AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
January 8, 2013

5:30 p.m. Special Meeting to interview Boards and Commissions applicants.

7:30 p.m. Call to Order.

Invocation: Pastor Bill Abernathy of Berean Baptist Church.

Pledge of Allegiance.

Roll Call.

Proclamation:

A. Approval of the December 18, 2012 Regular Meeting Minutes.

* B. Approval of Consent Agenda Motions.

* C. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of January 8, 2013, as presented.

D. Public Hearings:

1. Rezoning Application #12-01 (9136 Shaver Road):
   a. Communication from the City Manager recommending that City Council approve Rezoning Application #12-01 and rezone 9136 Shaver Road to B-3, general business.

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

* 1. Communication from the City Manager recommending that City Council:
   a. approve Contract 12-5589 between the Michigan Department of Transportation and the City of Portage concerning funding for street improvements on Mall Drive, from Constitution Boulevard to South Westnedge Avenue;
   b. approve an engineering services contract with Abonmarche Consultants, Incorporated, for construction inspection and administration for street improvements on Mall Drive, from Constitution Boulevard to South Westnedge Avenue, in the not to exceed amount of $39,750;
   c. adopt a Resolution authorizing the City Manager to sign Contract 12-5589; and

   authorize the City Manager to sign all other documents related to the Michigan Department of Transportation and the consultant contracts for this project on behalf of the city.

* 2. Communication from the City Manager recommending that City Council grant Conditional Approval of the 2010 Census Liquor License, above all others, to the Repertoire Coffee House and Theater, Inc., subject to obtaining necessary permits, approvals and commencement of construction within six months and completion of the restaurant not more than one year after issuance of applicable building permits.

* 3. Communication from the Mayor recommending that City Council approve the production of an update to "This Place Called Portage: Its Past and Present" by Larry Massie and that donations from area businesses be requested to fund that update.

* 4. Communication from the City Manager recommending that City Council refer the request from Walter Hansen, on behalf of Lakeview Animal Hospital, to purchase the city-owned Outlot A of Norton's Subdivision – 10244 Portage Road to the City Council Ad Hoc Property Committee for review and recommendation.

* 5. Communication from the City Manager recommending that City Council refer the proposal from Jake and Dan Elzinga for the city to purchase the property known as 732 East Centre Avenue to the City Administration for review and recommendation to the City Council Ad Hoc Property Committee.

G. Communications:

H. Unfinished Business:

* I. Minutes of Boards and Commissions Meetings:

1. Portage Environmental Board of November 14, 2012.
2. Portage Public Schools Board of Education Regular Business of November 19 and Special of November 27, 2012.

J. Ad-Hoc Committee Reports:

K. New Business:

L. Bid Tabulations:

* 1. Communication from the City Manager recommending that City Council award an engineering services contract to Bergmann Associates of East Lansing, Michigan, for the Romence Road Parkway (Lovers Lane to Portage Road) and Angling Road (West Centre Avenue to Squire Heath Lane) major street reconstruction in the not to exceed amount of $29,690 and authorize the City Manager to execute all documents related to this contract on behalf of the city.

M. Other City Matters:

1. Statements of Citizens.

2. From City Council and City Manager.

* 3. Reminder of Meetings:

a. Wednesday, January 9, 6:30 p.m., Historic District Commission, City Hall Room #2.
b. Wednesday, January 9, 6:30 p.m., Park Board, Stuart Manor, Celery Flats.
c. Wednesday, January 9, 7:00 p.m., Environmental Board, City Hall Room #1.
d. Monday, January 14, 7:00 p.m., Zoning Board of Appeals, Council Chambers.
e. Wednesday, January 16, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.
f. Thursday, January 17, 6:00 p.m., Human Services Board, City Hall Room #1.
g. Thursday, January 17, 7:00 p.m., District Library Board, Portage District Library.
h. Thursday, January 17, 7:00 p.m., Planning Commission, Council Chambers.
i. Monday, January 21, 8:00 a.m., Legislative Roll Call, Chamber Building, 346 W. Michigan Ave., Kalamazoo.
j. Monday, January 21, 6:30 p.m., Portage Public Schools Board of Education, Council Chambers.

N. Materials Transmitted: December 14, 2012.

Adjournment.

City Council Meeting Summary

December 18, 2012

CHECK REGISTER

- Approved the Check Register of December 18, 2012, as presented.

PETITIONS AND STATEMENTS OF CITIZENS

- Ed Halcomb, 9834 Woodlawn Drive, requested that Fire Station No. 3 be manned with firefighters and fire equipment twenty-four hours a day, seven days a week, for the second time, and provided a review of his life experiences as a career firefighter for the City of Portage.

REPORTS FROM THE ADMINISTRATION

- Authorized the Mayor and City Clerk to execute the two-year replacement labor agreement with the Portage Police Officers Association in accordance with the Act 312 Arbitration Award.
- Approved one-year contract renewals for employee health insurance offered through Blue Care Network-10 (HMO plan), and Blue Cross Blue Shield of Michigan (PPO-1 and PPO-2 plans); up to a one year contract for PPOA retiree supplemental health insurance through Blue Care Network (Medicare Advantage plan) and authorized the City Manager to execute all documents on behalf of the city.
- Adopted the Proposed 2013 Charges for Documents fee schedule; the recommended fee schedules for recreation programs and park facilities for 2013; the Resolution for Community Development Fees; and the 2013 Special Assessment Rate Resolution; and approved the proposed new Arrest Warrant Processing Fee.
- Adopted the Resolution setting the dates and times for the 2013 March Board of Review sessions.
- Authorized payment to the Michigan Municipal League in the amount of $8,554 for year 2013 membership dues.
- Received the communication from the City Manager regarding the November 2012 Summary Environmental Activity Report as information only.
- Received the Department Monthly Reports.

COMMUNICATIONS

- Received the communication from Kalamazoo County 8th District Court Chief Judge Paul J. Brindenstine dated November 30, 2012, regarding the proposed closure of the 8th District Court South location and referred the communication to the City Manager for further discussion, investigation and a report back to City Council.
- Received the report from the Historic District Commission regarding the potential of a tour of Portage historic homes and Train Barn open house in recognition of the city's 50th Anniversary and indicated that the City Council wants the Historic District Commission to move forward with their plan.
- Received the report from the Park Board regarding the possibility of a community art competition in recognition of the city's 50th Anniversary.
- Received the report from the Planning Commission and authorized them to proceed with the idea in the report of forming a subcommittee that can establish operational details of that activity; and to communicate to them that staff time is not available to support this activity.

AD HOC COMMITTEE REPORT

- Authorized the City Manager to negotiate with Mr. Scheifler to offer an amount to purchase the property at 117 East Center Avenue and, if an agreement is reached, to bring it before City Council in order to then have the City Manager order a Phase I Environmental Study and an appraisal of the property.

BID TABULATIONS

- Approved the low bids for comprehensive janitorial services submitted by New Fresh Cleaning Services in the amount of $16,560 for the Police Division Building; and LaCosta Facility Support Services in the amount of $13,212 for City Hall, $19,764 for the Parks, Recreation and Public Services Building, $6,780 for the Senior Center and $3,744 for the District Court, both for the period of January 13, 2013, to January 11, 2014, with the option of three one-year renewals and authorized the City Manager to sign all other documents related to this action on behalf of the city.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- Mayor Pro Tem Reid and City Council wished everyone a safe, Merry Christmas and happy holiday season.
- Councilmember Pearson also encouraged everyone to hug their children not once, but twice, whether they have been naughty or nice.

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

DRAFT

CITY COUNCIL MEETING MINUTES FROM DECEMBER 18, 2012

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

At the request of Mayor Pro Tem Reid, Pastor John Moore of the Pathfinder Church of Portage gave an invocation and City Council and the audience recited the Pledge of Allegiance.

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

APPROVAL OF MINUTES: Motion by Urban, seconded by Campbell, to approve the December 4, 2012 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 5 to 0.

* **CONSENT AGENDA:** Mayor Pro Tem Reid asked Councilmember Urban to read the Consent Agenda. Councilmember Pearson asked that Item F.5, Michigan Municipal League Dues, be removed from the Consent Agenda. Motion by Urban, seconded by Campbell, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 5 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 18, 2012:** Motion by Urban, seconded by Campbell, to approve the Accounts Payable Register of December 18, 2012. Upon a roll call vote, motion carried 5 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Ed Halcomb, 9834 Woodlawn Drive, requested that Fire Station No. 3 be manned with firefighters and fire equipment twenty-four hours a day, seven days a week, for the second time, and provided a review of his life experiences as a career firefighter for the City of Portage as support for his contention.

REPORTS FROM THE ADMINISTRATION:

* **PROPOSED TWO-YEAR LABOR AGREEMENT:** Motion by Urban, seconded by Campbell, to authorize the Mayor and City Clerk to execute the two-year replacement labor agreement with the Portage Police Officers Association in accordance with the Act 312 Arbitration Award. Upon a roll call vote, motion carried 5 to 0.

* **HEALTH INSURANCE CONTRACT RENEWALS:** Motion by Urban, seconded by Campbell, to approve one-year contract renewals for employee health insurance offered through Blue Care Network-10 (HMO plan), and Blue Cross Blue Shield of Michigan (PPO-1 and PPO-2 plans); up to a one year contract for PPOA retiree supplemental health insurance through Blue Care Network (Medicare Advantage plan) and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

* **2013 FEE SCHEDULES:** Motion by Urban, seconded by Campbell, to adopt the Proposed 2013 Charges for Documents fee schedule; the recommended fee schedules for recreation programs and park facilities for 2013; the Resolution for Community Development Fees; and the 2013 Special Assessment Rate Resolution and approve the proposed new Arrest Warrant Processing Fee. Upon a roll call vote, motion carried 5 to 0.

DRAFT

* **MARCH BOARD OF REVIEW RESOLUTION:** Motion by Urban, seconded by Campbell, to adopt the Resolution setting the dates and times for the 2013 March Board of Review sessions. Upon a roll call vote, motion carried 5 to 0.

MICHIGAN MUNICIPAL LEAGUE DUES: Councilmember Pearson spoke in favor of the Michigan Municipal League and cited some of its efforts on behalf of municipalities and Portage in Michigan. Discussion followed. Motion by Pearson, seconded by Randall, to authorize payment to the Michigan Municipal League in the amount of $8,554 for year 2013 membership dues. Upon a roll call vote, motion carried 5 to 0.

* **NOVEMBER 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Urban, seconded by Campbell, to receive the communication from the City Manager regarding the November 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 5 to 0.

* **DEPARTMENT MONTHLY REPORTS:** Motion by Urban, seconded by Campbell, to receive the Department Monthly Reports from the various city departments. Upon a roll call vote, motion carried 5 to 0.

COMMUNICATIONS:

TERMINATION OF LEASE FOR 8TH DISTRICT COURT: Mayor Pro Tem Reid deferred to City Manager Maurice Evans, who referenced the District Court Consolidation Agreement of April 1997 with the City and County of Kalamazoo and the elected judges sitting at the time and their successors on the 8th District Court and the 9th District Court that included the South County Court location in Portage. He referenced the communication from Chief Judge Paul J. Bridenstine prompted by the retirement of Judge Carol Husum and Public Act 19 (2012) which mandates that her judicial seat not be filled, the challenge of functioning with one less judge and the proposed closing of the Portage Court location. He pointed out in order for the location to be closed, there has to be a new agreement among the parties and the Administration recommendation is to authorize the City Manager to proceed with negotiations and bring back the terms of any modifications to City Council for consideration and approval.

Next, Mr. Evans reviewed some of the challenges Portage will face such as the Portage Police Officers and the City Attorney staff leaving the city to go downtown to court instead of in the same facility or at least the same city. Discussion followed.

At the request of Mayor Pro Tem Reid at the behest of Councilmember Campbell, Chief Judge Paul J. Bridenstine answered questions about which municipalities utilized the services of the Portage Court location and the percentages of the overall civil and criminal cases in the County heard at the Portage location. Discussion followed. Judge Bridenstine indicated that he and the other elected judges have analyzed case assignments for the County on the basis of efficiency and service to the greater community and determined the best approach is to move all cases to the two downtown locations and close the Portage location. Discussion followed.

In answer to Councilmember Randall, Judge Bridenstine explained how the case load will increase approximately 15% per judge as it will now be handled by only six judges instead of seven as a result of the passage of Public Act 19 (2012) by the State Legislature, who based their decision upon a State Court Administrative Office Judicial Resources recommendation. Judge Bridenstine explained that this is not the first time that the closing of the Portage location has been considered over the last fifteen years and that he defended leaving it open each time it came up because he felt it would be a disservice to the community to close it. However, he indicated that the dynamics have changed owing to cost for the service and the case load shift from seven judges to six judges that he now faces. Discussion followed.

In answer to Councilmember Urban, Judge Bridenstine explained the case assignment logistics and the problems this causes for the efficiency of the judges. Discussion followed.

In answer to Mayor Pro Tem Reid, Judge Bridenstine explained the scheduling and systems in place that save time for police officers, attorneys and court personnel and the plans for future use of technologies that will facilitate the process even further and explained.

In answer to Councilmember Pearson, Judge Bridenstine explained it is a delicate balance to keep a judge busy all day, with the exception of arraignments, and pointed out that Judge Robert Kropf already spends 30% of his time at the downtown location. He also pointed out that to require people north of Kilgore Road with minimal transportation to go to the South County location in order to preserve easier access (for the South County taxpayers) would very much compromise citizens north of Kilgore Road "getting good service."

Councilmember Pearson quantified some of the facts regarding the effects of the lowered number of Judges on the population of Kalamazoo County; cited the expectation of customer service for South County taxpayers; indicated he was in favor of intergovernmental cooperation and consolidation; and pointed out that in any analysis of the closure of the Portage Court location, there is added cost to the City of Portage. He cited a lowered response time since some police officers would be out of the city, increased cost to the City Attorneys, increased equipment cost and the elimination of a highly efficient court operation that provides good customer service. He then asked what is the financial benefit to Kalamazoo County. Judge Bridenstine directed Councilmember Pearson to the County (Commissioners) to determine impacts on the Court Budget. He listed facility expenses and the possible elimination of some Deputy Sheriff and/or staff positions as the only perceived savings, but emphasized from his perspective, the case load remains the same. He offered the option utilized by the City of Kalamazoo to prosecute fewer cases by deferring to the State Prosecutor to prosecute matters that are also covered under State statute which results in fewer city police officers being required to appear in court. He also offered the option of discussing the matter with jurisdictions north of Kilgore Road to determine the relative efficiency of the downtown court system as the City of Portage and South County jurisdictions would be added to that system.

In answer to Mayor Pro Tem Reid, Judge Bridenstine indicated that it would take a few days to move the staff, but he needs it to happen relatively soon because he has to schedule cases and envisioned the beginning of March as the probable time for the move. In answer to Councilmember Urban, Judge Bridenstine indicated that Judge Carol Husum has announced her retirement effective February 28, 2013, and explained. Discussion followed.

Councilmember Urban echoed all of the concerns already discussed and expressed a further concern that the proposed motion presupposes that the Portage Court location will close, that he desired more information and investigation, and that he had a new concern with the time it will take the City of Portage Police Officers to apply for warrants as this had not been considered until tonight by him because he had not been in any of the prior meetings on this matter. Discussion followed.

Motion by Pearson, seconded by Campbell, to receive the communication from Kalamazoo County 8th District Court Chief Judge Paul J. Brindenstine dated November 30, 2012, regarding the proposed closure of the 8th District Court South location and not refer the request from the Kalamazoo County District Court at this time to modify the District Court Consolidation Agreement to the City Manager with authorization to negotiate the terms of the modification. Discussion followed.

Motion by Pearson, seconded by Campbell, to modify the motion to read: to receive the communication from Kalamazoo County 8th District Court Chief Judge Paul J. Brindenstine dated November 30, 2012, regarding the proposed closure of the 8th District Court South location and refer the communication to the City Manager for further discussion, investigation and a report back to City Council. Upon a roll call vote, motion carried 5 to 0.

CITY OF PORTAGE 50TH ANNIVERSARY EVENTS RECOMMENDATION: At the request of Mayor Pro Tem Reid, City Manager Maurice Evans explained that Items G.2, G.3 and G.4 are the direct result of the request by City Council that the Advisory Boards and Commissions consider how they could help and to provide suggestions on how to commemorate the 50th Anniversary of the City of Portage. He indicated that the Park Board had nothing to offer at this time, but the Historic District Commission recommended that City Council support and recommend the Historic District Commission development of a self-guided historic site/trails tour, as well as production of Portage and Its Past by Grace Potts in electronic format and that it be made available on the Portage City website for the 2013 calendar year. He also indicated that the Planning Commission asked for support of the idea of a "pass book" to recognize and support local businesses and to establish a subcommittee to identify the operational details of the activity and to report back to City Council with their ideas. Discussion followed.

Motion by Campbell, seconded by Randall, to receive the report from the Historic District Commission regarding the potential of a tour of Portage historic homes and Train Barn open house in recognition of the city's 50th Anniversary. Discussion followed. Motion by Campbell, seconded by Randall, to indicate that we (City Council) want the Historic District Commission to move forward with their plan. Discussion followed. Upon a roll call vote, motion carried 5 to 0.

CITY OF PORTAGE 50TH ANNIVERSARY: Motion by Urban, seconded by Campbell, to receive the report from the Park Board regarding the possibility of a community art competition in recognition of the city's 50th Anniversary. Discussion followed. Upon a roll call vote, motion carried 5 to 0.

CITY OF PORTAGE 50TH ANNIVERSARY CELEBRATION – RECOGNITION OF PORTAGE BUSINESSES: Motion by Urban, seconded by Campbell, to receive the report from the Planning Commission and authorize them to proceed with the idea in the report of forming a subcommittee that can establish operational details of that activity; and to communicate to them that staff time is not available to support this activity. Upon a roll call vote, motion carried 5 to 0.

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

Portage Historic District Commission of October 3 and November 7, 2012.
Portage Human Services Board, November 1, 2012.
Portage Park Board of November 7, 2012.
Portage Youth Advisory Committee of November 11, 2012.
Portage Zoning Board of Appeals of November 12, 2012.

AD HOC COMMITTEE REPORT:

AD-HOC PROPERTY COMMITTEE REPORT: Councilmember Campbell reported on the two items before the ad hoc property committee on December 13, 2012, and indicated that because there was no quorum the matter of 10323 Archwood Drive was not discussed, but will be discussed in January 2013. She indicated that City Manager Maurice Evans and Community Development Director Vicki Georgeau were able to provide more information regarding the proposed sale to the city of the property at 117 East Centre Avenue owned by Roger L. Schiefler. She offered the recommendation of the Property Committee in the form of a motion, seconded by Councilmember Urban, to authorize the

City Manager to negotiate with Mr. Scheifler to offer an amount to purchase the property at 117 East Center Avenue and, if an agreement is reached, then have the City Manager order a Phase I Environmental Study and an appraisal of the property. Discussion followed. Mayor Pro Tem Reid asked City Attorney Randy Brown if purchasing the property for future development was enough of a public purpose to allow the city to purchase the property, and Mr. Brown answered in the affirmative and noted that the motion should reflect that the purchase agreement should come before City Council before the City Manager orders the Phase I Environmental Study of the property or before due diligence is initiated. Both Councilmember Campbell and Urban agreed to incorporate this in the motion. Upon a roll call vote, motion carried 5 to 0.

BID TABULATION:

* **CONTRACT APPROVAL – COMPREHENSIVE JANITORIAL SERVICES:** Motion by Urban, seconded by Campbell, to approve the low bids for comprehensive janitorial services submitted by New Fresh Cleaning Services in the amount of $16,560 for the Police Division Building, and LaCosta Facility Support Services in the amount of $13,212 for City Hall, $19,764 for the Parks, Recreation and Public Services Building, $6,780 for the Senior Center and $3,744 for the District Court both for the period of January 13, 2013, to January 11, 2014, with the option of three one-year renewals, and authorize the City Manager to sign all other documents related to this action on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL: Mayor Pro Tem Reid and City Council wished everyone a Merry Christmas and a safe and happy holiday season.

Councilmember Pearson also encouraged everyone to hug their children not once, but twice, whether they have been naughty or nice.

ADJOURNMENT: Mayor Pro Tem Reid adjourned the meeting at 8:59 p.m.

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James R. Hudson, City Clerk

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

CITY OF PORTAGE **COMMUNICATION**

TO: Honorable Mayor and City Council **DATE:** January 3, 2013

FROM: Maurice S. Evans, City Manager

SUBJECT: Accounts Payable Register

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of January 8, 2013 as presented.

Attached please find the Accounts Payable Register for the period December 9, 2012 through December 30, 2012, which is recommended for approval.

c: Daniel S. Foecking, Finance Director

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
12/11/2012	283431	TOY BOX STORAGE	3208	1,745.10
12/14/2012	283432	Brett N. Rodgers, Trustee	999999	138.46
12/20/2012	283433	A I S CONSTRUCTION EQUIP. CO.	640	6,542.49
12/20/2012	283434	AT&T	849	7,247.98
12/20/2012	283435	A T & T LONG DISTANCE	4060	9.44
12/20/2012	283436	A-1 SIGNS	2873	59.75
12/20/2012	283437	ADVANCED ALLERGY & ASTHMA CARE	999999	208.76
12/20/2012	283438	AERNIE, JOAN M.	999999	602.92
12/20/2012	283439	AIRGAS GREAT LAKES	106	379.23
12/20/2012	283440	ALL-PHASE ELECTRIC SUPPLY CO.	108	620.28
12/20/2012	283441	AMERFIRST FINANCIAL CORP	999999	849.51
12/20/2012	283442	AMERICAN MESSAGING	3718	530.31
12/20/2012	283443	ANY CUTTING & WELDING	3347	140.00
12/20/2012	283444	APPLIED INDUSTRIAL TECHNOLOGIE	1944	260.80
12/20/2012	283445	AQEEL, AHMED & HUMAIRA	999999	4,654.08
12/20/2012	283446	TODD ARBANAS ENTERPRISES INC.	1704	1,030.00
12/20/2012	283447	ARROWHEAD SCIENTIFIC, INC.	3744	154.04
12/20/2012	283448	ATTORNEY'S TITLE AGENCY LLC	999999	116.14
12/20/2012	283449	AUTOMATIC MICROFILMING CO.	863	8,578.21
12/20/2012	283450	BAC TAX SERVICES CORP	999999	501.10
12/20/2012	283451	BAC TAX SERVICES CORPORATION	999999	1,794.37
12/20/2012	283452	BAILEY CONTRACTORS INC., ROBER	771	3,000.00
12/20/2012	283453	BANK OF NEW YORK MELLON	3939	600.00
12/20/2012	283454	BARTHOLOMEW HEATING AND COOLIN	999999	125.00
12/20/2012	283455	BECKER ARENA PRODUCTS, INC.	2087	774.37
12/20/2012	283456	BEST WAY DISPOSAL, INC.	142	450.00
12/20/2012	283457	BILL'S LOCK SHOP, INC.	146	876.00
12/20/2012	283458	BLUE CROSS/BLUE SHIELD OF MICH	642	90,763.06
12/20/2012	283459	BMI	999999	320.00
12/20/2012	283460	BORGESS HEALTH ALLIANCE	151	90.00
12/20/2012	283461	BREAD OF LIFE, LLC	4729	98.90
12/20/2012	283462	BRINK'S, INC	153	262.73
12/20/2012	283463	BROWNELL'S INCORPORATED	2677	497.55
12/20/2012	283464	FENNEMA ENTERPRISES, LLC	4645	310.00
12/20/2012	283465	BURCHETT, LAWRENCE & ROSETTA	999999	61.81
12/20/2012	283466	BYHOLT INC.	68	1,140.66
12/20/2012	283467	C C I SOUTH, INC.	4842	791.14
12/20/2012	283468	C T S TELECOM, INC.	4768	674.17
12/20/2012	283469	CARTER, ELWYN S & JACQUE J	999999	273.31
12/20/2012	283470	CASWELL, CHARLES & LAUREL	999999	1,316.24
12/20/2012	283471	CHARTER COMMUNICATIONS	3080	150.63
12/20/2012	283472	CHICAGO TITLE OF MICHIGAN	999999	1,099.77
12/20/2012	283473	CITY OF KALAMAZOO (TRANS MILLA	4649	551.31
12/20/2012	283474	CITY OF KALAMAZOO TREASURER	540	129.48
12/20/2012	283475	CITY OF PORTAGE	177	2,184.07
12/20/2012	283476	CLEAN EARTH ENVIRONMENTAL SERV	1821	2,285.00
12/20/2012	283477	COCA COLA COMPANY	999999	1,582.62
12/20/2012	283478	COMFORT KEEPERS	999999	175.37
12/20/2012	283479	CONSUMERS ENERGY	743	39,233.80
12/20/2012	283482	CONSUMERS ENERGY-BILL PMT CNT	189	64,547.22
12/20/2012	283483	CORELOGIC	999999	4,393.27

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
12/20/2012	283484	CRAMPTON, DONALD P & DONNA R	999999	835.64
12/20/2012	283485	CREATIVE SERVICES OF NEW ENGLA	4833	195.95
12/20/2012	283486	DATA CONSTRUCTS LLC	4741	97.95
12/20/2012	283487	DAY, CONNIE	999999	2,399.76
12/20/2012	283488	DENNY'S SAW CRIB	689	953.45
12/20/2012	283489	DENOOYER BROTHERS, INC.	210	62.91
12/20/2012	283490	DEPATIE FLUID POWER CO., INC.	211	1,893.66
12/20/2012	283491	DEVON TITLE AGENCY	999999	18.28
12/20/2012	283492	DOAN, BENNY T	999999	1,947.08
12/20/2012	283493	DOSTER, KYLE	532	143.05
12/20/2012	283494	DUCHARME, MCMILLEN & ASSOC INC	999999	70.97
12/20/2012	283495	ECHELBARGER, HIMEBAUGH, TAMM &	4664	525.00
12/20/2012	283496	EMERGENCY VEHICLE PRODUCTS	2948	22,054.11
12/20/2012	283497	ERVIN, HOLLY	999999	100.00
12/20/2012	283498	ESTATE OF CLARENCE PETERS	999999	678.10
12/20/2012	283499	EVANS JR, MAURICE & CAROLE	999999	2,043.43
12/20/2012	283500	FAWLEY OVERHEAD DOOR, INC.	690	299.00
12/20/2012	283501	FELDER COMMUNICATIONS GROUP, I	3025	1,668.85
12/20/2012	283502	FERRIS BLDG SVC./PORTAGE GLASS	999999	40.45
12/20/2012	283503	FLETCHER ENTERPRISES	1399	1,600.00
12/20/2012	283504	GALL'S, AN ARAMARK COMPANY	25	15.69
12/20/2012	283505	GOVERNMENT FINANCE OFFICERS AS	41	150.00
12/20/2012	283506	GRAHAM FORESTRY SERVICE, INC.	464	1,440.00
12/20/2012	283507	GRAND HAVEN CIRCUIT COURT	999999	400.00
12/20/2012	283508	GRIFFIN PEST CONTROL, INC.	598	220.00
12/20/2012	283509	GUARDSTAR CORP.	4755	225.00
12/20/2012	283510	GUEST SERVICES, INC.	3526	167.32
12/20/2012	283511	HARGIE, BEVERLY	999999	100.00
12/20/2012	283513	HOME DEPOT	691	2,069.84
12/20/2012	283514	HONOR CREDIT UNION	999999	4,595.83
12/20/2012	283515	I-O CONNECTIONS	4834	723.00
12/20/2012	283516	IERVOLINA, SUSAN	2074	192.00
12/20/2012	283517	THE IRRIGATOR	2047	3,279.32
12/20/2012	283518	J-AD GRAPHICS, INC	4444	1,528.00
12/20/2012	283519	JANN'S NETCRAFT, LLC	4840	75.45
12/20/2012	283520	KAL COUNTY FIRE CHIEFS ASSOC.	1036	225.00
12/20/2012	283521	KALAMAZOO COUNTY TREASURER	514	7,001.59
12/20/2012	283522	KALAMAZOO LANDSCAPE SUPPLIES	90	126.60
12/20/2012	283523	KALAMAZOO OIL COMPANY	4511	291.96
12/20/2012	283524	KALAMAZOO REGIONAL CHAMBER	3499	499.00
12/20/2012	283525	KEALA, TRICIA	532	271.20
12/20/2012	283526	KEYSTONE COMMUNITY BANK	999999	1,308.96
12/20/2012	283527	KLOSTERMAN DISTRIBUTING	3805	1,025.18
12/20/2012	283528	KUIPER BROTHERS MOVING INC.	1066	183.00
12/20/2012	283529	LANGUAGE LINE, INC	1093	36.75
12/20/2012	283530	LAWSON PRODUCTS, INC	240	988.09
12/20/2012	283531	LEMMEN OIL CO.	2595	35,578.31
12/20/2012	283532	LERMA, INC	4156	35.00
12/20/2012	283533	LEWIS PAPER PLACE, INC.	242	.00
12/20/2012	283534	LEWIS PAPER PLACE, INC.	242	34.93
12/20/2012	283535	LONG LAKE LAKE BOARD	1720	8,675.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
12/20/2012	283536	LOWE'S HOME CENTER	2630	304.93
12/20/2012	283537	LYNWELL CORP.	244	155.50
12/20/2012	283538	M & M CUSTOM FABRICATING INC.	4576	24.35
12/20/2012	283539	MARK J GLAZER	999999	2,061.00
12/20/2012	283540	MARKS, WILLIAM R	999999	958.09
12/20/2012	283542	MAURER'S TEXTILE RENTAL SERVIC	4746	322.16
12/20/2012	283543	MCNALLY ELEVATOR CO.	256	105.81
12/20/2012	283544	MENARD'S (WEST MAIN)	4696	2,140.71
12/20/2012	283545	MENARDS, INC	258	4.69
12/20/2012	283546	MI ASSOC. OF CHIEFS OF POLICE	2157	100.00
12/20/2012	283547	MICH MUNICIPAL POLICE & FIRE R	4777	1,052.26
12/20/2012	283548	MICHIAN RECREATION & PARK	999999	335.00
12/20/2012	283549	MICHIGAN LOCAL GOVERNMENT MGT	943	435.00
12/20/2012	283550	MICHIGAN PAVING & MATERIALS CO	3389	545.02
12/20/2012	283551	MICHIGAN PAVING & MATERIALS CO	3389	184,727.63
12/20/2012	283552	MIDWEST CUSTOM EMBROIDERY COMP	613	369.48
12/20/2012	283553	MILLS, DANIEL	532	458.86
12/20/2012	283554	MISS DIG SYSTEM, INC.	279	1,005.40
12/20/2012	283555	MLIVE MEDIA GROUP	89	31.61
12/20/2012	283556	MULDERS LANDSCAPE SUPPLIES INC	286	16,834.00
12/20/2012	283557	NATIONAL SEMINARS TRAINING	999999	299.00
12/20/2012	283558	NATIVE CONNECTIONS	4818	2,655.00
12/20/2012	283559	NICOLA, ROBERT & MELISSA	999999	59.50
12/20/2012	283560	O'BOYLE-COLWELL-BLALOCK & AS.	860	620.00
12/20/2012	283562	OFFICE DEPOT, INC.	1721	2,004.83
12/20/2012	283563	OFFICEMAX INCORPORATED	301	948.94
12/20/2012	283564	ONE WAY PRODUCTS	440	1,055.16
12/20/2012	283565	ORYCZCAK, LOIS	999999	852.64
12/20/2012	283566	PARIS CLEANERS	1794	999.45
12/20/2012	283567	PETERS CONSTRUCTION CO.	1638	41,344.70
12/20/2012	283568	PETTY CASH-FIRE	610	174.61
12/20/2012	283569	PETTY CASH-PARKS	536	635.06
12/20/2012	283570	PETTY CASH-POLICE DEPT.	890	458.35
12/20/2012	283571	PETTY CASH-SENIOR CENTER	537	163.27
12/20/2012	283572	POLK & COMPANY, R L	857	850.00
12/20/2012	283573	PRIORITY HEALTH	4254	21,609.17
12/20/2012	283574	PRO-FLEET	3209	564.19
12/20/2012	283575	RATHCO SAFETY SUPPLY, INC.	327	6,705.65
12/20/2012	283576	RELIABLE MANAGEMENT SYSTEMS, I	4354	331.00
12/20/2012	283577	RENEWED EARTH, INC.	4686	7,916.66
12/20/2012	283578	REPUBLIC SERVICES OF WEST MICH	4443	42,442.40
12/20/2012	283579	RIDGE AUTO NAPA	438	4,118.69
12/20/2012	283580	ROOT SPRING SCRAPER CO.	344	105.00
12/20/2012	283581	RYAN REYNOLDS D.C. PLLC	999999	453.38
12/20/2012	283582	SAFE TITLE, INC.	999999	360.38
12/20/2012	283583	SERVICE LINK	999999	41.84
12/20/2012	283584	SIEGFRIED, MARK & PAM	999999	203.73
12/20/2012	283585	SLOCUM ASSOCIATES, INC.	2676	1,800.00
12/20/2012	283586	SMITH, FRANCIS	999999	168.00
12/20/2012	283587	SOMMERFELD, JEFFREY & PAMELA	999999	972.80
12/20/2012	283588	SPRINT	3721	1,070.46

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
12/20/2012	283589	STAP BROS LAWN & LANDSCAPE,INC	366	399.00
12/20/2012	283590	STATE INDUSTRIAL PRODUCTS CORP	2010	190.00
12/20/2012	283591	STATE OF MICHIGAN (DOT)	368	9,532.10
12/20/2012	283592	STATE SYSTEMS RADIO, INC	369	1,225.93
12/20/2012	283593	STEENSMA LAWN & POWER EQUIPMEN	3222	866.58
12/20/2012	283594	SUNDMAN, KATHRYN	999999	1,848.98
12/20/2012	283595	SUNGARD PUBLIC SECTOR	449	605.00
12/20/2012	283596	SUPERIOR ASPHALT, INC.	4183	2,175.00
12/20/2012	283597	SURGERY CENTER OF KALAMAZOO	999999	4,727.05
12/20/2012	283598	SYNERGISTIC ONLINE SOLUTIONS	393	3,110.00
12/20/2012	283599	T D S METROCOM, LLC	4539	3,010.27
12/20/2012	283600	T J M SERVICES	4830	29,040.00
12/20/2012	283601	T-MOBILE USA INC	3665	29.99
12/20/2012	283602	TOO CLEAN JANITORIAL	2220	50.00
12/20/2012	283604	TRACTOR SUPPLY CORP.	2817	1,313.93
12/20/2012	283605	TRUCK & TRAILER SPECIALTIES	639	249.30
12/20/2012	283606	TURK, AAMIR & ZOYA	999999	1,581.66
12/20/2012	283607	UNITED PARCEL SERVICE	545	38.77
12/20/2012	283608	US BANK EQUIPMENT FINANCE	999999	179.53
12/20/2012	283609	WELLS FARGO BANK, N.A.	999999	246.37
12/20/2012	283610	WELLS FARGO REAL ESTATE TAX	999999	687.20
12/20/2012	283611	WHITFIELD, MONICA	999999	687.20
12/20/2012	283612	WIGHTMAN & ASSOCIATES, INC.	425	1,299.75
12/20/2012	283613	WIGHTMAN & ASSOCIATES, INC.	3785	1,078.00
12/20/2012	283614	WIGHTMAN & ASSOCIATES, INC.	4779	3,100.00
12/20/2012	283615	WINDEMULLER ELECTRIC, INC.	3061	2,655.65
12/20/2012	283616	WINGFOOT COMMERCIAL TIRE	2613	1,860.78
12/20/2012	283617	WOLVERINE POWER SYSTEMS	4322	900.00
12/20/2012	283618	DAN WOOD COMPANY	2019	288.06
12/20/2012	283619	WYOMING ASPHALT PAVING CO. INC	1222	114.02
12/20/2012	283620	XEROX CORPORATION	2684	798.46
12/20/2012	283621	10TH DISTRICT COURT	999999	500.00
12/26/2012	283622	GOVERNMENT FINANCE OFFICERS AS	42	435.00
12/27/2012	283623	BEST BUY CO, INC	1573	1,199.96

DATE RANGE TOTAL * 793,989.01 *

ELECTRONIC FUNDS TRANSFER REGISTER

FROM: 12/09/2012 TO: 12/30/2012

PAYMENT NO	VENDOR NO	VENDOR NAME	TRANSFER DATE	AMOUNT	TRACE NUMBER	EFT BATCH	BANK CODE
1618		ABONMARCHE CONSULTANTS, INC	12/20/2012	803.25	072000320000001	0000001	00
1619		ADMIRAL LOCK & KEY SERVICE	12/20/2012	80.00	072000320000002	0000001	00
1620		ALRO STEEL CORPORATION	12/20/2012	163.70	072000320000003	0000001	00
1621		AMERICAN SAFETY & FIRST AID	12/20/2012	148.61	072000320000004	0000001	00
1622		ANDRUS TRAVEL, GAIL	12/20/2012	473.25	072000320000005	0000001	00
1623		ANIMAL REMOVAL SERVICE, LLC	12/20/2012	1,770.00	072000320000006	0000001	00
1624		ASKLER, FITCH AND ASSOCIATES, LLC	12/20/2012	450.00	072000320000007	0000001	00
1625		BATTERIES PLUS	12/20/2012	47.90	072000320000008	0000001	00
1626		BELL EQUIPMENT COMPANY	12/20/2012	1,076.00	072000320000009	0000001	00
1627		BLUE CARE NETWORK-GREAT LAKES	12/20/2012	60,518.02	072000320000010	0000001	00
1628		CONTINENTAL LINEN SUPPLY CO.	12/20/2012	59.48	072000320000011	0000001	00
1629		DELTA DENTAL PLAN OF MI	12/20/2012	18,100.29	072000320000012	0000001	00
1630		EMPLOYMENT GROUP, INC.	12/20/2012	1,968.39	072000320000013	0000001	00
1631		ETNA SUPPLY, INC.	12/20/2012	257.83	072000320000014	0000001	00
1632		HARTFORD LIFE INSURANCE COMPANY	12/20/2012	7,792.93	072000320000015	0000001	00
1633		HI-TECH ELECTRIC CO.	12/20/2012	1,249.63	072000320000016	0000001	00
1634		INDUSCO SUPPLY CO., INC.	12/20/2012	278.52	072000320000017	0000001	00
1635		IRISH AYRES ENTERPRISES, LLC	12/20/2012	980.00	072000320000018	0000001	00
1636		J B PRINTING COMPANY	12/20/2012	4,050.50	072000320000019	0000001	00
1637		KAHN, WILMA	12/20/2012	216.00	072000320000020	0000001	00
1638		KEHOE, EDWARD J	12/20/2012	180.00	072000320000021	0000001	00
1639		KUSHNER & COMPANY, INC.	12/20/2012	536.21	072000320000022	0000001	00
1640		LAND & RESOURCE ENGINEERING & SURVE	12/20/2012	662.60	072000320000023	0000001	00
1641		MCCARTHY SMITH LAW GROUP, PLC	12/20/2012	12,614.80	072000320000024	0000001	00
1642		MEJEUR ELECTRIC LLC	12/20/2012	915.00	072000320000025	0000001	00
1643		MIDLAND ENGINE, INC	12/20/2012	96.11	072000320000026	0000001	00
1644		MORRIS, JOY E	12/20/2012	63.00	072000320000027	0000001	00
1645		PACIFIC TELEMGMT SERVS, JAROTH INC	12/20/2012	303.00	072000320000028	0000001	00
1646		PLEUNE SERVICE COMPANY	12/20/2012	344.80	072000320000029	0000001	00
1647		PORTAGE COMMUNITY CENTER	12/20/2012	339.47	072000320000030	0000001	00
1648		POULIOT, GRETCHEN	12/20/2012	150.00	072000320000031	0000001	00
1649		PRECISION PRINTER SERVICES INC	12/20/2012	903.24	072000320000032	0000001	00
1650		QUALITY AIR HEATING & COOLING, INC.	12/20/2012	83.00	072000320000033	0000001	00
1651		REHMANN GROUP LLC	12/20/2012	3,500.00	072000320000034	0000001	00
1652		ROAD EQUIPMENT PARTS CENTER	12/20/2012	3,160.07	072000320000035	0000001	00
1653		SAFETY SERVICES, INCORPORATED	12/20/2012	590.09	072000320000036	0000001	00
1654		SARCOM, INC	12/20/2012	2,014.58	072000320000037	0000001	00
1655		SCHOOLCRAFT CONCRETE CONSTRUCTION	12/20/2012	2,095.00	072000320000038	0000001	00
1656		TECHNOLOGY SOLUTIONS	12/20/2012	3,511.00	072000320000039	0000001	00
1657		THOMPSON, HELENE	12/20/2012	171.00	072000320000040	0000001	00
1658		UNITED WATER ENVIRONMENTAL SERVICES	12/20/2012	167,775.40	072000320000041	0000001	00
1659		VISION SERVICE PLAN INSURANCE CO	12/20/2012	1,968.47	072000320000042	0000001	00

GRAND TOTAL: 302,461.14 NO. OF CHECKS: 42

CITY OF PORTAGE **COMMUNICATION**

TO: Honorable Mayor and City Council **DATE:** November 26, 2012

FROM: Maurice S. Evans, City Manager

SUBJECT: Rezoning Application #12-01 (9136 Shaver Road)

ACTION RECOMMENDED: That City Council:

a. accept Rezoning Application #12-01 for first reading and set a public hearing for January 8, 2013; and
b. subsequent to the public hearing, consider approving Rezoning Application #12-01 and rezone 9136 Shaver Road to B-3, general business.

An application has been received from Mr. Robert Wiitanen requesting that 9136 Shaver Road be rezoned from I-1, light industry to B-3, general business. According to the applicant, the rezoning is being requested to facilitate redevelopment of the site for a new Mulligans Grill and Sports Bar. In the attached report dated November 9, 2012, the Department of Community Development recommends that 9136 Shaver Road be rezoned to B-3, general business. The rezoning request is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use/zoning pattern. The rezoning will also provide the applicant redevelopment flexibility in areas of site design, building and parking setbacks, signage and visibility.

The Planning Commission convened a public hearing during the November 1 and 15, 2012 meetings. After considering the proposed rezoning, the Planning Commission voted 8-0 to recommend to City Council that Rezoning Application #12-01 be approved consistent with the staff recommendation.

Attachment: Communication from the Department of Community Development

CITY OF PORTAGE COMMUNICATION

TO: Maurice S. Evans, City Manager **DATE:** November 26, 2012

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Rezoning Application #12-01, 9136 Shaver Road

An application has been received from Mr. Robert Wiitanen requesting that 9136 Shaver Road Avenue be rezoned from I-1, light industry to B-3, general business. According to the applicant, the rezoning is being requested to facilitate redevelopment of the site for a new Mulligans Grill and Sports Bar.

The Future Land Use Plan Map component of the Comprehensive Plan identifies the rezoning site, along with properties to the north and south, as being situated within the Shaver Road Business Corridor. The Shaver Road Business Corridor consists of a mixture of land uses with growing/stable industrial uses primarily located along the east side of Shaver Road and a mixture of light industrial and commercial uses and some nonconforming single-family dwellings located along the west side of Shaver Road. The west side of the corridor has experienced significant (re)development activity during the past 10-15 years including the Meijer and Walmart facilities and additional redevelopment is expected in the future. The proposed B-3 zoning district is consistent with the Comprehensive Plan designation for the subject property.

In a report dated November 9, 2012 the Department of Community Development has recommended that Rezoning Application #12-01 be approved and 9136 Shaver Road be rezoned to B-3, general business. The Planning Commission convened a public hearing during the November 1st and 15th, 2012 meetings. The applicant, Mr. Robert Wiitanen, was present at both meetings to support the rezoning application and explains his plans to construct a new Mulligans Grill and Sports Bar. No additional citizens spoke during these meetings and no written communications have been received from the area residents or concerned citizens. At the conclusion of the November 15th meeting, the Commission voted 8-0 to recommend to City Council that Rezoning Application #12-01 be approved consistent with the staff recommendation.

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

Attachments: Planning Commission transmittal dated November 26, 2012
Planning Commission Minutes dated November 1st and 15th, 2012
Department of Community Development report dated November 9, 2012
Ordinance Amendment

s:\commdev\2012-2013 department files\memos\manager\2012 11 26 mse rez 12-01, 9136 shaver road.doc

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: November 26, 2012

SUBJECT: Rezoning Application #12-01, 9136 Shaver Road

The Planning Commission convened a public hearing during the November 1st and 15th, 2012 meetings to consider the rezoning of 9136 Shaver Road from I-1, light industry to B-3, general business. Mr. Robert Wiitanen (owner/applicant) was present at both meetings to support the rezoning application and explain plans to demolish the existing restaurant/bar and construct a new Mulligans Grill and Sports Bar. No additional citizens spoke during the November 1st and 15th meetings and no written communications were received from area residents or interested citizens.

After careful consideration, a motion was made by Commissioner Stoffer, seconded by Commissioner Patterson, to recommend to City Council that Rezoning Application #12-01 be approved and 9136 Shaver Road be rezoned to B-3, general business with a finding that the proposed zoning change is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use/zoning pattern and will provide the applicant redevelopment flexibility in areas of site design, building and parking setbacks, signage and visibility. The motion was unanimously approved.

Sincerely,

James Cheesebro, Chairman
City of Portage Planning Commission

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PLANNING COMMISSION

November 1, 2012

The City of Portage Planning Commission meeting of November 1, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Two citizens were in attendance.

MEMBERS PRESENT:

Wayne Stoffer, Bill Patterson, Miko Dargitz, David Artley, Allan Reiff and James Cheesebro.

MEMBERS ABSENT:

Dave Felicijan.

MEMBERS EXCUSED:

Paul Welch and Rick Bosch.

IN ATTENDANCE:

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

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the October 18, 2012 meeting minutes contained in the agenda packet. A motion was offered by Commissioner Artley, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Preliminary Report: Rezoning Application #12-01, 9136 Shaver Road. Mr. West summarized the preliminary staff report dated October 26, 2012 regarding a request received from Mr. Robert Wiitanen to rezone 9136 Shaver Road from I-1, light industry to B-3, general business. Mr. West stated the rezoning was being requested to facilitate redevelopment of the site for a new Mulligans Grill and Sports Bar. Mr. West discussed the Future Land Use Map designation, surrounding zoning/land use pattern, suitability of the existing I-1 zone and the potential impacts of the proposed B-3 zone. Mr. West also discussed the different building/parking setback requirements in the I-1 and B-3 zones and indicated the applicant desired to redevelop the new Mulligans Grill and Sports Bar under the less restrictive B-3 standards.

Mr. Robert Wiitanen was present to support the rezoning request and explain his plans to redevelop the Mulligans Grill and Sports Bar. Mr. Wiitanen stated the existing restaurant/bar was over 50 years old and it was time to invest in a new, modern establishment. Mr. Wiitanen indicated the proposed B-3 zone allows for more redevelopment flexibility in areas of building setbacks, parking setbacks and signage and will ensure better visibility along Shaver Road. The public hearing was then opened by Chairman Cheesebro. No citizens spoke in regards to the proposed rezoning. After a brief discussion, a motion was made by Commissioner Artley, seconded by Commissioner Reiff, to adjourn Rezoning Application #12-01, 9136 Shaver Road, to the November 15, 2012 meeting. The motion was unanimously approved.

SITE/FINAL PLANS:

None.

DRAFT

plan approval in an effort to save time and move the project forward. In September 2012, Mr. Forth indicated City Council granted both the waiver and extension which included two minor changes to the conceptual plan: 1) Building 3 (a 19,500 square foot retail building) was replaced with the Repertoire Restaurant and a future second building, and, 2) The second floors within Buildings 4 and 5 were eliminated. Commissioners Welch and Bosch asked about the applicant's request to exceed the maximum parking requirement. Mr. Forth reviewed the Zoning Code parking standard for sit-down style restaurants and discussed the uniqueness of the proposed restaurant/jazz-blues club and referred the Commission to the information provided by the applicant regarding the anticipated parking need. Commissioner Dargitz asked for an explanation regarding the elimination of residential land use from the conceptual plan. Mr. Forth stated that residential land use component was not part of the approved conceptual plan but a reference was made by the developer in the 2006 written narrative for possible future residential units on the second floor of some of the commercial buildings.

Mr. Todd Hurley (applicant's engineer) and Mr. Mike Marshburn (original developer, PCL Curtis LLC) were present to support the development project. Mr. Hurley summarized the applicant's need for the additional parking spaces and discussed the collaborative efforts with the MDEQ to enclose the open ditch and improve storm water management. Mr. Hurley stated the entire development includes shared/cross access and shared parking. Mr. Marshburn discussed the original 2006 conceptual plan and the "vision" for possible future residential land use within the project. However, Mr. Marshburn indicated recent changes to the conceptual plan were the result of the changing economy and were necessary to meet market demands and individual user needs. Mr. Marshburn stated the continuation of boulevard accesses, internal sidewalks and connectivity between sites have resulted in a very pedestrian friendly development project. Commissioner Felicijan expressed concern that there may not be enough parking for the proposed use. Commissioner Reiff expressed similar concern, but noted there was area to the west to expand parking, if necessary. Mr. Hurley stated the applicant felt comfortable that the 111 requested parking spaces would be adequate for the use.

The Commission, applicant representatives and staff further discussed parking, access, traffic and changes to the original conceptual plan. After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to approve the Specific Plan for the Repertoire Restaurant, 412 West Centre Avenue, including the request to exceed the maximum parking requirement and construct a total of 111 spaces for the use based on documented evidence provided by the applicant that the additional parking is necessary and will not adversely impact the subject property, surrounding properties or related natural features. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Final Report: Rezoning Application #12-01, 9136 Shaver Road. Mr. West summarized the final staff report dated November 9, 2012 regarding a request received from Mr. Robert Wiitanen to rezone 9136 Shaver Road from I-1, light industry to B-3, general business. Mr. West stated the rezoning was being requested to facilitate redevelopment of the site for a new Mulligans Grill and Sports Bar. Mr. West indicated the rezoning request was consistent with the Future Land Use Map/Comprehensive Plan designations, as well as the surrounding zoning/land use pattern, and was recommended for approval by staff.

Mr. Robert Wiitanen was present to support the rezoning request and explain his plans to redevelop the Mulligans Grill and Sports Bar. Mr. Wiitanen stated his plans were to begin construction in late winter/early spring and have the new restaurant/bar ready in the summer of 2013. The public hearing was reconvened by Chairman Cheesebro. No citizens spoke in regards to the proposed rezoning. A motion was made by Commissioner Welch, seconded by Commissioner Bosch, to close the public hearing. The motion was unanimously approved. After a brief discussion, a motion was made by Commissioner Stoffer, seconded by Commissioner Patterson, to recommend to City Council that Rezoning Application #12-01 be approved and 9136 Shaver Road be rezoned to B-3, general business. The proposed zoning change is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use/zoning pattern and will provide the applicant redevelopment flexibility in areas of site design, building and parking setbacks, signage and visibility. The motion was unanimously approved.

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

TO: Planning Commission **DATE:** November 9, 2012

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Final Report: Rezoning Application #12-01, 9136 Shaver Road

I. INTRODUCTION:

An application has been received from Mr. Robert Wiitanen requesting that 9136 Shaver Road Avenue be rezoned from I-1, light industry to B-3, general business. According to the applicant, the rezoning is being requested to facilitate redevelopment of the site for a new Mulligans Grill and Sports Bar.

Applicant	Property Address	Description	Zoning	
			Existing	Proposed
Robert Wiitanen	9136 Shaver Road	Parcel 00028-110-O	I-1	B-3
One parcel - 1.88 acres				

II. EXISTING CONDITIONS:

Land Use/Zoning	Rezoning Site: Mulligans Grill and Sports Bar (3,914 square foot building), parking lot and associated site improvements that were constructed in 1960. West/South: Vacant land, 9220 Shaver Road, zoned I-1, light industry. North: Nonconforming single family residence and accessory storage, 9126 Shaver Road, zoned I-1, light industry. East: Across Shaver Road, industrial land use zoned I-2, heavy industry.
Zoning/Development History	No rezoning of properties in the surrounding area since adoption of the 2008 Comprehensive Plan. However, significant rezoning did occur further to the north, along the west side of Shaver Road, during the late 1990s and early 2000s. In 1999/2000, several properties located between 8830 and 9010 Shaver Road were rezoned from I-1, light industry to B-3, general business to facilitate the Meijer redevelopment project. In 2002/2003, several properties located between 8250 and 8540 Shaver Road were rezoned from I-1, light industry, B-3, general business and RM-1, multiple family residential to CPD, commercial planned development to facilitate the Walmart redevelopment project.
Historic District/ Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	Shaver Road is designated as a 4-5 lane major arterial with 19,108 vehicles per day (2011); capacity of 32,500 vehicles per day (level of service "D").
Public Utilities	Municipal water and sewer are available.
Environmental	The City of Portage Sensitive Land Use Inventory Map does not identify wetland and/or floodplain areas on the subject site. However, a designated wetland area is identified on the adjacent parcel to the west.

III. PUBLIC REVIEW/COMMENT

The Planning Commission convened a public hearing at the November 1, 2012 meeting. Mr. Robert Wiitanen (applicant/owner) was present to support the rezoning request and explain his plans to redevelop the Mulligans Grill and Sports Bar. Mr. Wiitanen stated the proposed B-3 zone allows for more redevelopment flexibility in areas of building setbacks, parking setbacks and signage and will ensure better visibility along Shaver Road. No additional citizens spoke during the November 1, 2012 public hearing.

IV. FINAL ANALYSIS:

The following analysis has been prepared based on general land use considerations, the Comprehensive Plan, traffic conditions and surrounding development patterns. Issues to be considered are consistency with the Future Land Use Plan Map and Development Guidelines, suitability of the existing zoning classification and the impacts of the proposed zoning classification.

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Plan Map component of the Comprehensive Plan identifies the rezoning site, along with properties to the north and south, as being situated within the Shaver Road Business Corridor. The Comprehensive Plan describes the Shaver Road Business Corridor as a developing corridor that serves as an employment generator and source of production of a variety of products and commercial needs that benefit the city. The Shaver Road Business Corridor consists of a mixture of land uses with growing/stable industrial uses primarily located along the east side of Shaver Road and a mixture of light industrial and commercial uses and some nonconforming single-family dwellings located along the west side of Shaver Road. The west side of the corridor has experienced significant (re)development activity during the past 10-15 years including the Meijer and Walmart facilities and additional redevelopment is expected in the future that will strengthen corridor and provide additional job opportunities. The proposed B-3 zoning district is consistent with the Comprehensive Plan designation for the subject property.

Development Guidelines. The Development Guidelines are intended to be used by the Commission and staff when reviewing private development proposals, infrastructure improvement programs (i.e. public expenditures on streets, sewers and water mains that influence the location, intensity and timing of development) and public programs that affect the physical environment. The guidelines also provide direction and underpinning for regulations that affect land use (e.g. zoning, subdivision, parking, landscaping and others), may suggest incentives to influence community development and preservation and may suggest adjustments to other policies that influence the use of land for consistency with community development objectives. The proposed B-3 zoning district is consistent with applicable development guidelines contained in the Comprehensive Plan (attached).

Suitability of Existing I-1 Zone/Impacts of Proposed B-3 Zone. Both the existing I-1, light industry zone and proposed B-3, general business zone are consistent with the Comprehensive Plan/Future Land Use Map designation for the Shaver Road Business Corridor. The west side of the Shaver Road Business Corridor is intended to include a mixture of light industry and commercial land uses and the existing zoning/land use pattern reflects this arrangement. The subject site and immediately adjacent parcels are zoned I-1, while properties located further to the north and near the southwest corner of Shaver Road and Vanderbilt Avenue are zoned B-3. The I-1 district allows a variety of land uses including manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared materials. The B-3 district allows a variety of retail/commercial land uses that can serve pass-by traffic along major streets and the employment base that exists in the area including general retail, personal service establishments, sit-down and fast-food restaurants, minor auto repair, car washes and motels/hotels.

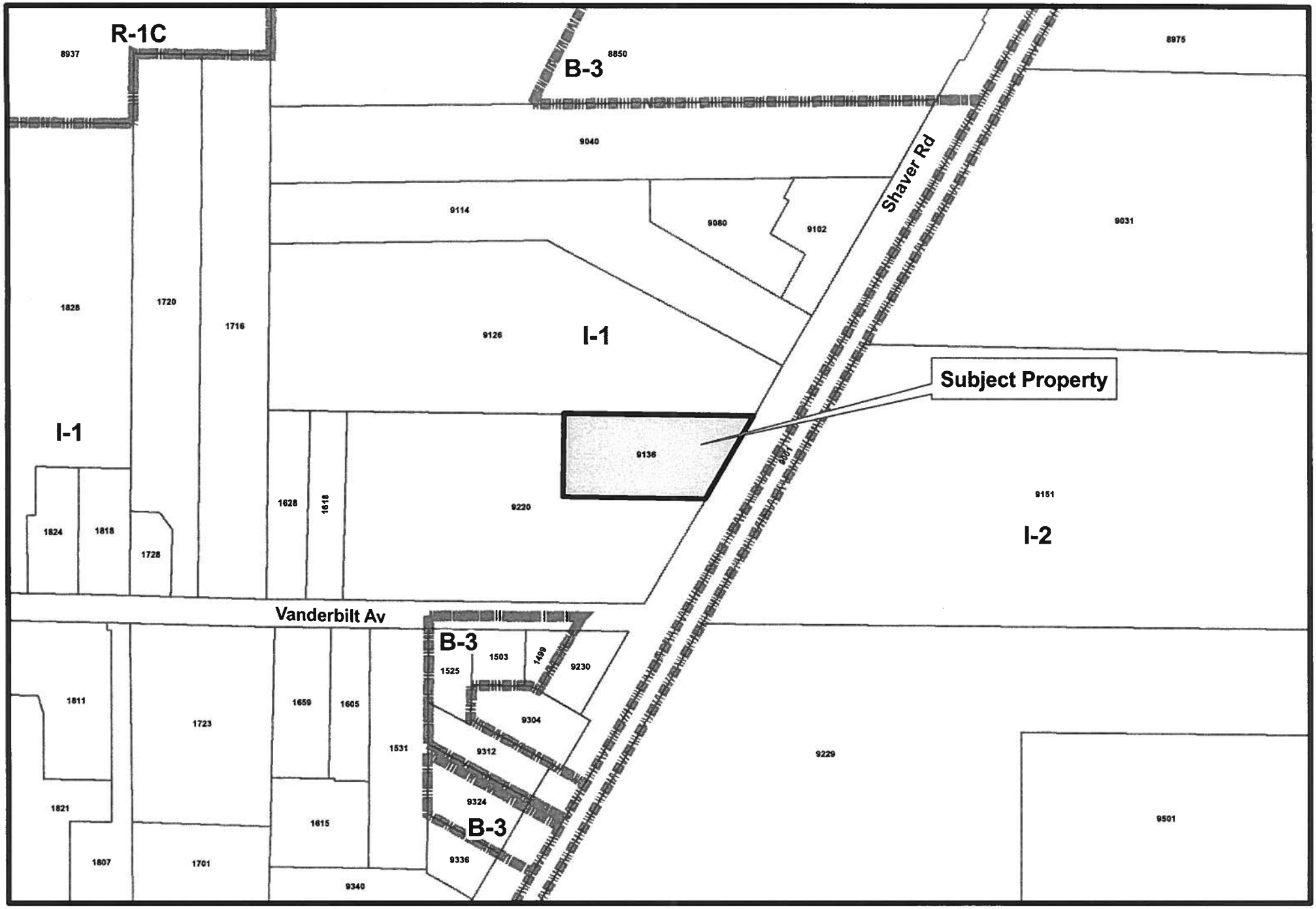
The applicant is requesting the zoning change from I-1 to B-3 to facilitate redevelopment of the site for a new Mulligans Grill and Sports Bar. As information for the Commission, the site has been operated as a restaurant/bar since its original construction in 1960. While the restaurant/bar use at the site is protected as a permitted use in the I-1 zone, the applicant has indicated that redevelopment of a new Mulligans Grill and Sports Bar is less restrictive under the proposed B-3 zone. For example, the minimum front yard building setback in the I-1 district is 75-feet, compared to 30-feet in the B-3 district. Similarly, the minimum front yard parking setback in the I-1 district is 50-feet, compared to 10-feet in the B-3 district. The lesser building/parking setback requirements under the proposed B-3 zone provide more redevelopment options and flexibility for the applicant.

Traffic Considerations. Under either the existing I-1 zone or proposed B-3 zone, the 1.88 acre property could accommodate an approximate 20,500 square foot building based on 25% lot coverage. While traffic generation from such a development would vary based upon the specific use(s) of the site, any additional traffic generation resulting from a zoning change to B-3 can be accommodated by the adjacent roadway network. When Shaver Road was reconstructed as a 4-5 lane boulevard street in 2004, consideration was given to future commercial/industrial growth and development along the corridor. Shaver Road is currently operating at less than 60% capacity with approximately 19,108 vehicles per day travelling the corridor (capacity of 32,500 vehicles per day – level of service "D"). Specific access management related issues including proposed access location, shared and/or cross access will be reviewed during the site plan stage of redevelopment.

V. RECOMMENDATION:

Subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #12-01 be approved and 9136 Shaver Road be rezoned to B-3, general business. The proposed zoning change is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use/zoning pattern and will provide the applicant redevelopment flexibility in areas of site design, building and parking setbacks, signage and visibility.

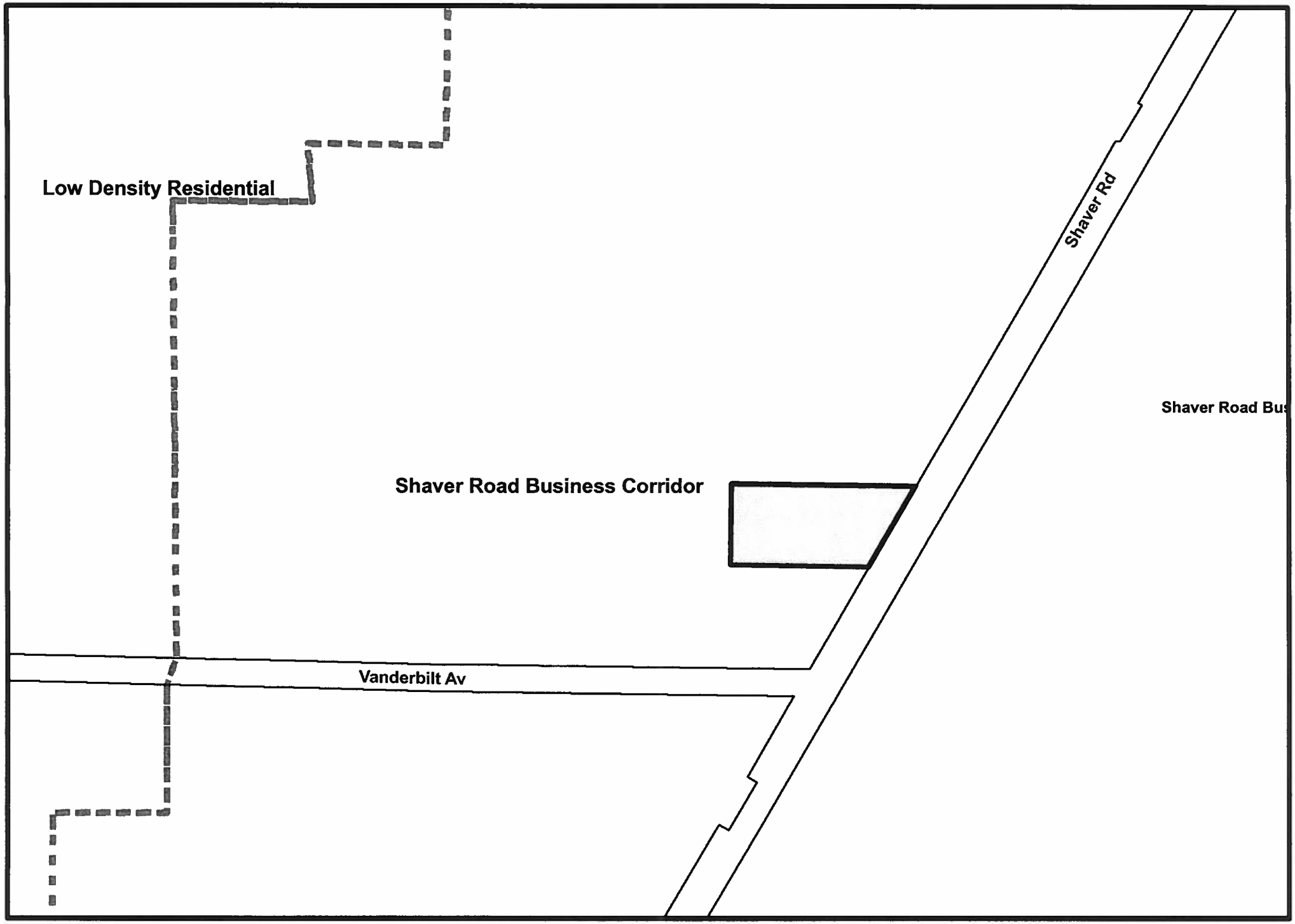
Attachments:
- Zoning/Vicinity Map
- Future Land Use Map
- Aerial Photograph Map
- Development Guidelines (B-3)
- Rezoning Application



Zoning Boundary
Subject Properties
300' Notification Boundary

Rezoning #12-01
9136 Shaver Road

1 inch = 300 feet



Future Land Use
Subject Properties

Future Land Use Map
9136 Shaver Road

1 inch = 300 feet

Aerial Photo
9136 Shaver Road

Subject Property

1 inch = 100 feet

DEVELOPMENT GUIDELINES
Rezoning Application #12-01 (B-3, General Business)

Guideline	Description	Consistent	Comments
Rezoning Requests Z-1	Consistency with Future Land Use Plan	**Yes**	Future Land Use Map designates 9136 Shaver Road, as well as properties to the north and south, as being situated within the Shaver Road Business Corridor with light industrial uses located along the east side of Shaver Road and a mixture of light industrial and commercial uses located along the west side of Shaver Road.
Commercial – 1	Coordinated Development	**Yes**	While a coordinated commercial expansion and/or redevelopment project is not currently planned for the rezoning site, future commercial development will include coordinated site design such as shared and cross access and pedestrian circulation.
Commercial – 2	Commercial/Office Uses in General	**Yes**	The rezoning is being requested to facilitate redevelopment of the Mulligan Grill and Sports Bar consistent with other commercial redevelopments within the Shaver Road Business Corridor.
Commercial – 3	Local Business Uses	**N/A**	Rezoning site is not situated within an area designated for local or neighborhood commercial uses.
Commercial – 4	Regional and General Commercial Uses	**Yes**	Rezoning site is situated along the west side of the Shaver Road Business Corridor where a mixture of light industrial and commercial land uses is planned. Property has frontage on Shaver Road and access will be obtained through this major arterial street.
Commercial – 5	Portage Commerce Square	**N/A**	Rezoning site is not situated within the Portage Commerce Square.
Commercial – 6	Office/Commercial Site Design	**Yes**	Site design issues including pedestrian circulation, shared/cross access, storm water management, building location, screening and buffering will be reviewed at site plan stage of development.
Natural & Historic Resources - 1	Environmental Protection	**Yes**	City of Portage Sensitive Land Use Inventory does not identify wetland/floodplain areas on the subject property, however, designated wetland areas are identified on adjacent parcel to west.
Natural & Historic Resources - 2	Floodplain	**Yes**	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	**Yes**	Storm water system will be reviewed at the site plan stage of development.
Natural & Historic Resources – 4	Noise	**Yes**	Site design issues including noise associated with the proposed B-3 zoning district reviewed at the site plan stage of development.
Natural & Historic Resources – 5	Historic Resource Preservation	**Yes**	The rezoning site does not contain any historic buildings and is not situated within an established historic district.

Transportation – 1	Transportation Systems	**Yes**	Shaver Road is a 4-5 lane major arterial roadway with 19,108 vehicles per day (2011) and a capacity of 32,500 vehicles per day. While anticipated traffic generation can be accommodated, issues associated with shared/cross access will be reviewed at the site plan stage of development consistent with the City of Portage Access Management Ordinance.
Transportation – 2	Street Design	**Yes**	Subject property has frontage on Shaver Road and coordinated access design issues including shared/cross access will be reviewed at the site plan stage of development.
Transportation – 3	Access Management	**Yes**	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	**Yes**	Specifics associated with the inclusion of walkways and pathways will be reviewed at the site plan stage of development.
Transportation – 5	Right-of-Way Preservation	**Yes**	Reviewed at the site plan stage of development.
Transportation – 6	Parking	**Yes**	Reviewed at the site plan stage of development.
Municipal Facilities & Services – 2	Sanitary Service	**Yes**	Sanitary sewer is available.
Municipal Facilities & Services –3	Underground Utilities	**Yes**	Reviewed at the site plan stage of development.

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

RECEIVED
OCT 09 2012
COMMUNITY DEVELOPMENT

APPLICATION FOR ZONING AMENDMENT

Application number 12-1

Date October 9, 2012

APPLICATION INFORMATION:

Meetings of the Portage Planning Commission are held on the first and third Thursday of each month at 7:00 p.m. in the Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. All zoning amendment applications must be properly filled out and submitted to the Department of Community Development and the zoning amendment fee paid at least 15 working days prior to the meeting at which the public hearing is held. The applicant will be notified in writing of all such public hearing/meetings.

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 2, Subdivision 2.

TO THE PLANNING COMMISSION:

I (WE), the undersigned, do hereby respectfully make application and petition the Portage Planning Commission to amend the Zoning Ordinance and/or change the Zoning Map as hereinafter requested. In support of this application, the following is submitted:

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at 9136 Shaver Rd between Centre Street and Van Dan Bilt Street on the West side of the street, and is known as Lot Number(s) _____ of _____ Plat (Subdivision). It has a frontage of 200' feet and a depth of 410' feet.

b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number).

_____

_____

_____

2. a. Do you own the property to be rezoned? Yes X No _____

b. Name of the owner of the property to be rezoned: Robert + Tiffany Wiitanen

Address 29506 Heritage Ln. Paw Paw, Mi 49079

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: We are current owners of this property. We would like to construct a new 100' x 60' Box + Hull + remove existing structure.

4. CURRENT ZONING: I - 1 PROPOSED ZONING: B - 3

ZONING TEXT AMENDMENT

1. The proposed language to be considered is (attach additional sheets as necessary):

2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.

3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.

We attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such amendment will advance the public health, safety and welfare. An assessment of the impact of the proposal on the community and property of other persons in the vicinity of the amendment or affected by the amendment is also attached.

(Signature of Applicant) (Signature of Applicant)

29506 Heritage Ln.
(Address) (Address)

269-370-0942
(Phone) (Phone)

A copy of all actions taken regarding this application shall be attached and shall be considered a part of this application.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING ARTICLE 4 OF CHAPTER 42, LAND DEVELOPMENT REGULATIONS OF THE CODIFIED ORDINANCES OF PORTAGE, MICHIGAN

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Section 28, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

Street Address	Parcel ID Number
9136 Shaver Road	00028-110-O

From I-1, light industry to B-3, general business.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

_____
Peter J. Strazdas, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I 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 _____, 2012.

_____
James R. Hudson, City Clerk

(App #12-01)

Approved as to Form:
Date: 11/26/12
By: _____
City Attorney

ADOPTION OF ZONING ORDINANCE
CITY OF PORTAGE, MICHIGAN
NOTICE

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was adopted by the City Council at a regular meeting held on the _____ day of _____, 2012, and will become effective _____, 2012.

NOTICE IS FURTHER GIVEN that Article 4 (Zoning) of Chapter 42, Land Development Regulations, of the Codified Ordinance of Portage, Michigan, has been amended as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Section 28, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

Street Address	Parcel ID Numbers
9136 Shaver Road	00028-110-O

From I-1, light industry to B-3, general business.

PLEASE TAKE NOTICE that a copy of the Ordinance as amended may be purchased or inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. Further, a copy of a map showing the property rezoned is also available at the time and days noted above.

Dated: _____

_____
James R. Hudson, City Clerk

(App #12-01)

FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2012, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2012, at 7:30 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Section 28, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

Street Address	Parcel ID Numbers
9136 Shaver Road	00028-110-O

From I-1, light industry to B-3, general business or any other classification allowed by law.

PLEASE TAKE FURTHER NOTICE that if the owners of at least twenty percent (20%) of the area of land included in the proposed zoning change, or if the owners of at least twenty percent (20%) of the area of land included within an area extending outward one hundred feet (100') from any point on the boundary of the land included in the proposed change, excluding public right-of-way or other publicly owned land, file a written protest petition against the proposed amendment presented to the City Council before final legislative action on the amendment, a two-thirds vote of the City Council will be required to pass the amendment.

Dated: _____

_____
James R. Hudson, City Clerk

(App #12-01)

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CITY OF PORTAGE **COMMUNICATION**

TO: Honorable Mayor and City Council **DATE:** January 3, 2013

FROM: Maurice S. Evans, City Manager

SUBJECT: Michigan Department of Transportation Contract – Mall Drive Project (Constitution Boulevard to South Westnedge Avenue)

ACTION RECOMMENDED: That City Council:

a. approve Contract 12-5589 between the Michigan Department of Transportation and the City of Portage concerning funding for street improvements on Mall Drive, from Constitution Boulevard to South Westnedge Avenue;
b. approve an engineering services contract with Abonmarche Consultants, Incorporated, for construction inspection and administration for street improvements on Mall Drive, from Constitution Boulevard to South Westnedge Avenue, in the not to exceed amount of $39,750;
c. adopt a Resolution authorizing the City Manager to sign Contract 12-5589; and

authorize the City Manager to sign all other documents related to the Michigan Department of Transportation and the consultant contracts for this project on behalf of the city.

The City Administration recently received a proposed contract between the Michigan Department of Transportation (MDOT) and the City of Portage concerning planned improvements on Mall Drive from Constitution Boulevard to South Westnedge Avenue. The planned improvements include milling existing asphalt pavement, new asphalt pavement, pedestrian signal improvements as well as *American With Disabilities Act* sidewalk upgrades.

The Transportation Improvement Plan (TIP) is administered by the Kalamazoo Area Transportation Study (KATS). The 2011 – 14 TIP includes the Mall Drive project as part of the 2013 Construction Program. Mall Drive was last reconstructed in 2000 which included widening to five lanes, new concrete curbs and gutters, asphalt pavement resurfacing and sidewalks installed on both sides of the street.

Both KATS and MDOT have approved the Mall Drive project (Constitution Boulevard to South Westnedge Avenue) for federal funding. The cost of all planned improvements related to the Mall Drive project (Constitution Boulevard to South Westnedge Avenue) is estimated at $368,900 with a maximum federal funding contribution of $236,000. The city share of the project cost is estimated at $132,900 which will be funded through the Municipal Street fund.

It has been MDOT's policy over the years to submit cost sharing agreements to local municipalities once the project has been advertised for construction bids. MDOT cannot award a construction contract without a signed cost sharing agreement from the local municipality. The city share of expenses is based on estimated construction costs developed by the consulting engineer and refined by MDOT staff engineers.

Once the contract is awarded by MDOT, construction of this project will commence in the summer of 2013. Subsequent to contract award by MDOT, the project is turned over to the city for construction inspection and administration. Due to the high volume of commercial traffic on this section of road, much of the planned construction will be performed during the evening hours from 9 p.m. to 6 a.m.

Necessary plans, specifications and a MDOT program application for this project on behalf of the city was completed by Abonmarche Consultants, Incorporated. To maintain continuity from design to construction inspection and administration, city staff requested a cost proposal from the same consultant to perform necessary construction inspection, administration and reporting, as required by MDOT and the Federal Highway Administration. The cost proposal in the amount of $39,750 was received and is considered to be reasonable and appropriate for the required work. The performance of Abonmarche Consultants, Incorporated, has been excellent on other recently completed city projects. Funds for this work have been budgeted in the Fiscal Year 2012-13 Capital Improvement Program.

It is recommended that City Council approve Contract 12-5589 between the Michigan Department of Transportation and the City of Portage for street improvements on Mall Drive (Constitution Boulevard to South Westnedge Avenue); approve an engineering services contract with Abonmarche Consultants, Incorporated, in the not to exceed amount of $39,750; adopt a Resolution authorizing the City Manager to sign Contract 12-5589 and authorize the City Manager to sign all other documents related to the Michigan Department of Transportation and consultant contracts for this project on behalf of the city.

Attachment - Resolution

CITY OF PORTAGE

RESOLUTION

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the _____ day of _____, 2013 at 7:30 p.m., local time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Councilmember _____ and seconded by Councilmember _____.

RESOLVED, that the City Council for the City of Portage does hereby authorize the City Manager, Maurice S. Evans, to sign Contract 12-5589 between the City of Portage and the Michigan Department of Transportation. This contract is for pavement milling, asphalt paving, pavement markings, sidewalk ramp improvements to ADA specifications and other necessary related work, located within the corporate limits of the city.

ADOPTED: YEAS:

NAYS:

ABSENT:

_____

James R. Hudson, City Clerk

CERTIFICATION

I hereby certify this _____ day of _____, 2013 that the foregoing is a true and complete copy of the original on file in my office.

_____

James R. Hudson, City Clerk

resolution mall 12-5589

APPROVED AS TO FORM
DATE 12/28/12
CITY ATTORNEY

CITY OF PORTAGE **COMMUNICATION**

TO: Honorable Mayor and City Council **DATE:** January 3, 2013

FROM: Maurice S. Evans, City Manager

SUBJECT: 2010 Census Liquor License – Consideration of Conditional Approval for The Repertoire Coffee House and Theater, Inc.

ACTION RECOMMENDED: That City Council grant Conditional Approval of the 2010 Census Liquor License, above all others, to the Repertoire Coffee House and Theater, Inc., subject to obtaining the necessary permits, approvals and commencement of construction within six months and completion of the restaurant not more than one year after issuance of applicable building permits.

Attached is a communication and related information from Theophlis and Diana Duckett of the Repertoire Coffee House and Theater, Inc. (Repertoire) requesting Conditional Approval of their application for the 2010 Census Liquor License. On June 26, 2012, the Repertoire was selected for consideration of Conditional Approval for a proposed 5,800 square foot Cajun/Creole restaurant that will host live Blues/Jazz music at 129 West Centre Avenue. On September 11th, Council granted the Repertoire a 120-day extension to submit more detailed plans and information (as specified in Sections 6-35(b) and 6-35(e) of the Code of Ordinances) regarding a restaurant proposed at an alternative location, 412 West Centre Avenue within the Portage Creek Landings – City Centre commercial planned development (CPD).

As indicated in the attachments, the Repertoire subsequently received site plan approval from the Planning Commission on November 15, 2012 for a 6,710 square foot restaurant/blue-jazz club and associated site improvements at 412 West Centre Avenue. The proposed development represents an estimated investment of $2.5 million that will create an estimated 44 full-time and 62 part-time new jobs within the community. Live blues, jazz and other music entertainment will be provided within the proposed restaurant with an estimated seating capacity for 322 patrons.

Chapter 6, Alcoholic Liquor, of the Codified Ordinances was established "to cause the greatest benefit to the city in its use of powers with regard to issuance, transfer, renewal or revocation" of liquor licenses, and "to provide an orderly and non-discriminatory procedure for review and approval…of any and all requests for liquor licenses." Decision criteria specified in Section 6-35(c) include:

- the general business management experience of the applicant, and in particular in the alcohol/liquor business;
- business reputation and character;
- financial status and ability to build and operate the proposed facility;
- the uniqueness of the proposed facility;
- the economic impact on the community; and
- the impact on the surrounding neighborhood and vicinity, and general public health, safety and welfare issues.

Section 6-37 also provides criteria for review of new additional liquor licenses (such as the 2010 Census quota license) allocated to the city by the Michigan Liquor Control Commission. In particular, the ordinance specifies Council shall give preference to applications that include hotels, convention centers, and restaurants with a unique and singular conceptual design. The physical structure of a restaurant should have a minimum seating capacity of 250 persons and should be of a nature uncommon to existing establishments within the city.

The application submitted by the Repertoire has been reviewed by the departments of Public Safety (Police Division and Fire Marshal), Finance and Community Development. As noted above, the proposed restaurant has received site plan approval, and on December 21, 2012 the Repertoire submitted building plans for preliminary review and comment by the Department of Community Development.

The proposal by the Repertoire Coffee House and Theatre, Inc. meets the criteria specified in the ordinance. The proposed restaurant involves a unique concept that includes live blues and jazz music that is not otherwise available within the City of Portage. The building design is of high-quality materials and the seating capacity of the proposed restaurant, including seasonal outdoor patio space, also meets ordinance criteria. Finally, the applicants have indicated relevant experience for the proposed business, the development will result in new tax base and activity within the City Centre area, and will create over 100 new jobs within the community.

Based on the above, it is recommended that City Council grant Conditional Approval of the 2010 Census Liquor License, above all others, to the Repertoire Coffee House and Theater, Inc. Upon completion of the building in accordance with the conditional approval of the Council, the Council will recommend the applicant to the State Liquor Control Commission for approval of the liquor license.

Attachments: December 21, 2012 communication from Theophlis Duckett, Repertoire Coffee House and Theater, Inc.
Vicinity Map of 412 West Centre Avenue
Approved Site Plan for the Repertoire

December 21, 2012

Mayor Peter J. Strazdas
The City of Portage
7900 S. Westnedge Avenue
Portage, Michigan 49002

Re: Conditional Approval of the 2010 Census Liquor License
Repertoire Coffee House and Theater

Honorable Mayor Strazdas:

On behalf of the Repertoire Coffee House and Theater, we submit this request for the Conditional Approval of the 2010 Census Liquor License.

We believe that we have thus far met the conditions set forth by the City Council of Portage.

As of November 15, 2012 the City of Portage Planning Commission provided us with approval of the restaurant /entertainment venue's site plan.

Our preliminary building plans were submitted on December 21, 2012 to the Department of Community Development for review, as the final building plans submission will be on or before December 31st.

Please note that the total investment of this project including the cost of the land, construction of the building, furnishings equipment (kitchen and sound) and initial operating cost is approximately $2.5 million dollars.

An estimated 106 employment opportunities will be created upon completion of the project. Forty Four (44) of those opportunities will be full-time, Sixty Two (62) will be part-time.

A Sales Agreement on the property between PCL and the Repertoire Coffee House Theater has been executed as of August, 2012 which is contingent on the municipal approvals as is the Financial Institutions final commitment.

Our financial institution is reserving the right to make a firm commitment based on the Approval of the 2010 Census Liquor License and the completed review of all the associated partners of the project. Estimated 2-3 weeks more given the holidays and all involved. We feel confident that there won't be any issues to hinder us moving forward. We are in hopes of their decision being made after the January 18th City Council meeting.

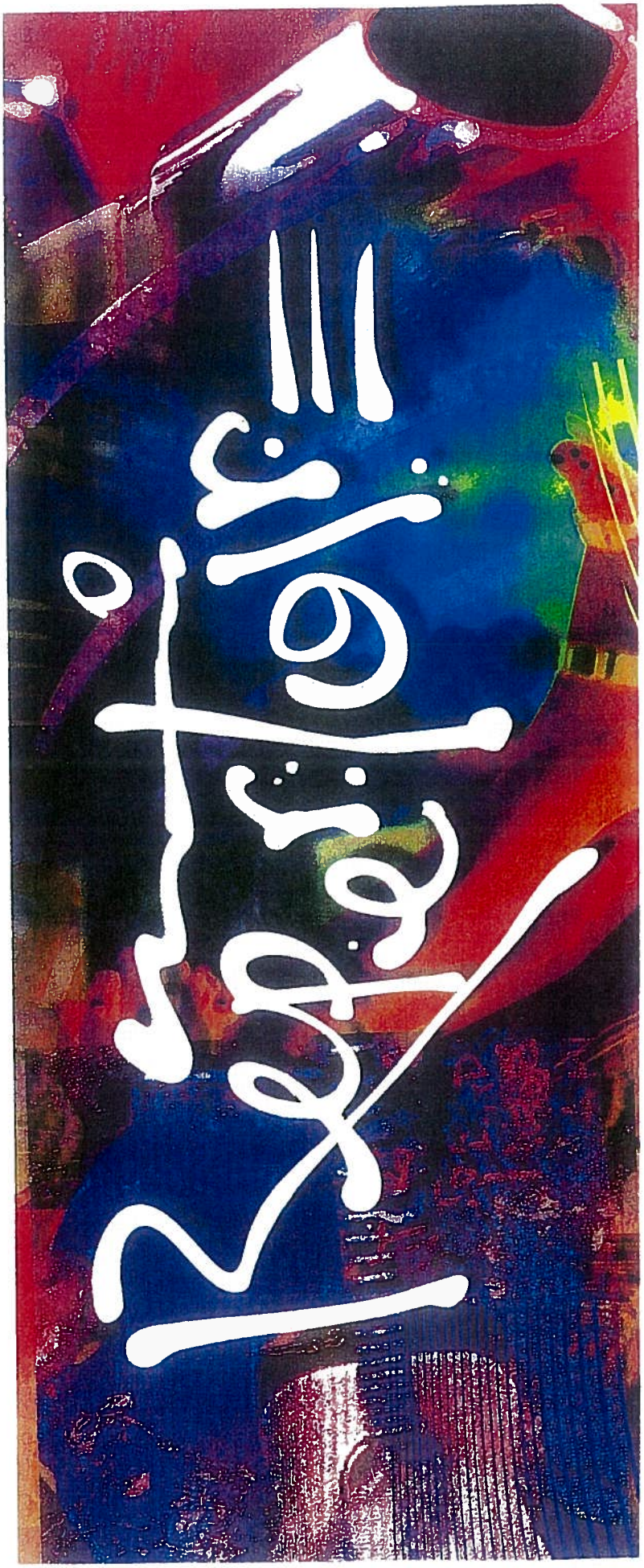
Once again Sir, we look forward with this project therefore receiving the Conditional Approval of the 2010 Census Liquor License.

We greatly appreciate your time,

Respectfully,

Theophlis and Diana Duckett
The Repertoire Coffee House and Theater

RECEIVED
DEC 21 2012
COMMUNITY DEVELOPMENT



REPERTOIRE

Executive Summary

The Repertoire Coffee House and Theater (the "REP") is a community impact development project. The REP will be a *destination* for people from all types of social backgrounds. The multi-conceptual design will meet the need of the 30+ year old demographic looking for the perfect mix of dining excellence and live entertainment.

The REP is a unique contrast to existing local venues in the Kalamazoo and Portage area. The aim of the concept is to provide a first-class dining experience, highlighting Cajun style cuisine, southern style barbeque, as well as other traditional selections. The lunch and dinner menu will also feature delectable desserts and pastries.

While providing patrons with a menu selection unique to the standard local fare, the feature that is sure to draw the crowds in will be the REP's live entertainment, which will highlight local, statewide, and national talent, including jazz, blues, country, salsa, and forms of contemporary theater. With a seating capacity of 322, the REP is sure to be ***the*** go-to destination of Portage.

This unique blend of casual fine-dining, live music, and the opportunity for guests to let their hair down and dance will provide the Kalamazoo region with a food and entertainment experience not found outside of the Detroit and Chicago metropolitan areas. The big-city feeling in a mid-city town will be felt immediately with the REP modest but elegant décor. The complex will be tastefully furnished with a traditional southern style, including a colorful pallet and Louisiana flavor, all in a warm, relaxing atmosphere, with the traditional array of floral arrangements.

The project focuses on the local community by accomplishing two significant goals. The first is to provide patrons with an alternative to downtown dining and entertainment in a safe environment with ample parking. With the location in a high-traffic volume area on South Westnedge in Portage, located close to I-94 and US-131, the REP is a quick commute from surrounding Battle Creek, Mattawan, Paw Paw and Grand Rapids. The project has the support of the Portage City Council, and has been pegged as the anchor to the Portage City Center idea. The Council generously awarded the REP the 2010 Census Liquor License at no cost, because of the great faith that exists in the project to become a true focal point for the city. The second significant impact this project will have on the community is the creation of approximately 75-100 full and part-time jobs. These positions will range from waiters, to kitchen staff, to management, and provide stable income for the job-seeking population in the greater Kalamazoo area who want to work hard and enjoy their job.

In summary, the REP will provide its patrons with the thing that is missing from the current Kalamazoo regional dining and entertainment scene – a dining experience that is second-to-none, live entertainment, and the opportunity to dance – all without having to head to the big city, downtown, or to a bar catering to college students.

The Company – Present Situation

The Repertoire Entertainment Group was formed as a corporation in 2005. Since that time, the concept now known as the Repertoire Coffee House and Theater project has continued to evolve. Upon receiving approval for financing, the owners will purchase a lot located within the City of Portage on South Westnedge Avenue. Construction will be scheduled to begin as early as December of 2012, with an anticipated opening date for the REP sometime in the spring or summer of 2013. The purchase of a lot and erection of a brick-and-mortar location only further reinforces the belief of the owners that this project will become successful, and will be a cornerstone for dining and entertainment in the Greater Kalamazoo area.

The REP intends to become an added attraction to the City Center concept that the City of Portage is working through. The owners of the Company are dedicated to the project's success, and view it as an opportunity to partner with the City of Portage, by creating a sustainable destination point that will encourage visitors to rediscover all that this great city has to offer, while enhancing its downtown.

This concept is the result of careful planning, market research, and consultation with numerous industry professionals, and outside counsel (such as construction and architecture firms, attorneys and CPAs). The fact that the Company has been in existence since 2005, and is now ready to bring this project to life, further evidences the fact that the owners have not been in a rush. Rather, they have been patient and waited for the right opportunity and right time, to ensure the success of the project.

Project Description

Project Details

For many years, entertainment in the Kalamazoo and Portage area has been limited to a few specific places, which catered to a younger crowd, in most cases. Many of these locations are not conducive to the 30+ year-old demographic. The purpose of the REP is to embrace this demographic, and provide a single location where one can experience fine dining, live entertainment, and dancing (or any combination that suits them). It has something for everyone in the mature stage of life, from romantic settings throughout the venue, to a dance floor where one can let their hair down and have a good time. This mix is complemented by mouth-watering food and desserts, as well as quality drinks. The entertainment will not only highlight local talent, but will include performers with a statewide and national following. To get the community involved in "their" new venue, the REP will also, from time-to-time, display talent from surrounding high schools and senior groups.

Due to the immediate growth within the Kalamazoo area, particularly related to the Kalamazoo Promise, there are few venues that appeal to the masses. Many do not focus on the issues important to the patron, such as atmosphere, maintenance of the premises, and security. The Repertoire Entertainment Group, Inc. and its ownership embrace these issues, and in doing so, intend to become a sustainable destination and focal point in not only the region, but the entire State of Michigan as the brand continues to grow.

This project has been carefully thought-out and developed over the last several years, and in discussions with booking agents and business managers throughout the area, as well as experts from New York, Chicago and California, it has been determined that this project will be welcomed and well-received by the community. This quaint, elegant and intimate setting will be a great venue to attract well-known entertainment performers, which the owners have already evaluated and begun gauging their interest.

Eventually, the expansion of the REP would include catering for the public's personal and private events. This would enhance the catering options currently offered in the City of Portage.

The strength of this project include the following features – strong and experienced management, careful planning, human resources, quality of service, a unique product mix, reasonable pricing, location, and most importantly...the facility itself, as evidenced by the preliminary drawings which are attached.

Portage Demographics

The Repertoire will be located at 412 West Centre Avenue in the City of Portage, with development site frontage on Shaver Road - a solid middle class market, where the restaurants are packed with customers on a daily basis. The fact that there is no similar operation (according to a feasibility study we have performed) will promote increased value to our customers, as we provide an alternative to the standard, run-of-the-mill chain restaurants. We consider ourselves casual 'fine' dining, with an infused southern flare, and entertainment that is sure to please our target market.

The Portage area has enjoyed continued population and housing growth over the past ten (10) years. Population has risen from 44,897 in 2000, to 46,624 as of 2011.

Portage ranks 3rd in the county of increasing minorities populations, as the city's minority percentage went from 9.2% in 2000 to 13.1% in 2010. Another positive growth aspect within the city is in regard to housing increases. Portage ranked 2nd highest in the county in growth with an addition of 1,679 units between 2000 and 2010.

According to key statistics, the population of the City of Portage consists of the following:

Median home value:	$155,900
Median household income:	$ 56,330
Average persons/household:	2.42
Median age of residents:	39

Education:

Population with high school diploma:	27,202
Population with bachelor degree or higher:	10,820

The management of Repertoire believes that the positive growth trends within the City of Portage, its solid household income figures, the median age of its residents, and the fact that there are huge corporations and a staggering amount of small businesses within the city limits, provide the perfect operating environment for the Company, and provide for the highest level of success for this venture.

An Economic Catalyst to Portage

As previously stated, the operators of the REP are excited about the positive impact this project will have on the City of Portage. First, it creates an additional tax base for the city. However, the most important impact that this project will have on the community will be the creation of approximately 75-100 full and part-time jobs. An estimate of the positions needed to be filled are as follows, as developed in collaboration with our HR professional:

Full-Time

- CEO
- VP/Entertainment Director
- General Manager
- Night Manager
- Chef
- Sous Chef (2)
- Line cooks (10)
- Expeditors (2)
- Waiters/waitresses (18)
- Bartenders (7)

Part-Time

- Relief Manager (2)
- Waiters/waitresses (20)
- Bus persons (6)

- Hostesses (6)
- Parking lot attendants (4)
- Barista's (4)
- Bouncers (4)
- House Band (6)
- Pianist (2)
- DJ
- Dishwashers (5)
- Clean-up crew (2)

Sample Hours and Features

Food Schedule:

- Sunday Brunch: 9:00am - 3:30pm
- Monday- Saturday: 11:00am - 2:30 pm lunch
  6:30 - 10:00pm dinner (high school fundraising night on Mondays)

Entertainment Schedule:

- Tuesday: 6:30 - 11:00 - Open Mic Night highlighting WMU & Kalamazoo College music departments, and others organizations related to drama and theater.

- Wednesday: 6:00 -10:00pm - alternating between Country, Salsa, and Rock n' Roll until we can identify which is the best market for that evening.

- Thursday: 7:00pm - 1:00am R&B or Blues, provided by our House Band.

- Friday: 3:00 - 5:30pm - Happy Hour; 6:30 -10:00pm - Old School Jazz; 10:30pm-1:30am - House Band; 1:30am-3:00am - Breakfast and Coffees.

- Saturday: 11:00am - 3:30 pm - Reggae or Rag Time; 6:30pm-10:00pm - Old School Jazz; 10:30pm-1:30am - House Band; 1:30am - 3:00am - Breakfast and Coffees.

Special Events:

- Wedding Receptions
- Live Performances (Prominent Musical Performers - i.e, Anita Baker, Herbie Hancock)
- Mystery Theater
- One-Person Shows
- Comics
- Holiday and Company Parties/Meetings

Sample Menu:

- See attached

Management

Ted Duckett will be retiring from a forty-plus year career with the Kalamazoo Public School System to work full-time overseeing and managing the overall operation of the REP, as well as the progress as the project develops day-to-day.

Diana Duckett will manage entertainment and events that happen at the establishment, including the booking of local, statewide, and national acts.

The owners have recruited various experts in the restaurant and entertainment industry to help shape and mold this unique concept. The following is merely a sample of the team who has committed to take this project to the next level, and mitigates lack of experience often plaguing new restaurant start-ups:

- **General Manager** - 20 years of restaurant and food service experience. Certified in Serve Safe, TAM and TIPS.

- **Night Manager** - 10 years of restaurant and food service experience. Certified in TAM and TIPS.

- **Chef** - 17 years of total high-end cooking experience, menu development, food concepts, ordering, kitchen management, forecasting, hiring, cost control, inventory management, French, Creole, Cajun, American ,International Fusion, most of all *increasing revenue* at some well known hotel chains.

- **Human Resource Specialist** - 35 years in staff management, included is 25 in wait staff training and managing, supervising, hiring and firing.

- **Entertainment Coordinator/Director** - 20 years of personal musical experience, 10 years of managing musical and modeling talent (40 years in the banking profession).

- **CEO** - 20 years of business experience, business development, managing, and excellent people skills.

Risk

Opening a restaurant of this magnitude could be viewed as a risky business venture. However, the failure rate of restaurants is often accommodated with poor planning and management who know nothing about the industry. The owners of the REP feel that they have effectively mitigated the risk associated with this project by engaging in careful market research and bringing individuals with significant restaurant experience onto their team.

The absence of entrepreneurial risk leaves our local community without a sustainable future. The proper amount of entrepreneurial risk coupled with careful planning and preparation, however, is what sets the REP apart. As evidenced by this plan, careful planning and preparation is exactly what has gone into every single aspect of this concept...that is why seven years after the initial formation of the corporation, we are finally bringing this project to life!

Market Analysis – Customer Base and the Industry

The Target Market – Customers

Currently, our target market is shared with a few independent venues in downtown Kalamazoo (with some being along the South Westnedge Avenue corridor). A similar market is 45-50 minute drive away in Grand Rapids.

Throughout our analysis, we have found that most individuals longing for a variety of entertainment excitement will travel as far as Chicago or Detroit, although sparingly. This is approximately 1.5 – 2.0 hours each way, or 3.0 – 4.0 hours round-trip.

As the markets stabilize, Repertoire Entertainment Group will concentrate on the Greater Kalamazoo County/Portage area, and its neighboring counties, where we expect to draw many patrons that are within a 45 minute drive of the venue. These areas have been growing rapidly over the past several years, and will continue to do so for the foreseeable future.

We have identified three distinct target markets which will comprise our customer base, and we intend to market heavily to them:

1. The primary residential populations of Kalamazoo, Portage, Mattawan and Vicksburg communities.

2. The secondary residential populations of Greater Grand Rapids, Jackson, Benton Harbor, and Lansing communities.

3. The commuting population working downtown that travel through Kalamazoo, Portage, Comstock and Vicksburg, who often stop for a refreshment on the way home from work. Access to highways such as I-94 and US-131 immediately lend themselves to easily access our facility. In addition, we will target "spin-off" crowds from events throughout the area as well, with Portage Central High School and McCamly field being less than one mile away. We intend to entice the traffic traveling through the area by being the place to stop for a delicious meal on a weeknight or weekend, or a diversion from traveling along the aforementioned freeways.

Once the REP has caught on locally, we believe that the potential is unlimited. It is our intention to eventually create a regional advertising campaign.

The Target Market – Industry Trends

There is a need for a venue that addresses the thirty-and-older crowd. A venue where they can reconnect as a couple, family, friends, or even to meet new people, all while having dinner together, listening to live music and dancing to special tunes that remind them of an unforgettable time. A venue is needed with a big-city atmosphere located in a mid-city environment. A venue where well known entertainers will feel comfortable entertaining in smaller, more intimate surroundings.

Our location is centered in the City Center of Portage where there are a significant number of offices within a surrounding three mile radius. Companies like Pfizer, Stryker, Summit Polymers and Pepsi-Cola are a few of the major employers that have employees with disposable income for more leisure activities. These employees are also often looking for a new location to unwind

after the busy work day. We believe that our fantastic bar selections, and the ambiance of music in the background, will create that perfect setting, and make us the "go-to" location for many employees on their way home.

The current state of Michigan's economy, although improving, is still suffering from the loss of employment over the pass few years. As the economy continues to rebound, and since the Kalamazoo region has enjoyed relative stability, even in the most difficult of times, there has been anticipation of new industries moving into the area. We believe that our concept will help to boost the tax base through the creation of new employment opportunities (approximately 100). With interest in the Kalamazoo Promise, and new families relocating to take advantage of the benefit, and new incoming businesses, we consider these key factors in the creation of our concept which can only bring the Repertoire Coffee House and Theater success.

Expected Customer Base

We expect the customer base to be derived from the following sources:

For lunch – the surrounding city offices, high school administrative personnel, the high flow of traffic on Westnedge Ave., Shaver Rd. and Centre St. These roads also contain multitudes of businesses where employees are looking for options other than the long-standing chain restaurants. Additionally, the REP is surrounded by vast residential areas on all sides of the building. We anticipate between 100-160 for lunch between 11am and 2pm on any given day. We will exceed our customers' expectations by providing a reasonably priced menu, quick service, and a menu that is pleasing to the palate. This conservative estimate lends itself to quickly increase once first-time customers become regulars.

For dinner – foot traffic will be pulled from all of the above, as well as from our marketing efforts and specials to get people in the door of the complex. We estimate between 250-500 customers, on average, for dinner. We also have the luxury of having a commitment from a well-known chef, who has quite a following of his own. We estimate Sunday brunch at between 200-300 customers weekly.

Marketing Strategy – Advertising, Promotion & Public Relations

The REP has a three-pronged marketing strategy aimed at our previously identified target markets.

A sizeable, yet affordable advertising budget will be planned for the first six to twelve months of operation, intended to prime the pump by attracting first-time customers to give the REP a shot for dinner, an after-work drink, or to satisfy their weekend entertainment craving. We believe that once a customer comes in the door and experiences all that we have to offer, we will have a customer for life!

We expect approximately 90% of our business to come from the residents of the Kalamazoo and Portage areas. We will promote introductory specials through ads in the local newspapers and through various social media outlets. Each will feature family-oriented ads with discount coupons and varied promotions. These avenues will saturate distribution throughout the local community. The REP will also have a professionally designed website, which will be sure to lure individuals to give us a try. We are confident that their first experience at the REP, will be their first of many regular visits.

In time, commuting traffic will also be targeted with billboards and electronic marquee strategically positioned to capture the attention of north, south, east and westbound traffic coming and going.

Our third tarter group for marketing is the local employee population, who we intend to attract for the lunch and after work eat-in and carry-out business. For the lunch crowd, we intend to initiate mailings to the various companies throughout the area. The mailing will include menus and our fax number to make use of the convenience of fax machines in most offices to fax over a lunch order so that it is ready for pick-up.

The Repertoire management along with Ted and Diana Duckett intend to meet with members of the local and national trade associations to discuss participation in what will help broaden and enhance their business acumen. It is management's intention to have the REP maintain a high profile throughout the local and surrounding communities while becoming a well-established and popular addition to Michigan.

We will utilize our marketing strategies and planning tools to increase and maximize our sales constantly, through radio and television. We will flood the market until the customer becomes intimately familiar with us as a destination point of food and entertainment.

The Repertoire

6,800 SF Entertainment Center

Division	6,800 SF	Budget	Site
Permit	0.50	3,400	
Testing	0.40	2,720	
Site Clearing	1.00	6,800	6,800
Electric and Water	4.00	27,200	27,200
Dumpster	0.30	2,040	2,040
Excavation	7.00	47,600	47,600
Storm and Sanitary	20.00	136,000	136,000
Concrete Curbs	3.33	22,644	22,644
Paving	10.00	68,000	
Landscaping & Irrigation	2.21	15,028	15,028
Concrete Slab	4.00	27,200	
Basement	15.00	102,000	
Masonry	7.50	51,000	
Structural Steel, Insulation	16.00	108,800	
Building Erection	6.00	40,800	
Misc. Metals	0.20	1,360	
Carpentry	5.00	34,000	
Hollow Metal Doors & Frames	3.00	20,400	
Glass & Glazing	4.00	27,200	
Mansard and awnings	5.00	34,000	
Drywall, Insulation	6.00	40,800	
Painting	5.00	34,000	
Lay-in Ceilings	2.25	15,300	
Floor Coverings & Tile	4.50	30,600	
Plumbing	5.00	34,000	
HVAC & Gas Piping	8.00	54,400	
Electrical	6.50	44,200	
Site Lighting	2.65	18,020	18,020
O.H., Gen. Conditions	2.50	17,000	
Supervision	3.33	22,644	
Fee	7.25	49,300	
Contingency	6.00	40,544	
TOTAL	173.42	$ 1,179,000	$ 275,332
			incl. in total

CORNERSTONE CONSTRUCTION MANAGEMENT, INC.

ESTIMATE SUMMARY REPORT

PROJECT # 12090.01

THE REPERTOIRE

SHAVER ROAD, PORTAGE, MI 49024

PHASE	DESCRIPTION		GEN CONDITIONS	LABOR	MATERIAL	SUBCONTRACT
01	General Conditions	$79,090	$13,080	$59,200	$0	$6,810
02	Sitework	$323,133	$0	$0	$0	$323,133
03	Concrete	$75,300	$0	$0	$0	$75,300
04	Masonry	$48,375	$0	$0	$5,000	$43,375
05	Metals	$35,689	$0	$0	$16,964	$18,725
06	Carpentry	$14,100	$0	$5,600	$8,500	$0
07	Moisture Protection	$104,975	$0	$0	$5,980	$98,995
08	Doors & Glazing	$44,939	$0	$0	$11,939	$33,000
09	Finishes	$131,335	$0	$0	$0	$131,335
10	Specialties	$27,349	$0	$0	$1,448	$25,902
13	Special Construction	$109,365	$0	$0	$79,818	$29,547
15	Mechanical/Plumbing	$116,400	$0	$0	$0	$116,400
16	Electrical	$68,433	$0	$0	$0	$68,433
SUBTOTAL:		$1,178,483	$13,080	$64,800	$129,649	$970,954

DESIGN FEES:	%	$0
CCM FEE:	4%	$47,139
CONTINGENCY:	5%	$61,281
BOND $0-$500K:	%	$0
BOND $501K UP:	%	$0
ESTIMATE TOTAL:		$1,286,903

Repertoire Coffee House and Theater
Financial Projections

		Conservative	Realistic	Optimistic
Business revenue	100.00%	$ 1,589,940	$ 2,003,760	$ 2,671,680
Cost of sales	38.98%	619,759	781,066	1,041,421
Gross margin	61.02%	970,181	1,222,694	1,630,259
Officer comp	2.90%	46,108	58,109	77,479
Salary/wages	19.76%	314,172	395,943	527,924
Rent	7.05%	112,091	141,265	188,353
Taxes paid	4.04%	64,234	80,952	107,936
Advertising	2.19%	34,820	43,882	58,510
Benefits/pensions	0.81%	12,879	16,230	21,641
Repairs	1.70%	27,029	34,064	45,419
Bad debt	0.01%	159	200	267
Other SG&A	12.94%	205,738	259,287	345,715
EBITDA	9.62%	152,952	192,762	257,016
Depreciation/Amort	1.83%	29,096	36,669	48,892
Operating expenses	53.22%	846,166	1,066,401	1,421,868
Operating income	7.79%	123,856	156,093	208,124
Interest income	0.01%	159	200	267
Interest expense	0.45%	7,155	9,017	12,023
Other income	0.74%	11,766	14,828	19,770
Pre-tax net profit	8.10%	128,785	162,305	216,406
Income tax	2.22%	35,297	44,483	59,311
				-
After-tax net profit	5.87%	**$ 93,329**	**$ 117,621**	**$ 156,828**

**Note: percentages for the above figures were derived from a publication containing financial data from the full-service restaurant industry in 2011. These figures are an average for businesses grossing between $1 million and $2.5 million in revenue.*

ichigan
estaurant
ervices

Big Enough To Serve You
Small Enough To Know You

7-26-2012

Ted & Diana Duckett
Repertoire Project

To All:

Having reviewed the general floor plan of the above project and making minor adjustment to the kitchen layout, I have prepared the following budgetary numbers for the various portions of the equipment needs. Many of these area will require further discussions with management to assure the equipment selections I have made will meet the needs of the Facility and its anticipated growth in the near future.

1. Kitchen equipment, cooking equip, dishwashing chef's station, waitress station,	
2. Food mixer, food slicer, ice making, sinks, hot food tables, refrigerated prep tables	
3. Work tables, hand sinks, heat lamps, waitress pick up stations,	$145,266.00
4. Walk in coolers and freezer, Refrigeration systems and remote glycol cooled beer system 8 brands bar A, 12 brands bar B, shelving storage	$45,483.00
3. Bar construction and back bar superstructure	$47,860.00
4. Under bar support equipment, glass washers, waitress stations, sinks Drain boards, refrigerated back bars, dry storage unit, glass frosted unit	$67,840.00
5. Back room storage shelves, mop sink, Solar hot water system to furnish 100% of heated water needs.	$38,702.00
6. Cooking exhaust system, hoods, exhaust fans, make up air, filters, lights, grease catch Fire suppression system, duct work, fire wrap, trim panels, energy management system	$40,272.00
7. Furniture Allowance: Chairs, tables, bases, booths bar stools, outdoor table and chairs. All Commercial rated	$33,839.00
8. HVAC system allowance. 30 ton, separate zone units, associated ductwork, installed No consideration given for any existing HVAC equipment that may be reused. This may be the landlords responsibility	$60,825.00
8. Installation services: All exhaust systems and wiring, refrigeration and wiring, equipment installation and connections, bar and bar equipment, beer systems, furniture, solar system Permits and associated fees. Allowance	$85,000.00

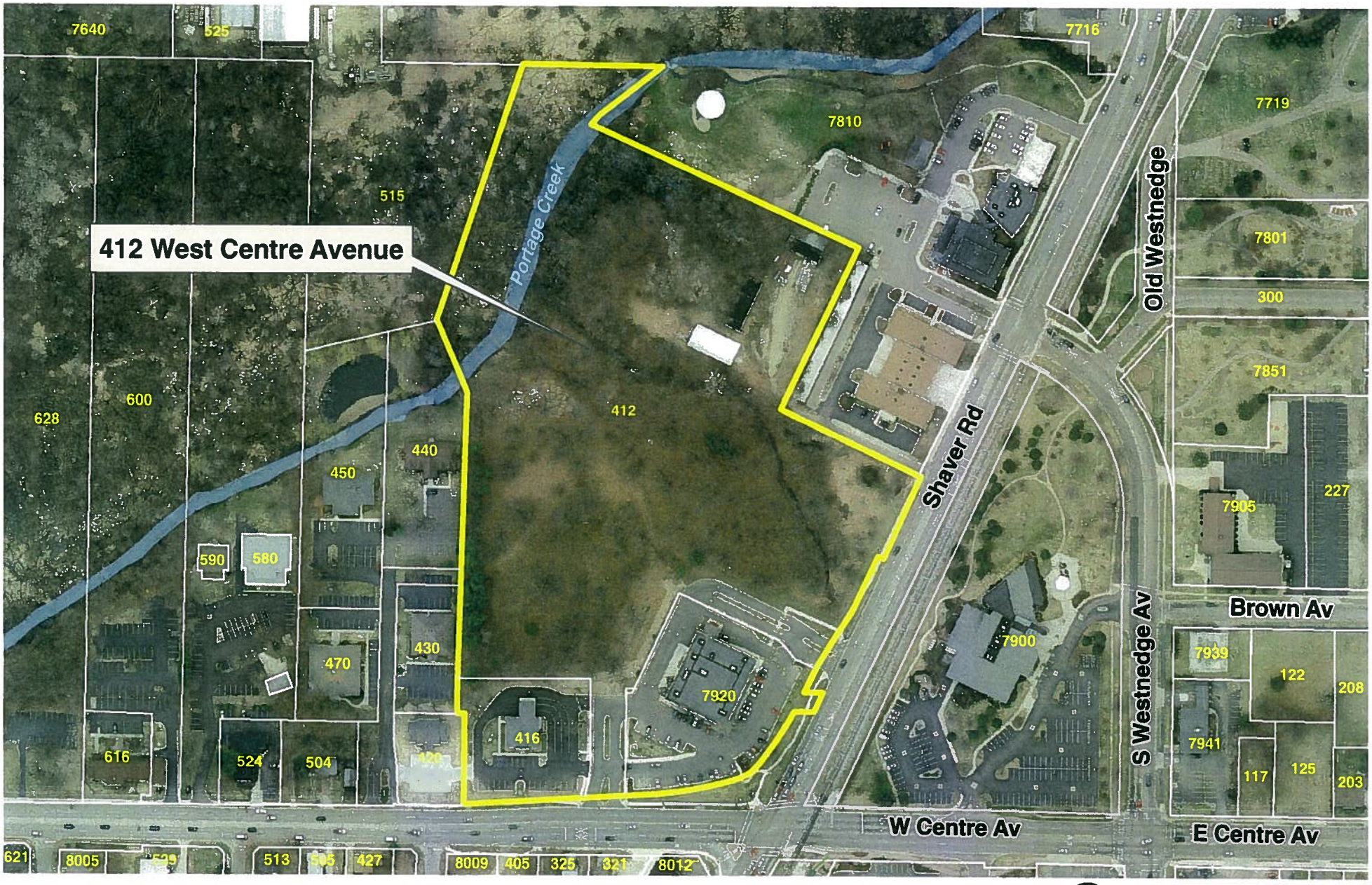
Pricing is subject to applicable sales taxes

Thank you for this opportunity to provide this information and be of assistance in the equipment and systems layout.

Roger Peters, Sales Manager
Michigan Restaurant Services
269-743-8218

CITY OF PORTAGE
A Place for Opportunities to Grow

Vicinity Map
Portage Creek Landings - City Centre



Date of Imagery: March, 2009

1 inch = 230 feet

Path: R:\GISADMIN\karl\projects\DEPTS\COM DEV\vicinity\112 west centre.mxd

Site Plan Resubmittal

Repertoire Restaurant

412 West Centre Avenue
Portage, MI
Kalamazoo County
11/9/12

OWNER

repertoire entertainment partners
228 tamarix ave.
portage, michigan 49002
(269)344-8349

ARCHITECT:

M3 ARCHITECTS

PLANS PREPARED BY:

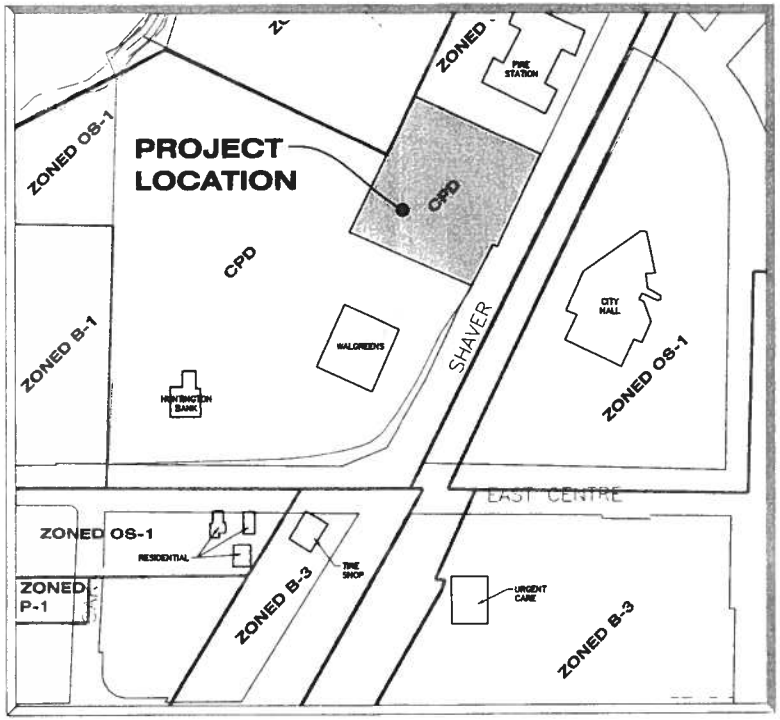
hurley & stewart

hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4960 fax 552.4981
www.hurleystewart.com

UNDER THE SUPERVISION OF
TODD D. HURLEY, P.E.
MI. LICENSE #43201

UTILITY CONTACTS:

CONSUMERS ENERGY CO. MARK KLECZYNSKI 2500 E. CORK STREET KALAMAZOO, MI 49001 269.337.2314	ELECTRIC/GAS
CHARTER COMMUNICATIONS MARK BURKE 4176 COMMERCIAL AVE. PORTAGE, MI 49002 269.217.8152	CABLE TELEVISION
AT&T TODD SHIBAYAMA 2919 MILLCORK ST KALAMAZOO, MI 49001 269.384.5991	TELEPHONE
CITY OF PORTAGE EARTHTECH 7718 S. WESTNEDGE AVENUE PORTAGE, MI 49024 269.324.9235	WATER/ SANITARY



SITE LOCATION MAP
SCALE 1" = 100'

DRAWING INDEX

SHT #	DESCRIPTION
C-0	TITLE SHEET
C-1	EXISTING CONDITIONS AND DEMOLITION
C-2	SITE LAYOUT
C-3	UTILITIES
C-4	GRADING PLAN
C-5	SITE DETAILS
C-6	STORM DETAILS
C-7	TREATMENT BASIN PLAN
C-8	UTILITY PROFILES

RECEIVED
NOV 08 2012
COMMUNITY DEVELOPMENT

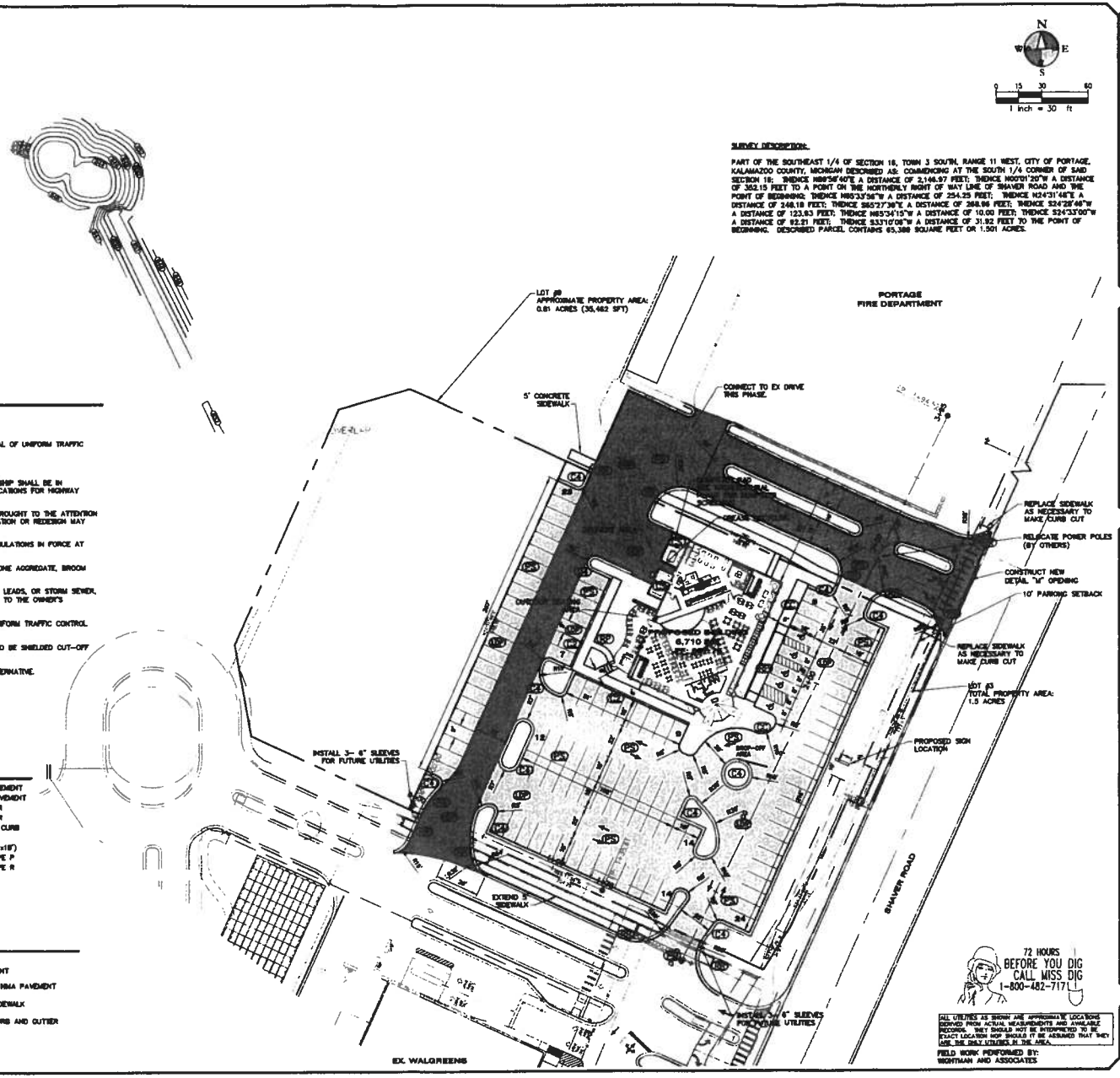
PRELIMINARY
NOT FOR CONSTRUCTION

811 Know what's below. Call before you dig.

EXISTING TOPOGRAPHY PROVIDED BY CARR AND ASSOCIATES LAND SURVEYING. ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION AND SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

ISSUED FOR:
SITE PLAN RESUBMITTAL
11/9/12

REPERTOIRE RESTAURANT, ISSUED FOR Site Plan Resubmittal, 11/9/12



NOTES

1. ALL DIMENSIONS SHOWN ARE TO THE EDGE OF METAL.
2. PROVIDE CURB CUTS/RAMPS AT ALL BARRIER FREE ACCESS POINTS.
3. PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND MICHIGAN BARRIER FREE CODE.
4. MATCH EXISTING CURB & GUTTER SECTIONS WHEN CONNECTING TO THEM.
5. EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, 2003 EDITION, AND CITY OF PORTAGE STANDARDS SPECIFICATIONS.
6. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
7. ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
8. ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE P1 (3500PSI), AIR ENTRAINED, LIMESTONE AGGREGATE, BROOM FINISHED, CURING SEAL.
9. ANY BITUMINOUS OR CONCRETE PAVEMENT, SANITARY SEWER, SANITARY SEWER SERVICE LEADS, OR STORM SEWER, WHICH IS DAMAGED BY THE CONTRACTOR DURING HIS OPERATIONS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AND AT THE CONTRACTOR'S EXPENSE.
10. ALL CONSTRUCTION SIGNING TO BE IN ACCORDANCE WITH THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. REGULATORY SIGNAGE (IF SPECIFIED) SHALL BE PER THE MDOT.
11. ALL LIGHTING SHALL BE UPDATED TO MEET CURRENT PORTAGE STANDARDS. FIXTURES TO BE SHIELDED CUT-OFF STYLE. ANY ADDITIONAL FIXTURES TO BE LESS THAN OR EQUAL TO 25' HIGH.
12. BUILDING WILL BE PROTECTED WITH AUTOMATIC SPRINKLER SYSTEM OR ACCEPTABLE ALTERNATIVE.

ZONING REQUIREMENTS

ZONING
CURRENT ZONING: CPD (COMMUNITY PLANNED DEVELOPMENT)

PROPOSED FRONT SETBACKS:
PARKING – 10'

PROPOSED USE
COMMERCIAL 1 STORY WITH BASEMENT

PARKING
TOTAL PARKING SPACES REQUIRED 1/75 SFT UFA:
5,329 SFT/ 75= 71 SPACES

TOTAL PARKING PROVIDED = 111 SPACES
BARRIER FREE SPACES REQUIRED = 4 SPACES
BARRIER FREE SPACES = 3 SPACES
ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS

TYPICAL PARKING SPACE DIMENSION = 9'x18'
DRIVE AISLE WIDTH = 22'

BUILDING INFORMATION
THERE IS A 1,167 SF BASEMENT
THE MAIN FLOOR HAS 6,710 SF
THERE IS A DJ AREA ON THE SECOND FLOOR 168 SF
CONSTRUCTION TYPE 2B
SEE FLOOR PLAN AND ELEVATIONS FOR MORE DETAIL.
BUILDING HEIGHT IS 22'.

SITE LEGEND

- LIGHT DUTY HMA PAVEMENT
- HEAVY DUTY HMA PAVEMENT
- C2 CURB AND GUTTER
- C4 CURB AND GUTTER
- INTEGRAL SIDEWALK/ CURB
- CONCRETE SURFACE
- PARKING STRIPING (8'x18')
- SIDEWALK RAMP– TYPE P
- SIDEWALK RAMP– TYPE R

LEGEND

- LIGHT DUTY HMA PAVEMENT
- HEAVY DUTY HMA PAVEMENT
- CONCRETE SIDEWALK
- CONCRETE CURB AND GUTTER TYPE VARIES

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

FIELD WORK PERFORMED BY:
WIGHTMAN AND ASSOCIATES

hurley & stewart, llc
2800 south 11th street
Kalamazoo, michigan 49009
269.552.4960 / fax 269.552.4961
www.hurleystewart.com

hurley & stewart

Job No. 12 0320 P.M. SDK Drn. A.F. Ck/Dc. 11/9/12

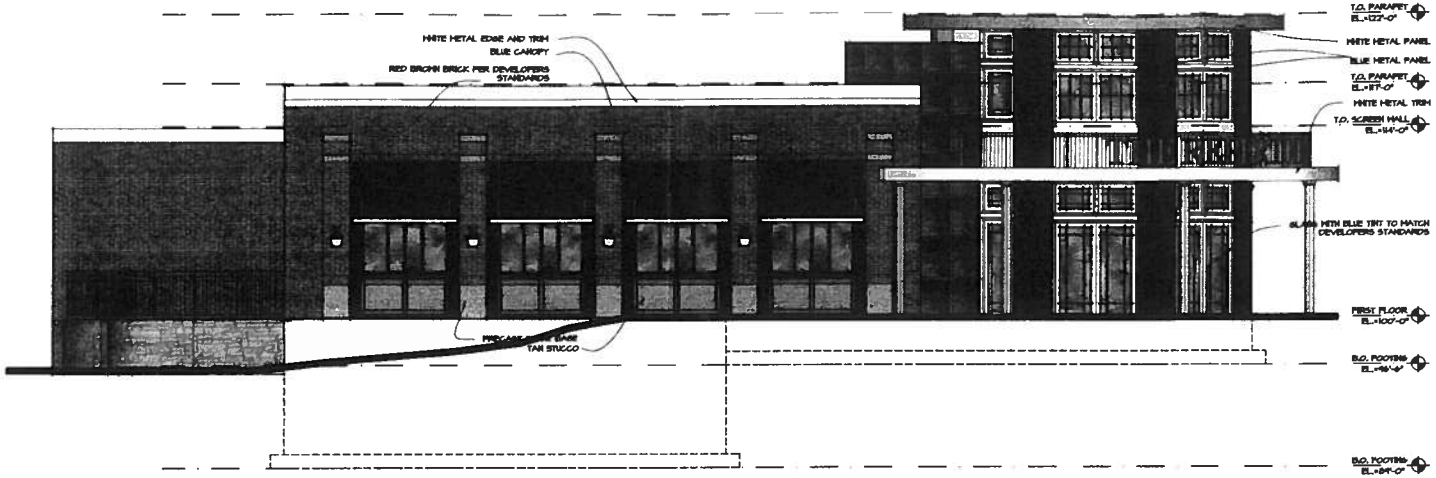
ISSUED FOR/REVISIONS:	
1. PRELIMINARY SITE PLAN REVIEW	09/28/12
2. OWNER MEETING	10/01/12
3. CITY SITE PLAN REVIEW	10/08/12

COPYRIGHT © of Hurley & Stewart, LLC

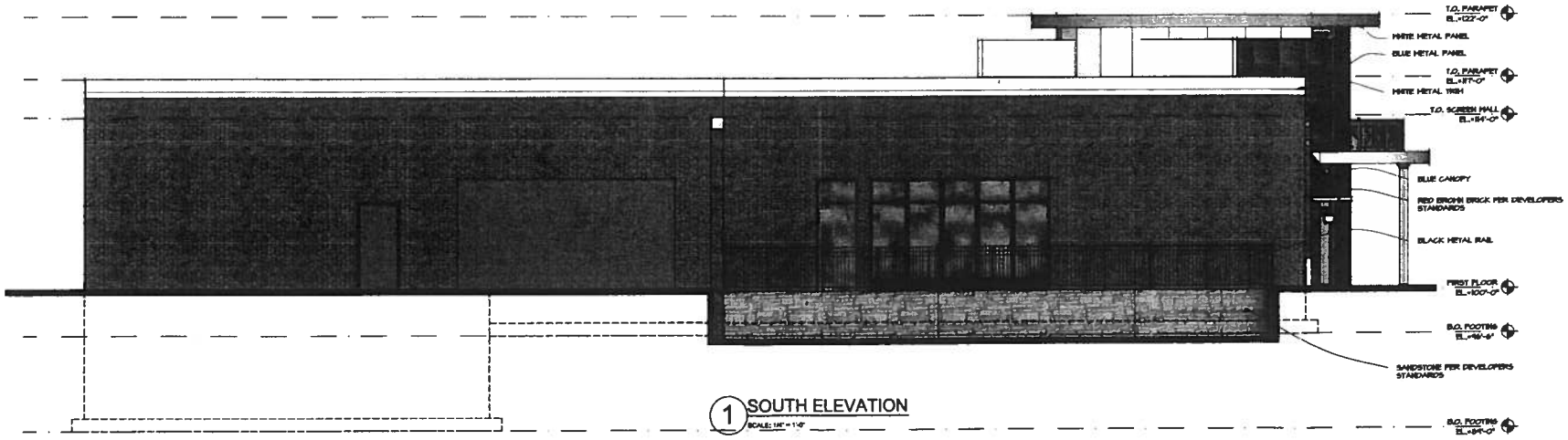
Sheet Title: **SITE LAYOUT**
Project: **REPERTOIRE RESTAURANT**
Client: **M3 ARCHITECTS**

11/9/12

Sheet
C-2



1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

M3 ARCHITECTS
361 EAST KALAMAZOO AVE
SUITE L300
KALAMAZOO, MI 49007
P (269) 553-2988

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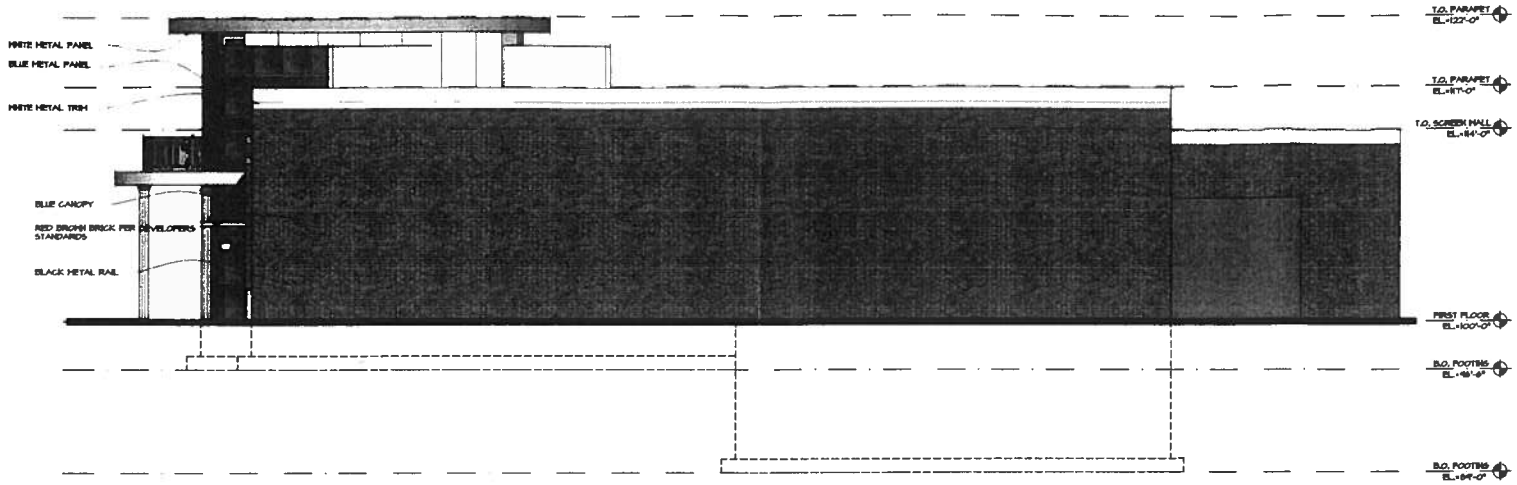
PROJECT NAME:
REPERTOIRE RESTAURANT

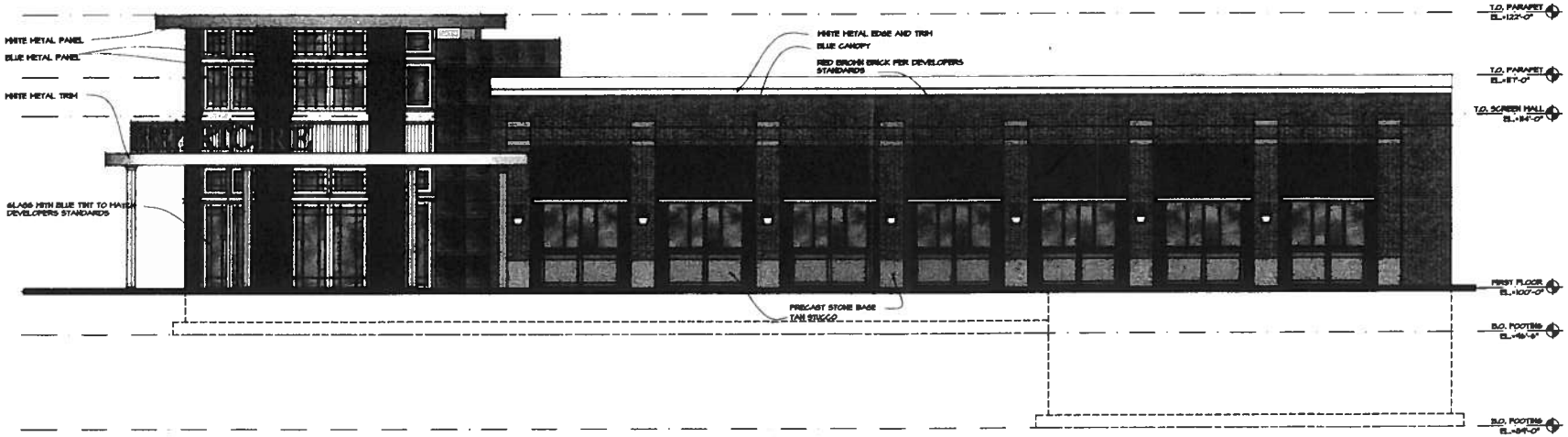
ISSUE DATE:
SCHEMATIC LAYOUT 6-8-12
SITE PLAN SUBMITTAL 10-15-12
SITE PLAN RESUBMITTAL 11-6-12

SHEET NAME:
ELEVATIONS
SCALE:
X"= 1'-0"
PROJECT NUMBER:
1308

SHEET NO.
A-3



2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



1 EAST ELEVATION
SCALE: 1/4" = 1'-0"

M3 ARCHITECTS

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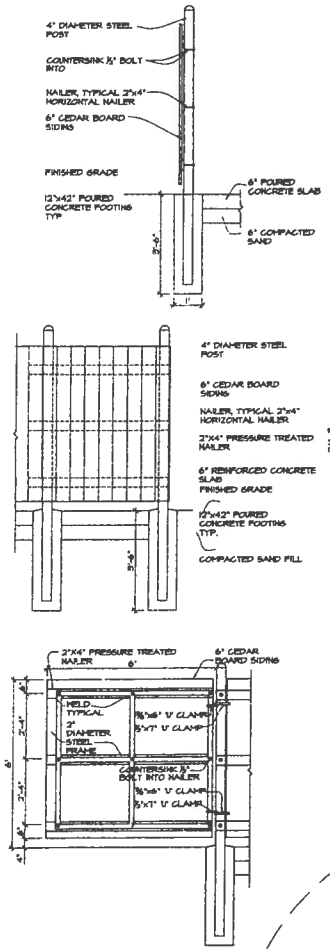
PROJECT NAME:
REPERTOIRE RESTAURANT

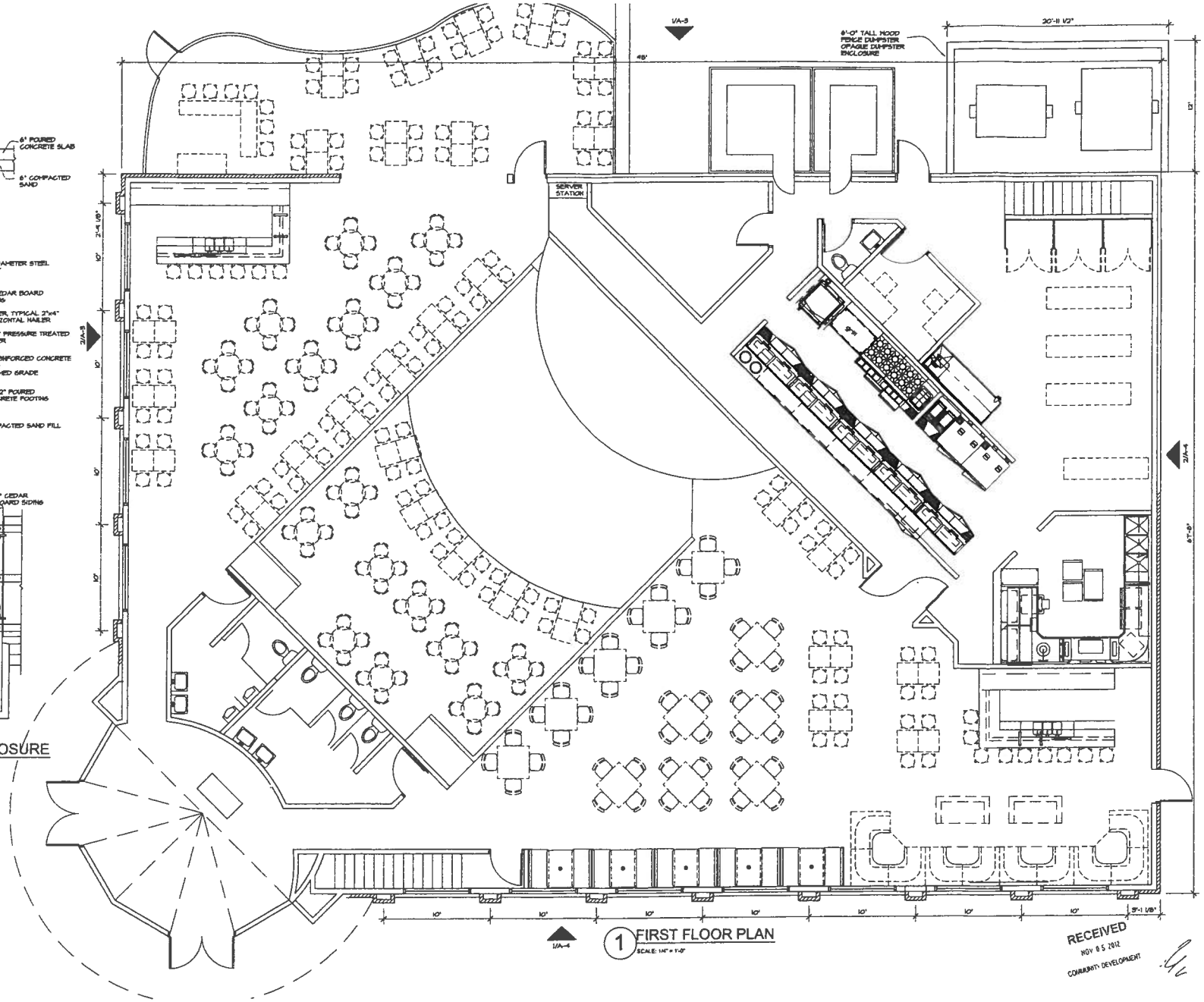
ISSUE DATE:
SCHEMATIC LAYOUT 8-8-12
SITE PLAN SUBMITTAL 10-15-12
SITE PLAN RESUBMITTAL 11-6-12

SHEET NAME:
ELEVATIONS
SCALE:
X" = 1'-0"
PROJECT NUMBER:
1209

SHEET NO.
A-4



2 DUMPSTER ENCLOSURE
N.T.S



1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

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NOV 05 2012
COMMUNITY DEVELOPMENT

M3 ARCHITECTS
261 EAST KALAMAZOO AVE
SUITE L300
KALAMAZOO MI 49007
P (269) 352-2588

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PROJECT NAME:
REPERTOIRE RESTAURANT

ISSUE DATE:
SCHEMATIC LAYOUT 9-9-12
SITE PLAN SUBMITTAL 10-18-12
SITE PLAN RESUBMITTAL 11-5-12

SHEET NAME:
FIRST FLOOR PLAN
SCALE:
1/4" = 1'-0"
PROJECT NUMBER:
1708

SHEET NO.
A-1

CITY OF PORTAGE **COMMUNICATION**

TO: Portage City Council **DATE:** January 3, 2013

FROM: Mayor Peter J. Strazdas

SUBJECT: Commemorative 50th Anniversary Coffee Table Book

ACTION RECOMMENDED: That City Council approve the production of an update to "This Place Called Portage: Its Past and Present" by Larry Massie and that donations from area businesses be requested to fund the update.

As part of the city's 50th anniversary celebration, former Councilmember Ted Vliek, Sr. suggested development of a 50th anniversary coffee table book concerning the history of Portage. The Council approved the idea and a letter was sent to Mr. Vliek requesting that he coordinate community volunteers to develop the book with the consideration that no city dollars or staff time would be allocated to this activity.

I subsequently met with Mr. Vliek two times to discuss the matter. A third meeting was held, which included Larry Massie, author of the 2006 book "This Place Called Portage: Its Past and Present." At these meetings, a plan was developed that involves the production of a 12 – 16 page booklet to serve as an update to Mr. Massie's 2006 book. The booklet would be inserted into the original book, of which a sufficient supply exists, with a 50th anniversary seal affixed to the outer sleeve of the book. The books would then be sold at a discounted price of $10 each.

The cost for the production of the update by Mr. Massie is estimated at $3,000, with an additional printing estimate of $2,500. Mr. Vliek and I propose to raise these funds by requesting donations from the businesses who originally advertised in the 2006 book, along with solicitation of the printing from a local printing company.

It is recommended that the Council approve the production of an update to "This Place Called Portage: Its Past and Present" by Larry Massie and that donations from area businesses be requested to fund the update. Once the needed funding is secured, Mr. Massie would begin development of the update in March 2013 with production to be finalized by early summer 2013. In the event the required funding cannot be assembled, the project will be canceled.

c: Ted Vliek, Sr.

December 13, 2012

Priscilla Press
Larry & Priscilla Massie
2109 41st Street
Allegan, MI. 49010
269-673-3633

Peter Strazdas, Mayor
City of Portage
7900 S. Westnedge Ave
Portage, MI. 49002

Dear Pete,

This is in answer to the several discussions we have had about the projected Portage history update for the city's 50th anniversary.

Enclosed is the quotation for the printer we normally use. As I indicated the price could be reduced by using different paper and black & white illustrations rather than color.

I would estimate that Priscilla and I could do the work necessary to produce the text and oversee production of the 16 page booklet for $2,500 - $3,000.

Please let us know if you have any further questions.

Sincerely,

Larry & Priscilla Massie

RECEIVED
DEC 14 2012
CITY MANAGER'S OFFICE
PORTAGE, MI

McNaughton Gunn, Inc.
Your signature printer

960 Woodland Drive
PO Box 10
Saline Michigan 48176-0010

Ph: 734-429-5411
FAX 800-677-2665
www.bookprinters.com

Customer Contact: Renee Lane
734-429-8701

Regional Sales Manager
Cheryl Corey
734-429-8757

December 05, 2012

Estimate # 072474 02 JT

LARRY MASSIE
PRISCILLA PRESS
2109 41ST STREET
ALLEGAN, MI 49010
269-673-3633

Title: **Booklet**
Trim Size: 8.0000 x 10.0000 (spine bulk=0.031250)
Binding: Saddle Stitch
Total Pages: 16

Cover: 100# Sterling Ultra C1S
Printing 4 Color Process (4/0)
Supplied as: Application Files
Gloss Film Lamination

Insert(1): 8 Pages
80# Gloss (FSC/10%PCW)
Printing 4 Color Process / Printing 4 Color Process (4/4)
Supplied as: Application Files
1 Physical Colorproof(s)

Insert(2): 8 Pages
80# Gloss (FSC/10%PCW)
Printing 4 Color Process / Printing 4 Color Process (4/4)
Supplied as: Application Files
1 Physical Colorproof(s)

Packing: Packing Cartons
Packing Skids

Quantity	Cost	Approximate Freight *(weight in lbs)
1,000	$2,425.70 / $2.43 per unit	$80.50 / 1,000 copies shipping to 49010 (186)
Over/Underruns per 100's	$146.00 / $1.46 per unit	

*** Additional fuel surcharges will apply. This week's rate is 31%.**

Terms: 50% Adv/Bal Prior Ship. Sales tax may be applicable.
Schedule to be determined by availability of materials and services. Quote valid for 90 days, excluding material increases.

Please let us know if you require any of the following options by circling the ones that apply.

1. Freight Requirements: Inside Delivery, Residential Delivery, Liftgate, 24hr Advance notification (add'l charges would apply)
2. Extra Covers or Dustjackets: Quantity_____.
3. Copy of Final Files (FREE) when job in Production. $10.00 plus postage post-production per title.
4. Our standard policy is to send 2 advance copies overnight. Please indicate if you would prefer not to receive these, or if you would like up to 10 advance copies. If you would prefer advances to be sent via a 2 day service or ground service, please indicate so here _____.

OVERRUNS OR UNDERRUNS - Overruns or underruns not to exceed 10% of the amount ordered shall constitute acceptable delivery and the excess or deficiency shall be charged or credited to the publisher at the overrun rate, not the unit rate.

See next page for more pricing.

December 05, 2012

Estimate # 072474 02 JT

Title: **Booklet**

Please sign below and return this quotation authorizing McNaughton & Gunn, Inc to proceed with the manufacturing of this title. Note any changes in specifications and an order confirmation will be forwarded.

Accepted by: _____ Date: _____

CITY OF PORTAGE **COMMUNICATION**

TO: Honorable Mayor and City Council **DATE:** January 3, 2013

FROM: Maurice S. Evans, City Manager

SUBJECT: Outlot A of Norton's Subdivision – 10244 Portage Road

ACTION RECOMMENDED: That City Council refer the request from Walter Hansen, on behalf of Lakeview Animal Hospital, to purchase the city-owned Outlot A of Norton's Subdivision – 10244 Portage Road to the City Council Ad Hoc Property Committee for review and recommendation.

On December 10, 2012, the Department of Community Development received the attached request from Mr. Walter Hansen, on behalf of Lakeview Animal Hospital, to purchase the city-owned Outlot A of Norton's Subdivision. Lakeview Animal Hospital is interested in Outlot A to facilitate the construction of a new vet clinic. The request has been routed to the departments of Transportation and Utilities, Parks, Recreation, and Public Services, the Fire Division of Public Safety, as well as to the Development Review Team for review and comment.

As shown on the attached vicinity map, the city owns Lot 19 and Outlot A of Norton's Subdivision, both addressed as 10244 Portage Road. Outlot A, which is 66 feet in width and 209 feet in depth, is directly south of the Lakeview Animal Hospital located at 10336 Portage Road. The adjacent 16.6-acre parcel at 1481 East Osterhout Avenue is vacant and has future residential development potential. In addition, while the parcel at 10250 Spanish Oak is developed with a single-family dwelling, this 10-acre parcel to the west also has future residential development potential. Both 1481 East Osterhout Avenue and 10250 Spanish Oak are under common ownership.

Outlot A is intended for roadway and utility access for future development. While there is public street access to 1481 East Osterhout Avenue from Karlee Court to the north and East Osterhout to the south, land divisions could be accomplished in a manner that eliminates these access points and necessitates public street access for future development to Portage Road. In addition, the Department of Transportation and Utilities has indicated that if access is needed to Portage Road for future development to the west, Outlot A is better located in comparison to Lot 19. With regard to both Outlot A or Lot 19, at a minimum a 30-foot wide easement for public utility purposes should be retained.

As the possibility for future development of the adjacent acreage remains, options for access should not be eliminated. As a result, and consistent with the analysis completed in response to a prior request in 2006 from the owner of Lakeview Animal Hospital, Outlot A should be retained for future roadway access and utility service to the adjacent vacant land to the west.

Attachments: December 8, 2012 letter from Walter Hansen on behalf of Lakeview Animal Hospital
Vicinity Map

HANSEN BUILDING
AND DESIGN CORPORATION

December 8, 2012

To: Chris Forth

From: Walt Hansen

Re: Portage Road out lot purchase

Dear Chris:

Dr. Darrell Greathouse, who owns Lakeview Animal Hospital, located at 10336 Portage Road, has asked me to contact you regarding the possible purchase of the City owned out lot located immediately south of his property.

Dr. Greathouse would like to build a new clinic and remain in his present location. Unfortunately the lot on which his current building sits is not large enough for him to build his new facility, which would be somewhere around 3500-4000 square feet in size. Dr. Greathouse would like to remain in Portage, on his current site but will be unable to do so unless he is able to purchase the out lot.

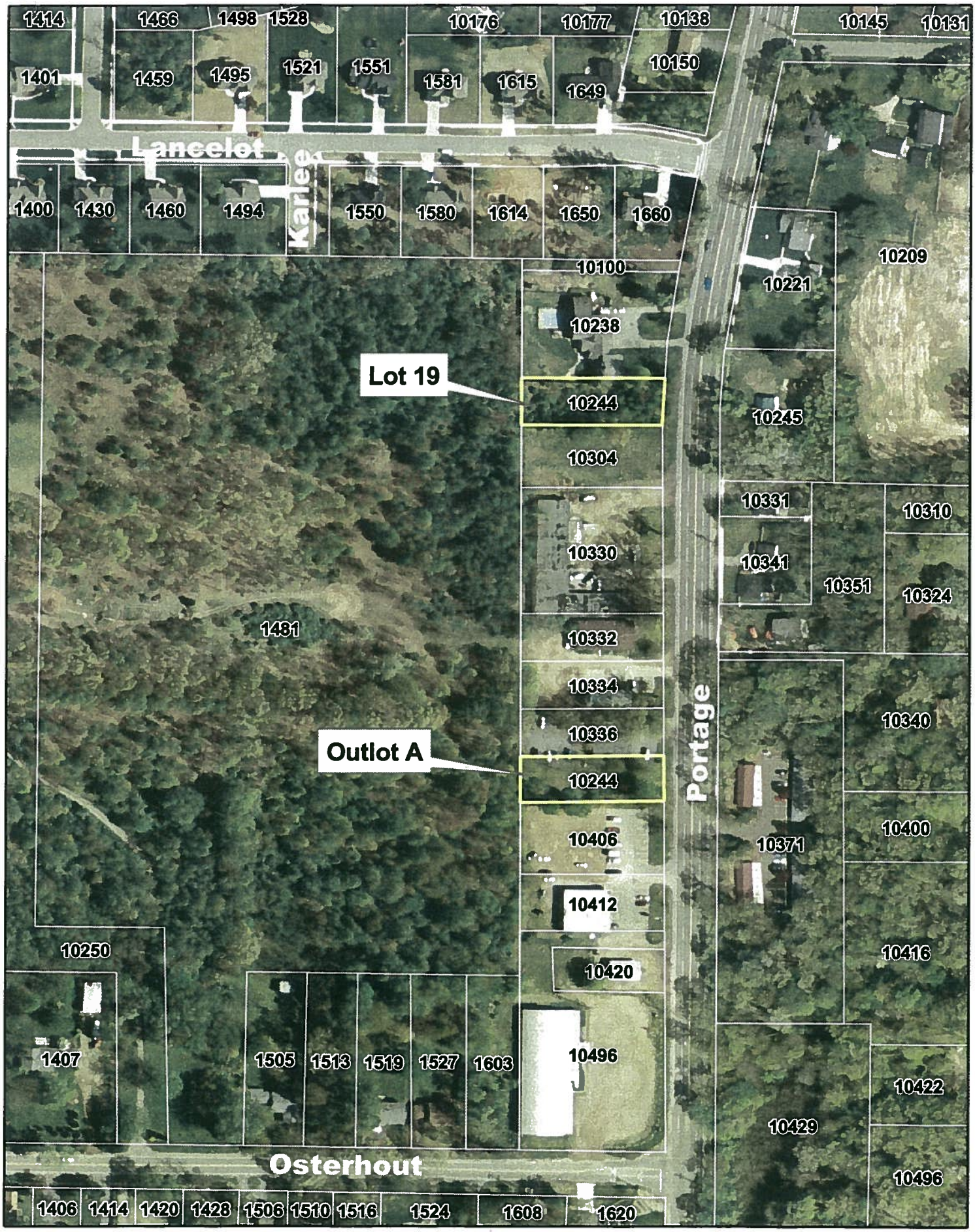
I understand that City is required to offer ½ of an out lot to each adjacent property owner. Dr. Greathouse would like to purchase the entire out lot, but would be open to purchasing ½ of the site if his neighbor insisted on buying the other ½.

Please feel free to contact me at anytime if you have questions.

Best regards,

Walter R. Hansen, President
Hansen Building and Design Corporation

3027 Woodhams • Portage, MI 49002 • (269) 323-3315 • FAX 1-866-384-8548
wwrhanser@aol.com • www.HansenBuildingDesign.com



Vicinity Zoning Map
10244 Portage Road (Outlot A and Lot 19)

CITY OF PORTAGE **COMMUNICATION**

TO: Honorable Mayor and City Council **DATE:** January 3, 2013

FROM: Maurice S. Evans, City Manager

SUBJECT: 732 East Centre Avenue (Elzinga)

ACTION RECOMMENDED: That City Council refer the proposal from Jake and Dan Elzinga for the city to purchase the property known as 732 East Centre Avenue to the City Administration for review and recommendation to the City Council Ad Hoc Property Committee.

The City Administration recently received the attached letter dated January 2, 2013 from property owners Jake and Dan Elzinga regarding the parcel known at 732 East Centre Avenue. The letter details a proposal for the city to purchase this property from the Elzingas.

It is recommended that the Council refer this proposal to the City Administration for initial review in order to provide a report and recommendation to the City Council Ad Hoc Property Committee for further evaluation. The Ad Hoc Property Committee will then provide a recommendation to City Council at a later date.

Attachment

RECEIVED

JAN 02 2013

CITY MANAGER'S OFFICE
PORTAGE, MI

January 2, 2013

City of Portage
7900 South Westnedge Avenue
Portage, Michigan 49002

Attention: Community Development

We are writing to you for the purpose of giving the City of Portage the first option to buy.

We own the property located at 732 East Centre, commonly known as Centre Street Market.

The property is approximately 2 acres, includes the market building, an office building, as well as one paved parking lot. It is currently zoned for General Business.

This property would be an excellent opportunity for the City of Portage to develop its own Farmer's Market. It would be competitive with Kalamazoo's Farmer Market as well as other surrounding areas. Vicksburg and Texas Township have both found their Farmer's Markets to be very popular and profitable. This property also comes with a built-in customer base. Centre Street Market has been operated from this same location since 1963.

Please respond with any interest as soon as possible.

Thank you in advance for you time and consideration.

Sincerely,

Jake Elzinga
Dan Elzinga

Phone: 269-808-1707
Address: 10417 Shaver Road
Portage MI 49024

CITY OF PORTAGE **COMMUNICATION**

TO: Honorable Mayor and City Council **DATE:** January 3, 2013

FROM: Maurice S. Evans, City Manager

SUBJECT: Romence Road Parkway/Angling Road Engineering Consultant Proposals

ACTION RECOMMENDED: That City Council award an engineering services contract to Bergmann Associates of East Lansing, Michigan for the Romence Road Parkway (Lovers Lane to Portage Road) and Angling Road (West Centre Avenue to Squire Heath Lane) major street reconstruction in the not to exceed amount of $29,690 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The 2012-13 Capital Improvement Program includes projects contained in the Kalamazoo Area Transportation Study (KATS) Transportation Improvement Program (TIP). Street improvements in the TIP focus on preserving and restoring pavement conditions on major streets. Major street reconstruction projects are selected based on pavement condition, average daily traffic, federal aid eligibility, as well as potential development activities. Two of the four major street projects in the 2013 TIP are the reconstruction of Romence Road Parkway (Lovers Lane to Portage Road) and Angling Road (West Centre Avenue to Squire Heath Lane). In addition to the road reconstruction, improvements will also include necessary concrete gutter repair and sidewalk upgrades (to comply with the *American With Disabilities Act*) where needed. The projects are scheduled to be constructed in 2013.

Selection of the engineering consultant is based upon the submitted cost, qualifications, experience and expected project hours. Consultant proposals for the necessary engineering services were received on December 8, 2012. Eight consultants participated in the proposal process. Costs for design and inspection services ranged from $29,690 to $71,900. Estimated hours for design and inspection services ranged from 346 hours to 823 hours.

The firm of Bergmann Associates submitted the lowest cost proposal. The engineering firm has not previously performed engineering services for the City of Portage. Therefore, the City Administration conducted an interview with Bergmann Associates. Members of the Bergmann Associates team assured that they were fully aware of the scope of the projects, capable of performing to the city's expectations with the amount of hours bid, and adequately addressed administration concerns. References were verified with the local Michigan Department of Transportation engineering staff and proved Bergmann Associates to be very capable and timely on recently completed design work on the M-43/US-131 interchange.

It is recommended that City Council accept the proposal submitted by Bergmann Associates to provide engineering services for the Romence Road Parkway (Lovers Lane to Portage Road) and Angling Road (West Centre Avenue to Squire Heath Lane) reconstruction projects in the not to exceed amount of $29,690 and authorize the City Manager to execute all documents related to the contract on behalf of the city. The engineering services will be financed through the sale of Michigan Transportation Fund bonds and the use of the Municipal Street Fund. A complete bid tabulation is attached for the information of City Council.

Attachment

TABULATION OF PROPOSALS
ANGLING ROAD/ROMENCE ROAD RECONSTRUCTION

Firm	Estimated Project Hours			Bid
	Design	Construction	Total Hours	
Bergmann Associates 1427 W. Saginaw St., Suite 200 East Lansing, MI 48823	79	267	346	$29,690.00
Jones & Henry Engineers, Ltd. 4791 Campus Drive Kalamazoo, MI 49008	155	227	382	$35,770.00
Wightman & Associates, Inc. 9835 Portage Rd. Portage, MI 49002	155	480	635	$42,800.00
Driesenga & Associates, Inc. 552 S. 8th Street Kalamazoo, MI 49009	288	498	786	$46,569.00
Paradigm Design, Inc. 550 3 Mile Rd. NW, Suite B Grand Rapids, MI 49544	270	505	775	$50,450.00
Prein&Newhof 7123 Stadium Drive Kalamazoo, MI 49009	259	412	671	$53,550.00
Williams & Works, Inc. 549 Ottawa Ave. NW Grand Rapids, MI 49503	176	452	628	$55,600.00
Abonmarche Consultants 95 W. Main Street Benton Harbor, MI 49022	231	592	823	$71,900.00

Proposals Opened 12/6/2012

CITY OF
PORTAGE
A Place for Opportunities to Grow

MATERIALS TRANSMITTED

Friday, December 14, 2012

1. Communication from the City Manager regarding the FY 2013-14 Human/Public Service Grant Applications – Information Only.

2. Communication from the City Manager regarding the Citizen Comment Card Summary for November 2012 – Information Only.

3. Communication from the Mayor dated December 7, 2012 responding to Judge Brindenstine's 8th District Court letter – Information Only.

Maurice S. Evans

Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager

7900 South Westnedge Avenue ▪ Portage, Michigan 49002 ▪ (269) 329-4400
www.portagemi.gov