOT)	368	34,861.80
07/23/2010	272247	STATE SYSTEMS RADIO, INC	369	3,844.09
07/23/2010	272248	SUNBURBAN MECHANICAL COMPANY	999999	2,378.00
07/23/2010	272249	SUNBARD PUBLIC SECTOR	449	2,400.00
07/23/2010	272250	SUPERIOR PLUMBING	999999	132.00
07/23/2010	272251	T-MOBILE USA INC	3665	29.99
07/23/2010	272252	THOMPSON, HELENE	4417	171.00
07/23/2010	272253	TIGER DIRECT, INC.	4272	227.88
07/23/2010	272254	TRACTOR SUPPLY CORP.	2817	263.47
07/23/2010	272255	TRUGREEN CHEMLAWN	390	65.58
07/23/2010	272256	U S BANK	3497	275.00
07/23/2010	272257	U S SIGNAL COMPANY, LLC	3831	549.00
07/23/2010	272258	UNITED PARCEL SERVICE	545	345.43
07/23/2010	272259	UNITED PETROLEUM	396	1,662.34
07/23/2010	272260	UNITED RENTAL	2177	2,430.00
07/23/2010	272261	UNITED WATER NACO LLC	4304	164,003.33
07/23/2010	272262	UNIVERSAL TOOL INC.	2610	142.00
07/23/2010	272263	VANDER VEEN, DONALD	4230	198.00
07/23/2010	272264	VANDERBILT, JOHN	668	94.00
07/23/2010	272265	WASTE MANAGEMENT OF MI INC.	1775	124,152.00
07/23/2010	272266	WATKINS, GREG	4231	282.00
07/23/2010	272267	WEISS, MARGARET	999999	100.00

PREPARED 08/03/2010, 9:42:10
PROGRAM: GM350L
CITY OF PORTAGE

A/P CHECKS BY PERIOD AND YEAR
FROM 07/21/2010 TO 08/03/2010

PAGE 5

ALL

BANK CODE

CHECK DATE CHECK NUMBER VENDOR NAME VENDOR # CHECK AMOUNT

07/23/2010	272268	WEN, MING	999999	65.00
07/23/2010	272269	WEST MICHIGAN GLASS SOCIETY	4518	172.00
07/23/2010	272270	WEST MICHIGAN STAMP & SEAL, INC	415	40.55
07/23/2010	272271	WEST SHORE FIRE, INC.	419	289.19
07/23/2010	272272	WESTERN MICHIGAN UNIVERSITY	2944	1,200.00
07/23/2010	272273	WIGHTMAN JONES, INC.	3785	3,718.75
07/23/2010	272274	WINGFOOT COMMERCIAL TIRE	2613	269.64
07/23/2010	272275	WMUK	999999	120.00
07/23/2010	272276	WOLVERINE LAWN SERVICE, INC.	1089	791.19
07/23/2010	272278	XEROX CORPORATION	2684	1,267.73
07/23/2010	272279	XYBIX SYSTEMS, INC.	3436	303.00
07/23/2010	272280	YODER, ANDREW	4546	120.00
07/23/2010	272281	ZURICH NORTH AMERICA	4062	4,150.00
07/23/2010	272282	360 SERVICES, INC.	637	1,023.94
07/26/2010	272283	VANDYKE, STEVEN THOMAS	4036	550.00
08/02/2010	272284	PETTY CASH-PARKS	536	538.39

DATE RANGE TOTAL * 1,121,866.07 *

PAYMENT NO	VENDOR NO	VENDOR NAME	TRANSFER DATE	AMOUNT	TRACE NUMBER	EFT BATCH	BANK CODE
44	B & B	YARDSCAPE	07/23/2010	3,260.00	072000320000001	0000001	00
57	B & B	YARDSCAPE	08/02/2010	25,190.00	072000320000001	0000001	00
45	BLUE CARE NETWORK	-GREAT LAKES	07/23/2010	59,489.41	072000320000002	0000001	00
46	DELTA DENTAL PLAN OF MI		07/23/2010	17,990.12	072000320000003	0000001	00
47	FRANCO JR., MARTIN		07/23/2010	188.00	072000320000004	0000001	00
54	HARTFORD LIFE INSURANCE COMPANY		07/26/2010	8,061.85	072000320000001	0000001	00
56	HOME DEPOT		07/29/2010	415.16	072000320000001	0000001	00
48	INTERNAL - CITY OF PORTAGE		07/23/2010	50.00	072000320000005	0000001	00
49	KUSHNER & COMPANY, INC.		07/23/2010	362.68	072000320000006	0000001	00
50	ROBERTS, BRIAN		07/23/2010	293.00	072000320000007	0000001	00
51	ROBERTS, CHARLES D		07/23/2010	329.00	072000320000008	0000001	00
52	VISION SERVICE PLAN INSURANCE CO		07/23/2010	2,289.47	072000320000009	0000001	00
53	WEST, STEVE		07/23/2010	340.00	072000320000010	0000001	00

GRAND TOTAL: 118,258.69 NO. OF CHECKS: 13

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 4, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Budget Amendment for Storm Damage Clean Up

ACTION RECOMMENDED: That City Council approve a budget amendment to the Leaf Pickup Spring Cleanup Fund in the amount of \$36,567 to replenish funds used to clean up storm damage that occurred on July 15, 2010.

On July 15, 2010, a thunderstorm with high winds caused significant tree damage to several neighborhoods in the City of Portage, generally north of Romence Road. The cost to make the roads passable and gather, load and haul the broken tree limbs was \$36,566.59. This unforeseen expense was not included in the preparation of the fiscal year 2010-2011 budget.

A fund balance is maintained in most funds to accommodate these type of eventualities and the Leaf Pickup Spring Cleanup Fund currently has an unappropriated fund balance of \$119,059. It is recommended that \$36,567 be appropriated from the previously unappropriated fund balance in the Leaf Pickup Spring Cleanup fund to pay for the storm damage cleanup.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 5, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Proposed One-Year Labor Agreement with the Portage Police Officers Association

ACTION RECOMMENDED: That City Council approve a one-year labor agreement between the City of Portage and the Portage Police Officers Association and authorize the Mayor and City Clerk to execute all documents on behalf of the city.

The City Administration has been negotiating with the Portage Police Officers Association (PPOA) regarding a replacement contract for the labor agreement that expired on June 30, 2010. A tentative agreement has been reached and was ratified by PPOA members. The agreement covers 50 police officers, radio operators and police service technicians (not including current openings) for a period from July 1, 2010, through June 30, 2011.

Wages are maintained at current levels in the new agreement. The central change to the agreement involves a \$26,000 increase in the annual payment made by the city to the PPOA retiree health fund and a corresponding decrease in payments made by the city to annual longevity bonuses. The reduction in longevity payments is accomplished along with changing the calculation of the longevity bonus from a percentage of base pay to a straight dollar amount. The change in longevity calculation is expected to be of financial benefit to the city.

City Council approval of the one-year labor agreement is recommended.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 5, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Purchase of Digital Recording Equipment for Police Interview Rooms

ACTION RECOMMENDED: That City Council award a contract to GTSI for digital recording equipment for police interview rooms in an amount not to exceed \$28,928.13 and authorize the City Manager to execute all documents related to this purchase.

The City of Portage Police Department has three interview rooms, two of which currently use an antiquated video recording system. Due to the age, inability to easily access files, storage size and the need to record a third interview room, it is necessary to replace and upgrade the recording equipment. Replacing this equipment will provide the security, storage capacity and accessibility needed.

Through GTSI Corporation, U.S. Communities Government Purchasing Alliance (U.S. Communities) provides competitively bid products, engineering and installation of all hardware and software with extended warranties. U.S. Communities provides a national purchasing forum for government agencies. The city received a Justice Assistance Grant (JAG) of \$ 59,241, which is funding this project, as well as other technology projects for the Police Department.

It is recommended that City Council accept the bid for the purchase of digital recording equipment in the amount not to exceed \$28,928.13 and authorize the City Manager to execute all related documents.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 3, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: *Portager* Newsletter Printing Contract

ACTION RECOMMENDED: That City Council renew the contract with J.B. Printing Company in the amount not to exceed \$25,390 for the annual production of the *Portager* newsletter and authorize the City Manager to execute all documents related to the contract.

The *Portager* newsletter is an essential communication tool for conveying information to residents on city initiatives, events and news. In 2009, Council awarded a one-year contract to J.B. Printing Company for the production, mail preparation and delivery of the *Portager* newsletter with the option to renew for an additional three years.

J.B. Printing has provided the city excellent services and has agreed to no cost increases for the services provided. The J.B. Printing pricing includes \$17,790 for production of six issues of the *Portager* newsletter and \$7,665 for other costs, which include the printing of additional *Portager* copies, special inserts and graphic design work as needed. Mail preparation and delivery of the newsletter to the U.S. Post Office for mailing are included in the production costs.

It is recommended that City Council renew the contract with J.B. Printing Company in the amount not to exceed \$25,390 for the annual production of the *Portager* newsletter and authorize the City Manager to execute all documents related to the contract. The proposed contract contains a provision that will allow the Administration to review and scrutinize the performance of this vendor annually. Funds are budgeted and available in the FY 2010-11 General Fund for this expenditure.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 5, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Managed Printer Services Proposal

ACTION RECOMMENDED: That City Council approve a one-year managed printer services agreement with the option to exercise three one-year renewals with Precision Printer Services, Incorporated, for the provision of printer supplies and services and authorize the City Manager to execute all documents related to this action on behalf of the city.

As part of a cost reduction initiative, the Information / Technology Department entered into a one-year pilot program to use refurbished toner cartridges and consolidate all printer-related services with one vendor. Informal proposals were solicited with the lowest and best proposal submitted by Precision Printer Services Incorporated for per-unit cartridge pricing and maintenance services. Based on historical usage, the total value of the Precision contract was approximately \$25,000

The pilot program with Precision has been highly successful and continuation of this program is recommended. The Precision managed printer program reduced annual printer related expenditures by approximately \$15,000, which exceeds the originally estimated savings of \$10,000. In addition, Precision replaced approximately \$2,700 of printer equipment during this time, at no cost to the city.

As part of this program, all refurbished toner cartridges and printer-related services are provided to all city departments by Precision. Precision provides the city lower per-unit costs on all printer toner supplies, maintenance on all city printers at no additional cost, printer usage reports, online ordering and a printer reduction and replacement plan.

It is recommended that City Council approve a one-year managed printer services agreement with the option to exercise three one-year renewals with Precision Printer Services, Incorporated, for the provision of printer supplies and services and authorize the City Manager to execute all documents related to this action. Annual purchases from Precision for printer supplies are expected to be approximately \$25,000. Funding for printer supply items is included in the Information/Technology operating budget.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 5, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Appointment of Director of Transportation & Utilities

ACTION RECOMMENDED: That City Council confirm the appointment of the City of Portage Director of Transportation & Utilities.

With the retirement of Dallas Williams on September 3, 2010, an opening will exist in the position of Director of Transportation & Utilities. Subsequent to an internal posting and consideration of candidates, I have appointed City Engineer Chris Barnes as the Director of Transportation & Utilities for the City of Portage.

City Engineer Barnes began employment with the City of Portage in August of 1997. During this period, Mr. Barnes has capably demonstrated his ability to address the ongoing administrative duties of the Department of Transportation & Utilities.

Mr. Barnes is a graduate of Michigan Tech University with a Bachelor of Science Degree in Civil Engineering. Mr. Barnes has over twenty six years of experience in engineering related positions, having been employed with the City of St. Charles, Illinois and the City of Greencastle, Indiana prior to his employment with the City of Portage.

Mr. Barnes has the professional credentials and personal qualities that will serve the City Administration and the city well. I have, therefore, appointed Mr. Barnes as the Director of Transportation & Utilities, effective September 3, 2010. It is recommended that Council confirm the appointment of the City of Portage Director of Transportation & Utilities.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 5, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Downtown Development Authority Annual Report -- Information Only

Attached is the Portage Downtown Development Authority (DDA) annual report for the information of City Council. The report will also be forwarded to the Michigan State Tax Commission consistent with PA 197 of 1975, as amended.

The annual report contains information about the public improvements and activities initiated in 1998 with the establishment of the DDA district along South Westnedge Avenue between Kilgore Road and I-94 and the approval of the original Development Plan/Tax Increment Finance Plan. Subsequent public improvements and activities were accomplished in 2003 with approval of the 2003 Amended Development Plan/Tax Increment Finance Plan. The intent of the public improvements and activities that were accomplished was to promote commercial development and redevelopment in the district, expand the tax base in the community and encourage job creation.

The Portage DDA Board of Directors convened a meeting on July 23, 2010 to review the Annual Financial Report for FY 2008-09. As indicated in the accompanying report all of the public improvements and activities have been completed. As for financial information, \$8 million in principal and interest remain on the outstanding bonded indebtedness of the Authority as of June 30, 2009. The initial assessed value in the DDA project area was established at \$12.76 million and the additional captured assessed value retained by the Authority is \$18.64 million for FY 2008-09. It is estimated that 1,380 full- and part-time jobs have been created through FY 2008-09. Attached is the Resolution with Appendix A approved by the Board of Directors.

The report documents the continued success of the 1998 and 2003 initiatives in facilitating private sector investment in the community and strengthening the local economy.

Attachments: Resolution with FY2008-2009 Annual Financial Report
Board meeting minutes dated July 23, 2010 (draft)

c: Jeffrey M. Erickson, Director of Community Development

CITY OF PORTAGE

At a regular meeting of the Board of the Downtown Development Authority of the City of Portage, Michigan, held on July 23, 2010, at 8:00 a.m. at the City Hall, Portage, Michigan, there were:

PRESENT: Boyer, Hansen, MacDonald, Huberty, Dunlap, Evans and Patterson

ABSENT: Milks and Chrystal

The following preamble and resolution were offered by MacDonald and supported by Boyer:

RESOLUTION APPROVING AND AUTHORIZING
THE TRANSMISSION OF THE FINANCIAL
REPORT ON THE STATUS OF THE TAX INCREMENT
FINANCING PLAN

WHEREAS, the Downtown Development Authority of the City of Portage (the "Authority") has been duly incorporated by the City of Portage (the "City") pursuant to Act No. 197 of the Public Acts of Michigan of 1975 (the "Act") and the Board of the Authority has been duly appointed and sworn into office; and

WHEREAS, the Authority is to transmit annually to the City Council of the City of Portage and the State Tax Commission a Financial Report on the Status of the Tax Increment Financing Plan which report shall include certain matters as required by Section 15 of the Act; and

WHEREAS, such material has been prepared and is attached hereto as Appendix A to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF PORTAGE, as follows:

1. The Financial Report on the Status of the Tax Increment Financing Plan attached hereto as Appendix A is approved.

2. The Director of the Authority is authorized to transmit said financial report to the City Council of the City of Portage and the State Tax Commission.

The results of a roll-call vote on the foregoing resolution were as follows:

YEAS: Boyer, Hansen, MacDonald, Huberty, Dunlap, Evans
and Patterson

NAYS: None

ABSTAIN: None

THE RESOLUTION WAS DECLARED ADOPTED:

SECRETARY'S CERTIFICATE

The undersigned, being the duly qualified and acting Secretary of the Board of the Downtown Development Authority of the City of Portage, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board at a regular meeting held on July 23, 2010, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records of the proceedings of the Board in my office, (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.

 PRESIDENT For:

Matthew J. Milks, Secretary

ANNUAL FINANCIAL REPORTS

CITY OF PORTAGE

DOWNTOWN DEVELOPMENT AUTHORITY

for

FY 2008 - 2009

Portage, Michigan

DOWNTOWN DEVELOPMENT AUTHORITY

OF

THE CITY OF PORTAGE

FY 2008-09 ANNUAL FINANCIAL REPORT

As Approved by the Authority Board

on

July 23, 2010

INTRODUCTION

As specified in PA 197 of 1975, the Downtown Development Authority Act provides government financing methods to eliminate property value deterioration within business districts and promote economic growth in communities. Of particular interest to the City of Portage are the provisions which allow tax increment financing to undertake public improvements in business districts in order to correct and prevent deterioration and stimulate business growth.

By way of example, the City of Portage has utilized this approach to construct public improvements on West Centre Avenue and Angling Road (for the SPX Corporation, formerly Allen Testproducts). Also, Portage utilized tax increment financing to construct several important infrastructure projects to assist Pfizer, Inc. (formerly Pharmacia & Upjohn) and the Stryker Corporation with significant development projects during the early 1990's and 2000's.

With the 1998 Community Investment Initiative, the City of Portage again utilized tax increment financing to construct public improvements that revitalized the north portion of South Westnedge Avenue, between Kilgore Road and I-94. This part of South Westnedge Avenue exhibited signs of deterioration and development and redevelopment activities by the private sector were hampered by lack of access, traffic concerns and existing utility infrastructure. With tax increment financing under the Downtown Development Authority Act, tax increment revenue from tax millage levied within a downtown development authority district by the City of Portage, Portage District Library, Kalamazoo County and Kalamazoo Valley Community College was captured and used to improve public infrastructure which benefited all of Kalamazoo County, including the business sector. In the future, other public improvements could also be proposed and undertaken by the downtown development authority to further strengthen the local business sector within the district.

In 2003, additional efforts to further stimulate private sector investment were initiated and the Development Plan/Tax Increment Finance Plan was amended. These additional street, water main, signage and related public activities were included in the amended plan to promote development of additional vacant and underutilized land in the existing development area.

The purpose of the Tax Increment Financing Plan / Development Plan, per PA 197 of 1975 is to provide public improvements necessary for private sector investment. The property to which the Development Plan applies is the north portion of the South Westnedge Avenue Commercial Corridor. The area includes approximately 97 acres of land and is bounded by Kilgore Road on the north, the city of Kalamazoo wellfield to the west, I-94 to the south and the business zoning districts to the east of South Westnedge Avenue on the east.

Following are descriptions of the public improvements and activities undertaken in 1998 and in 2003. The descriptions encompass several public improvements and activities that were completed to foster private sector investment in the DDA.

1998 DDA TAX INCREMENT FINANCE PLAN / DEVELOPMENT PLAN –
INFRASTRUCTURE IMPROVEMENT PROJECTS (COMPLETED)

<u>Public Improvements</u>	<u>Original Estimated Time Required for Completion</u>	<u>Original Estimated Cost</u>
1. Andy Avenue Extension	12 months	\$487,000
<p>Construct a new 1400 feet long and thirty-six foot wide public street intersecting South Westnedge Avenue at the Andy Avenue signalized intersection, with necessary storm water facilities. Repave 1000 feet of DeHaan Street with intersection improvements at South Westnedge Avenue.</p>		
2. DeHaan Drive Sanitary Sewer Relocation	12 months	\$307,000
<p>Relocate approximately 2100 feet of existing sanitary sewer trunk main located west of DeHaan Drive to the south, paralleling the I-94 right-of-way.</p>		
3. South Westnedge Avenue Property Acquisition	12 Months	\$850,000
<p>Purchase the property addressed along South Westnedge Avenue and DeHaan Drive which is necessary for the extension of Andy Avenue.</p>		

Note: Additional right-of-way and/or easements will be provided by property owners for minimal consideration in order to construct the necessary public street and to relocate the sanitary sewer.

With regard to the identified projects, the Andy Avenue extension (Market Place) and repaving of DeHaan Drive was completed in 1999. The DeHaan Drive sanitary sewer relocation was subsequently completed in 1999. Finally, after lengthy litigation concerning the acquisition of land necessary for the construction of Market Place, the acquisition was completed in 2001. Bonds were subsequently sold in 2001 in the amount of \$3,100,000 to finance street improvements of \$521,342; sanitary sewer relocation of \$292,429; and property acquisition of \$2,286,229. (Lead underwriter is Morgan Stanley Dean Witter).

2003 AMENDED DDA TAX INCREMENT FINANCE PLAN / DEVELOPMENT PLAN –
PROPERTY ACQUISITION AND PUBLIC IMPROVEMENT PROJECTS
(COMPLETED)

<u>Public Improvements</u>	<u>Estimated Time Required for Completion</u>	<u>Estimated Cost</u>
1. The acquisition of 5.44 acres of land for public street right-of-way and stormwater retention -	Fall 2003	\$ 909,000
2. The construction of an approximate 2200-foot long, 36-foot wide public cul-de-sac street, with pavement, curb and gutter, sidewalk, conduit for the installation of telecommunications fibre, street lighting and landscaping -	Fall 2003/Spring 2004	\$ 689,000
3. The construction of public water main from the Milham Well Field to the DDA under I-94, to be looped with public water utilities in Holiday Lane -	Fall 2003/ Spring 2004	\$ 300,000
4. To facilitate “way finding” by customers from South Westnedge and West Fork Crossing the financing and construction of identification sign at South Westnedge and orientation sign at West Fork Crossing -	Summer 2004	\$ 30,000
5. The acquisition of 2.81 acres of land in the DeHaan Drive (now Trade Centre Way) and West Fork Crossing vicinity of the DDA for stormwater or other public use –	2004	\$ 500,000
6. The annual maintenance, monitoring of the retention facility mitigation facility -	Annually (Not Bonded)	\$ 5,000 (\$100,000 over 20 yrs.)

Notes: The public right-of-way and stormwater retention area to be purchased by the City of Portage through the DDA is immediately north of I-94 (See Appendix 5, Land Purchase Project Map).

Wayfinding signs by H&G, LLC have been installed along South Westnedge Avenue and I-94. West Fork wayfinding signage by H&G, LLC is pending.

FY 2008-2009 FINANCIAL INFORMATION

The Annual Financial Report has been prepared pursuant to Section 15 (1) of PA 197 of 1975, as amended, The Downtown Development Authority Act. The Annual Report is for FY08-09 and contains the information required by the Act.

Section 15 (3) (a): THE AMOUNT AND SOURCE OF REVENUE IN THE ACCOUNT

Tax Increment Revenue	\$436,298
Interest	\$6,716

Section 15 (3) (b): THE AMOUNT IN ANY BOND RESERVE ACCOUNT

In the DDA bond reserve account there is \$342,899

Section 15 (3) (c): THE AMOUNT AND PURPOSE OF EXPENDITURES FROM THE ACCOUNT

\$383,836 was transferred to the Bond paying agent to pay debt service.

Section 15 (3) (d): THE AMOUNT OF PRINCIPAL AND INTEREST ON ANY OUTSTANDING BONDED INDEBTEDNESS

\$8,047,575 as of June 30, 2009.

Section 15 (3) (e): THE INITIAL ASSESSED VALUE OF THE PROJECT AREA

The initial value is established at \$ 12,767,600.

Section 15 (3) (f): THE CAPTURED ASSESSED VALUE RETAINED BY THE AUTHORITY

The captured value is established at \$18,644,447 for FY 2008-09.

Section 15 (3) (g): THE TAX INCREMENT REVENUES RECEIVED

The tax increment revenues received in 2008-2009 = \$436,298

Section 15 (3) (h): THE NUMBER OF JOBS CREATED AS A RESULT OF THE IMPLEMENTATION OF THE TAX INCREMENT FINANCING PLAN

It is estimated that 1,380 jobs have been created.

Section 15 (3) (i): ANY ADDITIONAL INFORMATION THE GOVERNING BODY OR THE STATE TAX COMMISSION CONSIDERS NECESSARY

Attached find page excerpts from the FY2008-09 audited financial statement for the City of Portage. This information provides supporting documentation for this financial report.

CITY OF PORTAGE, MICHIGAN

Downtown Development Authority Debt Service Fund
 Schedule of Revenues, Expenditures and Changes in Fund Balance
 Budget and Actual

Fiscal Year Ended June 30, 2009
 With Comparative Actual Amounts for Fiscal Year Ended June 30, 2008

	2009		Variance with	2008
	Amended Budget	Actual	Amended Budget + / (-)	Actual
REVENUE:				
Taxes	\$ 370,000	\$ 436,298	\$ 66,298	\$ 390,419
Interest on investments	7,000	6,716	(284)	9,411
Total revenues	377,000	443,014	66,014	399,830
EXPENDITURES:				
Debt Service:				
Principal	125,000	125,000	-	120,000
Interest	259,086	258,836	250	263,318
Total expenditures	384,086	383,836	250	383,318
Excess (deficiency) of revenues expenditures	(7,086)	59,178	66,264	16,512
Net change in fund balance	(7,086)	59,178	66,264	16,512
Fund balance - beginning	283,721	283,721	-	267,209
Fund balance - ending	\$ 276,635	\$ 342,899	\$ 66,264	\$ 283,721

DOWNTOWN DEVELOPMENT AUTHORITY

DRAFT

Minutes of Meeting – Friday, July 23, 2010

The meeting of the Downtown Development Authority (DDA) was called to order at 8:00 a.m. in Conference Room #1, at Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan.

MEMBERS PRESENT:

Terryl Patterson, Benjamin Boyer, James Huberty, Walter Hansen, Rich MacDonald, Ronald Dunlap, and Maurice Evans

MEMBERS EXCUSED:

Matthew Milks and Jeff Chrystal

IN ATTENDANCE:

Jeffrey M. Erickson, Director of Community Development; Daniel Foecking, Finance Director; and Christopher Forth, Deputy Director of Planning and Development Services.

APPROVAL OF MINUTES:

The minutes of the June 30, 2009 meeting were introduced for approval. A motion was offered by MacDonald and seconded by Boyer to approve the meeting minutes as presented. The motion was unanimously approved.

Mr. Erickson indicated that another DDA meeting will be scheduled later this year to consider board member reappointments, election of officers and perhaps other projects in the DDA area.

BUSINESS:

1. FY 2006-07 and 2007-08 Annual Financial Reports.

Mr. Erickson reviewed the communication concerning the 2008-2009 annual report to the City Council and State Tax Commission. A resolution has been prepared that approves and authorizes the transmission of the financial reports on the status of the tax increment finance plan. Attached to the resolution is appendix A, which summarizes the report and the applicable annual financial information as required by statute. Mr. Erickson also reviewed the accompanying final audit page for the DDA Debt Service Fund for each fiscal year. After some brief discussion, a motion was offered by MacDonald and seconded by Boyer that the Resolution Approving and Authorizing The Transmission of The Financial Reports on The Status of The Tax Increment Financing Plan be approved. Upon a roll call vote, the motion was unanimously approved.

2. 2003 Development Agreement and Second Amendment to Development Agreement

Mr. Erickson reviewed the July 16th communication concerning a matter that involves development within the Portage Downtown Development Authority (DDA) district in the context of the approved 2003 Amended Development Plan/Tax Increment Finance Plan and the approved 2003 Development Agreement with H&G, LLC. In 2003 the DDA financing mechanism was used to facilitate another public-private venture in the district. All of the public improvements as part of the 2003 Amended Plan have been completed, as reported in annual reports.

Included as part of the 2003 Amended Plan and the 2003 Development Agreement, H&G, LLC was required to complete a second project. This second project is important as the tax increment revenue is

DRAFT

crucial to assist in the retirement of the bonds that were issued to finance the public improvements and activities. Per the terms of the 2003 Amended Plan and the 2003 Development Agreement, should H&G, LLC not begin construction of the second project in the DDA by 2008, H&G, LLC would be required to re-purchase a 2.81 acre parcel of land from the city originally acquired for potential future public use. The City of Portage purchased 2.81 acres of land for potential future public use at a cost of \$500,000. Although H&G, LLC did construct a second project (Trade Centre II), it is not located in the DDA, but is situated just west of the district boundary and, as a result, not subject to TIF capture. However, the company has been actively working to develop accommodations facilities, an additional office project and other projects within The Trade Centre. With improving economic conditions and with completion of the I-94/South Westnedge Avenue interchange, which was accelerated using Federal Stimulus funding, H&G, LLC is continuing to plan these projects in the DDA district.

Per the agreements entered into between H&G, LLC and the City of Portage, H&G, LLC is required to re-purchase the 2.81 acres as early as August 2010 if the city determined the parcel was not needed for public purposes. The city has determined the 2.81 parcel is not needed for public use and is best placed on the tax roll. Funds from the parcel sale will assist with required bond payments. Per the terms of the 2003 Development Agreement, the re-purchase price equals \$500,000 less the credit of the incremental tax revenue generated by the Development Parcel (excluding the Office Parcel) received by the city during the five year period from 2005 to 2009 and of the tax revenue generated by the Trade Centre II project paid to the city between 2005 and 2009. The re-purchase price equals \$206,615 after applying the credit per the terms of the Development Agreement and would be paid over a four year period. Mr. Erickson explained the Second Amendment To Development Agreement that has been prepared by Bond Counsel that formally documents the way in which the matter would be resolved.

Mr. Dunlap asked about other projects completed in the DDA area. Mr. Erickson summarized several projects including Lowes, Gander Mountain, Meijer remodel, Bennigans, among others. Mr. Erickson noted that Trade Centre II is adjacent to the DDA area but not located within the district. Mr. MacDonald explained Trade Centre II was located west of Trade Centre I outside the DDA district to preserve the east portion of the property for retail uses.

After a brief discussion, a motion was offered by Boyer and seconded by Huberty that the Resolution Recommending and Authorizing Transmission of a Second Amended Development Agreement to the City Council be approved. Upon a roll call vote, Patterson, yes; Boyer, yes; Huberty, yes; Hansen, yes; MacDonald, abstain; Ronald Dunlap, yes; and Evans, yes. The motion was approved 6-0-1.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the DDA, the meeting was adjourned at 8:45 a.m.

Respectfully submitted,

Jeffrey M. Erickson, AICP
Director of Community Development

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 4, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Privately Owned Pipelines in Portage – Information Only

At the conclusion of the July 27, 2010 City Council Meeting, Mayor Pro Tem Sackley asked the City Administration to provide a report concerning pipelines in Portage that are located near lakes, streams and other bodies of water. Mayor Pro Tem Sackley asked that the report reflect transmission of oil and other fluids, including sanitary sewer trunks, and that a map be provided. In response to this request, attached is a communication from City Engineer W. Christopher Barnes.

Attachment

CITY OF PORTAGE

COMMUNICATION

TO: Brian J. Bowling, Deputy City Manager

DATE: August 4, 2010

FROM: W. Christopher Barnes, City Engineer *WCB*

SUBJECT: Privately Owned Pipelines in Portage

As you know, recent hazardous material spill events have focused greater attention on privately owned pressurized pipelines in Portage. In response, we have prepared the attached map to show pipeline locations in Portage with potential hazardous material. Additionally, the map shows the location of city-owned waste water force mains. In case of a failure, these waste water force mains present little long-term environmental impacts due to the natural biological decomposition of the waste stream. The two systems in Portage which do carry hazardous or toxic materials are further addressed as follows:

Wolverine Pipeline Company

One petroleum transmission pipeline is located in Portage. The 16" diameter steel pipe is generally located south of Woodhams Avenue in Sections 24, 25 and 36 (see attached map) and conveys petroleum products from Hammond, Indiana to Freedom Junction, Michigan. The pipeline is located downstream of Gourdneck Lake and west of Austin Lake and is situated in a lightly populated area of Portage. The pipeline is not in a wellhead protective zone of any Portage drinking water supply wells.

If a break in the line were to occur near the Austin Lake Outlet Drain, the spill would flow towards Vicksburg and away from Gourdneck Lake and Austin Lake. Wolverine Pipeline Company has a Spill Prevention Control and Countermeasures (SPCC) Plan in place in case of any emergency in Portage. A SPCC plan is a Federal requirement for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines.

Pfizer, Inc.

One private wastewater force main is located in Portage which is owned by Pfizer, Inc. The 24" diameter pipe (see map) is located within the Grand Elk Railroad right-of-way from Gernaat Court to Kilgore Road where it discharges into the City of Kalamazoo wastewater collection system.

The force main is not active but is used as a stand-by system in case the regular gravity sewer system which connects to Kalamazoo becomes inoperable. The pipeline consists of ductile and cast iron pipe and was constructed in approximately 1965. The force main has not operated in a

number of years, but it is pressure tested annually by Pfizer to insure its integrity. Pfizer has a spill remediation action plan for any spill from the force main.

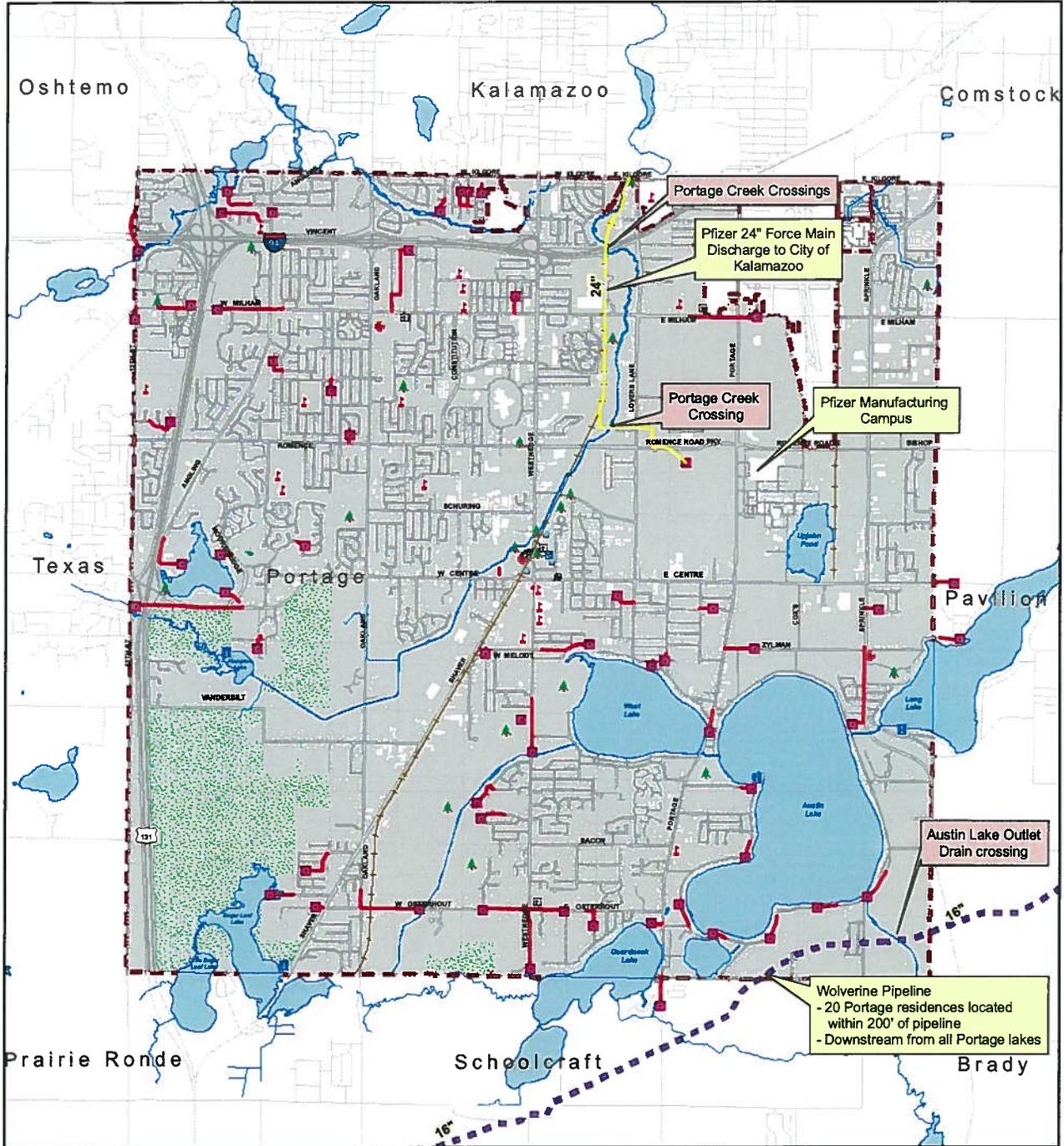
Spill remediation from a privately owned pipeline is the responsibility of the pipeline owner and the clean-up must be in compliance with the respective Federal and State requirements. Additionally, in Kalamazoo County, a hazardous material response team, of which Portage is a part, is available to provide immediate emergency containment of hazardous spills. The city also has under contract hazardous spill containment and clean-up firm, Terra I/S, Inc. who is available 24 hours a day to respond to hazardous spills which private owners are unable or unavailable to address.

In summary, while an accidental spill cannot be predicted, Portage is well positioned with the two existing pipelines to quickly address any hazardous material spill should it occur. If you would like any further information on the subject, please let me know.

Attachment

c: Maurice S. Evans, City Manager
Dallas Williams, Director of Transportation & Utilities
Randy Lawton, Fire Chief
Jack Hartman, Director of Streets & Equipment

Pressurized Pipeline Location Map



Notes:

Wolverine Pipeline:

- 46 Properties (20 Single Family, 26 vacant) located within 200 feet of Wolverine Pipeline
- The Pipeline is not located near any of the City Wellhead areas

Pfizer Forcemain:

- Backup Wastewater Discharge to Kalamazoo
- Pipeline crosses Portage Creek at 2 locations North of I-94

Legend

- Wolverine Pipeline
- Pfizer Force Main
- Portage Force Main
- Sewer Lift Stations
- Lakes & Streams
- Railroad
- State Game Area



1 inch = 4,000 feet

MATERIALS TRANSMITTED

Friday, July 23, 2010

1. Communication from the City Manager regarding a response to Mr. Isaac King concerning comments made at the July 13, 2010 City Council meeting – Information Only.



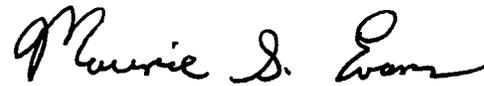
Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager

MATERIALS TRANSMITTED

Friday, August 6, 2010

1. Communication from the City Manager regarding the Citizen Comment Summary for July 2010 – Information Only.



Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager