

**FINAL AGENDA FOR THE COUNCIL MEETING  
CITY OF PORTAGE  
December 21, 2010**

7:30 p.m. Call to Order.

Invocation: Pastor John Moore of the Portage First United Methodist Church.

Pledge of Allegiance.

Roll Call.

Proclamation.

A. Approval of the December 7, 2010 Regular Meeting Minutes.

B. Resignation of Councilmember Margaret O'Brien.

1. Resolution of Respect and Recognition of Service.
2. Comments from Councilmembers.

C. Swearing in of Cory Bailes as Councilmember.

1. Signing of the City Council Code of Ethics and Values Policy.

Roll Call.

\* D. Approval of Consent Agenda Motions.

\* E. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of December 21, 2010, as presented.

F. Public Hearings:

G. Petitions and Statements of Citizens:

H. Reports from the Administration:

1. Communication from the City Manager recommending that City Council adopt the Federal Poverty Income Standards and establish a maximum asset level test of \$25,000 for residents to qualify for a 2011 Homestead Poverty Exemption.
- \* 2. Communication from the City Manager recommending that City Council accept the temporary moratorium ordinance pertaining to medical marihuana for first reading and consider ordinance adoption on January 11, 2011.
- \* 3. Communication from the City Manager recommending that City Council adopt:
  - a. the Proposed 2011 Charges for Documents fee schedule;
  - b. the recommended fee schedules for recreation programs and park facilities for 2011;
  - c. the Resolution for Community Development Fees and;
  - d. the 2011 Special Assessment Rate Resolution.
- \* 4. Communication from the City Manager recommending that City Council approve the acquisition of a sidewalk easement and temporary grading easement for 4824 West Milham Avenue in the amount of \$10,960 and authorize the City Manager to execute all applicable documents related to this matter on behalf of the city.
- \* 5. Communication from the City Manager recommending that City Council authorize payment to the Michigan Municipal League in the amount of \$8,329 for year 2011 membership dues.
- \* 6. Communication from the City Manager recommending that City Council approve a contract with Office Depot Business Solutions Division through The Cooperative Purchasing Network (TCPN) for the purchase of office

supplies and products through February 28, 2015, and any TCPN contract extensions offered thereafter; and authorize the City Manager to execute all documents related to the contract on behalf of the city.

- \* 7. Communication from the City Manager regarding a Michigan State Housing Development Authority Grant Award – Information Only.
- \* 8. Communication from the City Manager regarding the November 2010 Summary Environmental Activity Report – Information Only.
- \* 9. Department Monthly Reports.
- I. Communications:
- J. Unfinished Business:
- \* K. Minutes of Boards and Commissions Meetings:
  - 1. Portage Zoning Board of Appeals of November 8, 2010.
  - 2. Kalamazoo County Board of Commissioners Committee of the Whole and Regular of November 16, 2010.
  - 3. Portage Board of Education Special and Regular of November 22 and Special of December 6, 2010.
  - 4. Portage Planning Commission of December 2, 2010.
- L. Ad-Hoc Committee Reports:
  - 1. Communication from the City Council Investment Committee recommending that City Council approve the revised Investment Policy as recommended by the Investment Committee and City Administration.
- M. New Business:
- N. Bid Tabulations:
  - \* 1. Communication from the City Manager recommending that City Council award a construction contract to the low bidder, Severance Electric, Incorporated, in the not-to-exceed amount of \$179,221.34 for the installation of new traffic signals at the South Westnedge Avenue/Portage Central High School entrance intersection and authorize the City Manager to sign all documents related to the contract on behalf of the city.
- O. Other City Matters:
  - 1. Statements of Citizens.
  - 2. From City Council and City Manager.
  - \* 3. Reminder of Meetings:
    - a. Monday, January 3, 6:30 p.m., Youth Advisory Committee, City Hall Room #1.
    - b. Wednesday, January 5, 8:15 a.m., Historic District Commission, City Hall Room #2.
    - c. Wednesday, January 5, 6:30 p.m., Park Board, Stuart Manor.
    - d. Thursday, January 6, 6:30 p.m., Human Services Board, City Hall Room #1.
    - e. Thursday, January 6, 7:00 p.m., Planning Commission, City Council Chambers.
    - f. Monday, January 10, 7:00 p.m., Zoning Board of Appeals, City Council Chambers.
    - g. Tuesday, January 11, 5:30 p.m., Special Meeting to Interview Board and Commission Applicants, City Hall Room #1.
- P. Materials Transmitted of December 3, 2010.

Adjournment.

# CITY COUNCIL MEETING SUMMARY

December 7, 2010

## CHECK REGISTER

- ◆ Approved the Check Register of December 7, 2010, as presented.

## REPORTS FROM THE ADMINISTRATION

- ◆ Chose not to determine the membership size of the 2011 Board of Review.
- ◆ Adopted the Resolution setting the dates and times for the 2011 March Board of Review sessions.
- ◆ Approved one-year contract renewals for employee health insurance with Blue Care Network (HMO), Priority Health (HMO) and Blue Cross Blue Shield of Michigan (PPO and Traditional), and authorized the City Manager to execute all documents on behalf of the city.
- ◆ Approved the contract with Kalamazoo County for Household Hazardous Waste collection during the 2011 calendar year in the not-to-exceed amount of \$32,000 and authorized the City Manager to execute all documents related to the contract on behalf of the city.
- ◆ Approved the one-year lease extension through Capital Advantage Leasing for two IBM i5 Model 515 servers at a cost of \$16,932 with a \$1.00 end-of-lease buyout and authorized the City Manager to execute all documents related to this action on behalf of the city.
- ◆ Approved a one-year contract in the amount of \$11,250.01 for 9-1-1 maintenance, with the option to annually renew provided the terms, conditions and price do not change, and authorized the City Manager to execute all documents related to the contract on behalf of the city.
- ◆ Adopted the Resolution for Charitable Gaming License recognizing the Portage Northern Band and Orchestra Parents as a nonprofit organization in the City of Portage.
- ◆ Set a Special Meeting on Tuesday, January 11, 2011, beginning at 5:30 p.m. to interview board and commission applicants.
- ◆ Received the communication from the City Manager regarding the 2010 Council Goal Session-Work Items / Priorities as information only.
- ◆ Received the communication from the City Manager regarding the 2010 Tax Rate Survey as information only.
- ◆ Received the communication from the City Clerk regarding the November 2, 2010 General Election Results as information only.

## COMMUNICATIONS

- ◆ Received the presentation by Environmental Board Chairperson Jason Howard.
- ◆ Received a communication from Jason Howard, Chairperson of the Environmental Board, submitting the 2010 Purple Loosestrife Program Report.

## STATEMENTS OF CITY COUNCIL

- ◆ Councilmember O'Brien extended praise to Portage athletic teams, congratulated the Portage Northern High School Swimming Team that recently won the District Championship and noted that people from all over the state and country were present at the Portage Northern High School Library/Media Center Open House. She also recognized the tree-lighting ceremony as an efficient and fun event, the social services day at Kalamazoo Expo Center and the former State Senator Tom George and State Representative Larry DeShazor for their fine efforts.
- ◆ Councilmember Reid expressed her appreciation that city employees are able to keep health costs down by participating in the Health Management Program and staying healthy. She also listed all of the Boards and Commissions in need of applicants to be interviewed January 11, 2011: Board of Review, Planning Commission, Zoning Board of Appeals, Historic District Commission and the Youth Advisory Committee.
- ◆ Mayor Pro Tem Sackley echoed the need for applicants on the Boards and Commissions and emphasized the need to fill the Planning Commission vacancy owing to the election by City Council of Cory Bailes to fill the seat soon to be vacated by Councilmember O'Brien, who will serve as State Representative for the 61<sup>st</sup> District. He also recognized Deputy Parks Director Barry Bacon, Parks Director Bill Deming and the Park Board, the Portage Northern Songleaders Chorale and the efforts of local historian, Steve Rossio, for their work on the Tree Lighting Ceremony, December 4. Finally, he announced that Congressman Fred Upton was appointed to be the Chair of the Energy and Commerce Committee and explained how important that was for the State of Michigan and the country.

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**COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEM.I.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 DECEMBER 7, 2010

**DRAFT**

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

At the request of Mayor Pro Tem Sackley, Reverend Scott Oberle of the Portage United Church of Christ gave the invocation and the City Council and the audience recited the Pledge of Allegiance.

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

**APPROVAL OF MINUTES:** Motion by Reid, seconded by Campbell, to approve the November 16, 2010 Special Meeting Minutes, the November 16, 2010 Regular Meeting Minutes, the November 23, 2010 Special Meeting Minutes, and the November 30, 2010 Special Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

\* **CONSENT AGENDA:** Mayor Pro Tem Sackley asked Councilmember Randall to read the Consent Agenda. Councilmember Urban asked that Item F.1, 2011 Board of Review, be removed from the Consent Agenda. Motion by Urban, seconded by O'Brien, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

\* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 7, 2010:** Motion by Urban, seconded by O'Brien, to approve the Accounts Payable Register of December 7, 2010. Upon a roll call vote, motion carried 6 to 0.

### **REPORT FROM THE ADMINISTRATION:**

**2011 BOARD OF REVIEW:** Mayor Pro Tem Sackley asked Councilmember Urban to comment as he requested that the item be removed from the Consent Agenda. Councilmember Urban indicated that it was necessary to remove the item from the Consent Agenda because City Council had not had an opportunity to discuss the number of Board of Review members needed to serve in 2011, and the Consent Agenda Motions reflected that "six" was the number of Board of Review Members recommended by the Administration. At the request of Mayor Pro Tem Sackley, City Manager Maurice Evans explained the rationale of choosing six and Mayor Pro Tem Sackley asked if it was necessary to make the determination at this time or could it wait until the December 21, 2010 City Council Meeting. At the request of Mr. Evans, City Attorney Randy Brown indicated that the deadline is January 2011, but that it would be good to know in advance how many were required. Mayor Pro Tem explained the ballot issue passed by voters at the November 2, 2010 General Election, expressed an interest in getting input from Mayor Strazdas, asked for recruitment efforts from the Administration and suggested that further discussion and determination take place at the December 21, 2010 City Council Meeting.

Councilmember Reid concurred with holding off until the December 21, 2010 City Council Meeting but, before deciding the number of members needed to serve on the 2011 Board of Review, she asked that the Administration provide the anticipated reimbursement and how it is going to be managed, given that a Board of Review Member may work a full day or a partial day, and when and where would training take place and what would the cost be, as it would make a difference if City Council sets the Board Member level at three members or nine members, including the two Alternates.

City Attorney Brown reminded City Council that if six or nine were chosen as the level of membership on the Board, the Charter requires that a six member Board would be two groups of three and a nine member Board would be three groups of three. Discussion followed.

Councilmember Randall expressed her understanding of the preference of the Assessing Issues Task Force to allow one-half day sessions because this would be more attractive to a candidate who may be willing or able to serve for one-half of a day instead of a full day. She also indicated that extending the service time for twelve days might be too much for someone who is trying to juggle a career with volunteer responsibilities and Councilmember O'Brien concurred. Finally, she thought that adding three more members was within the findings of the Task Force. Discussion followed.

In answer to Councilmember Reid, Mr. Brown counseled that a member from one three-member Board of Review may not serve on one of the other three-member Boards of Review if six or nine Board of Review members were chosen and two members present would create a quorum. Discussion followed.

Mayor Pro Tem Sackley pointed out that prior to the amendment to the City of Portage Charter, City Council could not impose training on a new member, but only review applicant qualifications. Discussion followed.

Motion by O'Brien, seconded by Campbell, to determine the membership size of the 2011 Board of Review to be six members. Mr. Brown offered that the motion should read "up to" six members as a result of an earlier discussion with a "very wise" member of the Administration to provide flexibility. Councilmember O'Brien agreed to add the amended language to the motion.

Councilmember Randall asked that the addition of "one Alternate" be considered and Councilmember O'Brien agreed to amend the motion to include, "one Alternate," and Mr. Brown assured City Council that the Alternate could serve on either of the three-member Boards of Review. Councilmember O'Brien restated the motion, to determine the membership size of the 2011 Board of Review to be up to six members and one Alternate, and asked that the compensation for the Board be revisited in order to handle a member serving a full day versus a member serving a partial day. Discussion followed and Councilmember Campbell seconded the motion.

Councilmember Urban asked whether the motion is even needed and Mr. Brown indicated that legally the motion is not required until January 2011, but it might be good for City Council to know the membership level of the Board of Review before then. Discussion followed and it was a consensus of City Council that they wanted as many qualified applicants as possible. Further discussion followed.

Upon a roll call vote, motion failed 4 to 2: Ayes: Campbell and O'Brien. No: Councilmembers Reid, Urban and Randall and Mayor Pro Tem Sackley. Discussion followed.

\* **2011 MARCH BOARD OF REVIEW RESOLUTION:** Motion by Urban, seconded by O'Brien, to adopt the Resolution setting the dates and times for the 2011 March Board of Review sessions. Upon a roll call vote, motion carried 6 to 0.

\* **HEALTH INSURANCE CONTRACT RENEWALS:** Motion by Urban, seconded by O'Brien, to approve one-year contract renewals for employee health insurance with Blue Care Network (HMO), Priority Health (HMO) and Blue Cross Blue Shield of Michigan (PPO and Traditional), and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **HOUSEHOLD HAZARDOUS WASTE PROGRAM – INTERGOVERNMENTAL COOPERATION:** Motion by Urban, seconded by O'Brien, to approve the contract with Kalamazoo County for Household Hazardous Waste collection during the 2011 calendar year in the not-to-exceed amount of \$32,000 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **ONE-YEAR LEASE EXTENSION OF TWO IBM I5 MODEL 515 SERVERS:** Motion by Urban, seconded by O'Brien, to approve the one-year lease extension through Capital Advantage Leasing for two IBM i5 Model 515 servers at a cost of \$16,932 with a \$1.00 end-of-lease buyout and

authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

- \* **AT&T – POLICE POSITRON 9-1-1 CONTRACT:** Motion by Urban, seconded by O’Brien, to approve a one-year contract in the amount of \$11,250.01 for 9-1-1 maintenance, with the option to annually renew provided the terms, conditions and price do not change, and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.
- \* **NONPROFIT RECOGNITION:** Motion by Urban, seconded by O’Brien, to adopt the Resolution for Charitable Gaming License recognizing the Portage Northern Band and Orchestra Parents as a nonprofit organization in the City of Portage. Upon a roll call vote, motion carried 6 to 0.
- \* **SPECIAL MEETING WITH BOARD AND COMMISSION APPLICANTS:** Motion by Urban, seconded by O’Brien, to set a Special Meeting on Tuesday, January 11, 2011, beginning at 5:30 p.m. to interview board and commission applicants. Upon a roll call vote, motion carried 6 to 0.
- \* **2010 CITY COUNCIL GOAL SETTING SESSION - WORK ITEMS / PRIORITIES - INFORMATION ONLY:** Motion by Urban, seconded by O’Brien, to receive the communication from the City Manager regarding the 2010 Council Goal Session-Work Items / Priorities as information only. Upon a roll call vote, motion carried 6 to 0.
- \* **2010 TAX RATE SURVEY - INFORMATION ONLY:** Motion by Urban, seconded by O’Brien, to receive the communication from the City Manager regarding the 2010 Tax Rate Survey as information only. Upon a roll call vote, motion carried 6 to 0.
- \* **NOVEMBER 2, 2010 GENERAL ELECTION RESULTS - INFORMATION ONLY:** Motion by Urban, seconded by O’Brien, to receive the communication from the City Clerk regarding the November 2, 2010 General Election Results as information only. Upon a roll call vote, motion carried 6 to 0.

## COMMUNICATIONS:

### PRESENTATION BY ENVIRONMENTAL BOARD CHAIRPERSON JASON

**HOWARD:** City Council received the Presentation by Environmental Board Chairperson Jason Howard, who reviewed five initiatives of the Board: to continue the Purple Loosestrife Program, promote the general environmental awareness to the public through a separate list of initiatives: promote Earth Day activities, increase the use of the City of Portage website for environmental education, publish articles in the *Portager*, update the public sign at Lakeview Park, continue to develop the Rain Garden at the Water Treatment Plant, and work with the regional organizations to promote public environmental programming; to communicate with City Council on environmental issues and periodically discuss the Summary Environmental Activity Report with city staff; continue to expand the relationship with other environmental groups; and submit updates to the current goals and objectives and suggested goals and objectives for the future.

Discussion followed regarding the spread of the Purple Loosestrife and the use of the City of Portage production of beetles at Avalon Farms in Climax, Michigan, that eat Purple Loosestrife, the educational component of the rain garden by the Water Treatment Plant, requests for residential rain gardens, opportunities for volunteers with regard to environmental issues, Earth Day activities, the Garlic Mustard Pull and the Greenathon and the incorporation and partnering of the Youth Advisory Committee with the Environmental Board. Discussion followed.

# DRAFT

**JASON HOWARD, CHAIRPERSON OF THE ENVIRONMENTAL BOARD:** City Council received the communication from Jason Howard, Chairperson of the Environmental Board, submitting the 2010 Purple Loosestrife Program Report.

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

Portage Senior Citizen Advisory Board of October 20, 2010.

Portage Board of Education Special and Regular Business Meeting of October 25 and Special Meeting and Committee of the Whole Work Session of November 8, 2010.

Kalamazoo County Board of Commissioners Committee of the Whole and Regular of November 2, 2010.

Portage Park Board of November 3, 2010.

Portage Human Services Board of November 4, 2010.

Portage Planning Commission of November 18, 2010.

## **OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL:** Councilmember O'Brien extended praise to Portage athletic teams, congratulated the Portage Northern High School Swimming Team that recently won the District Championship and noted that people from all over the state and country were present at the Portage Northern High School Library/Media Center Open House. She also recognized the tree-lighting ceremony as an efficient and fun event, the social services day at Kalamazoo Expo Center and the former State Senator Tom George and State Representative Larry DeShazor for their fine efforts.

Councilmember Reid expressed her appreciation that city employees are able to keep health costs down by participating in the Health Management Program and staying healthy. She also listed all of the Boards and Commissions in need of applicants to be interviewed January 11, 2011: Board of Review, Planning Commission, Zoning Board of Appeals, Historic District Commission and the Youth Advisory Committee.

Mayor Pro Tem Sackley echoed the need for applicants on the Boards and Commissions and emphasized the need to fill the Planning Commission vacancy owing to the election by City Council of Cory Bailes to fill the seat soon to be vacated by Councilmember O'Brien, who will serve as State Representative for the 61<sup>st</sup> District. He also recognized Deputy Parks Director Barry Bacon, Parks Director Bill Deming and the Park Board, the Portage Northern Songleaders Chorale and the efforts of local historian, Steve Rossio, for their work on the Tree Lighting Ceremony, December 4. Finally, he announced that Congressman Fred Upton was appointed to be the Chair of the Energy and Commerce Committee and explained how important that was for the State of Michigan and the country.

**ADJOURNMENT:** Mayor Pro Tem Sackley adjourned the meeting at 8:29 p.m.

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James R. Hudson, City Clerk

\*Indicates items included on the Consent Agenda.

# ***RESOLUTION HONORING***

## **MARGARET E. O'BRIEN**

**WHEREAS,** Margaret E. O'Brien has served the City of Portage on the Park Board, Kalamazoo County Substance Abuse Task Force, City Manager Salary Review/Evaluation Committee, Long Lake Governmental Board, Kalamazoo County Environmental Health Advisory Council, Water and Sewer Rate Committee, Advisory Board Review Committee, FORUM of Kalamazoo County, City Council Ad Hoc Property Committee, City Council School Committee, City Council Liaison to the Portage 2025 Municipal Services Committee; and,

**WHEREAS,** Margaret O'Brien as a member of the City Council has contributed to the City for the benefit of the residents of the City of Portage.

**NOW, THEREFORE BE IT RESOLVED,** that the City Council of the City of Portage, Michigan, appreciates the many contributions of Margaret E. O'Brien to the City Council and, on behalf of the citizens of the City of Portage, acknowledges these years of faithful and valuable service to this community; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution be placed in the Heritage Room of the Portage District Library in order that the contributions of Margaret E. O'Brien to the Portage Community be continually recognized by future generations of Portage Citizens.

Moved By:

Supported By:

Dated: December 21, 2010

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Mayor Peter J. Strazdas

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Mayor Pro Tem Edward J. Sackley, III

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Councilmember Cory A. Bailes

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Councilmember Elizabeth A. Campbell

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Councilmember Patricia M. Randall

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Councilmember Claudette S. Reid

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Councilmember Terry R. Urban

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City Manager Maurice S. Evans

**A F F I D A V I T**

State of Michigan     )  
  )  
County of Kalamazoo    )

**THE CITY COUNCIL CODE OF ETHICS AND VALUES POLICY**

I hereby depose and state that I have read and understand the City Council Code of Ethics and Values Policy, a true copy of which is attached hereto.

\_\_\_\_\_  
Cory A. Bailes, Councilmember

Subscribed and sworn to before me on this 21<sup>st</sup> day of December 2010.

\_\_\_\_\_  
James R. Hudson, City Clerk  
City of Portage  
Portage, Michigan

## CITY OF PORTAGE

### CITY COUNCIL CODE OF ETHICS AND VALUES POLICY

1. **Purpose.** The Code of Ethics and Values Policy ("Policy") of the Portage City Council is intended to establish standards of integrity, fair dealing, responsibility, accountability and disinterested conduct, which are an essential part of a fiduciary duty owed to the public by its elected officials. The Policy is intended to encourage all councilmembers to place the public interest above self-interest and maintain independence, impartiality and fairness in their judgment, decisions and conduct. It is the policy of the City of Portage City Council to uphold, promote and demand the highest standards of ethics from all councilmembers. All members of the City Council share a commitment to ethical conduct in the service to their community. This Policy has been established to provide guidance for councilmembers so that the performance of their duties will be carried out in an ethical manner. In furtherance of this goal, the following general principles will apply:

- A. Councilmembers shall comply with the laws of the United States of America, the State of Michigan and City of Portage in the performance of their public duties.
- B. Councilmembers shall work for the common good of Portage residents and not be motivated by their own personal or financial interests.
- C. Councilmembers will endeavor to treat all members of the public and issues before them in a fair and equitable manner.
- D. Councilmembers shall be committed to the concepts of effective and democratic local government.
- E. Councilmembers shall encourage communication between residents, City Council and the City Administration and endeavor to keep the community informed on municipal matters, not otherwise made confidential.
- F. Councilmembers shall safeguard public confidence by being honest, fair and respectful of all persons with whom they have official contact and will follow the rules and laws that govern the deliberation of public policy issues and meaningful involvement of the public.
- G. Councilmembers have an obligation to attend City Council meetings and other meetings necessary for the performance of their official duties. Councilmembers should be prepared for meetings they attend, review materials, listen to the public discussions before them, keep comments and questions relevant to the business at hand, participate in discussions and make informed decisions based on the merits of each question.

2. **Definitions.**

- A. **Councilmember** means a member of the City Council.

- B. **Confidential information** means information, written or non-written, that has been obtained by a councilmember in the course of acting as such, that is not available to members of the public pursuant to the Michigan Freedom of Information Act, being MCL 15.231 *et. seq.*, or pursuant to other law, regulation, policy or procedure recognized by law, and that the councilmember is unauthorized to disclose:
- C. **Immediate family** means:
  - 1. A councilmember's spouse or domestic partner;
  - 2. A councilmember's relative by lineal descent, parent, brother, sister or a person who resides in the councilmember's household; or
  - 3. An individual claimed by a councilmember or a councilmembers spouse as a dependent under the United States Internal Revenue Code, being 26 USC 1 *et. seq.*
- D. **Ownership Interest** means financial or pecuniary interest that a councilmember has in the affairs of 1) any business entity in which the councilmember or a member of his or her immediate family is an officer, director, member, or employee; 2) any business entity in which the councilmember or a member of his or her immediate family controls, or directly or indirectly owns, in excess of 5% of the total stock; or 3) any person or business entity with whom the councilmember has a contract.
- E. **Personal Gain or Benefit** means any benefit which is accepted or received by a councilmember or the councilmember's immediate family, or is perceived by a reasonable person to be accepted or received by a councilmember or the councilmember's immediate family, as remuneration for the purpose of improperly influencing an official action in a specific manner or for refraining from the performance of an official action in a specific manner, or as inducement for the councilmember to act in favor of some interest other than in the public interest.

3. **Conflict of Interest – Standards of Conduct.**

- A. A councilmember shall not divulge to an unauthorized person confidential information acquired by the councilmember in the course of his or her duties as a councilmember in advance of the time prescribed for its authorized release to the public, if it is to be released to the public.
- B. Councilmembers shall represent the official policies and positions of the City Council to the best of their ability when designated as delegates or City representatives for this purpose. When presenting their individual opinions and positions, a councilmember may not represent, nor allow the inference of, his or her personal opinion or position as that of the City Council or the City of Portage.

- C. A councilmember shall not appear or advocate on behalf of the private interest of third parties, including the councilmember's immediate family members, before the City Council or any City board, committee or commission or other proceeding of the City.
- D. A councilmember shall not solicit or accept a gift or loan of money, goods, services or other things of value for the benefit of a person or organization other than the City which tends to influence the manner in which the councilmember or another public officer or employee of the City performs official duties.
- E. Except as permitted by state law, a councilmember shall not engage in a business transaction in which the councilmember may derive a personal profit or gain, directly or indirectly, from his or her official position or authority or benefit financially from confidential information which the councilmember has obtained or may obtain by reason of that position or authority.
- F. Except as permitted by state law, a councilmember shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the councilmember's official duties or when that employment may tend to impair his or her independence or judgment or action in the performance of official duties.
- G. Except as provided by state law, a councilmember shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates or other regulation or supervision relating to a business entity in which the councilmember has a personal or ownership interest.
- H. Except as permitted by state law, a councilmember shall not vote or participate in any other question on which the councilmember has a substantial direct or indirect financial, personal or ownership interest other than an interest similar to that of other citizens affected.

4. **Disclosure.** Whenever the performance of official duties shall require a councilmember to deliberate and vote on any matter involving the councilmember's financial or personal interest, the councilmember shall publicly disclose the nature and extent of the interest and is disqualified from participating in the deliberations and voting on the matter. The disclosure shall be made public at a meeting of the City Council before the matter is voted upon or in any other manner required by law.

5. **Gifts.** Councilmembers and their immediate family members shall not directly or indirectly solicit or accept a gift or loan of money, goods, services or other things of value which tend to influence the manner in which the councilmember or other public officer or employee of the City performs his or her official duties. Councilmembers are not prohibited from receiving money, goods, services or other items of value if not given to influence the councilmember in the performance of his or her official duties. The following list includes, but are not limited to, examples not prohibited:

- A. The solicitation and acceptance of campaign contributions in accordance with state law.
- B. Admission or registration fees, travel expenses, entertainment, meals or refreshments that are furnished to a councilmember by the sponsor of an event which is related to official local government business in connection with the event to which one or more members of the public are invited or are furnished to the councilmember in connection with a speaking engagement, teaching or the provision of assistance to an organization or another governmental entity as long as the City does not compensate the councilmember for the same items.
- C. An award publicly presented to a councilmember by an individual or a non-governmental entity or organization in recognition of the councilmember's public service, acts of heroism, crime solving or other similar recognition.
- D. Any gift or loan of money, goods, services or other things of value paid for by the federal, state, local government or other public agency authorized by law.

6. **Use of City Property.** No councilmember shall request, use, or permit the use of any city owned or supported property, vehicle, equipment, material, labor, or service for the personal convenience or the private advantage or personal gain of the councilmember or any other person which is not available to the public at-large.

7. **Nepotism.** A councilmember shall not influence or cause, directly or indirectly, the employment or any favorable employment action of an immediate family member, or participate in any employment decision about such family member.

8. **Political Activity.** Councilmembers shall not use any city owned property, vehicle, equipment, material, labor or services for the councilmember's own political benefit or for the political benefit of any other person seeking elective office, which is not available to the public at large on an equal basis. No political activity of the councilmember shall interfere with the performance of the usual duties of any city officer or employee.

9. **Compliance.**

- A. This Policy is intended to encourage and promote the highest standards of ethical conduct and behavior by members of the Portage City Council and is not intended to be a code of conduct enforceable by punitive measures. Violations of this Policy are not intended to subject councilmembers to reprimand or censure by the City Council. A violation of this Policy shall not be considered a basis for challenging the validity of a councilmember's decision or position as a councilmember.
- B. It is not the intent of this Code to in any way limit the right or ability of any councilmember to exercise his or her discretion in making legitimate policy decisions which are within their discretion so long as such action does not provide a special benefit to that person, relieve the

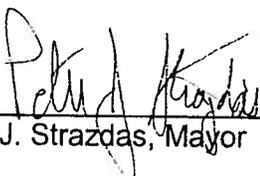
councilmember of a particular duty, or treat that person differently than other similarly situated city residents.

10. **Delivery of Policy to Councilmembers**. The City Clerk shall deliver a copy of this Policy to each councilmember as soon as practicable after the enactment of this Policy and to each new councilmember at the time of taking office. The City Clerk shall also request that each councilmember sign and return an acknowledgement the receipt of this Policy.

11. **Amendments**. This Policy may be amended to remain consistent with state law regarding the local code of ethics and the standards required therein.

12. **Ethics Committee**. If a councilmember requests an interpretation of this Policy, the Mayor shall select three (3) councilmembers to convene an Ethics Committee meeting who will provide its opinion to the councilmember requesting the interpretation.

Effective date: January 13, 2009

  
\_\_\_\_\_  
Peter J. Strazdas, Mayor

z:/jody/portage/misc/ethics policy clean.122208

**CITY OF PORTAGE**

**COMMUNICATION**

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**TO:** Honorable Mayor and City Council

**DATE:** December 13, 2010

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

A handwritten signature in black ink, appearing to be 'ME', is written over the 'FROM' line. The signature is enclosed in a hand-drawn oval.

**SUBJECT:** Accounts Payable Register

**ACTION RECOMMENDED:** That City Council approve the Accounts Payable Register of December 21, 2010 as presented.

Attached please find the Accounts Payable Register for the period November 21, 2010 through December 4, 2010, which is recommended for approval.

c: Daniel S. Foecking, Finance Director

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
11/24/2010	273970	A I S CONSTRUCTION EQUIP. CO.	640	7,340.36
11/24/2010	273971	AT&T	849	452.05
11/24/2010	273972	A-1 ASPHALT INC.	4607	9,416.20
11/24/2010	273973	AGRO SALES NORTH LLC	3943	543.44
11/24/2010	273974	ALEX GWIAZDOWSKI	999999	1,212.00
11/24/2010	273975	ALL-PHASE ELECTRIC SUPPLY CO.	108	417.12
11/24/2010	273976	ALLEGRA PRINT & IMAGING	533	1,671.05
11/24/2010	273977	ALRO STEEL CORPORATION	2934	96.69
11/24/2010	273978	ANY CUTTING & WELDING	3347	260.00
11/24/2010	273979	APPLIED INDUSTRIAL TECHNOLOGIE	1944	193.86
11/24/2010	273980	ARTWEAR APPAREL GRAPHICS, INC.	3804	229.00
11/24/2010	273981	AUTOMATIC DATA PROCESSING	3305	1,545.77
11/24/2010	273982	B & L BOLT, INC.	123	15.00
11/24/2010	273983	BARTER, RANDY	532	100.00
11/24/2010	273984	BATTERIES PLUS	3495	16.90
11/24/2010	273985	BELL EQUIPMENT COMPANY	3844	1,555.25
11/24/2010	273986	BLUE CROSS/BLUE SHIELD OF MICH	642	130,273.73
11/24/2010	273987	BOOTH NEWSPAPERS INC	89	737.43
11/24/2010	273988	BOOTH NEWSPAPERS INC	89	45.57
11/24/2010	273989	BORGESS HEALTH ALLIANCE	151	215.00
11/24/2010	273990	BRONSON METHODIST HOSPITAL	156	7,700.00
11/24/2010	273991	C & C AUTO & TRUCK SERVICE, IN	4434	413.24
11/24/2010	273992	CABELA'S, INC.	3067	109.02
11/24/2010	273993	CAMPBELL AUTO SUPPLY	437	133.80
11/24/2010	273994	CHAPMAN, DUSTIN	532	65.00
11/24/2010	273995	CHARTER COMMUNICATIONS	3080	5.72
11/24/2010	273996	CHICAGO TITLE OF MICHIGAN	999999	29.94
11/24/2010	273997	CHICAGO TITLE OF MICHIGAN INC	999999	20.17
11/24/2010	273998	CINTAS CORP.	2206	12.92
11/24/2010	273999	CITY OF KALAMAZOO	999999	63.51
11/24/2010	274000	CITY OF KALAMAZOO TREASURER	540	232,144.72
11/24/2010	274001	COLE CONSTRUCTION	999999	217.50
11/24/2010	274002	COMBS, TIMOTHY	532	100.00
11/24/2010	274004	CONSUMERS ENERGY-BILL PMT CNT	189	41,569.24
11/24/2010	274005	COOK, BRAD	532	65.00
11/24/2010	274006	CROSSROADS CAR WASH	195	152.25
11/24/2010	274008	CROSSROADS EXPERT AUTO SERVICE	4109	1,680.29
11/24/2010	274009	CROWN TROPHY	2790	75.00
11/24/2010	274010	SPARTAN STORES	1620	69.64
11/24/2010	274011	DAVIS, CHRISTOPHER	532	100.00
11/24/2010	274012	DEPATIE FLUID POWER CO., INC.	211	379.18
11/24/2010	274013	DIESEL INJECTION SERVICE, LLC	1874	190.47
11/24/2010	274014	DIXON ENGINEERING, INC	748	3,416.25
11/24/2010	274015	DRISENGA & ASSOCIATES, INC.	3277	17,436.00
11/24/2010	274016	EDMONSON, EDGAR	532	35.90
11/24/2010	274017	EMERGENCY VEHICLE PRODUCTS	2948	530.68
11/24/2010	274018	EMPLOYMENT GROUP, INC.	959	1,819.14
11/24/2010	274019	FALK, ROGER A & D	999999	105.00
11/24/2010	274020	FAWLEY OVERHEAD DOOR, INC.	690	160.00
11/24/2010	274021	FIRE SERVICE MANAGEMENT	2608	1,733.85
11/24/2010	274022	FISHER THEATRE	4136	1,125.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
11/24/2010	274023	GALL'S, AN ARAMARK COMPANY	25		11.58
11/24/2010	274024	GORDON WATER SYSTEMS	517		15.03
11/24/2010	274025	W W GRAINGER INC	699		1,209.76
11/24/2010	274026	GRAPHIC SCIENCES, INC.	4040		608.00
11/24/2010	274027	GREAT LAKES CHAPTER AI	999999		150.00
11/24/2010	274028	GREATER KALAMAZOO FOP LODGE 98	623		4,140.50
11/24/2010	274029	GREATER KALAMAZOO FOP LODGE 98	623		780.00
11/24/2010	274030	GREATER KALAMAZOO UNITED WAY	628		1,125.90
11/24/2010	274031	GREGWARE EQUIPMENT CO.	4397		521.89
11/24/2010	274032	GRIFFIN PEST CONTROL, INC.	598		210.00
11/24/2010	274033	HAINES, NICHOLAS	532		100.00
11/24/2010	274034	HEMPHILL, BARBARA	999999		57.00
11/24/2010	274035	HI-TECH ELECTRIC CO.	1327		235.83
11/24/2010	274037	HOME DEPOT	691		374.52
11/24/2010	274038	HORAN, JASON	999999		124.73
11/24/2010	274039	CRASH DATA GROUP, LLC	4626		2,893.00
11/24/2010	274040	IERVOLINA, SUSAN	2074		75.00
11/24/2010	274041	INDUSCO SUPPLY CO., INC.	63		500.59
11/24/2010	274042	INTERNATIONAL SOCIETY ARBORCUL	3102		275.00
11/24/2010	274043	INTERSECT TECHNOLOGIES	379		2,325.00
11/24/2010	274044	J & J LAWN SERVICE, INC.	457		5,721.25
11/24/2010	274045	J-AD GRAPHICS, INC	4444		164.00
11/24/2010	274046	JONES, DAN	532		95.39
11/24/2010	274047	KALAMAZOO COUNTY HEALTH & COMM	84		4,784.61
11/24/2010	274048	KALAMAZOO COUNTY TREASURER	514		1,336.09
11/24/2010	274049	KALAMAZOO COUNTY TREASURER	1117		335.00
11/24/2010	274050	KALAMAZOO LANDSCAPE SUPPLIES	90		1,170.70
11/24/2010	274051	KALAMAZOO REG'L EDUC SVS AGENG	721		100.00
11/24/2010	274052	KALAMAZOO ROD & GUN CLUB	999999		25.00
11/24/2010	274053	KALAMAZOO VALLEY COMMUNITY COL	230		446.69
11/24/2010	274054	KEEP MICHIGAN BEAUTIFUL, INC.	999999		25.00
11/24/2010	274055	KELLY RADIATOR & AUTO REPAIR	4591		348.93
11/24/2010	274056	KING, NANCY	999999		90.00
11/24/2010	274057	KUIPER BROTHERS MOVING INC.	1066		1,376.00
11/24/2010	274058	KZOO TIRE COMPANY	564		680.00
11/24/2010	274059	LANDS END	2645		103.60
11/24/2010	274060	LAWSON PRODUCTS, INC	240		1,122.16
11/24/2010	274061	LEWIS PAPER PLACE, INC.	242		27.10
11/24/2010	274062	LIFE EMS AMBULANCE	999999		129.36
11/24/2010	274063	MACDONOGH, JACLYN	999999		57.00
11/24/2010	274064	MARKUS, MICHAEL	532		100.00
11/24/2010	274065	MARKONIE, CHRISTOPHER	532		65.00
11/24/2010	274066	MCDONALD'S TOWING & RESCUE, IN	728		15.00
11/24/2010	274067	MCDONALD'S USA, LLC	4211		173.69
11/24/2010	274068	METEORLOGIX	377		525.75
11/24/2010	274069	MI ASSOC. OF CHIEFS OF POLICE	2157		100.00
11/24/2010	274070	MICHIGAN ELECTION RESOURCES, L	264		3,598.70
11/24/2010	274071	MLGMA	943		110.00
11/24/2010	274072	MICHIGAN PAVING & MATERIALS CO	3389		9.54
11/24/2010	274073	MICHIGAN POLICE EQUIPMENT CO.	269		1,234.25
11/24/2010	274074	MICHIGAN STATE POLICE	999999		25.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
11/24/2010	274075	MOORE MEDICAL, LLC	3850		485.45
11/24/2010	274076	T MORGAN INC.	376		2,038.01
11/24/2010	274077	MOYER, JAMES	532		95.39
11/24/2010	274078	NEW FRESH CLEANING SERVICE	4351		198.25
11/24/2010	274079	NICHOLSON, SANDY	9999999		265.50
11/24/2010	274080	NVE UNIFORMS	299		499.53
11/24/2010	274081	CAKEY, BRIAN	532		253.00
11/24/2010	274082	OFFICE DEPOT, INC.	1721		968.51
11/24/2010	274083	OFFICEMAX INCORPORATED	301		186.09
11/24/2010	274084	OWEN, JERRY	532		100.00
11/24/2010	274085	P K CONTRACTING, INC.	1737		608.00
11/24/2010	274086	PARIS CLEANERS	1794		1,185.50
11/24/2010	274087	PETERS CONSTRUCTION CO.	1638		1,317.40
11/24/2010	274088	PETTY CASH-PARKS	536		753.68
11/24/2010	274089	PETTY CASH-SENIOR CENTER	537		222.89
11/24/2010	274090	PHELPS, JERRY	532		100.00
11/24/2010	274091	PORTAGE DISTRICT LIBRARY	810		238.15
11/24/2010	274092	PORTAGE FIREFIGHTERS	625		1,491.76
11/24/2010	274093	PORTAGE ON-CALL FIREFIGHTERS	504		129.36
11/24/2010	274094	PORTAGE POLICE OFFICERS ASSOC	624		156.80
11/24/2010	274095	PORTAGE PUBLIC SCHOOLS	590		1,221.19
11/24/2010	274096	THE POSTMAN	2633		24,190.00
11/24/2010	274097	COLLEEN POTTER	3460		440.00
11/24/2010	274098	PRECISION PRINTER SERVICES INC	2584		908.15
11/24/2010	274099	PREMIER TRUCK SALES & RENTAL,	4052		33,000.00
11/24/2010	274100	PRIORITY HEALTH	4254		17,913.54
11/24/2010	274101	PROTECTION TECHNOLOGIES, INC.	2331		1,020.00
11/24/2010	274102	PUBLIC MEDIA NETWORK	4582		63,750.00
11/24/2010	274103	PURE FISHING, INC.	4622		362.34
11/24/2010	274104	PURITY CYLINDER GASES, INC	323		60.68
11/24/2010	274105	QUALITY AIR HEATING & COOLING,	3621		832.33
11/24/2010	274106	QUERTERMUS CONSTRUCTION	4636		1,124.22
11/24/2010	274107	R C M HEADSETS/R C M & ASSOC.	4113		189.00
11/24/2010	274108	RATHCO SAFETY SUPPLY, INC.	327		146.25
11/24/2010	274109	REPUBLIC WASTE SERVICES OF W M	4443		41,212.50
11/24/2010	274110	RESIDENTIAL PLUMBING SERVICES,	1977		105.00
11/24/2010	274111	RIDGE AUTO NAPA	438		3,424.53
11/24/2010	274112	RIETH-RILEY CONSTRUCTION CO.,	4386		207.40
11/24/2010	274113	ROE-COMM, INC.	341		322.35
11/24/2010	274114	ROOT SPRING SCRAPER CO.	344		1,700.00
11/24/2010	274115	ROSSIO, STEVE	2561		250.00
11/24/2010	274116	Southwest Michigan First	9999999		250.00
11/24/2010	274117	SAFETY SERVICES, INC.	349		1,062.89
11/24/2010	274118	SARCOM	2076		39,080.43
11/24/2010	274119	SCHMA, JANET	9999999		104.00
11/24/2010	274120	SCHMITT, TRACY	532		15.00
11/24/2010	274121	SENIOR SERVICES, INC.	909		500.00
11/24/2010	274122	SEVERANCE ELECTRIC COMPANY,INC	353		2,744.12
11/24/2010	274123	SIMMONS FORD	2064		419.60
11/24/2010	274124	SINCLAIR RECREATION, LLC	3149		335.94
11/24/2010	274125	SMITH, MATTHEW	532		65.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
11/24/2010	274126	SMITH, TIMOTHY	532		100.00
11/24/2010	274127	SNELL, DEBRA	1505		614.00
11/24/2010	274128	SPEERS, JAN	999999		57.00
11/24/2010	274129	SPENCER, SUE	999999		57.00
11/24/2010	274130	SPRINT	3721		1,548.83
11/24/2010	274131	STANDARD ELECTRIC	1046		1,938.76
11/24/2010	274132	STAR GLASS	2043		94.49
11/24/2010	274133	STATE OF MICHIGAN	2082		400.00
11/24/2010	274134	STATE OF MICHIGAN (DEPT LABOR)	878		540.00
11/24/2010	274135	STATE OF MICHIGAN (DOPT)	368		64,488.60
11/24/2010	274136	STATE OF MICHIGAN (MDEQ)	820		7,938.85
11/24/2010	274137	STATE OF MICHIGAN DNRE	4118		103.81
11/24/2010	274138	STATE SYSTEMS RADIO, INC	369		137.10
11/24/2010	274139	STEENSMAN LAWN & POWER EQUIPMENT	3222		254.24
11/24/2010	274140	SUITS U TAILOR SHOP INC	4237		112.00
11/24/2010	274141	T D S METROCOM, LLC	4539		.00
11/24/2010	274142	T M P ARCHITECTURE, INC.	2651		135.00
11/24/2010	274143	THERMOSTEAM SYSTEMS, INC.	4621		282.90
11/24/2010	274144	THOMPSON, PATTI	532		15.00
11/24/2010	274145	TOEPFER, ANDREW	532		65.00
11/24/2010	274146	TRACTOR SUPPLY CORP.	2817		463.28
11/24/2010	274147	TRUE-TECH INDUSTRIES CO.	4069		1,769.85
11/24/2010	274148	TRUGREEN	390		65.58
11/24/2010	274149	U A W, LOCAL 2290	1862		422.04
11/24/2010	274150	UNITED PARCEL SERVICE	545		309.46
11/24/2010	274151	UNITED WATER NACO LLC	4304		16,469.42
11/24/2010	274152	VALLEY CITY ENVIRONMENTAL SERV	4467		1,835.00
11/24/2010	274153	VANBELKUM COMPANIES, LLC.	400		25.50
11/24/2010	274154	WEST MICHIGAN STAMP & SEAL, INC	415		29.75
11/24/2010	274155	WEST SHORE FIRE, INC.	419		20.06
11/24/2010	274156	WESTERN MICHIGAN INT'L TRUCKS	4306		269.78
11/24/2010	274157	WESTERN MICHIGAN UNIVERSITY	999999		1,033.20
11/24/2010	274158	WINDEMULLER ELECTRIC, INC.	3061		328.66
11/24/2010	274159	WINDER POLICE EQUIPMENT, INC.	429		118.07
11/24/2010	274160	WINGFOOT COMMERCIAL TIRE	2613		1,912.53
11/24/2010	274161	WOLVERINE POWER SYSTEMS	4322		930.00
11/24/2010	274162	WONDERWARE NORTH (Q-MATION)	4629		8,666.00
11/24/2010	274163	ZERO WASTE USA, INC.	4435		638.09
11/24/2010	274164	10TH DISTRICT COURT	999999		240.00
11/24/2010	274165	58TH DISTRICT COURT	999999		1,400.00
11/29/2010	274166	ALLEGRA PRINT & IMAGING	533		2,485.25
11/29/2010	274167	COMERICA	999999		125.00
11/29/2010	274168	COMERICA	999999		.00
12/03/2010	274169	LEWIS BENDER G	3777		250.00
12/03/2010	274170	LEWIS BENDER G	3777		250.00
12/03/2010	274171	GLEESING, KEVIN	999999		200.00
12/03/2010	274172	MYERS, JAMES	999999		200.00
12/03/2010	274173	PETTY CASH-PARKS	536		482.74
12/03/2010	274174	TIMID RABBIT MAGIC & MAS. SHOP	1124		120.00

DATE RANGE TOTAL \* 875,989.56 \*

PAYMENT NO	VENDOR NAME	TRANSFER DATE	AMOUNT	TRACE NUMBER	EFT BATCH CODE	BANK
99	B & B YARDSCAPE	11/24/2010	1,708.00	072000320000001	0000001	00
100	DELTA DENTAL PLAN OF MI	11/24/2010	20,670.12	072000320000002	0000001	00
101	HAITFORD LIFE INSURANCE COMPANY	11/24/2010	8,141.69	072000320000003	0000001	00
102	KUSHNER & COMPANY, INC.	11/24/2010	369.01	072000320000004	0000001	00

GRAND TOTAL: 30,888.82 NO. OF CHECKS: 4

# CITY OF PORTAGE

# COMMUNICATION

**TO:** Honorable Mayor and City Council

**DATE:** December 15, 2010

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

**SUBJECT:** Poverty Exemption Guidelines

**ACTION RECOMMENDED:** That City Council adopt the Federal Poverty Income Standards and establish a maximum asset level test of \$25,000 for residents to qualify for a 2011 Homestead Poverty Exemption.

Michigan property tax law provides for property tax exemptions (in whole or in part) to persons who own and occupy their principal residence and who are unable to contribute toward the public charges due to reason of poverty. To determine eligibility for receipt of the Homestead Poverty Exemption, City Council needs to define: (1) an income standard and (2) an asset limit, which will be used by the Board of Review in consideration of exemption requests. In accordance with Michigan property tax law, the guidelines "shall include but not be limited to the specific income and asset levels of the claimant and total household income and assets."

With regard to income, the guidelines that are required to be passed by Council can be based upon the Federal Poverty Income Standards or alternative income eligibility guidelines. If alternative income guidelines are to be adopted, the one requirement is that the income eligibility requirements must not be less than the federal poverty guidelines.

The guidelines passed by Council are also required to include an asset level test. The assets that may be included in this area are discretionary for each municipality and are to be viewed as an indication of funds available that might be used for addressing the property tax liability. Even if an applicant meets the income guideline, the poverty exemption can still be denied if the asset level test established by the city is not met. The asset test may include a variety of assets; however, can not include the principal residence for which the tax exemption is sought. Assets currently included on the city poverty exemption application (copy attached) include savings and investments, annuities, IRA and 401K accounts, life insurance policies, motor vehicles in the household and other assets including for example, boats, snow mobiles, coin collections, antiques, silver, etc.

In preparing a recommendation to Council concerning the poverty exemption guidelines, a review of poverty exemption guidelines utilized by other cities was completed by Assessing Department staff. In regard to income guidelines, although several cities have increased the income level above the Federal Poverty Income Standards, by far the majority utilize the federal standards, as has the City of Portage for many years. The 2011 Federal Poverty Income

Standards (outlined below) are recommended for use as the income guideline for the City of Portage for 2011 Homestead Poverty Exemptions:

<u>Household Size*</u>	<u>Maximum Income</u>
1 person	\$10,800
2 person	\$14,600
3 person	\$18,300
4 person	\$22,100
5 person	\$25,800
6 person	\$29,500
7 person	\$33,300
8 person	\$37,000

*\* For households with more than 8 persons, add \$3,700 for each additional person.*

City Council is required to establish a maximum asset level that would likely result in receipt of a 0% poverty exemption. The asset limit defined by other surveyed communities range from “no defined asset level” to \$50,000. For the 2011 tax year it is recommended that the maximum asset test amount be established at \$25,000.

Poverty exemption applications will be monitored through the Board of Review so as to assist in defining the asset amount that results in applicant ineligibility and to provide a basis for a recommendation to modify the asset limit in 2012, if necessary.

**INSTRUCTIONS FOR POVERTY EXEMPTION**

The Application for One Year Poverty Exemption is in keeping with the requirements of the State of Michigan with regard to poverty exemptions. **Please read these instructions carefully.** To be considered for a poverty exemption, the following information must be provided.

1. **COMPLETE ALL SECTIONS OF THIS APPLICATION.**
2. Submit a completed and signed copy of the following:
  - 2009 Michigan Homestead Property Tax Credit Claim (MI 1040 CR).
  - 2009 State/Federal Income Tax Return (1040), if you are required to file federal income tax.
  - 2009 State/Federal Income Tax Return (1040) for all other occupants of your home.
  - Income verification (see next page)
  - Personal Records (see next page)
  - Asset Records (see next page)
3. If an occupant of your home is not employed but has income from another source, you must show the income on your application.
4. The application must be legible. If you need to provide additional information, please attach a separate sheet do not write in the margins of the application.
5. The application must be signed and notarized by the applicant stating that the income information is an accurate representation of the applicant's total household income
6. Do not submit originals of supporting documentation as we must keep these for our records and cannot return them.
7. If the application is incomplete or you do not include copies of the required financial documents, it may be considered ineligible for a poverty exemption.

**RETURN THE APPLICATION AND REQUIRED DOCUMENTATION AS SOON AS POSSIBLE TO ALLOW TIME FOR IT TO BE REVIEWED BEFORE IT IS SUBMITTED TO THE BOARD OF REVIEW. THIS IS AN ANNUAL FILING REQUIREMENT. POVERTY EXEMPTIONS ARE FOR ONE YEAR ONLY.**

Filing of this form is necessary to determine if you qualify for a Homestead Hardship exemption. The following questions are necessary in order to determine poverty status and asset status. You are required to answer each question. If you do not answer each question, sufficient information will not be available to grant an exemption.

**CITY OF PORTAGE  
HOMESTEAD POVERTY APPLICATION**

I \_\_\_\_\_, the owner and occupant of the property listed below, am applying for tax relief under MCL 211.7u of the general Property Tax Act, which states that the homestead of persons who, in the judgment of the Assessor and the Board of Review, by reason of poverty are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390, 1994.

Parcel Number: \_\_\_\_\_

Property Address: \_\_\_\_\_

1. Attached federal and state income tax return for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year. YES or NO
2. Attached copy of valid driver's license. YES or NO
3. Attached copy of deed, land contract, or other evidence of ownership of the property for which the exemption is requested. YES or NO
4. Do you meet the federal poverty income standards as defined and determined annually by the United States Office of Management and Budget. YES or NO  
(See attachment A)
5. State Equalized Value of property for which the exemption is requested is \_\_\_\_\_.
6. Phone ( ) \_\_\_\_\_

7. Marital Status: \_\_\_\_\_
8. Age of Applicant: \_\_\_\_\_  
Age of Spouse: \_\_\_\_\_
9. Number of Dependents \_\_\_\_\_
10. Have you applied for a Principal Residence Exemption from some school operating expense (18 mills). YES or NO
11. Have you applied for Homestead Property Tax Credit this Year? YES or NO
12. How much was your Property Tax Credit? \_\_\_\_\_
13. Real Estate: Is home paid for \_\_\_ Unpaid balance \_\_\_\_\_  
Name of Mortgage Company \_\_\_\_\_  
Monthly Payment \_\_\_\_\_
14. How long have you lived at this residence? \_\_\_\_\_
15. Do you or any member of your household own any other property or are you buying other property? \_\_\_\_\_

Property Address	Name of Owner	Assessed Value	Amount & Date of Last Taxes Paid

16. Income earned from above property \_\_\_\_\_
17. Name of Employer \_\_\_\_\_  
Address \_\_\_\_\_  
Phone: ( ) \_\_\_\_\_
18. If unemployed, state reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

19. List all household income including government pensions, claims, judgments from lawsuits and any other source. Be sure to include both spouses income. If your household income is more than the Federal Poverty Income Standards (attachment A), you are not eligible for a credit.

SOURCE OF INCOME	ANNUAL INCOME
Wages, salaries tips, sick, strike and sub pay, etc.	
All interest and dividend income (including non-taxable interest).	
Net rent, business or royalty income.	
Retirement pension and annuity benefits. Name of payer:	
Net farm income.	
Capital gains less capital losses.	
Alimony and other taxable income. Describe:	
Social Security, SSI or railroad retirement benefits.	
Child support.	
Unemployment comp and TRA benefits.	
Other non-taxable income. Describe:	
Workers' comp., veterans' disability compensation and pension benefits.	
ADC and other DSS benefits.	
<b>TOTAL INCOME</b>	

20. SAVINGS AND INVESTMENTS: List all savings owned by you or your spouse, including savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds or similar investments.

NAME OF FINANCIAL INSTITUTION OR INVESTMENTS	AMOUNT OF DEPOSIT	NAME ON ACCOUNT	VALUE OF INVESTMENT

21. LIFE INSURANCE: List all policies held by you and your spouse.

INSURED	AMOUNT OF POLICY	AMOUNT PAID MONTHLY	PAID UP POLICY	NAME OF BENEFICIARY	RELATIONSHIP TO INSURED

22. MOTOR VEHICLES IN HOUSEHOLD:

MAKE	YEAR	MONTHLY PAYMENT	BALANCE OWED

23. LIST ALL PERSONS LIVING IN HOUSEHOLD:

LAST , FIRST NAME	AGE	RELATIONSHIP TO CLAIMANT	PLACE OF EMPLOYMENT	CONTRIBUTION TO FAMILY INCOME

24. PERSONAL DEBTS:

CREDITOR	PURPOSE OF DEBT	DATE OF DEBT	ORIGINAL BALANCE	MONTHLY PAYMENT	BALANCE OWED

25. MONTHLY EXPENSES:

UTILITIES \_\_\_\_\_ FOOD \_\_\_\_\_ PHONE \_\_\_\_\_  
 CLOTHING \_\_\_\_\_ HEAT \_\_\_\_\_ CAR EXPENSE \_\_\_\_\_  
 OTHER (Specify): \_\_\_\_\_

26. OTHER ASSETS: List all other assets and their values that are owned or controlled by you. (For example, boats, coin collection, antiques, silver).

Type of Asset	Value	Owner

I hereby swear that all of the information I have provided is true under penalty of law.

\_\_\_\_\_  
 Applicant Date

<b>BOARD OF REVIEW DECISION</b>		
<b>Chairperson</b>	<b>Approve</b>	<b>Deny</b>
<b>Member</b>	<b>Approve</b>	<b>Deny</b>
<b>Member</b>	<b>Approve</b>	<b>Deny</b>
<b>Assessor</b>	<b>Approve</b>	<b>Deny</b>
<b>Secretary</b>	_____, ____/____/____	

**POVERTY EXEMPTION CHECKLIST FOR CITY OF PORTAGE RESIDENTS**

We need your help to determine your eligibility for the Real Property Tax Exemption.  
 Please return the enclosed application to the Assessor’s Office along with the items below.

Failure to return all of the requested information and the completed application may result in the Board of Review denying your application.

<p><b>PERSONAL RECORDS</b></p> <p>Valid Photo ID – Applicant &amp; everyone living in household over age 16</p> <p>Proof of Immigration/Alien Status</p> <p>Property Ownership – Deed, Land Contract</p>	<p><b>ASSET RECORDS</b></p> <p>Current (within last 30 days) bank statements for all savings, checking &amp; money market accounts</p> <p>Titles to any cars, trucks, snowmobiles, campers, boats, farm equipment, motorcycles, trailers etc that you own or are buying.</p> <p>Proof of current value and availability of: stocks, bonds, notes, saving certificates, annuities, IRA or 401 K accounts. .</p>
<p><b>INCOME RECORDS</b></p> <p>Verification of Employment Income</p> <p>Income Tax Returns</p> <p>Pay check Stubs</p> <p>W-2’s</p> <p>Record of self employment income</p> <p>Social Security/Supplemental Security</p> <p>Income from renters</p> <p>Child Support or Alimony</p> <p>Veterans benefits</p> <p>Pension/Retirement Income</p> <p>Workers Comp or Disability benefits</p> <p>Tribal Gaming Revenue</p>	<p>Requested information is for you and for <b>EVERYONE</b> living in your home.</p> <p style="text-align: center;">City of Portage                  Assessors Office                  7900 S. Westnedge Ave                  Portage, MI 49002                  269-329-4433</p>

**Michigan Compiled Law**  
**Section 211.7u of the Michigan General Property Tax Act**  
**Act 206 of 1893**

**Federal Poverty Income Standards**

The following are the federal poverty income standards which the United States Office of Management and Budget recommends that federal departments and agencies use.

The standards are actually compiled and published by the Bureau of the Census which refers to them as "Poverty Thresholds".

The following are the Poverty Thresholds as of 12-31-09 for use in setting poverty exemption guidelines for 2010 assessments:

<u>Household Size</u>	<u>Poverty Threshold</u>
1 person .....	10,800
2 persons .....	14,600
3 persons .....	18,300
4 persons .....	22,100
5 persons .....	25,800
6 persons .....	29,500
7 persons .....	33,300
8 persons .....	37,000

For households with more than 8 persons, add \$3,700 for each additional person. The governing body of the local assessing unit has the option of considering the age of the resident(s) when establishing their guidelines.

## CITY OF PORTAGE

## COMMUNICATION

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**TO:** Honorable Mayor and City Council

**DATE:** December 16, 2010

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

**SUBJECT:** Initiated Law 1 of 2008, Michigan Medical Marihuana Act – Proposed Ordinance

**ACTION RECOMMENDED:** That City Council accept the temporary moratorium ordinance pertaining to medical marihuana for first reading and consider ordinance adoption on January 11, 2011.

As information for City Council, on November 4, 2008, voters in Michigan approved a statewide ballot initiative to create the Michigan Medical Marihuana Act (MMMA). The effective date of this statute was December 4, 2008 and the rules established by the Michigan Department of Public Health became effective April 4, 2009. The ballot initiative was approved by 63% of Michigan voters. With regard to southwest Michigan, the initiative was supported by 65% of Kalamazoo County voters and 61% of the voters in the City of Portage. The MMMA enables certain specified persons to legally obtain, possess, cultivate/grow, use and distribute marihuana.

The City Administration has established an administrative team to consider this emerging issue and over the course of the past several months, has discussed various community issues, impacts and approaches to effectively address medical marihuana activities enabled by the statute. Further study of the issue is necessary and it is recommended that the attached ordinance be introduced for first reading with final action considered at the January 11, 2011 City Council meeting. The ordinance, if adopted, would impose a moratorium for 180 days and allow the City Administration to continue its research and develop a proposed ordinance that would be the guiding regulatory document for the city on this issue.

As the City Council is aware, news reporting across the state illustrates that some municipalities are banning dispensing of marihuana because of the conflict with federal law, while others are regulating marihuana activities as a home occupation and/or through licensing procedures. A recent article appearing in the Michigan Municipal Review noted, *“The MMMA, widely criticized as confusing, contradictory, and vague, contains no state-wide regulatory measures, offers local government zero enforcement or zoning guidance, and fails to address the legality of related commercial activities. As a result, constituent units of state government – villages, townships, and cities – are now called upon to balance a state law that provides the sick with an avenue of relief independent of conventional pharmaceuticals while simultaneously increasing the presence of an illicit drug in their communities.”* Clearly, as noted, there is confusion on the manner in which this issue should be properly addressed.

Adoption of the accompanying temporary moratorium ordinance is recommended. Final action on the ordinance can then be considered at the January 11, 2011 meeting.

Attachment: Proposed Ordinance

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF PORTAGE, MICHIGAN  
BY ADDING ARTICLE 8, TEMPORARY MORATORIUM ON THE USE OF PROPERTY AND  
STRUCTURES FOR DISPENSING AND CULTIVATING MEDICAL MARIHUANA  
OF CHAPTER 2, ADMINISTRATION**

**THE CITY OF PORTAGE ORDAINS:**

**That Chapter 2 shall be amended to add the following:**

**ARTICLE 8. Temporary Moratorium on the use of property and structures for dispensing and cultivating medical marihuana.**

**Section 2-316. Findings.**

- (a) On November 4, 2008, Michigan voters approved a statewide legislative initiative to create the Michigan Medical Marihuana Act (MMMA) which has been codified at MCL 333.26421, et seq., and allows the possession, use and cultivation of marihuana for the treatment of certain illnesses or conditions under certain circumstances and pursuant to certain regulations and restrictions ("medical marihuana").
- (b) The MMMA also does not contain any provision as to where and under what conditions a medical marihuana related land use can be located or if such a use can be prohibited or regulated in any particular way.
- (c) Neither the Portage Zoning Ordinance nor the Business License Ordinance specifically provide for properties or structures to be used as facilities for dispensing marihuana or cultivating marihuana plants for medical or any other purposes, and this use was not envisioned when the ordinances were adopted.
- (d) The City of Portage master plan: land use element adopted on April 24, 2008 and the City's general prohibition on uses not expressly permitted by the City's Zoning Ordinance must be considered in addressing whether to allow facilities for dispensing marihuana and/or cultivating marihuana plants and if allowed, where to locate such uses in the City.
- (e) The MMMA permits registered qualifying patients and primary caregivers to possess specific amounts of marihuana and to cultivate a specific number of plants, but the MMMA does not specifically address the zoning of these activities.
- (f) The MMMA does not address that federal law at 21 USC, Section 841 makes it a crime to manufacture, cultivate or distribute marihuana.
- (g) The City desires to ascertain the best and safest path to compliance with the MMMA in order to protect the public health, safety, and welfare.

(h) It may be necessary to amend City Code to address these issues and further research, investigation and study by City administration is needed before specific recommendations can be made.

(i) The City Council deems it prudent and desirable to clarify any uncertainty in the City's zoning ordinance and other City ordinances regarding medical marihuana land uses and ascertain the most appropriate and safest path for the City to address the MMMA in order to protect the public health, safety and welfare.

(j) Considering and acting upon rezoning, special land use, site plan, change of use, certificate of occupancy or other proposals relating to medical marihuana land uses during the process of considering whether and how to amend the City's Code of Ordinances to address such new uses in the community would be counter-productive and undermine the City's efforts to accomplish community wide planning and zoning objectives and to provide for the health, safety and welfare of the City and its residents.

(k) The City Council also deems it prudent and desirable to temporarily defer any consideration or action taken by any city official and/or agent regarding rezoning, special land use, site plan, change of use, certificate of occupancy and other proposals, submissions and applications pertaining to medical marihuana land uses.

**Section 2-317. Prohibition of use of property and structures for medical marihuana.**

(a) Based on the findings set forth above and for the protection of the public health, safety and welfare, the City Council hereby prohibits the establishment or expansion of the use of all property and structures in the City as facilities for the acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer or transportation of marihuana or paraphernalia relating to the administration of marihuana or the cultivation of marihuana plants for medical and any other purpose and that any City permits, licenses and approvals, including but not limited to, building permits, land use permits and certificates of occupancy for such uses be deferred for a period of 6 months from the effective date of this Ordinance.

(b) That this moratorium and prohibitions imposed hereunder shall not be applicable to the following:

1. A dwelling unit (as defined by the Zoning Ordinance) where a qualifying patient resides and is cultivating up to the maximum number marihuana plants as permitted by the MMMA for personal use or possesses up to the maximum amount of marihuana permitted by the MMMA for personal use.
2. A building or structure (as defined by the Zoning Ordinance) other than a dwelling unit where no more than one qualifying patient is cultivating up to the maximum number of marihuana plants as permitted by the MMMA for personal use or possesses up to the maximum amount of marihuana permitted by the MMMA for personal use.

3. A dwelling unit or other building or structure where no more than one primary caregiver is cultivating up to the maximum number marihuana plants as permitted by the MMMA for assisting qualified patient(s) or possesses up to the maximum amount of marihuana permitted by the MMMA for assisting a qualifying patient(s) as regulated by the MMMA.

(c) That City Council directs the City administration to continue its research, investigation and study and make specific recommendations regarding the potential regulation of marihuana for medical use which may include, but not be limited to, the dispensing of medical marihuana and cultivation of marihuana plants, as well as regulation concerning any of the uses described in Section 2-317(b)(1), (2) and (3) above.

(d) Nothing herein shall restrict a licensed physician from prescribing medical marihuana to be used for medical purposes compliant with state law.

(e) That during the period of this moratorium, any entity or property owner alleging that the deferred review resulting from the moratorium will result in the denial of any viable economic use of property or would otherwise result in a violation of applicable federal or state law shall be entitled to an expedited hearing before the City Council. At the conclusion of this hearing, the City Council shall make findings and conclusions with respect to whether or not the petitioner has demonstrated that all viable economic use of the property has been denied by the deferred review, and/or whether or not the moratorium as applied to the petitioner violates applicable law. If it is demonstrated by credible evidence and found that the deferral has the effect of denying all viable economic use of the property or that the deferral violates applicable law, the City Council shall grant relief from the moratorium for the petitioner to the extent necessary to cure the violation.

(f) If any section, clause or provision of this moratorium ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void, illegal or ineffective shall thereby cease to be a part of this moratorium ordinance but the remainder of this ordinance shall stand and be in full force and effect.

(g) For the purpose of this moratorium ordinance, the following definitions shall apply:

- i. "Medical marihuana" shall mean marihuana that is used for a medical use.
- ii. All words and phrases in this moratorium ordinance shall have the meaning ascribed to them by the MMMA codified at MCLA 333.26421, et. seq.

Section 2-318. **Expiration.**

The moratorium imposed by this ordinance shall expire the earlier of 180 days from its effective date or upon adoption by City Council of an ordinance amendment(s) regarding the issues concerning the regulation of medical marihuana and marihuana plants.

Section 2-319. **Penalty.**

(a) Any person, firm, association, partnership, corporation or entity that violates any of the provisions of this ordinance shall be deemed responsible for a municipal civil infraction which shall be punishable by a civil fine as provided for Section 1-7(e) of this Code.

(b) Additionally, the violator shall pay costs which may include all expenses direct and indirect to which the City has been put in connection with the municipal infraction.

(c) Notwithstanding any other remedy, the City shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this ordinance.

(d) Each day that a violation of this ordinance continues to exist shall constitute a separate violation of this ordinance.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Peter J. Strazdas, Mayor

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

CERTIFICATION

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
James R. Hudson, City Clerk

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

Approved as to Form:

Date: 12/16/2010

RLB  
\_\_\_\_\_  
City Attorney

# CITY OF PORTAGE

# COMMUNICATION

**TO:** Honorable Mayor and City Council

**DATE:** December 13, 2010

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



**SUBJECT:** 2011 Fee Schedules

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

- a. the Proposed 2011 Charges for Documents fee schedule;
- b. the recommended fee schedules for recreation programs and park facilities for 2011;
- c. the Resolution for Community Development Fees and
- d. the 2011 Special Assessment Rate Resolution.

An annual review of fees for various city services and activities, as well as special assessment rates, has been accomplished. Several proposed fee modifications for the 2011 calendar year are recommended to facilitate continued service provision and to comply with the Council adopted goal to "Maintain the financial health of the city." Recommended fee modifications are based on service cost considerations and are detailed below.

### Charges for Documents Fee Schedule

Fees for document requests are periodically revised to reflect actual costs for providing materials. A review of fees has recently been completed and minor changes are recommended. **Attachment 1** identifies proposed fee changes, with the majority of fees proposed to remain as currently established. An increase in the fee for a paper copy of the annual budget is recommended from \$43.45 to \$46.20 each to reflect actual costs for producing the document. Also, while the 2010 fee schedule included charges for duplicates of tax payment receipts (\$2.00), special assessment / tax history reports (\$2.00) and copies of property appraisal cards for the owner of record (\$1.00 / side), the proposed 2011 fee schedule recommends "no charge" for these documents as a measure to increase customer service. Additionally, the reference and fee for the 2006 Major Thoroughfare Plan has been removed as the plan is outdated. The current major thoroughfare plan and related information has been incorporated as a chapter in the Comprehensive Plan (which is available online). Finally, it is proposed that all mailing fees be charged at the actual mailing cost rather than a \$4.00 or \$1.50 flat fee.

### Recreation and Park Facility Fee Schedule

Fee schedules for recreation programs and park facilities have been reviewed to ensure that programs offered will meet public demand in a cost-effective manner and will continue to promote the quality of life within the community. A scholarship program is in place to provide subsidies for disadvantaged youth and ensure program access for most activities. **Attachment 2** identifies proposed recreation and park facility / activity fee changes for the 2011 calendar year. Minor recreation program fee increases are proposed for Ramona Park Vehicle Permits to assist with providing quality lifeguard and supervision services during the beach season. Park facility

rental fee increases are recommended for the Schrier Park pavilion and picnic shelters at Central, Lakeview and Ramona Parks. Rental fee increases are also proposed for the Celery Flats facility and the Overlander Bandshell to reflect increased costs for city staff assistance and maintenance services. An increase in the base fee for walk / run events is also recommended to cover city expenses for these community events.

#### Cemetery Fees and Charges

City cemetery fees were reviewed to ensure that the General Fund subsidy for this operation remains at or below \$50,000. Fees were last increased in July 2007. The current fees remain competitive and are adequate to meet the subsidy goal. Therefore, the existing fee structure is reasonable and remains appropriate for services provided. No modifications to the existing city cemetery fees are recommended at this time.

#### Community Development Fees for Service

The annual review of Community Development services fees (Planning and Development Services, Neighborhood Services and Building Services) has been completed to determine if modifications are necessary for the 2011 calendar year. Revenue generated from fees for services such as commercial and industrial development applications, plan reviews, permit issuance, building inspections and residential projects including various advisory board applications, are necessary to offset the cost of providing these services. While Community Development Fees for Services have been unchanged since 2006, minor changes were made for the 2010 calendar year for new wind energy system applications, clarification involving zoning text amendment applications and a small increase in construction base fees. As a result of the annual review, only two minor modifications are recommended for the 2011 calendar year and are reflected in **Attachment 3**. The fee for a sale involving city-owned land has been modified to credit the land sale application fee if the sale is approved by the City Council, less appraisal and publication costs. Additionally, establishment of a Planning and Zoning Site Reinspection Fee is recommended to cover the costs associated in those instances where multiple site inspections are requested or required and required work has not been completed or is not in compliance with the project approval. Examples include site plans, parking plans, business special event applications and special land use applications. A similar reinspection fee is in place by the Fire Department and by the Building Services section of Community Development.

#### Fire Department Fees

Fire Department Fees, including fees for False Fire Alarms, Campfire Permits, Fireworks Permits and Follow-Up Business Inspection Fees, were last updated in December 2008. These fees have been reviewed and no changes are recommended for the 2011 calendar year.

#### Emergency Response (Impaired Driving) Fees

Article 2, Section 78-66 of the Portage City Code allows the city to impose fees upon individuals who have been adjudicated guilty of any state law pertaining to the act of impaired driving. The fees are based on the cost of the response of Police and/or Fire staff to these incidents and were last modified in December 2008. No changes are recommended for these fees for the 2011 calendar year.

#### Soil Erosion and Sediment Control Permits

Part 91, Soil Erosion and Sediment Control (SESC), of the Natural Resources and Environmental Protection Act, 1994 PA 451 is the State of Michigan law regulating construction activities, including earth changes to ensure that any earth change is done in a manner that will effectively reduce accelerated soil erosion and resulting sedimentation. The City of Portage acts as the local

municipal enforcement agency for projects involving earth changes within the city limits. The fee structure is established to cover the cost of permit processing, plan review and site inspection activities. These fees were last modified for the 2010 calendar year. As the current fees are still comparable to other local enforcing agencies and are reasonable for the services provided, no increase is recommended for these fees.

#### Special Assessment Rates

On May 21, 1991, City Council adopted a Special Assessment Policy Resolution which established funding ratios for utility and street construction projects. The policy also provided for periodic review and amendment of special assessment rates by resolution of the Council. Through the practice of special assessment, a share of project costs is charged to property owners receiving the primary benefit of the improvement. The practice of special assessment is a critical component of Portage city financing and has been a primary factor in the continued financial health of the city.

On November 7, 2006, Portage voters approved a street millage proposal which eliminated street special assessments on projects initiated by City Council. Street assessments continue to be levied on street projects petitioned by affected and benefiting property owners. Approval of the street millage proposal also eliminated the street reconstruction portion of the special assessment rate for installation of new sanitary sewers. Any street improvement project or sanitary sewer project, whether it was a special assessment district or an extension district, approved prior to November 7, 2006 was not affected by approval of the street millage proposal.

Special assessment rates are updated using a variety of factors: actual construction cost for comparable city projects, national construction cost indexes and applicable construction cost data from the Kalamazoo Builders Exchange and a local clearing house for public and private construction cost information. Each special assessment rate was analyzed separately so that the recommended 2011 rates also properly reflect the Council's policy on property owner cost sharing of needed infrastructure improvements. Falling material prices have balanced out higher labor costs to keep the Construction Cost Index essentially even with 2010 level. Therefore, no increases are recommended in the 2011 special assessment rates as indicated in **Attachment 4**.

Based on the review of service costs and inflationary changes, it is recommended that the Proposed 2011 Charges for Documents fee schedule, the recommended fee schedules for recreation programs and park facilities for 2011, the Resolution for Community Development Fees and the 2011 Special Assessment Rate Resolution be approved as outlined above and in the attached materials.

- Attachments
1. Revised Charges for Documents Fee Schedule
  2. Proposed Recreation Program Fees
  3. Community Development Fees for Service
  4. 2010 Special Assessment Rate Resolution

# **Attachment 1**

**CITY OF PORTAGE  
PROPOSED 2011 CHARGES FOR DOCUMENTS**

<b>ORIGINATING DEPARTMENT</b>	<b>DOCUMENT TITLE</b>	<b>CURRENT</b>	<b>CHARGES PER COPY</b>	<b>PROPOSED</b>	<b>ONLINE AVAILABILITY</b>
<b>City Manager</b>	Advisory Board Minutes	No Charge	Same	Same	Last Twelve Months Online for the following: Minutes and Agendas for Construction Board of Appeals, Human Services, Zoning, Planning Commission, DDA and EDC/TIFA, L.D.F.A., Historic District Commission, Senior Citizens Advisory, Park & Environmental Boards.
	Advisory Board Agendas	No Charge	Same	Same	See Above
	Advisory Board Agenda Packets	\$4.00/ea.	Same	Same	Available Online
	City Maps	No Charge	Same	Same	GIS Mapping Service Available Online
<b>Finance</b>	Budget (Paper Copy)*	\$43.45	<b>\$46.20</b>	<b>\$46.20</b>	Available Online
	Budget CD ROM*	Plus \$4.00 Mailing \$5.00	<b>Plus Mailing</b>	<b>Plus Mailing</b>	Available Online
	Comprehensive Audit (Paper Copy)	Plus \$1.50 Mailing \$30.00	<b>Plus Mailing</b>	<b>Plus Mailing</b>	Available Online
	Comprehensive Audit CD ROM*	Plus \$4.00 Mailing \$5.00	<b>Plus Mailing</b>	<b>Plus Mailing</b>	Available Online
	Full Copy of Electronic Property Tax File	Plus \$1.50 Mailing \$50.00	<b>Plus Mailing</b>	<b>Plus Mailing</b>	Available Online
	Tax Payment Receipts (duplicates requested other than at time of payment)	\$2.00	<b>No Charge</b>	<b>No Charge</b>	Not Available Online Available Online
	Individual Parcel Look-up Online	No Charge	Same	Same	Available Online
	Special Assessment/Tax History on computer (since 2004)	\$2.00	<b>No Charge</b>	<b>No Charge</b>	Available Online
	Special Assessment/Tax History not on computer (prior to 2004)	\$2.00/year	Same	Same	Not Available Online
	Utility Bill History Information	\$5.00	Same	Same	Not Available Online
<b>Assessor</b>	Property Appraisal Card/Owner of Record	\$1.00/side	<b>No Charge</b>	<b>No Charge</b>	Not Available Online
	Property Appraisal Card/Non-Property Owner	\$1.00 for first page then \$0.10/page	Same	Same	Not Available Online
	Additional Cards	\$0.10/pg.	Same	Same	Not Available Online
	Data Sales Report	\$3.00/pg.	Same	Same	Not Available Online
	Annual Database download for Realtors Association	\$50.00	Same	Same	Not Available Online

\*Upon Availability

**PROPOSED 2011 CHARGES FOR DOCUMENTS (Cont'd.)**

<b>ORIGINATING DEPARTMENT</b>	<b>DOCUMENT TITLE</b>	<b>CURRENT</b>	<b>CHARGES PER COPY PROPOSED</b>	<b>ONLINE AVAILABILITY</b>
<b>Purchasing</b>	Bid Specifications (First copy)	No Charge	Same	Available Online
	Contract Conditions & Specifications Additional Copy	No Charge	Same	Available Online
		\$25.00	Same	
<b>City Clerk</b>	City Charter	\$6.00	Same	Available Online
	Precinct Maps (Color)	\$6.00	Same	GIS Mapping Service Available Online
	Council Minutes and Agendas	No charge	Same	One Year Available Online
	Council Agenda Packets	\$25.00	Same	Last Year Available Online
	Qualified Voter Information (plus postage)	Plus \$4.00 Mailing \$30.00/hr. Plus \$1.00/CD	<b>Plus Mailing</b> Same	Not Available Online
<b>Employee Development</b>	Qualified Voter Information-Electronic Copy	\$1.00/CD	Same	Not Available Online
	Tax Abatement Application	2% of taxes abated during the term of the tax abatement not to exceed \$1,800.00	Same	Available Online.
<b>Employee Development</b>	Employee Records - If Available to employee or designee	No Charge	Same	Not Available Online
	1st Copy	\$0.40/pg.	Same	
	2nd copy To non-employee	\$0.40/pg.	Same	
<b>Benefit Services</b>	Employee Records - If Available to employee or designee	No Charge	Same	Not Available Online
	1st Copy	\$0.40/pg.	Same	
	2nd copy To non-employee	\$0.40/pg.	Same	
<b>Fire</b>	EMS Reports	\$0.40/pg. \$2 minimum	Same	Not Available Online
	Environmental Impact Statements	\$0.40/pg. \$2 minimum	Same	Not Available Online
	NFIRS Reports	\$0.40/pg. \$2 minimum	Same	Not Available Online

PROPOSED 2011 CHARGES FOR DOCUMENTS (Cont'd.)

ORIGINATING DEPARTMENT	DOCUMENT TITLE	CURRENT	CHARGES PER COPY PROPOSED	ONLINE AVAILABILITY
Police	<u>Police Reports:</u> Minor Incident Report Up to 20 pages	\$3.50	Same	Not Available Online
	From 21-40 pages	\$5.00	Same	
	From 41-60 pages	\$7.00	Same	
	Accident Reports: UD-10 Form w/supplemental information up to 20 pages	\$9.00	Same	
		\$5.00	Same	Not Available Online
		\$5.00	Same	Not Available Online
	From 21-40 pages	\$7.00	Same	
	From 41-60 pages	\$9.00	Same	
	Over 60 pages	Cost/hr.	Same	
	Police Reports Facsimile Charge	\$0.50/ea.	Same	Not Applicable
	<u>Photographs:</u> 4 x 6 Color Photos	\$1.00	Same	Not Available Online
	5 x 7 Color Photos	\$1.50	Same	
	5 x 7 & 8 x 10 Color Photos digitally processed for first photo in series	\$5.00	Same	Not Available Online
	Subsequent Photos in series	\$7.50	Same	Not Available Online
	Booking Photo	\$2.00	Same	Not Available Online
Booking Room Videos	\$3.50	Same	Not Available Online	
	\$25/ea. Plus			
Mobile Video Digital Recordings	\$1.50/DVD	Same		
	\$25/ea. Plus			
Digital Photos to Diskette	\$1.50/DVD	Same	Not Available Online	
Visa Clearance	\$34.00/hr.	Same	Not Available Online	
Criminal Record Check	\$11.00	Same	Not Available Online	
Audio Tapes by Technical Service Manager	\$5.00	Same	Not Available Online	
	\$30.00/hr. Plus			
	\$1.00/CD			
Non-criminal Fingerprints				
Resident or Portage Business	\$8.00/card	Same	Not Available Online	
Non-resident	\$15.00/card	Same		
Application to Set Aside Conviction Permit	\$8.00	Same	Not Available Online	

PROPOSED 2011 CHARGES FOR DOCUMENTS (Cont'd.)

ORIGINATING DEPARTMENT	DOCUMENT TITLE	CURRENT	CHARGES PER COPY	PROPOSED	ONLINE AVAILABILITY	
Community Development (Maps, plans, tracings, plats, etc.)	PAPER FORMAT - IN COLOR:					
	8 x 11 ("A" size) without Aerial	\$1.00	Same		GIS Mapping Service Available Online	
	11 x 17 ("B" size) without Aerial	\$2.00	Same			
	18 x 24 ("C" size) without Aerial	\$3.00	Same			
	24 x 36 ("D" size) without Aerial	\$5.00	Same			
	30 x 30 ("E" size) without Aerial	\$10.00	Same			
	8 x 11 ("A" size) with Aerial	\$2.00	Same			
	11 x 17 ("B" size) with Aerial	\$5.00	Same			
	18 x 24 ("C" size) with Aerial	\$10.00	Same			
	24 x 36 ("D" size) with Aerial	\$20.00	Same			
	30 x 30 ("E" size) with Aerial	\$25.00	Same			
	Historic/Archived Air Photos					Aerial photos available as part of GIS Mapping Service
	30 x 30 (per quarter section)	\$10.00	Same			
	Most Current Air Photo (30x30) (per quarter section)	\$20.00	Same			Aerial photos available as part of GIS Mapping Service
	Building Plan/Site Plan (24x36) (copyright restrictions may apply)	\$5.00/sheet	Same			Not Available Online
	Planning and Zoning Code with Land Development Regulations	\$25.00	Same			Available as part of Code of Ordinances - Available Online
	Zoning Map, Future Land Use Map (11x17)	Plus \$4.00 Mailing	Plus \$4.00 Mailing			Available as part of GIS Mapping Service
	Zoning Map, Future Land Use Map (24x36)	\$5.00	Same			Available as part of GIS Mapping Service
	Subdivision and Land Division Regulations	\$10.00	Same			Available as part of Code of Ordinances - Available Online
	Comprehensive Master Plan	\$5.00	Same			Available Online
Major Thoroughfare Plan	\$40.00	Same			Available Online	
Capital Improvement Project (CIP) Packet	Plus \$4.00 Mailing	Plus \$4.00 Mailing			Available Online as part of Comprehensive Master Plan	
Property Notification Address List	\$7.00	Deleted				
CDGB Consolidated Plan	Plus \$4.00 Mailing	Plus \$4.00 Mailing			Available Online	
CDBG Annual Action Plan	\$20.00	Same			Not Applicable	
Analysis of Impediments to Fair Housing Study	\$10.00	Same			Available Online	

**PROPOSED 2011 CHARGES FOR DOCUMENTS (Cont'd.)**

<b>ORIGINATING DEPARTMENT</b>	<b>DOCUMENT TITLE</b>	<b>CURRENT</b>	<b>CHARGES PER COPY PROPOSED</b>	<b>ONLINE AVAILABILITY</b>
<b>Community Development Continued (Maps, plans, tracings, plats, etc.)</b>	DIGITAL FORMAT:			
	2006 Digital Aerial Photo of City (one foot pixel resolution)	\$40/section	Same	GIS Mapping Services Available Online
	2006 Digital Aerial Photo of City (one foot pixel resolution) - All Sections	\$750.00	Same	GIS Mapping Services Available Online
	2006 Digital Aerial Photo of City (four foot pixel resolution) - All Sections	\$150.00	Same	GIS Mapping Services Available Online
	Historic Digital Aerial Photo of City (one foot pixel resolution) - All Sections	\$20/section	Same	GIS Mapping Services Available Online
	Historic Digital Aerial Photo of City (one foot pixel resolution) - All Sections	\$400.00	Same	GIS Mapping Services Available Online
	2008 Digital Topographic Maps	\$25 per quarter section	Same	GIS Mapping Services Available Online
	Model (DEM)			
	All 36 Sections (2008)	\$1,500.00	Same	GIS Mapping Services Available Online
	2002 Digital Topographic Maps (CAD)	\$20/quarter section	Same	GIS Mapping Services Available Online
<b>Information Technology</b>	All 36 Sections (2002)	\$1,000.00	Same	GIS Mapping Services Available Online
	Digital (GIS) Map Layers (streets, utilities, zoning, etc.)	\$100/file	Same	GIS Mapping Services Available Online
	Digital (GIS) Parcel Map Layer	\$0.10/parcel	Same	GIS Mapping Services Available Online
		\$25 minimum		
		\$750 maximum		
	Custom Mapping	\$50.00/hr.	Same	GIS Mapping Services Available Online
	Building/Site Plan (e-mailed)	\$10/request	Same	Not Available Online
	Compact Disk	\$1.00/ea.	Same	Not Applicable
	DVD Productions (copy of)	\$1.50/ea.	Same	Not Applicable
	Electronic Data Retrieval Services	\$50.00/hr. (\$25 min.)	Same	Not Applicable

Proposed December 2010

# **Attachment 2**

## RECOMMENDED 2011 RECREATION PROGRAM FEE REVISIONS

(Changes indicated in bold)

Activity	2010 Fees	Proposed 2011 Fees
Adult Softball Leagues (13 games)	\$505 / team \$20 / non-resident	Same Same
Late Summer Softball Leagues (7 games)	\$375 / team	Same
Youth Summer Fun Center	\$12 / day	Same
Drama Day Camp	\$385 / person	Same
Ice Skating Lessons	\$20 / person	Same
Youth Cross Country Ski Lessons	\$15 / person	Same
Adult Cross Country Ski Lessons	\$20 / person	Same
Downhill Skiing Fee	\$5 / person, \$10 / family	Same
Ramona Park Vehicle Permits	\$5 / resident daily \$10 / non-resident daily \$25 / resident annual \$45 / non-resident annual \$50 daily bus pass	Same Same <b>\$30 / resident annual</b> <b>\$50 / non-resident annual</b> Same
The Ice Rink @ Millennium Park	\$4 / person skate fee \$25 / 10 skate discount \$80 / group rental \$3 / skate rental \$3 / skate sharpening	Same Same Same Same Same
Celery Flats Livery Rental Fees	\$15 / One person kayak \$18 / Two person canoe / kayak \$15 / One hour surrey ride \$10 / ½-hour surrey ride	Same Same Same Same

## RECOMMENDED 2011 PARK FACILITY RENTAL FEE REVISIONS

(Changes indicated in bold)

Park Facility / Activity	2010 Fees	Proposed 2011 Fees
<b>Football &amp; Soccer Fields</b>		
League Play		
Weeknights (2-3 hours)	\$250 / field / season, non-profit \$410 / field / season, for profit	Same Same
Weekends (4-6 hours)	\$385 / field / season, non-profit \$610 / field / season, for profit	Same Same
Weekend Tournaments	\$200 / field / day, non-profit \$310 / field / day, for profit	Same Same
Camps and Clinics	\$75 / field / 4 hours, non-profit \$10 each add'l hour, non-profit \$120 / field / 4 hours, for profit \$20 each add'l hour, for profit	Same Same Same Same
Team Practice Reservation Fee	\$10 per hour, non-profit \$20 per hour, for profit	Same Same
<b>Softball Fields</b>		
Youth League Tournaments	\$50 / field / day, non-profit \$75 / field / day, for profit	Same Same
Deposit	\$100	Same
Adult Softball Tournaments	\$50 / field / day, non-profit \$75 / field / day, for profit	Same Same
Deposit	\$100	Same
Practice Field Reservation	\$3 / 1-½ hour	Same
Softball Tournament Field Preparation	\$45 / field / day	Same
Independent Leagues	\$380 / field / season	Same

<b>Park Facility / Activity</b>	<b>2010 Fees</b>	<b>Proposed 2011 Fees</b>
<b>Tennis Courts</b>		
Reserved Practice Times	\$10 per hour, non-profit	Same
	\$20 per hour, for profit	Same
<b>Schrier Park Rental</b>		
Parties, Reunions, etc. Weekends/Holidays Monday – Friday	\$55 / hour, \$375 max. \$40 / hour, \$250 max	<b>\$60 / hour, \$385 max.</b> <b>\$45 / hour, \$260 max.</b>
Non-Profit Meetings	\$25 / hour	Same
Damage Deposit	\$100	Same
<b>Picnic Shelter Fee</b>		
Central #1 Weekends/Holidays Monday – Friday	\$100 / day \$70 / day	<b>\$110 / day</b> Same
Lakeview #1 & #2 Weekends/Holidays Monday – Friday	\$100 / day \$70 / day	<b>\$110 / day</b> Same
Ramona #1 & #2 Weekends/Holidays Monday – Friday	\$100 / day \$70 / day	<b>\$110/day</b> Same
<b>Special Event Service Fee</b>		
Special Event Service Fee	\$250 to \$375 / day	Same
<b>Celery Flats Admission Fees</b>		
General Admission	\$3 / adult; \$2 / child	Same
Booked Tours	\$2.50 / person PPS – \$2.00 / person	Same Same
<b>South Westnedge Skatepark Fees</b>		
Special Event Rental	\$150 per 4 hour period	Same
<b>Celery Flats Rental Fees</b>		
Schoolhouse Classroom Fee Damage Deposit	\$50 / day \$50	Same Same
Gazebo Rental Damage Deposit	\$50 / 2 hours \$10 each add'l hour \$50	<b>\$65 / 2 hours</b> <b>\$15 each add'l hour</b> Same
Grain Elevator Group Rental Damage Deposit	\$100 / 3 hours \$30 each add'l hour \$100	<b>\$125 / 3 hours</b> Same Same
Hayloft Theatre * Group Rental Outside Performance Damage Deposit	\$300 / 5 hours \$50 each add'l hour \$650 daily max. \$300/night \$100	<b>\$350 / 5 hours</b> Same <b>\$700 daily max.</b> Same Same
Stuart Manor * Group Rental Damage Deposit	\$120 / 3 hours \$30 each add'l hour \$260 daily max. \$150	<b>\$140 / 3 hours</b> Same Same Same
Amphitheatre * Group Rental Damage Deposit	\$120 / 3 hours \$30 each add'l hour \$100	<b>\$140 / 3 hours</b> Same Same

<b>Park Facility / Activity</b>	<b>2010 Fees</b>	<b>Proposed 2011 Fees</b>
<b>Overlander Bandshell</b>		
Non-Profit Group	\$120 / 3 hours \$40 each add'l hour	<b>\$140 / 3 hours</b> Same
Profit-Making Group*	\$100 / 3 hours \$40 each add'l hour 15% gross receipts	<b>\$115 / 3 hours</b> Same Same
Past Sunset	\$30 each add'l hour	Same
Damage Deposit	\$100	Same
<b>Walk / Run Fundraising Events</b>		
0-200 Participants	\$425 / 200 Participants \$0.75 each add'l person	<b>\$450 / 200 Participants</b> Same
Early Set-up	\$100 \$25	Same Same

*\*Extra Fees: 15% of gross receipts plus applicable fees for additional staff, special equipment, rehearsals, etc.*

# **Attachment 3**

Table 4 – 2010 and 2011 Fee Comparison Table

PLANNING AND ZONING FEES		
Planning/Zoning Activity	2010 Fee	2011 Fee
Access Management Appeal	\$330 per appeal	No Change
Accessory Buildings	\$275 per application	No Change
Administrative fee for weeds/tall grass abatement	\$200 per parcel/lot	No Change
Brownfield Redevelopment Plan or Amendment	\$1,100 per application	No Change
Business Special Event	\$110 per application	No Change
Comprehensive Plan	\$825 per amendment	No Change
Height Modification	\$330 - Planning Commission review \$550 - Planning Commission and City Council review	No Change
Home Occupation Permit (Ordinance and fee cost are under review by the Planning Commission)	\$80 per permit	No Change
Industrial Tax Abatement	2 percent of the total property taxes abated or \$1,800, whichever is less	No Change
Parking Plans	\$165 base fee and \$5 per 500 square feet of parking area	No Change
Planned Development Concept Plan/Tentative Plan	\$825 per plan \$550 per plan if processed concurrent with rezoning application \$220 per conceptual plan if combined with a specific plan less than 10 acres	No Change
Public Utility Plan (multiple-family residential and single-family residential not otherwise regulated)	\$250 for one utility \$350 for more than one utility	No Change
Sign Permits	\$110 per permanent freestanding sign application \$110 per permanent wall sign application \$55 per temporary or directional sign application	No Change
Single-family Condominium - Preliminary approval	\$440 plus \$22 per lot	No Change
Single-family Condominium - Final preliminary approval	\$660 plus \$22 per lot	No Change
Single-family Condominium - Final approval	\$660 plus \$38 per lot	No Change
Small on-site wind energy system	\$130 per application	No Change
Special Land Use Permit	\$220 per group daycare home; \$330 for all others	No Change
Special meeting of the Planning Commission or Zoning Board of Appeals	\$220 per request	No Change
Street Vacation or Land Sale (application fee involving a land sale will be credited if the land sale occurs, less appraisal and publication costs)	\$550 per application not involving an independent appraisal \$825 per application involving an independent appraisal	No Change (application fee credited)
Zoning Change	Map - \$825 for the first acre; then \$75 for each additional acre or fraction thereof Text - \$825 per application	No Change
Zoning Board of Appeals	\$135 for all one-family residential uses \$330 for all others	No Change
Zoning Compliance Review	\$50 per general zoning review/day care license \$100 per lot line adjustment \$150 for state license zoning review/annual renewals	No Change
Planning and Zoning Site Re-inspection Fee - when approved by the Director of Community Development (assessed when inspection requested/required and work not completed or not in compliance)	New for 2011 (consistent with Construction Fees, re-inspection fee)	\$56 per hour (1 hour minimum fee)

Site Plan Review			
Use <sup>2</sup>	Zoning District	2010 Fee <sup>1,3</sup>	2011 Fee
Multiple Family	R-1T; RM-1; RM-2	\$385 + \$11/dwelling unit	No Change
Planned Development	PD	\$385 + \$11/dwelling unit \$357 + \$6/100 sq. ft. gross floor area (commercial) exclusive of basement space \$440 + \$6/500 sq. ft. gross floor area (industrial) exclusive of basement space	No Change
Mobile Home Community	MHC	\$385 + \$11/Mobile Home Unit	No Change
Commercial	OS-1; OTR; B-1; B-2; B-3; CPD;	\$357 + \$6/100 sq. ft. of gross floor area, exclusive of basement space.	No Change
Institutional	R-1A through R-1E; R-1T; RM-1; RM-2; PD	\$385 + \$6/100 sq. ft. of gross floor area, exclusive of basement space.	No Change
Industrial	I-1; I-2; OTR;	\$440 + \$6/500 sq. ft. of gross floor area, exclusive of basement space.	No Change
Recreational (golf courses and other open space type recreational uses)	R-1A through R-1E; PD	\$412 + \$12/acre over 3 acres.	No Change

<sup>1</sup> Effective since January 2006

<sup>2</sup> Use is defined as the principal purpose for which land or building is arranged, designed or intended, or for which land or a building is or may be occupied.

<sup>3</sup> Additions to existing structures up to 50% of the existing floor area within previously approved site plans or site plans involving phased developments (after initial phase) are to be charged at a rate one-half that of the applicable site plan review fee. Dwelling unit, square footage and/or acreage charges will remain unchanged.

CONSTRUCTION FEES		
Construction Permits	2010	2011
Trade Permit Base Fee (i.e., electrical, plumbing & mechanical)	\$45	No Change
Residential Building Permit Base Fee	\$45	No Change
Commercial Building Permit Base Fee	\$60	No Change
Swimming Pools	\$50	No Change
Residential Curb Cut/Sidewalk Permit	\$20	No Change
Commercial Curb Cut/Sidewalk Permit	\$35	No Change
Irrigation in the Right-of-Way	\$20	No Change
Building Plan Review (for commercial projects with a valuation over \$10,000)	\$200 or .02 per square foot (whichever is greater)	No Change
Reinspection Fees Assessed – One Hour Minimum (assessed when inspection requested and work not completed)	\$56/hr.	No Change
Inspection Outside Normal Business Hours – One Hour Minimum	\$75/hr.	No Change

**CITY OF PORTAGE  
RESOLUTION FOR COMMUNITY DEVELOPMENT FEES**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on \_\_\_\_\_, 2010 at 7:30 p.m. local time at the City Hall in the City of Portage, Michigan.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by:

Councilmember: \_\_\_\_\_, and supported by:

Councilmember: \_\_\_\_\_.

WHEREAS, under the Community Development Fees for the City of Portage, it is necessary for the Council to establish by resolution rates for permits, planning and zoning services, and administrative fees;

NOW, THEREFORE, BE IT RESOLVED: That the following rates are hereby established for community development fees in the City of Portage:

	<u>SERVICE</u>	<u>FEE</u>
1.	Access Management Appeal	\$330 per appeal
2.	Accessory Buildings	\$275 per application
3.	Administrative fee for weeds/tall grass abatement	\$200 per parcel/lot
4.	Brownfield Redevelopment Plan or Amendment	\$1,100
5.	Business Special Event	\$110 per application
6.	Comprehensive Plan	\$825 per amendment
7.	Height Modification	\$330 per request involving action only by the Planning Commission  \$550 per request involving action by the Planning Commission and City Council
8.	Home Occupation Permit	\$80 per permit
9.	Industrial Tax Abatement	2 percent of the total property taxes abated or \$1,800, whichever is less

10.	Parking Plans	\$165 base fee and \$5 per 500 square feet of parking area
11.	Planned Development Concept Plan/ Tentative Plan	\$825 per plan \$550 per plan if processed concurrent with rezoning application \$220 per conceptual plan if combined with a specific plan and less than 10 acres
12.	Public Utility Plan (multiple-family residential and residential not otherwise regulated)	\$250 for one utility \$350 for more than one utility
13.	Sign Permits	\$110/permanent freestanding sign application \$110/permanent wall sign application \$55/temporary or directional sign application
14.	Single-family Condominium - Preliminary approval	\$440 plus \$22 per lot
15.	Single-family Condominium - Final preliminary approval	\$660 plus \$22 per lot
16.	Single-family Condominium - Final approval	\$660 plus \$38 per lot
17.	Special Land Use Permit	\$220 per group child care home application \$330 for all others
18.	Small On-site Wind Energy Systems	\$130 per application
19.	Special meeting of the Planning Commission or Zoning Board of Appeals	\$220
20.	Street Vacation or Land Sale (fee will be credited if land sale occurs, less appraisal and publication costs)	\$550 per application not involving an independent appraisal \$825 per application involving an independent appraisal
21.	Zoning Amendment	Map - \$825 for the first acre; then \$75 for each additional acre or fraction thereof Text - \$825 per amendment
22.	Zoning Board of Appeals	\$135 for all one-family residential uses \$330 for all others
23.	Zoning Compliance Review	\$50 per general zoning review/day care license \$100 per lot line adjustment \$150 for state license zoning review/annual renewals

24. Planning and Zoning Re-inspection Fee – when approved by the Director of Community Development \$56 per hour (1 hour minimum fee (charged when inspection requested/ required and work not completed or not in compliance)
25. Site Plan Review Variable base fee plus unit/square footage charges as follows:

<u>Use</u> <sup>1</sup>	<u>Zoning Classification</u>	<u>Fee</u> <sup>2</sup>
Multiple Family	R-1T; RM-1; RM-2	\$385 + \$11/dwelling unit
Planned Development	PD	\$385 + \$11/dwelling unit \$357 + \$6/100 sq. ft. gross floor area (commercial) exclusive of basement space \$440 + \$6/500 sq. ft. gross floor area (industrial) exclusive of basement space
Mobile Home Community	MHC	\$385 + \$11/Mobile Home Unit
Commercial	OS-1; OTR; B-1; B-2; B-3; CPD;	\$357 + \$6/100 sq. ft. of gross floor area, exclusive of basement space.
Institutional	R-1A through R-1E; R-1T RM-1; RM-2; PD	\$385 + \$6/100 sq. ft. of gross floor area, exclusive of basement space.
Industrial	I-1; I-2; OTR;	\$440 + \$6/500 sq. ft. of gross floor area, exclusive of basement space.
Recreational (golf courses and other open space type recreational uses)	R-1A through R-1E; PD	\$412 + \$12/acre over 3 acres.

<sup>1</sup> Use is defined as the principal purpose for which land or building is arranged, designed or intended, or for which land or a building is or may be occupied.

<sup>2</sup> Additions to existing structures up to 50% of the existing floor area within previously approved site plans or site plans involving phased developments (after initial phase) are to be charged at a rate one-half that of the applicable site plan review fee. Dwelling unit, square footage and/or acreage charges will remain unchanged.

YES: Councilmember \_\_\_\_\_

NAYS: Councilmember \_\_\_\_\_

ABSENT: Councilmember \_\_\_\_\_

RESOLUTION DECLARED ADOPTED: \_\_\_\_\_

**CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of this resolution adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on \_\_\_\_\_, 2010, the original of which is in the official proceedings of the City Council.

\_\_\_\_\_  
James R. Hudson, City Clerk

Approved as to form:

Date 12/16/10  
RB

\_\_\_\_\_  
City Attorney

# **Attachment 4**

**CITY OF PORTAGE  
SPECIAL ASSESSMENT RATE  
RESOLUTION**

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the \_\_\_\_\_ day of \_\_\_\_\_, 2010 at 7:30 p.m.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by:

Councilmember \_\_\_\_\_ and seconded by:

Councilmember \_\_\_\_\_:

WHEREAS, the Portage Charter gives Council the power to make public improvements within the City; and

WHEREAS, MCL 117.4(d) and Chapter 9 of the Portage Charter also empower Council to defray the cost of public improvements which are of such a nature as to benefit especially any property or properties within a district by special assessment upon such property in proportion to the benefit derived or to be derived; and

WHEREAS, Council is of the opinion that it is fair and equitable to special assess for certain public improvements which specially benefit properties; and

WHEREAS, such special assessment process allows for the continued expansion and preservation of the infrastructure, to the benefit of the residents; and

WHEREAS, Council has adopted Policies Regarding Special Assessment for Public Improvements at the regular meeting of said Council on the 21<sup>st</sup> day of May, 1991; and

WHEREAS, said Policies provide for adoption of Special Assessment rates by resolution of Council to maintain a cost sharing balance between abutting property owners and the City at large; and

WHEREAS, construction costs did not materially change in calendar year 2010, and therefore, no increases in existing special assessment rates are needed to maintain the cost sharing balance between abutting property owners and the City at large.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The City of Portage adopt the special assessment rates as indicated on Attachment "A", attached hereto and incorporated herein, with said rates to become effective for any special assessment district initiated after January 1, 2011, and to remain in effect until modified by subsequent resolution of Council.

2. The City of Portage utilize the special assessment rates as indicated on Attachment "A", attached hereto and incorporated herein, with said rates to become effective after January 1, 2011 for connection to any water or sanitary sewer extension district (unassessed water or sanitary sewer main). The fee for connection to an unassessed water main shall consist of the current charge for the water service line (from the water main to the curb shut off), the water meter charge, and the front footage charge based on current special assessment rates. The water service charge and meter charge must be paid in full at the time of issuance of the water permit but the front footage charge may be spread over twenty years.

The fee for connection to an unassessed sanitary sewer main shall consist of the current "trunk and branch" fee, a sewer meter charge (if the structure is not connected to public water), the street lead charge (service line from the sanitary sewer main to the property line), and the front footage charge based on the current special assessment rates for unassessed sewers. The sewer trunk and branch fee, street lead charge, and sewer meter charge (when applicable) must be paid in full at the time of issuance of the sewer use permit but the front footage charge may be spread over twenty years.

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

ADOPTED: YEAS: Councilmember: \_\_\_\_\_

NAYS: Councilmember: \_\_\_\_\_

ABSENT: Councilmember: \_\_\_\_\_

\_\_\_\_\_  
James R. Hudson, City Clerk

CERTIFICATION

STATE OF MICHIGAN     )  
  )  
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said city, held on the \_\_\_\_ day of \_\_\_\_\_ 2010, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
James R. Hudson, City Clerk

SpecialAssessment2011Resolution

APPROVED AS TO FORM  
DATE 11/15/2010  
RM  
\_\_\_\_\_  
CITY ATTORNEY

**Attachment "A"**

**SPECIAL ASSESSMENT RATES 2011**

**Cost Per Front Foot**

	Residential		Commercial/Industrial	
	2010	Proposed for 2011	2010	Proposed for 2011
Water	\$ 29.82	\$ 29.82	\$ 38.95	\$ 38.95
Sewer	29.80	29.80	32.32	32.32
Unassessed Sewer*	56.13	56.13	68.48	68.48
Sewer through Unimproved Land	23.21	23.21	27.77	27.77
Petitioned Street Reconstruction with Curb & Gutter (including new storm sewer)	70.54	70.54	75.21	75.21
Petitioned Street Reconstruction with Curb & Gutter (existing adequate storm sewer)	54.32	54.32	58.83	58.83
Petitioned Curb and Gutter (done in conjunction with either street reconstruction or sanitary sewer installation)	43.50	43.50	43.50	43.50
Petitioned Street Reconstruction	29.92	29.92	34.43	34.43
Petitioned Storm Sewer (done separate from street reconstruction)	21.80	21.80	23.50	23.50
Sidewalk	19.58	19.58	24.21	24.21

**Cost Per Improvement**

Drive Approach	\$ 1,458.00	\$ 1,458.00	\$ 1,458.00	\$ 1,458.00
Sewer Lead	930.00	930.00	930.00	930.00
Sewer Lead-Unimproved Land	930.00	930.00	930.00	930.00
3/4-in. Water Service	914.00	914.00	914.00	914.00
1-in. Water Service	983.00	983.00	983.00	983.00
1 1/4-in. Water Service	1047.00	1047.00	1047.00	1047.00

\* This rate will apply to extension districts initiated prior to 11-7-06.

## CITY OF PORTAGE

## COMMUNICATION

---

**TO:** Honorable Mayor and City Council

**DATE:** December 17, 2010

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

**SUBJECT:** West Milham Avenue/12<sup>th</sup> Street/Texas Drive Intersection Improvements

**ACTION RECOMMENDED:** That City Council approve the acquisition of a sidewalk easement and temporary grading easement for 4824 West Milham Avenue in the amount of \$10,960 and authorize the City Manager to execute all applicable documents related to this matter on behalf of the city.

The 2010-11 Capital Improvement Program contains a project for cost participation in improvements to the West Milham Avenue/12<sup>th</sup> Street/Texas Drive intersection. The West Milham Avenue/12<sup>th</sup> Street/Texas Drive intersection is a shared jurisdiction intersection with the Kalamazoo County Road Commission (KCRC) having jurisdiction of 12<sup>th</sup> Street and Texas Drive and the City of Portage having jurisdiction of West Milham Avenue.

The intersection is heavily used by residents of both Portage and Texas Township. Warrant studies conducted by KCRC indicate that the current four-way stop condition at the intersection is insufficient to adequately accommodate the large volume of peak hour morning and afternoon traffic. KCRC has studied the current and future traffic needs of the intersection and decided that a round-about design best fits the needs of this intersection. KCRC has received confirmation that \$500,000 of federal highway funds are available for the project. On December 8, 2009, City Council approved an agreement with KCRC to pay 25% of the total project cost not covered by federal funds. The agreement also stipulated that the City of Portage be responsible for all right-of-way and easements necessary within the Portage city limits.

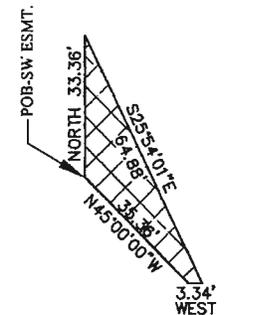
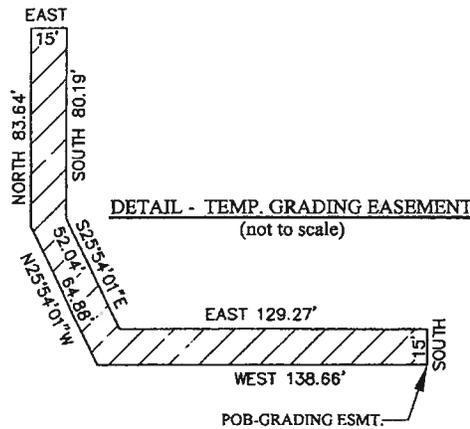
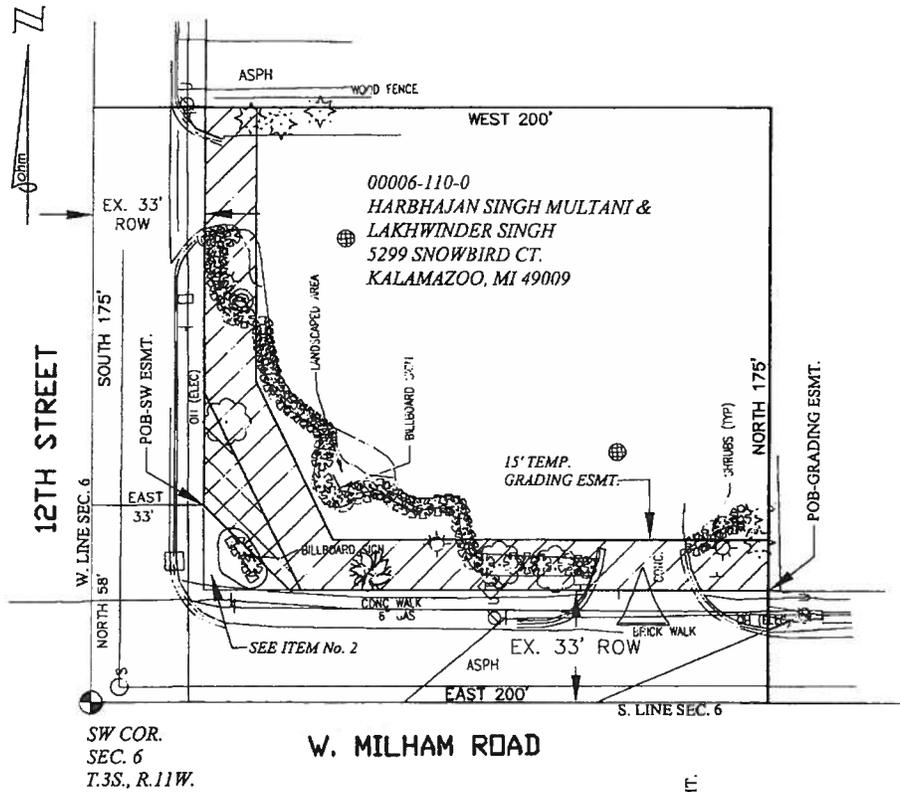
Negotiations have concluded with the owner at 4824 West Milham Avenue (Sunny Mart) for acquisition of a required sidewalk easement and 15' wide temporary grading easement. Sketches of the subject easements are included for reference. The negotiated cost is based upon a market study valuation prepared by Commonwealth & Associates and is in conformance with City Council policy for acquisition of a right-of-way.

It is recommended that City Council approve the acquisition of a sidewalk easement and temporary grading easement for 4824 West Milham Avenue in the amount of \$10,960 and authorize the City Manager to sign all applicable documents related to this matter. Funds are available in the FY 2010-2011 Capital Improvement Program project account to cover the cost of this acquisition. Negotiations are continuing with the property owner having control of the additional right-of-way area located in the City of Portage, which is necessary for the round-about construction.

Attachments

# SIDEWALK EASEMENT SKETCH

Exhibit "A"



SCALE: 1" = 40'

**PARCEL IS SUBJECT TO**  
 1) TERMS AND CONDITIONS CONTAINED IN AGREEMENT FOR SANITARY SEWER, L.1798,P.648,KCR.  
 2) SIDEWALK EASEMENT AND RIGHT OF WAY RECORDED IN INSTRUMENT No. 2004-058228,KCR.  
 3) ANY RIGHTS, TITLE INTEREST OR CLAIM THEREOF TO THAT PORTION OF THE LAND TAKEN, USED OR GRANTED FOR STREETS, ROADS OR HIGHWAYS.

- LEGEND**
- FOW PIGHT-OF-WAY
  - PUBLIC LAND CORNER
  - POB POINT OF BEGINNING
  - ▨ SIDEWALK EASEMENT
  - ▨ GRADING EASEMENT

**SIDEWALK EASEMENT**

PART OF THE SW 1/4 OF SECTION 6  
 T. 3 S., R. 11 W., CITY OF PORTAGE, KALAMAZOO COUNTY  
 TAX ID NO.: 00006-110-0

CLIENT: CITY OF PORTAGE

**OHM** 34000 Plymouth Road | Livonia, MI 48150  
 p (734) 522-6711 | f (734) 522-6427  
 Advancing Communities

DATE: 07-01-10	SHEET	JOB NO.
DRAWN BY: SH	4 OF 5	0059-10-0010
DWG: 096-110-0		

# SIDEWALK EASEMENT DESCRIPTION

Exhibit "A"

## PARCEL DESCRIPTION (00006-110-0):

A parcel of land situated in the SW ¼ of Section 6, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as follows:

Beginning at the SW corner of said Section 6; thence East 200 feet on the South line of said Section 6; thence North 175 feet parallel with the West line of said Section 6; thence West 200 feet parallel with the South line of said Section 6; thence South 175 feet on the West line of said Section 6 to the Point of Beginning, EXCEPTING the West 33 feet and the South 33 feet thereof for the highway purposes. Subject to all easements and restrictions of record, if any.

## SIDEWALK EASEMENT DESCRIPTION

A variable width easement for sidewalk being situated in the SW ¼ of Section 6, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as follows:

Commencing at the SW corner of said Section 6; thence North 58 feet along the West line of said Section 6; thence East 33 feet to the Point of Beginning; thence North 33.36 feet; thence S 25°54'01" E 64.88 feet; thence West 3.34 feet; thence N 45°00'00" W 35.36 feet to the Point of Beginning.

Contains 515 square feet or 0.012 acres of land. Subject to all easements and restrictions of record, if any.

## TEMPORARY GRADING EASEMENT DESCRIPTION

A 15 foot temporary grading easement being situated in the SW ¼ of Section 6, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as follows:

Commencing at the SW corner of said Section 6; thence East 200 feet along the South line of said Section 6; thence North 33 feet to the Point of Beginning; thence West 138.66 feet; thence N 25°54'01" W 64.88 feet; thence North 83.64 feet; thence East 15 feet; thence South 80.19 feet; thence S 25°54'01" E 52.04 feet; thence East 129.27 feet; thence South 15 feet to the Point of Beginning.

Contains 4,115 square feet or 0.094 acres of land. Subject to all easements and restrictions of record, if any.

### SIDEWALK EASEMENT

PART OF THE SW 1/4 OF SECTION 6  
T. 3 S., R. 11 W., CITY OF PORTAGE, KALAMAZOO COUNTY  
TAX ID NO.: 00006-110-0



34000 Plymouth Road | Livonia, MI 48150  
p (734) 522-8711 | f (734) 522-6427

Advancing Communities

CLIENT:

CITY OF PORTAGE

DATE: 07-01-10  
DRAWN BY: SH  
DWG: 006-110-0

SHEET  
5 OF 5

JOB NO.  
0059-10-0010

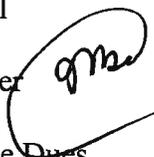
# CITY OF PORTAGE

# COMMUNICATION

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**TO:** Honorable Mayor and City Council

**DATE:** December 8, 2010

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

**SUBJECT:** Michigan Municipal League Dues

**ACTION RECOMMENDED:** That City Council authorize payment to the Michigan Municipal League in the amount of \$8,329 for year 2011 membership dues.

Membership in the Michigan Municipal League (MML) has provided a form of representation on state legislative issues that affect local government. The MML offers educational opportunities for elected officials and also assists municipal leaders with the administration of community services. The MML also provides access to a number of government-related services including the Legal Defense Fund, the Municipal Litigation Center, information and research gathering, human resource inquiries, home rule charters and the MML resource center.

The annual MML dues have historically been calculated based upon the amount of state shared revenues received by the city during the 12-month period beginning July 1 two years prior to the beginning of the MML fiscal year, however, the calculation of dues was recently changed to reflect a rate of inflation as opposed to basing the dues solely on the amount of state shared revenues. Due to the financial challenges many municipalities are currently facing, the MML has frozen dues for the upcoming year, as they also did last year. The MML will also no longer levy the Environmental Affairs Assessment. It is recommended that City Council authorize payment to the Michigan Municipal League in the amount of \$8,329 for year 2011 membership dues. Funds for the membership renewal have been budgeted in the Fiscal Year 2010-11 Budget.

## CITY OF PORTAGE

## COMMUNICATION

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**TO:** Honorable Mayor and City Council

**DATE:** December 17, 2010

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



**SUBJECT:** Office Products Contracts

**ACTION RECOMMENDED:** That City Council approve a contract with Office Depot Business Solutions Division through The Cooperative Purchasing Network (TCPN) for the purchase of office supplies and products through February 28, 2015, and any TCPN contract extensions offered thereafter; and authorize the City Manager to execute all documents related to the contract on behalf of the city.

During the past year, the city has used cooperative purchasing contracts for office supplies and products offered by Office Max through MiDeal and Office Depot through U.S. Communities. By utilizing both contracts, staff has been able to choose the lowest priced office supplies.

The MiDeal Contract with Office Max has been extended through January 1, 2012, with future extensions available. The Cooperative Purchasing Network (TCPN) offers a cooperative governmental purchasing contract with Office Depot, which is similar in scope and price to the expiring U.S. Communities contract. The TCPN contract with Office Depot is effective through February 28, 2015.

It is anticipated that the total annual expenditure of office supplies and products will be approximately \$28,000. Both vendors have provided satisfactory service to the city in the past.

It is recommended that City Council approve extending a contract with Office Depot Business Solutions Division via the TCPN through February 28, 2015, and for any TCPN extensions offered thereafter.

RL:jj

## CITY OF PORTAGE

## COMMUNICATION

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**TO:** Honorable Mayor and City Council

**DATE:** December 10, 2010

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



**SUBJECT:** Michigan State Housing Development Authority Grant Award – Information Only

The Michigan State Housing Development Authority (MSHDA) has notified the City of Portage of a \$135,000 grant award from the MSHDA 2010 Housing Resource Fund. The grant award equals the amount requested by the City of Portage for the North Portage Home Buyer Purchase-Rehabilitation (HPR) Program.

This grant award complements successful City of Portage housing programs offered through the Community Development Block Grant (CDBG) Program, and is similar to prior programs funded by MSHDA (a \$260,000 Housing Resource Fund grant in 2006 and a \$145,000 Neighborhood Stabilization Program grant in 2009).

The North Portage Home Buyer Purchase-Rehabilitation Program will provide up to \$25,000 in assistance per housing unit for an eligible household to purchase and rehabilitate a single-family dwelling in the neighborhoods shown on the attached map. A minimum of five projects are able to be funded with the assistance provided in the form of a no-interest, deferred second mortgage loan through MSHDA. An estimated \$35,000 in program administration costs incurred by the city will be recouped through a “developer fee” for completed projects.

After completion of the required Environmental Review Record process, it is anticipated that the funds will be released for expenditure in late January 2011.

**Attachments:** November 30, 2010 Announcement of Funding Award letter from MSHDA  
North Portage Home Buyer Purchase-Rehabilitation Map and Resolution



STATE OF MICHIGAN

JENNIFER M. GRANHOLM  
GOVERNOR

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY  
LANSING

GARY HEIDEL  
EXECUTIVE DIRECTOR

cc: CM  
Com Dev  
cc

November 30, 2010



Mr. Peter Strazdas, Mayor  
City of Portage  
7900 South Westnedge  
Portage, MI 49002-0000

RE: Announcement of Funding Award Grant # M-2009-0329, Required Documentation and OPAL

Dear Mr. Strazdas:

Congratulations! The Michigan State Housing Development Authority (MSHDA) has approved your request for MSHDA funds in the amount of \$135,000. The purpose of this letter is to inform you of the documentation needed to initiate this grant, and how to manage it on the On-line Project Administration Link (OPAL).

Enclosed you will find the following documents necessary to initiate your grant:

- A Grant Agreement (two originals)
- An Authorized Signature Designation Form

Return one original Grant Agreement, one original Authorized Signature Designation, and a reply to the special conditions (if identified in the grant agreement) within 45 days to Kerri Nobach at the Michigan State Housing Development Authority, PO Box 30044, Lansing, MI 48909.

**Executing the Grant Agreement**

Your agency's highest elected official [County Chairperson or Mayor] must sign the grant agreements before a witness. Others are permitted to sign IF they have been specifically designated by your agency's governing body to act on their behalf. Evidence supporting this designation must be submitted with the signed grant documents. **NOTE: MSHDA will NOT allow consultants and/or third-party administrators to be designated to act on behalf of the governing body.**



### **Authorized Signature Designation Form**

The Authorized Signature Designation Form formally identifies and designates the person or persons authorized to sign and/or submit grant related reports, forms, and documents on behalf of the governing board. Each signatory must sign in the appropriate spaces on the form next to his or her printed or typed name. **NOTE: MSHDA will NOT allow consultants and/or third-party administrators to be designated as authorized signatories.**

### **MANAGING YOUR GRANT USING OPAL**

MSHDA's Office of Community Development utilizes OPAL to manage our application and grant process on-line. MSHDA has identified you, the recipient of this letter, as your agency's Authorized Official. By now you should have received written notification of your user name and password for OPAL. If not, please contact your CD Specialist.

#### **Logging onto OPAL**

Using your Internet web-browser, use the following address to access OPAL: <http://www.mshdaopal.org/login.asp>. Upon entering your user name and password you will be taken to the OPAL "Start Menu". Please log-in to familiarize yourself with the system.

Under no circumstances should users share their passwords or log onto OPAL using another person's user name and password. **DOING SO MAY JEOPARDIZE THE SECURITY OF THE SYSTEM AND THESE GRANT FUNDS. FAILURE TO COMPLY WITH THIS RULE MAY RESULT IN THE RECAPTURE OF GRANT FUNDS.** If you need assistance you may contact your CD Specialist.

#### **Utilizing the Resources**

Grantee User Manual. It is recommended that anyone using OPAL consult the Grantee User Manual. The manual may be accessed through the "Start Menu" screen, lower right-hand corner, under the word "Downloads" click on "Manuals, Applications, etc." This link will contain the most up-to-date version of the manual. You may print the manual at any time; however, you should compare the version date of your printed manual to the version date on the website to be sure you are using current information.

Help on Every Page. There is a "Help" link in the navigation bar at the top of each screen. Clicking on "Help" will reveal page-specific information that has been written to provide guidance in using the system.

OPAL Help Desk. Should you experience technical difficulties with OPAL, contact the Help Desk at 1800-820-1890 or via email at [helpdesk@agatesoftware.com](mailto:helpdesk@agatesoftware.com).

#### Your CD Specialist.

You should always feel free to contact your CD Specialist, Kelly Gram, at (517) 335-4358.

**Assigning Staff to Administer This Grant**

When this grant was awarded, MSHDA assigned a member of your agency as the Grant Administrator. Once the grant documents are returned, MSHDA will enter the Authorized Signers into OPAL. The Grant Administrator and Authorized Signers have the ability to give other agency members or other people outside of the agency, access to the grant. To be given access to a grant, that person must already exist on OPAL and be active within the system. Please refer to Section 7 of the Grantee User Manual – Grant Users Access to a Grant to complete this process.

**Financial Status Report/Payment Requests (FSR/PR):** Payment Requests will be submitted on-line through OPAL. Both the Grant Administrator and Authorized Signer(s) are permitted to create an FSR/PR, however, only an Authorized Signer is permitted to submit an FSR/PR.

Payment Requests must be submitted at least quarterly, but not more frequently than monthly. The request should cover expenses for the previous quarter or month and should be submitted by the 15<sup>th</sup> of the month following the report period.

**Please do not incur any project costs, make financial commitments, or enter into any negotiations until all required environmental reviews are completed and approved, and grant funds are formally released.**

**Quarterly Progress Reports (QPR's)**

Since the projects completed with this grant will be set-up and completed on OPAL, your agency is not required to submit QPR's; MSHDA will simply pull the information from the system on a quarterly basis.

Keep in mind that any deviations from the terms or conditions of the Grant Agreement, including budget allocations, must be requested and approved by the Office of Community Development staff through OPAL. I congratulate you on receiving this award.

Sincerely,

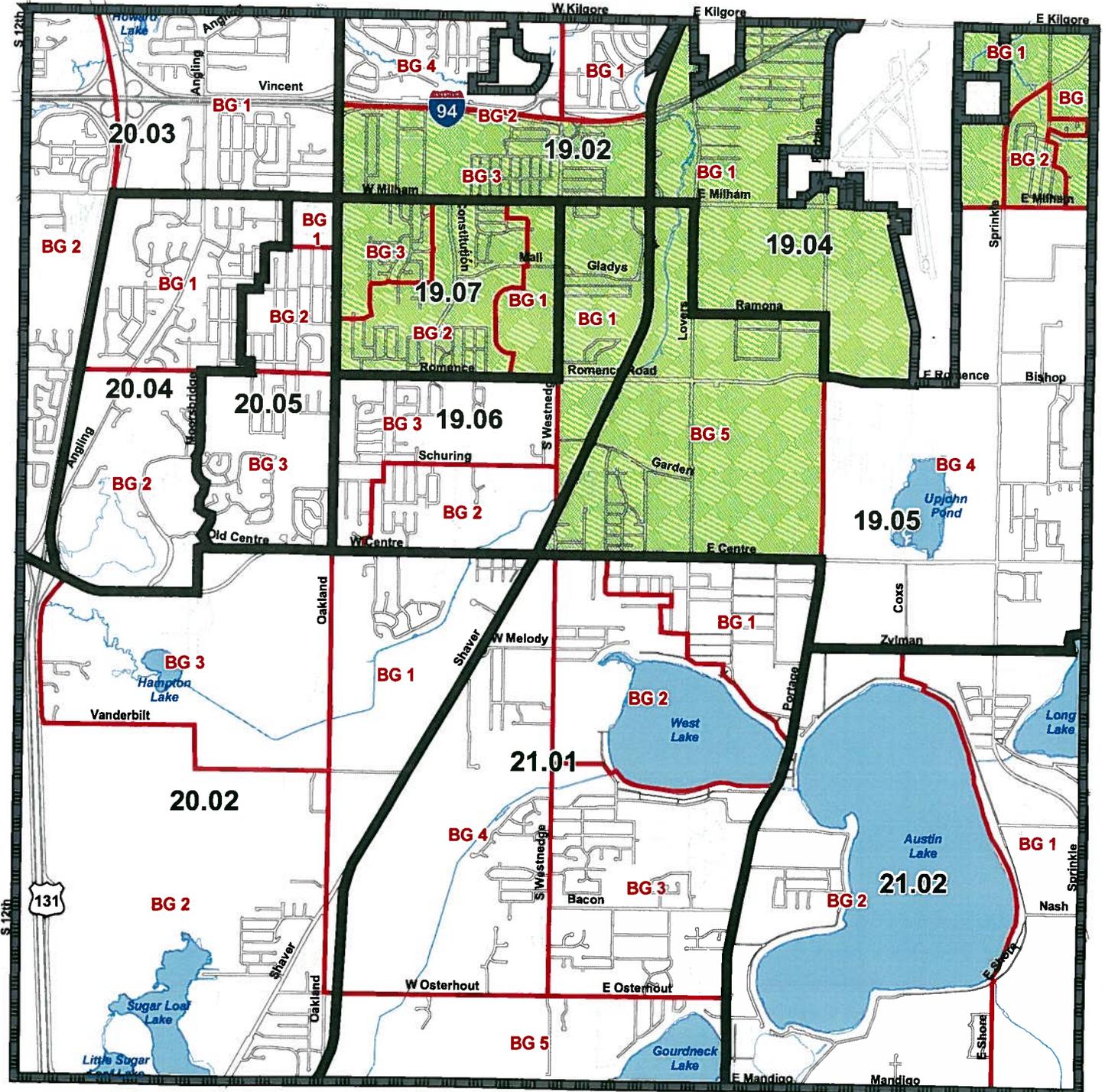


William Parker, Director of Field Services  
Office of Community Development

cc: Kelly Gram, CD Specialist

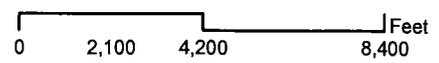
Enclosures

# North Portage Home Buyer Purchase-Rehabilitation Neighborhood Strategy Area Map



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

	CENSUS TRACT BOUNDARY
	BLOCK GROUP BOUNDARY
	NSA NEIGHBORHOOD



**CITY OF PORTAGE**

**COMMUNICATION**

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**TO:** Honorable Mayor and City Council

**DATE:** December 10, 2010

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



**SUBJECT:** November 2010 Summary Environmental Activity Report – Information Only

Attached please find the November 2010 Summary Environmental Activity Report from the Department of Transportation & Utilities Director, W. Christopher Barnes. New material, or material of specific interest to City Council is presented in italics.

These items serve to update the Council on environmental affairs.

c: W. Christopher Barnes, Department of Transportation & Utilities  
Planning Commission  
Portage Environmental Board

## CITY OF PORTAGE

## COMMUNICATION

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

**DATE:** December 10, 2010

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

**SUBJECT:** November 2010 Environmental Activity Report – Information Only

In keeping with goals and objectives adopted by the Council emphasizing the need to enhance environmental quality and protect natural resources, the following information is intended to keep the Council, Planning Commission and Environmental Board apprised of current environmental issues.

Important environmental issues being monitored and coordinated by the Administration are attached. The Summary Environmental Activity Report will continue to be provided on a monthly basis to the Council, Planning Commission and Environmental Board.

## SUMMARY ENVIRONMENTAL ACTIVITY REPORT

November 2010 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-City Council awarded a 3 year contract to American Hydrogeologic Corporation on February 23, 2010 to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. Sampling shows continued improvement in groundwater quality. Sampling performed in June 2010. Annual report submitted to MDNRE in June 2010. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future.
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 4 site/building plans and/or plats completed in November 2010.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<i>-Sanitary sewer hookup permits issued in November 2010: 3 commercial and 8 residential. Three sewer connections made as part of the Mandatory Sewer Program. Four sewer connection deferrals were issued by the Mandatory Sewer Subcommittee.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions.	-Five Year Lake Management Assessment District process initiated (Resolution #1) on December 7, 2004. Resolution #3 was approved by City Council on January 11, 2005. Resolution #5 was adopted by City Council on February 8, 2005. On March 22, 2005, City Council approved a contract with Aquatic Services, Goodrich, MI, to perform annual weed treatment. West Lake currently working with the Kalamazoo County Drain Commissioner to create a filtration system on the Austin Lake Drain. On July 10, 2007, City Council authorized the Administration to submit a grant application in the amount of \$5,000 to the Kalamazoo Foundation to assist funding the filtration system. Construction bids received by the Drain Commissioner on November 14, 2006. Construction began on the Austin Dam reconstruction in December 2006 and new structure completed in March 2007. Filtration system construction was substantially completed in July 2008. On July 8, 2008, City Council awarded contracts to Aquatic Services, Inc. for the 2008 Weed Treatment Program and awarded a contract to ASI Environmental to perform watershed and vegetation survey. New 5 year improvement plan and special assessment process was approved by City Council on March 23, 2010. The 2010 lake treatment is complete.

Retention Basin Sampling Program	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 stormwater infiltration. Alternative road salt practices continue to be considered and evaluated. On March 23, 2010, City Council awarded a four-year contract to Wightman Environmental. Program will focus primarily on groundwater level information. Sampling of retention basins was completed on June 25, 2010. Report is due in December 2010.
Wellhead Protection Program (WHPP)	Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.	-Wellhead Protection Grant award received from MDEQ on August 30, 1999 and Council accepted the grant on October 5, 1999. Council also awarded contract to Earth Tech to complete WHPP. Earth Tech completed the final wellhead protection plan and MDEQ submittal was made on October 14, 2000. Plan was reviewed by MDEQ with written approval received in March, 2001. City staff made a presentation to the American Water Works Association at their April 25, 2008 meeting to highlight current city initiatives. Plan 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 2009 in June and January. Sampling and analysis results continue to show no groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. The 2010 report was received with results showing minimal impact on groundwater. Next sampling scheduled for July 2011.
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 Stormwater Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. SWIPPI submitted on October 21, 2005. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year time frame with first work item (updating the Public Participation Plan) due December 11, 2009. Plan update completed with other local governments and submitted November 24, 2009. City staff worked with other agencies at the 2010 Home Expo on March 17 – 20, 2010. Staff completed an updated SWIPPI submittal to MDNRE. SWIPPI was submitted for MDNRE approval on June 25, 2010. Permit implementation is ongoing.

National Pollution Discharge Elimination System (NPDES) permit implementation	Kalamazoo River Mainstem 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 Water Festival was held on August 14, 2010 with City of Portage participation. Preliminary grant request submitted September 16, 2010 for West Fork of Portage Creek storm water enhancements. Complete grant application was submitted on October 25, 2010.
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. Follow-up meetings are held monthly to facilitate an implementation schedule. Portage River Watershed public meeting held in Vicksburg on April 11, 2006. Review comments received from MDEQ and revised watershed plan due November 2006. Revised Watershed Plan submitted November 30, 2006, follow up meetings to be held as necessary. 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.	
Plan to implement and maintain an Illicit Discharge Elimination Program (IDEP).	-On October 21, 2001, City Council awarded a contract to Fishbeck, Thompson, Carr and Huber for the Portage Creek element of the IDEP, which was completed in July 2002. On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections". On April 28, 2004, City Council accepted a grant from the State of Michigan in the amount of \$152,264 and awarded a contract to Fishbeck, Thompson, Carr and Huber in the amount of \$184,264 for the remainder of the IDEP for the entire city. Program implementation is ongoing as funding allows. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDNRE on June 25, 2010, and part of the SWIPPI.	
Garden Lane Arsenic Removal Facility	Construction of a water treatment facility at the Garden Lane Wellfield to remove arsenic, iron and manganese from the	-City Council approved an agreement with Fishbeck, Thompson, Carr & Huber, Inc. on January 10, 2006 to prepare a feasibility study to meet new USEPA arsenic standards for drinking water. Feasibility study completed in August 2006. Engineering proposals for the project were received August 14,

groundwater.

2007. Project engineering awarded to Earth Tech by City Council on September 11, 2007. Project design to include Leadership in Energy and Environmental Design (LEED) criteria. Project construction bids were received on November 25, 2008. Contract awarded by City Council on December 16, 2008 to Adams Building Contractors, Inc., Jackson, Michigan. Preconstruction meeting was held January 29, 2009. Start up activities began in May 2010. Facility is in operation with ribbon cutting held August 2, 2010. City staff gave a presentation on August 9, 2010 to the Michigan Chapter of the American Water Works Association about the arsenic removal of the facility. The facility is producing approximately one million gallons of water per day.

Environmental Incident/Spill  
Clean Up Notification

Environmental Protection  
Program to assist Portage  
Police/Fire Departments with  
spill containment and spill  
cleanup.

*-The number of environmental incident/spill investigations performed in November 2010-0. The number of incidents requiring city forces/contractor emergency cleanups-0.*

Localized Groundwater Table  
Investigation

Hydrogeologic study of the  
Portage area, especially in the  
Sprinkle Woods plat area, to  
determine causes of increase in  
groundwater elevation.

-On April 29, 2008, City Council awarded a contract to American Hydrogeology Corporation to investigate the reason and extent of seasonally high groundwater elevation. Special emphasis will be placed on the Black Forest plat area to suggest possible solutions to the basement leaking problems experienced in the area. Study was transmitted to City Council on July 22, 2008. Work was completed on October 31, 2008. City staff continues to investigate other remedies for local groundwater table issues. Work complete on compiling a history of local groundwater table elevations at 19 city-owned retention basins with data from 1994 to 2009. Data from the analysis shows a general upward trend through the Portage area from 2005 to present. Five monitoring wells were installed in the Jamaica Lane area as a result of a number of citizen concerns. *Analysis of the Jamaica Lane wells shows that seasonal groundwater table levels have dropped approximately 24" from spring 2009 levels and level has stabilized through November 2010. November sampling continued to show a slight decline in the groundwater table.* Sampling will continue through the fall and winter months as weather allows.

Hampton Wetland Area Water  
Level

Assistance with the Inverness  
Condominium Association to  
Review Surface Water Levels

-Ongoing assistance with the Condominium Association to develop appropriate measures to regulate the rising water level in Hampton Wetlands Area located on the north side of West Centre Avenue and east of Angling Road. Current activity has centered on meeting with MDNRE staff to determine feasible method to lower water levels. Association currently working with MDNRE permit staff to clarify permit requirements. No

change in status. Lower groundwater table elevation has reduced the concerns from the Condominium Association. *Conference call with MDNRE scheduled for December 8, 2010 to discuss options.*

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 MDNRE 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.

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# CITY OF PORTAGE

# COMMUNICATION

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**TO:** Honorable Mayor and City Council

**DATE:** December 14, 2010

**FROM:** City Council Investment Committee\*

**SUBJECT:** Proposed Investment Policy Revisions

**ACTION RECOMMENDED:** That the City Council approve the revised Investment Policy as recommended by the Investment Committee and City Administration.

The City Council Investment Committee meets annually in order to determine that city investments are in compliance with the investment policy, and to suggest policy revisions in response to changing regulatory or industry standards. Subsequent to an October 18, 2010 meeting, the Committee recommends that the investment policy be revised. The proposed revisions (noted by a superscript 3 in the attached policy) stem from Committee discussions regarding financial fraud and the Committee's desire to protect the city. The Committee reviewed the current investment policy and made modifications to insure the policy is as complete and safe as practical.

The proposed revised policy continues to provide sound guidelines in order to ensure that city funds will continue to be invested in a prudent manner. The Investment Committee and City Administration recommend adoption of the revised policy.

- \* Mayor Peter Strazdas
- Maurice S. Evans, City Manager
- Clifford J. Mulder, Raymond James & Associates (Citizen Member)
- Brett M. Plew, Raymond James & Associates (Citizen Member)

## City of Portage Investment Policy

In order to realize the maximum return on investment of cash balances while maintaining the city's funds in a secure manner, the Finance Director is directed to invest the city's money in a diversified portfolio which may consist of certificates of deposit, U.S. Treasury and Agency obligations, commercial paper, bankers acceptances, repurchase agreements, and pooled investment funds, as directed by, and in compliance with, the State of Michigan's Public Act 20 of 1943, as amended.

### General Investment Guidelines:

- The city will utilize a pooling approach to cash balances, which maximizes investment yields and reduces banking fees.
- All cash balances, accounted for in the various funds of the city, are subject to this investment policy, unless specifically excluded by other restrictions such as bond covenants or contractual agreements.<sup>1</sup>
- Investment decisions shall be based on cash flow projections, to be maintained by the Finance Department.<sup>1</sup>
- Although funds shall not be invested longer than the date which the funds must be available to meet city obligations, it is recognized that the city regularly maintains a cash "cushion" which may be invested in longer-term instruments, which is hereby defined as instruments with a term of less than six years.
- The Finance Director will prepare a monthly investment report which will be submitted to the City Manager. The report shall maintain the pooling of funds theory.
- The investment report shall include the rate that a treasury security of similar length would pay as a benchmark to show the additional return that the non-treasury security yields.<sup>1</sup>
- All securities shall be held in second-party safekeeping, and evidenced by receipts.<sup>1</sup>
- All transactions shall be made with judgment and care, using the "prudent person" standard.<sup>1</sup>

### Financial Institution Guidelines:

- The city may not invest more than 40% of its surplus funds in or through any one bank, savings and loan, or broker-dealer. Funds which are already committed, and will be spent based on checks clearing, are not to be considered "surplus funds".
- The total city investment in any one bank or savings and loan must represent less than 1% of the institution's Tier 1 capital.<sup>1</sup>
- The city will not do business with any bank, savings and loan, or broker-dealer who does not maintain either FDIC or SIPC insurance. The City also requires that the entity maintain an industry standard level of liability insurance for its portfolio over and above SIPC to cover fraud and/or defalcation.<sup>3</sup>
- The city will not do business with any bank or savings and loan which is not currently rated "B" or higher by Thomson's Bank Watch, or an equivalent rating firm.

- The Investment Committee shall develop an approved provider list of financial service firms that the City may choose from to deal with at any time. The list shall be reviewed annually by the Committee for additions or deletions. The criteria to be considered may include, but are not limited to:
  - References from within the state of Michigan,
  - Financial security, history and stability of the company.<sup>3</sup>

Investment Options/Limitations:

- 1) Certificates of Deposit
  - a) The amount invested may not exceed 60% of the total portfolio at the time of purchase, inclusive of the proposed pending purchase.
- 2) U.S. Treasury and Agency obligations
  - a) There is no percentage of total portfolio limit.
- 3) Commercial Paper
  - a) Must be rated by no fewer than two rating firms which are recognized by the Securities and Exchange Commission.
  - b) Must be rated in the two highest classifications (i.e., A2/P2 or better). "2"-rated commercial paper must be accompanied by an irrevocable letter of credit. Split rated (e.g., A1/P2) or "1" rated commercial paper may be purchased without requiring a letter of credit.
  - c) The total amount invested in commercial paper may not exceed 70% of the total portfolio at the time of purchase, inclusive of the proposed pending purchase.
  - d) The total amount invested in any one company may not exceed 15% of the total portfolio at the time of purchase, inclusive of the proposed pending purchase.
- 4) Banker's Acceptances issued by domestic banks only. This provision specifically excludes domestic subsidiaries/branches of foreign banks.
  - a) There is no percentage of total portfolio limit.
- 5) Repurchase Agreements that are backed by any U.S. Treasury or Agency obligation which the city is allowed to purchase directly.
  - a) The total amount invested in Repurchase Agreements may not exceed 10% of the total portfolio at the time of purchase, inclusive of the proposed pending purchase.
- 6) Mutual funds and local government investment trusts, bank-sponsored or independently formed, that are comprised of investments which the city is allowed to purchase directly, under the guidelines of PA 20 of 1943 as amended. The stated investment objective of these funds must be to maintain a net asset value of \$1.00 per share.<sup>2</sup>
  - a) The amount invested in free-standing local government investment pools or trusts, or other qualifying mutual funds, may not exceed 25% of the total portfolio at the time of purchase inclusive of the proposed pending purchase.<sup>2</sup>

b) The amount invested in a qualified mutual fund, pool or trust that is part of the city depository banking contract as an overnight money market investment shall not be subject to any limitations.<sup>2</sup>

Original policy recommended by Investment Committee September 25, 1998, approved by City Council October 6, 1998.

<sup>1</sup> Revisions approved by City Council January 11, 2005

<sup>2</sup> Revisions recommended by Investment Committee March 12, 2008 and approved by City Council April 29, 2008.

<sup>3</sup>Revisions recommended by Investment Committee October 18, 2010.

## CITY OF PORTAGE

## COMMUNICATION

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**TO:** Honorable Mayor and City Council

**DATE:** December 15, 2010

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

**SUBJECT:** Traffic Signal Improvements

**ACTION RECOMMENDED:** That City Council award a construction contract to the low bidder, Severence Electric, Incorporated, in the not-to-exceed amount of \$179,221.34 for the installation of new traffic signals at the South Westnedge Avenue/Portage Central High School entrance intersection and authorize the City Manager to sign all documents related to the contract on behalf of the city.

The 2010-11 Capital Improvement Program includes a project to install a new traffic signal on South Westnedge Avenue in conjunction with the construction of the new Portage Central High School. The traffic signal will provide traffic control for school parking lots on the east and west side of South Westnedge Avenue and provide pedestrian access for the high school facility to and from the McCamley Field parking area. On November 27, 2009, City Council awarded an engineering contract to Abonmarche Consultants for the design of the two new traffic signal improvements.

Traffic signal design for the South Westnedge Avenue/Portage Central High School entrance intersection has been completed and bids for the signal installation were received on December 9, 2010. Six bids were received with the low bid in the amount of \$179,221.34 submitted by Severence Electric, Incorporated, of Kalamazoo, Michigan. Severence Electric, Incorporated, has successfully completed many signal installations for the city and is very familiar with the city traffic signal system.

Project cost for the new traffic signals at the South Westnedge Avenue/Portage Central High School entrance intersection has been included in the 2010-2011 Capital Improvement Program with 50% of the cost being borne by the Portage School District. It is recommended that City Council award a construction contract to the low bidder, Severence Electric, Incorporated, in the not-to-exceed amount of \$179,221.34 for the installation of new traffic signals at South Westnedge Avenue/Portage Central High School Entrance intersection and authorize the City Manager to sign all documents related to the contract on behalf of the city. A complete bid tabulation is attached for the information of City Council.

Attachment

BID TABULATION  
TRAFFIC SIGNAL - SOUTH WESTNEDGE AVENUE & PORTAGE PUBLIC SCHOOLS

<u>BIDDER</u>	<u>BID</u>
Severance Electric Co., Inc.	\$179,221.34
J.R. Howell Airport Lighting	\$180,331.78
Strain Electric Co.	\$195,969.90
DVT Electric, Inc.	\$195,969.90
Martell Electric, LLC	\$205,268.10
Rahom Electric, Co.	\$205,449.07

Bids Opened 12/9/2010

**MATERIALS TRANSMITTED**

Friday, December 3, 2010

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



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Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager