



**PROPOSED AGENDA
REGULAR MEETING OF THE PORTLAND CITY COUNCIL**

7:00 P.M. Monday, May 1, 2017
City Council Chambers
City Hall, 259 Kent St., Portland Michigan

| <u>Estimated Time</u> | | <u>Desired Outcome</u> |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 7:00 PM | I. <u>Call to Order</u> | |
| 7:01 PM | II. <u>Pledge of Allegiance</u> | |
| 7:02 PM | III. <u>Acceptance of Agenda</u> | Decision |
| 7:03 PM | IV. <u>Public Comment</u> (5-minute time limit per speaker) | |
| 7:05 PM | V. <u>City Manager Report</u> | |
| | VI. <u>Presentations</u> | |
| 7:15 PM | A. Vince Aragona of ACD.net | |
| | VII. <u>Public Hearing(s)</u> | |
| 7:25 PM | A. Public Hearing on the Budget Proposed for Fiscal Year 2017-2018 | |
| | VIII. <u>Old Business</u> – None | |
| | IX. <u>New Business</u> | |
| 7:28 PM | A. Proposed Resolution 17-36 to Adopt the City of Portland’s Annual Budget for Fiscal Year 2017-2018 | Decision |
| 7:30 PM | B. Proposed Resolution 17-37 Approving, Authorizing, and Directing The Mayor and Clerk to Sign a License Agreement to Farm the 52.9 Acres at Grand River Ave. and Cutler Rd. | Decision |
| 7:32 PM | C. Proposed Resolution 17-38 Approving, Authorizing, and Directing The Mayor and Clerk to Sign Ambulance Services Agreements with Danby Township, Portland Township, Westphalia Township, Orange Township, Lyons Township, the Village of Westphalia, the Village of Pewamo, and Sebewa Township and Approving the Care Plan Membership Agreement Form | Decision |
| 7:35 PM | D. Proposed Resolution 17-39 Approving, Authorizing, and Directing The Mayor to Sign a Permit for a Fireworks Display at Portland High School | Decision |
| 7:37 PM | E. Proposed Resolution 17-40 Confirming the Mayor’s Appointment to City Boards and Commissions | Decision |
| 7:39 PM | F. Proposed Resolution 17-41 Approving the Purchase of Automatic Meter Reading Technology | Decision |

**Estimated
Time**

7:41 PM

X. Consent Agenda–

- A. Minutes & Synopsis from the Regular City Council Meeting held on April 17, 2017 and Council Budget Workshop held on April 20, 2017
- B. Payment of Invoices in the Amount of \$130,417.92 and Payroll in the Amount of \$97,401.70 for a Total of \$227,819.62
- C. Purchase Orders over \$5,000.00
 - 1. T&R Electric in the Amount of \$5,315.00 for a Transformer
 - 2. Chrouch Communications in the Amount of \$6,922.50 for Portable Radios and Chargers
 - 3. Fleis & VandenBrink in the Amount of \$13,040.14 for James St. Design Engineering Services

XI. Communications–

- A. EDC Minutes for February 27, 2017
- B. DDA Minutes for March 16, 2017
- C. Police Department Report for March 2017
- D. Water Department Report for March 2017
- E. Utility Billing Report for March 2017
- F. Ionia County Board of Commissioners Agenda for April 18, 2017
- G. Ionia County Board of Commissioners Agenda for April 25, 2017
- H. MPSC Notice of Hearing for May 9, 2017
- I. MPSC Notice of Hearing for May 11, 2017

7:43 PM

XII. Other Business - None

7:45 PM

XIII. City Manager Comments - None

7:50 PM

XIV. Council Comments

7:55 PM

XV. Adjournment

**Desired
Outcome**

Decision

Decision



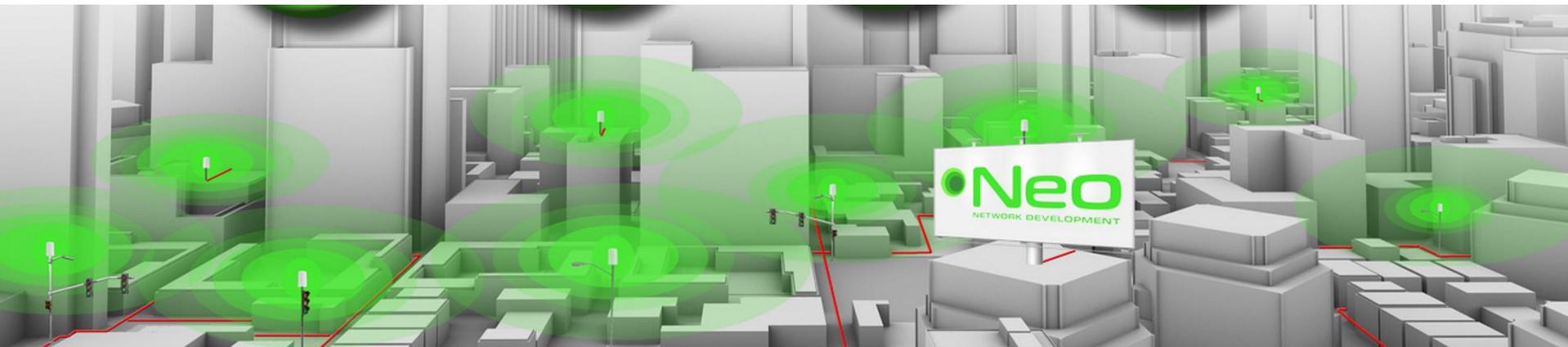
Information Memorandum

Confidential

Portland, Michigan
City Council Meeting
May 1, 2017



Visit us at www.NeoNetworkDevelopment.com



Review our sites at www.NeoNetWerx.com

Community Friendly Approach to Advanced Technology



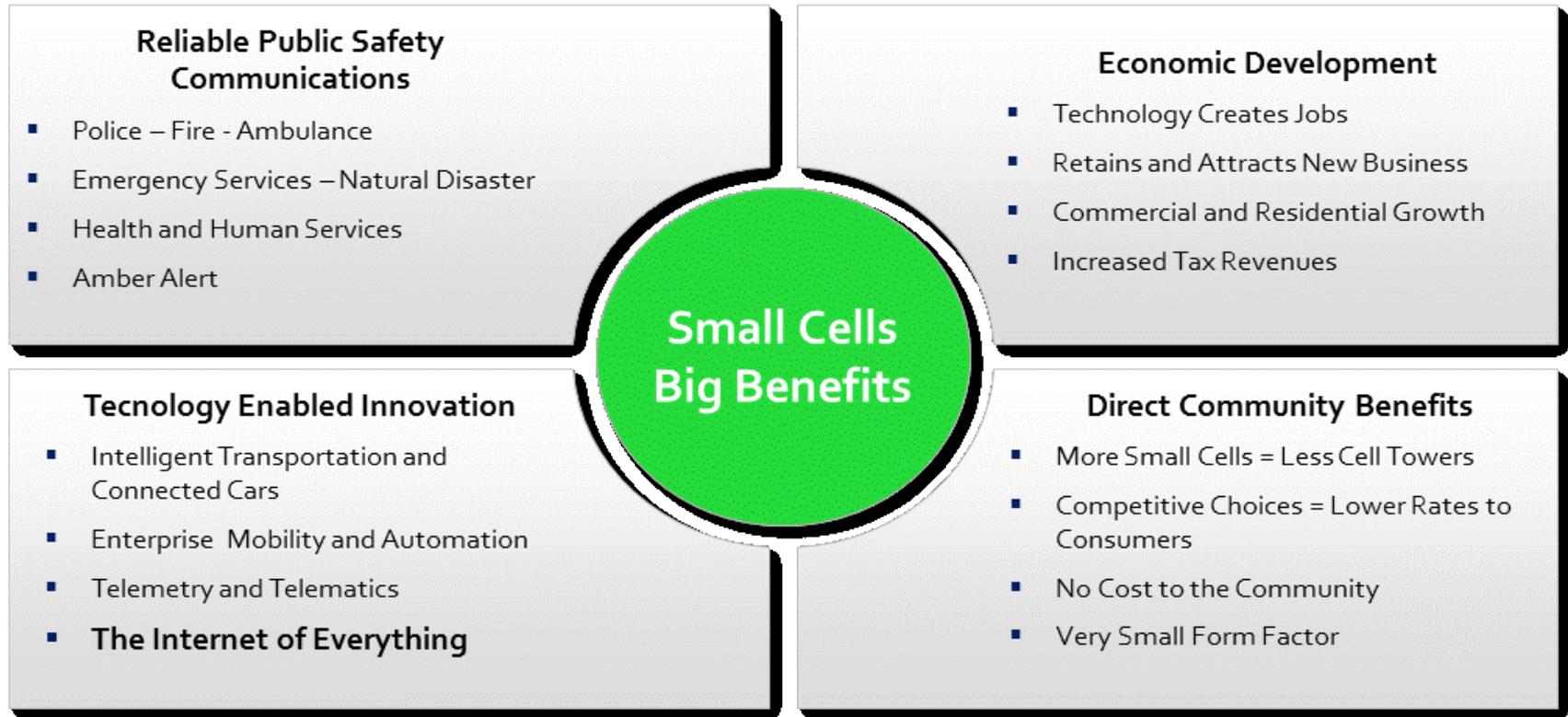
Working Together...



...Everyone Wins



The Smartest Cities Embrace Technology



Over 70% of all E-911 calls are originated via mobile devices

Wireless *is* Technology for Life

Right of Way Access Administration

The Regulatory Environment in the US is Incredibly Complicated



The Telecommunications Act of 1996

- FCC Order 11-50
- FCC Order 14-153
- FCC Order 13-122A

Code of Federal Regulations – U.S. Code – Title 47 – Chapter 5 – Subchapter II – Part II

- Subsection 253
- Subsection 254
- Subsection 332(c)(7)

US Congress - Public Law 96 Middle Class Tax Relief and Job Creation Act of 2012 - Wireless Facilities Deployment

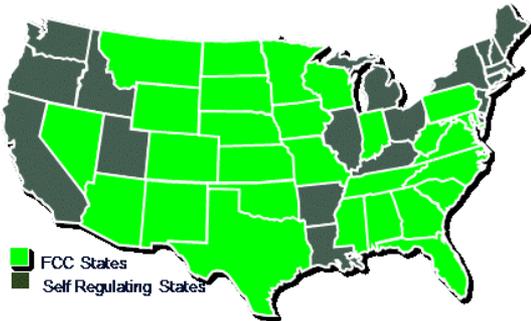
- Section 6409 (a)
- Section 6409 (b) (1)



Local Small Cell Siting Policy Compliance with Federal and State Law

FCC or Non-FCC States?

Public Utility Pole Attachment Rates and Access



Electric Utility Type?

- Public
- Municipal Owned
- Investor Owned
- Coop



Who's Applying?

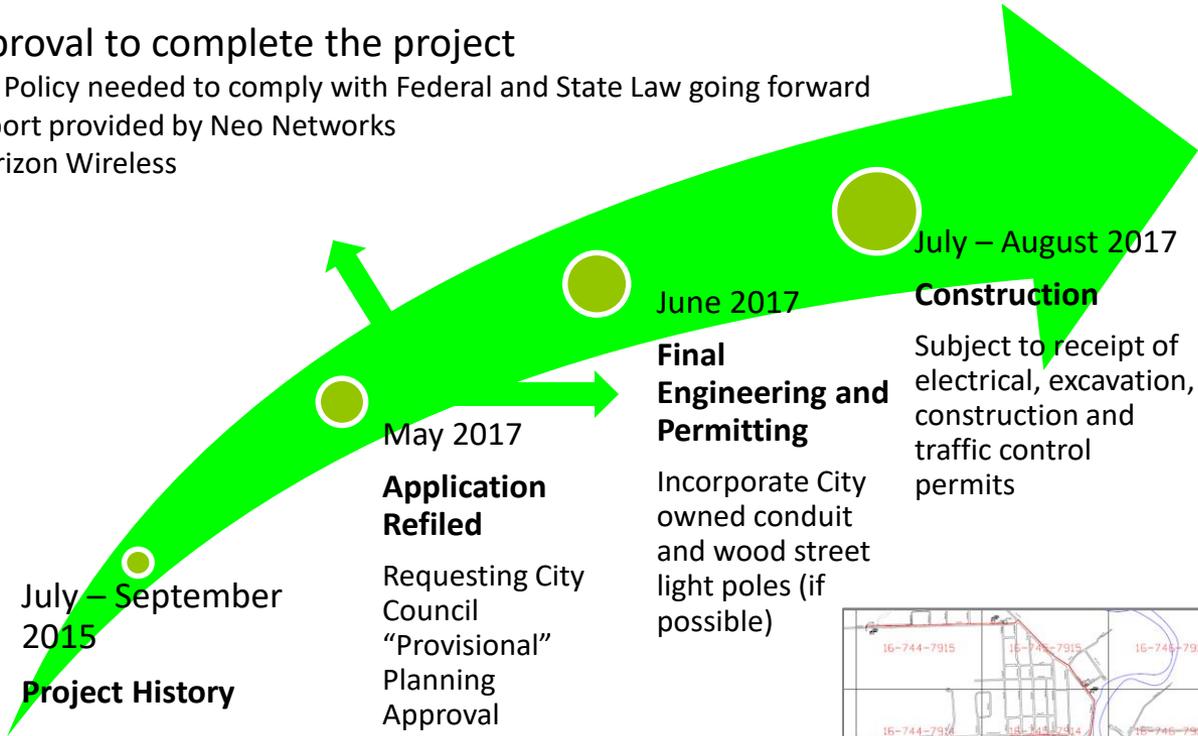
- Wireless Carriers (CMRS)
- Dominant Telco (ILEC)
- Non-Dominant Telco (ILEC)
- Fiber Co and Neutral Hosts (CLEC)
 - IXC
 - CAP
 - Full or Limited Facilities Based
 - Title II
- Private Enterprise (Non-Regulated)
- Cable TV (CATV)
- Tower Companies

Not Applicable to Municipal, Investor Owned or Coop Utilities

Project History and Proposed Schedule

Provisional approval to complete the project

- Updated Siting Policy needed to comply with Federal and State Law going forward
- Follow on support provided by Neo Networks
- Courtesy of Verizon Wireless



July – September 2015
Project History

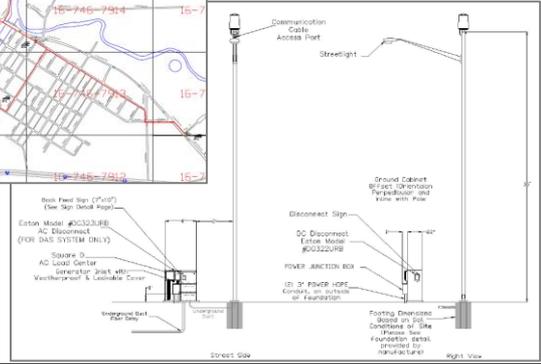
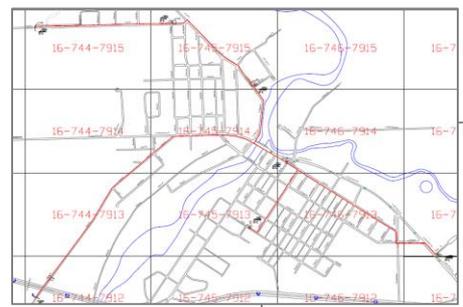
May 2017
Application Refiled
Requesting City Council “Provisional” Planning Approval

June 2017
Final Engineering and Permitting
Incorporate City owned conduit and wood street light poles (if possible)

July – August 2017
Construction
Subject to receipt of electrical, excavation, construction and traffic control permits

Incorporate Best Practices and Lessons Learned into Updated Wireless Siting Policy for Small Cells

Original Application Filed in July 2015
Denied in September 2015 on the basis the “*proposed use of poles is contrary to City ordinance*” and “*the route proposed by ACD.net is for the installation of its fiber optic cable is overburdened by existing public and private utilities, including telecommunications*”
Resolution No 15-70



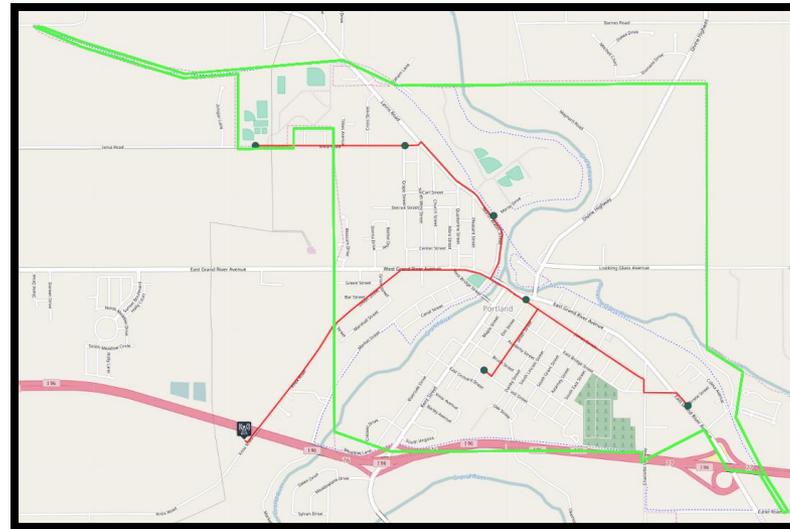
Proposed Small Cell Network Overview

Ground Mounted Equipment



6 Small Cells Included in Design

- Very small form factor
- Low power
- Ultra High Capacity



Fiber Route

Pole Mounted Equipment





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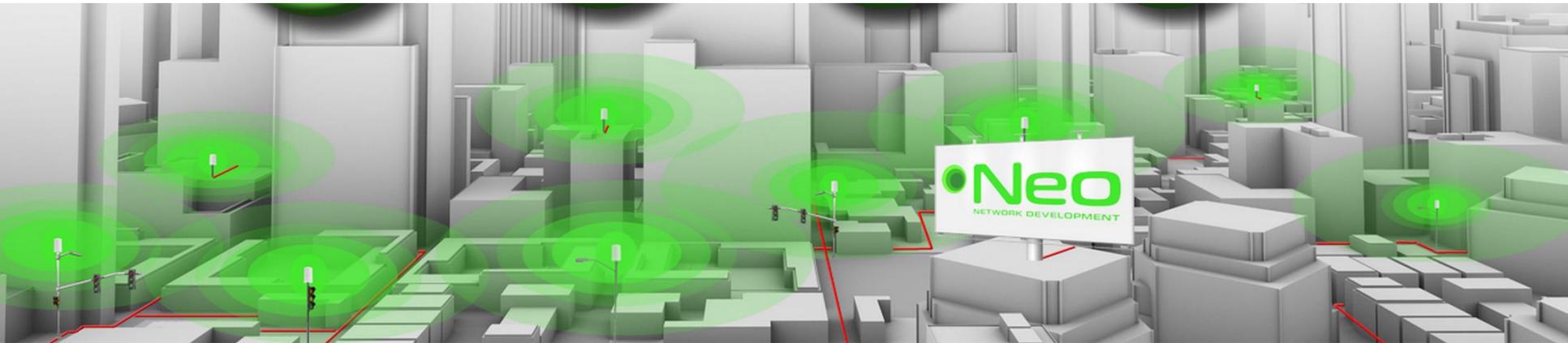
Information Memorandum

Confidential

Portland, Michigan
Small Cell Solutions Meeting Notes
April 12th, 2017



Visit us at www.NeoNetworkDevelopment.com



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Community Value of Advanced Wireless Technology

Commercial Wireless Networks are Essential to Emergency Services and Public Safety Communications

- Over 70% of all E-911 calls are originated via mobile devices
- Nearly 100% of all emergency services rely on commercial wireless networks
- ***Network reliability is a matter of life, health and human safety***



Wireless is the Technology for Life

Community Value of Advanced Wireless Technology

Wireless is the Foundation for Your Smart City

Welcoming Wireless Encourages Investment in Your Community

- Developed infrastructure and accelerated access attracts technology partners
- Newly deployed fiber optic networks promote competition
- Increased competition equates to better service and lower subscription rates for consumers
- Advanced wireless networks attract and retain business
- New business stimulates residential growth and new housing starts
- Promotes tourism and improved revenues for local businesses
- Enterprise and residential growth translates to increased tax revenues

Technology That Creates Jobs

- Professional Services, Skilled Trades, Manufacturing and Labor

Best in Class Technology Supports Local Corporate Initiatives

- Ford, General Motors, Toyota & Google
- Advanced Wireless, Fixed Wireless, Broadband, Intelligent Transportation Systems, Connected Cars, Autonomous Vehicles, Telemetry, Telematics and the Internet of Everything

All Emerging Technologies Rely on Access to Infrastructure

Community Value of Advanced Wireless Technology

5G Has the Whole World Watching

Confirmed: Verizon Applies to Conduct Pre-Commercial Fixed 5G Trials in 4 States

Verizon is aiming to launch fixed wireless 5G market trials in four states beginning at the start of the new year, the carrier confirmed Thursday.

According to documents filed with the FCC, Verizon has asked for permission to conduct market trials in the 28 GHz band in Texas, **Michigan**, Massachusetts, and near its Basking Ridge headquarters in Bernardsville, New Jersey. The carrier has asked for a six month permit for the trials, beginning January 2, 2017 and running through June 2.

Successful 5G trials will have a global economic impact

<https://www.wirelessweek.com/news/2016/12/confirmed-verizon-applies-conduct-pre-commercial-fixed-5g-trials-4-states>

Community Value of Advanced Wireless Technology

5G Will Evolve Every Industry

Public Safety, Automotive Technology, Education, Healthcare, Enterprise, Communications, Engineering, Manufacturing, Transportation, Retail, Logistics.....

- Fixed wireless is the precursor to 5G
- Small Cell deployments have the potential to be some of the first markets in the US to offer commercial 5G services
- Right of way and infrastructure access is the critical path



\$\$ Economic Impact Measured in Hundreds of Billions \$\$

Meeting Goals and Objectives

Notes from the Meeting on April 10th

Review Pending Applications

- Interim Solutions – Provisional Approvals
- Follow up with Permanent Small Cell Siting Policy

Business and Operational Terms

- Pole Placement and Pole Type
 - Use of City Street Light Poles
- Possible Use of City Conduits
- Approval Durations
 - Commitment on Specific Timeframes

Field Coordination

- Coordinate on Site Selection / Location

Establish Clear and Measurable Commitments

- After Action Review
- Maintain Regular Communications



Federal Regulatory



The Telecommunications Act of 1996

“The 1996 Telecommunications Act defined the balance between federal, state and local responsibilities in telecommunications. That law designates the FCC as the primary entity responsible for rules and regulations related to the entry into and the offering of interstate telecommunications services. The same law designates states and local governments as the primary entities responsible for rules and regulations related to telecommunications service providers entry into, compensation for use of, and behavior in the public's right-of-way”.

<https://transition.fcc.gov/statelocal/recommendation1.html>

“In the Matter of Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless”

On April 7, 2011 the FCC adopted order **11-50** Implementing section 224 of the Telecommunications Act of 1996 which focused on attachment fees, rates and rules governing third party attachments of fiber, equipment and antenna systems on existing utility distribution poles owned by public utilities.

https://apps.fcc.gov/edocs_public/attachmatch/FCC-11-50A1.pdf

On September 26, 2013, the FCC adopted order **13-122A** via Notice of Proposed Rulemaking which included the implementation of section 6409(A) of the Middle Class Tax Relief and Jobs Creation Act of 2012 and section 332(C) (7) of the TCA.

<https://www.fcc.gov/document/fcc-proposes-remove-barriers-wireless-infrastructure-0>

On October 21, 2014, the FCC issued their report and order **FCC 14-153**. Among other relief for siting towers including environmental and historic features, FCC 14-153 is directed towards the Public sector, imposing timelines and a “shot clock” that limits the local government on time to review and process applications to place facilities within the public rights of way to support wireless and broadband deployments and functionally eliminates adding time due to locally imposed moratoria.

https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-153A1.pdf

Federal Regulatory



Code of Federal Regulations – U.S. Code – Title 47 – Chapter 5 – Subchapter II – Part II – Subsections 253, 254 and 332

Subsection 253 No State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.

<http://www.gpo.gov/fdsys/pkg/USCODE-2011-title47/pdf/USCODE-2011-title47-chap5-subchapII-partII-sec253.pdf> or

<http://www.gpo.gov/fdsys/granule/USCODE-2011-title47/USCODE-2011-title47-chap5-subchapII-partII-sec253>

Subsection 254 definition of the services that are supported by Federal universal service support mechanisms and a specific timetable for implementation

Subsection 332(c)(7) provides for limited preemption of state and local zoning authority in the siting of personal wireless service facilities. The statute disallows unreasonable discrimination “among providers of functionally equivalent services” and local government actions that “prohibit or have the effect of prohibiting the provision of personal wireless services.”

Reference Materials by Order of Precedence

US Congress – Public Law 96 Middle Class Tax Relief and Job Creation Act of 2012

Section 6409 – Wireless Facilities Deployment



Section 6409 (a) The FCC determined that Section 6409(a) applies to facilities used in connection with “any Commission-authorized wireless communications service.” This includes broadcast facilities. The Commission rejected local governments’ view that the statute is best read to apply only to personal wireless service and public-safety communications. **The FCC’s determination will ensure that Section 6409(a) and the Commission’s rules apply broadly.** Providers will be able to use Section 6409(a) to modify a facility regardless of the service it provides. This differs from 47 U.S.C. § 332(c)(7), which applies only to “personal wireless service” facilities. The FCC defines “transmission equipment” broadly as equipment that facilitates transmission of any Commission-authorized wireless service. It includes, but is not limited to, radio transceivers, **antennas**, coaxial or fiber-optic cable, and regular and backup power supply. facilities. **It defines “base station” broadly** to include not only the equipment that communicates with user equipment (... **and encompassing DAS and small cells**), but also the “structure” that supports or houses that equipment. The FCC clarified, however, that a structure would qualify as an existing “base station” only if at the time of the application, the structure already supports or houses communications equipment. Other structures that do not host communications equipment are not “base stations.” The FCC also clarified that to qualify as a “base station,” the facility must have been “approved under the applicable zoning or siting process” or have **“received another form of affirmative State or local regulatory approval,” such as an authorization from the CPUC (presumes to extend to the MPSC in Michigan).** This is a very broad definition and **would include the light pole, building or other structure that currently houses communications equipment as long as it received the applicable regulatory approvals, even if those approvals did not anticipate future collocation.** http://sananselmo-ca.granicus.com/MetaViewer.php?view_id=1&clip_id=126&meta_id=15390

Section 6409 (b) (1) establishes procedures for the grant of easement or right of use in, over or on buildings and properties owned by the Federal Government, (2) the application procedure, (3) (A) the fee structure as a direct, cost recovery with (3) (B) exceptions and relief of the fees due to (i) in consideration of the public benefit and (ii) in the interest of expanding wireless and broadband coverage. <http://www.gpo.gov/fdsys/pkg/PLAW-112publ96/html/PLAW-112publ96.htm>

Clarifying the meaning of terms included in a provision of the Middle Class Tax Relief and Job Creation Act of 2012 which states and **“a State or local government may not deny, and shall approve,** any eligible facilities request for a modification of an existing wireless tower or **base station** that does not substantially change the physical dimensions of such tower or base station;”. eliminating barriers to entry and by leveraging their authority over utility occupation and use of the rights of way.

Non Recurring and Recurring (Municipal) Fee Eligibility



Common Street Lights



Traffic Signals / Street Light



Decorative Street Lights



Traffic Signal Poles

Eligible for non-recurring and recurring fees (rent)

- Proprietary Community Property
- Exempt by definition from CFR 47 1.40001
- Eligibility depends on if these assets are subsidized through federal funding (installation, operation or maintenance)



Existing Utility Poles

Eligible for cost recovery based, non-recurring fee only
Ineligible for recurring fees (rent)

- Cost recovery based attachment fees paid to the pole owner



New Wood Poles



New Metal or Fiberglass Poles

Eligible for cost recovery based, non-recurring fee only

Ineligible for recurring fees (rent) when placed in the PROW

- PROW is not real property owned by the Municipality
- Access governed under Federal (FCC) Orders



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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20555

| | | |
|-------------------------------------------------|---|----------------------|
| In the Matter of |) | |
| |) | |
| Streamlining Deployment of Small Cell |) | WT Docket No. 16-421 |
| Infrastructure by Improving Wireless Facilities |) | |
| Siting Policies |) | |
| |) | |
| Mobilitie, LLC Petition for Declaratory Ruling |) | |

REPLY COMMENTS OF NEO NETWORK DEVELOPMENT INC (“Neo”)

NEO files these Reply Comments in response to the Commission’s Request for Comment on Streamlining Deployment of Small Cell Infrastructure by Improving Wireless Facilities Siting Policies and Mobilitie, LLC’s Petition for Declaratory Ruling. In the initial public comment, Neo had indicated that they would provide an outline of a Best Practices based Siting Policy, included here as Exhibit A.

PROPOSED ELEMENTS FOR BEST PRACTICES GUIDE

- 1. KEY TO IMPLEMENTING BEST PRACTICES:** The Commission should consider endorsement and development of a Master Lease and License process governing wireless access points, DAS, small cells, mid-cells and lateral facilities (Fiber) attachments on existing utility poles, Proprietary Community Property (street lights or traffic signal poles¹), the placement of new poles owned by the Community, a Public, Private Partner (P3) or by

¹ The author presumes that Street Lights and Traffic Signal Poles are exempt by definition from C.F.R 47 subsection 1.40001 as “Proprietary Community Property” and therefore, the Commission would likely forebear on rate setting or imposing mandates requiring communities to make these structures available, however it would be within the Commission’s authority to incentivize communities who include these structures as a function of their siting policy and adopt commercially reasonable rates and requirements.

properly entitled Regulated Utilities and Certificated Wireless Carriers including the local electric utility, wireless (CMRS) and Regulated Telecommunications Utilities (ILEC and CLEC). This “MLA” would be made available to Communities at no cost and would ensure local PROW management, Access and Use policies originate and remain in compliance with Commission rules, regulations, current and subsequent laws and orders. TABLE A below represents an outline of the Infrastructure, Conditions, Proposed Process (Including Duration) general Fee Structure. If properly architected, a Commission approved program would encapsulate all facilities and forms of Infrastructure placed within the PROW that would ideally include:

- **Existing Utility Poles**
- **Existing Street Lights and Traffic Signal Poles**
- **New, Community Owned Poles**
- **Public Private Partnerships (P3)**
- **New Poles Placed by Regulated Public Utilities and Certificated Carriers**

2. MATERIAL BENEFITS: Development of a Commission endorsed Program that includes Commission pole attachment and rental rate maximums would benefit the Commission, the Communities and the Carriers while accelerating the deployment of wireless, broadband and all forms of advanced and emerging technologies. TABLE 2 below outlines a number of Limiters, Description in brief and a preliminary Recommendation. The primary benefits are listed below.

- Establishes consistent and manageable timeframes to review and approve right of way access applications.
- Functionally eliminates protracted negotiations on business terms through the establishment of clear and consistent values associated with pole rental rate maximums and pole attachment fees.

- Rate setting vehicle that establishes dollar values, eliminate ambiguities and common misinterpretations of the definition of “cost recovery”.
- Equipment dimension based rental rate adjustment that incentivizes applicants and their equipment manufacturers to minimize the size and dimensions of the equipment and antenna systems in exchange for reduced rents and attachment fees and minimizes the aesthetic impact on the local Community.
- Minimizes or obviates the risk of costly litigation by providing sensible PROW management governance and the installment of an effective and efficient, expedited dispute mediation and resolution.
- Prioritizes the use of existing vertical infrastructure while providing an order of precedence for the placement of new poles owned by the community, community partners and regulated public utilities and properly certificated carriers.
- Includes a mechanism that encourages the use of Proprietary Community Property under commercially reasonable rates, business terms and conditions that allows the applicant to deduct the cost of pole and foundation upgrades and replacements from the attachment fee or pole rent until the cost of tenant improvements are recovered.
- Minimizes the proliferation of new poles by including a process that encourages the use of existing poles and vertical infrastructure and enables the placement of new poles including within urbanized areas where utility poles have been removed and overhead utilities have been placed underground.
- Enables Communities to generate a nominal, “rent controlled” cumulative recurring revenue stream from their owned assets, community partners’ installed inventory and inventory of existing poles as a matter of Community choice.

- Allows for placement of new poles and vertical infrastructure in Communities where existing vertical infrastructure is limited or where the local Community chooses not to make their existing (non-utility) infrastructure available commercially.
- Streamlines the leasing and licensing of poles through the adoption of a standardized lease / license template that is offered to all carriers on a competitively neutral and non-discriminatory basis.
- Accelerates the applicants' zoning and planning approvals and dramatically reduces the time to market, cost of site acquisition, network deployment and construction.
- Eliminates ambiguities, common misinterpretations and imposition of excessive, arbitrary and anti-competitive fees and charges, unenforceable and unlawful restrictions and other significant barriers to entry through the enforcement and inclusion of Commission imposed, legal mandates specific to the occupation and use of the public and utility rights of way and regulated infrastructure.

3. ATTACHING TO EXISTING UTILITY POLES: The Commission should consider imposing a simple administrative review process for securing approval to attach on existing utility distribution poles not to exceed 30 days from the submission date. Communities should be encouraged to adopt a "Utility Poles First" policy to ensure the maximum utilization of existing utility owned infrastructure for the hosting of facilities, equipment and antenna systems to support all wireless, advanced and emerging technologies. Excepting only Municipal Owned Utilities, Communities rarely have an ownership interest in utility infrastructure and therefore would not be entitled to any form of recurring pole attachment fees or pole rents and would be limited only to cost recovery based, non-recurring application and permit fees and a nominal, annual ROW maintenance and inspection fee, the maximum values of which would be established by the Commission. (See table 1 below).

4. PROPRIETARY COMMUNITY PROPERTY: As an incentive to communities that make their existing assets and inventory available at “commercially reasonable” rates, establish attachment fees (or pole rents) based upon a cost recovery based fee structure, the Commission should consider offering communities relief from the requirement to allow the placement of new poles as an enticement to communities that opt into or adopt the Commission’s Siting Policy that includes commercially reasonable access to Proprietary Community Property. The integration of a Best Practices based policy that encourages the use of existing assets and inventory of poles would benefit the community by introducing a moderate, cumulative, recurring revenue stream while minimizing the proliferation of new poles in the PROW, benefits the carriers by enabling low cost, high velocity approval and high volume placement of network equipment on existing vertical infrastructure while minimizing the initial capital cost and ongoing liability that accompanies pole ownership. (**Note:** Similar to tower ownership, CMRS (wireless) carriers have demonstrated over time, a preference of leasing or licensing access as opposed to owning traditional cell towers with most, having sold off their portfolios and are currently leasing space on towers that they once owned and this trend is presumed to apply here to existing and new poles placed in the PROW). The fee structure would include a non-recurring, cost recovery based application fee that includes the cost of all required permits and an annual pole rent, not to exceed the pole rental maximums to be established by the Commission.

- a. For those municipalities and government agencies that adhere to the Commission rental rate maximums, applications from properly certificated and regulated carriers (without regard to specific form of entitlements) to place new poles may only be denied under certain, specific conditions (equivalent heights, distance from coverage objectives, imposition of cost prohibitive upgrades and improvements and other technology specific limitations that can qualify the use of existing infrastructure as cost prohibitive or technologically non-viable).

b. For those municipalities and government agencies that choose (i) to not make their existing infrastructure available for commercial use or (ii) require rental payments that exceed the Commission rental rate maximums, these municipalities and government agencies would be subject to a Commission imposed administrative review and approval of new poles, including equipment and antenna systems within certain, specific timeframes (i.e. 60 days) or the FCC may be petitioned to preempt local municipal or government administration over access to or use of the public and utility rights of way under expedited (i.e. 30 day) mediation and dispute resolution proceedings.

5. BEST PRACTICES INVOLVING NEW POLE PLACEMENT: Best practices are needed to address this highly contentious issue for municipalities and government agencies and routinely delays the deployment of entire networks, even in instances where only a small percentage of locations in any given network require new, standard height pole. The most common catalysts for delay centers around (i) pole owner policies that limit the use of existing utility poles, (ii) utility poles either do not exist or have been previously been removed as utility services (electric lines, CATV and Telecom) have been placed underground, (iii) existing inventory of street lights, traffic signal poles or related Proprietary Community Property are not approved for use, not made commercially available or are already in use and are not suitable for collocation, (iv) the combined cost of capital improvements (i.e. pole and foundation replacements, road restoration, mandatory civil infrastructure improvements) and pole rents are economically non-viable (v) community concerns over possible public opposition, (v) the communities lack of a lawfully compliant siting policy, (vi) communities lack staff, budget, resources needed to implement an effective and compliant siting policy (vii) lack of specificity on the dollar values of a commercially appropriate rate structure. Solutions and best practices may include:

- **New Community Owned Poles:** Under a cost recovery based rate structure, the local community would place, own and license or lease new poles to the entity requesting

access. Under a variable rate model that allows the attaching party to contribute capital in exchange for lower rent and a cost recovery based rate formula limited to and in compliance with the Commissions rental rate maximums.

- **Public Private Partnership (P3) Agreement:** Established by private agreement (P3 or management and marketing agreement), the Community would identify a preferred partner(s) willing to accept ownership, liability and responsibility for the placement of new poles and the ongoing maintenance, operation and administration of access under a collocation preference.
- **Third Party Placement of New Poles:** To the extent (i) existing utility poles are not usable or available, (ii) proprietary community property inventory is not available or are not made available commercially, (iii) the community chooses not to place, own and license / lease new poles, (iv) a preferred P3 partner has not been identified or (v) the applicant seeking permission to place new poles can qualify why options (i) through (iv) are technically, economically or operationally non-viable, an abbreviated process (i.e. 60 to 90 days) to allow the placement of new poles by properly certificated and entitled entities would be supported by the Commission.

(Note: Since Mobilitie had applied to place new poles as a Regulated Public Utility, including their 120' tall poles, many Communities are likely resisting or refusing their applications due to the presumption that (i) 120' tall poles are not eligible facilities since they exceed the standard height of a common utility pole and (ii) Communities assume Mobilitie intends to generate significant, recurring pole rents and attachment fee revenues beyond a cost recovery based rate formula and (iii) 120' poles are not safe when installed within the public way.)

6. EQUIPMENT DIMENSION BASED POLE RENTS AND ATTACHMENT FEES:

Best practices should be developed to encourage placement of equipment using a compact

and visually unobtrusive profile. In other words, the smaller the equipment and antenna systems are, the lower the pole rent or attachment fee. Since many network architectures such as Wi Fi access points and Gigabit Ethernet radios involve ultra-low or low power devices, the equipment dimensions are generally smaller than higher power microcells, DAS nodes or remote radios. The trade-off is that lower power equipment requires more devices and a larger number of sites and higher radio density. By providing a mechanism for several different equipment dimensions, each carrier intending to attach their equipment will have the choice of low power, high density at a lower attachment fee or higher power, lower density at a higher attachment fee. Implementing an equipment and antenna dimension based fee structure provides each carrier with the maximum flexibility to select the equipment and antenna system best suited to their preferred technology while providing a competitively neutral method of establishing rates that encourages the placement of small form factor equipment and minimal visual impact to the community.

7. LATERAL FACILITIES (fiber, copper, hybrid fiber and coaxial (“HFC”) and coaxial cables): Best practices for the planning, permitting and administration of access to and use of the PROW for both overhead (aerial) and underground facilities include the unification of the process and consistency in administration at the local government or agency level, without regard to the differences in entitlements (CMRS, ILEC, CLEC, CATV) and rate structure differences that result combined with an equitable rate structure that includes standardized values, collocation and wholesaler incentives.

- **Planning, permitting and administration of overhead and underground lateral facilities and Right of Way (“ROW”) Permits:** While the fees and charges may not be identical, the process of securing access should be applied consistently among carriers in possession of all the various forms of entitlements provided the applicant(s) possess an appropriate form of full, facilities based authority.

Theoretically, there should be no discernable differences in or dissimilar treatment of:

- i. The timing or cost of administration and processing of right of way use applications
 - ii. Approval and issuance of ROW Permits simply on the basis of carrier classification.
 - iii. Applications submitted to utility pole owners in the processing of occupancy permits, the treatment and processing of make ready engineering or the timing of the performance and completion of rearrangements of existing telecommunications attachments
 - iv. Annual cost and payment of attachment fees or pole rents from any eligible carrier providing any qualifiable telecommunication service regardless of their “functional equivalency” or the classification of their regulatory status
 - v. Local process that mandates that any given applicant be required to place their lateral facilities underground while others are allowed to attach overhead.
- **Equalize treatment of all carriers’ rights of access:** In many States, treatment of CMRS carriers and CLEC’s are not equal. In some cases, CMRS carriers are provided access to the PROW to place lateral facilities without needing to endure costly and time consuming environmental impact reports and advance approvals, while CLEC’s are required to secure Environmental Impact Reports or Mitigated Negative Declarations with Notice to Process in advance of ground disturbing construction while (dominant) ILEC’s and CATV file post construction. Inversely, CLEC’s generally are afforded tariff based rate treatment on infrastructure owned by Public Utilities while CMRS carriers are required to pay commercial, market based rates to host their equipment and antenna systems. In markets across the US, CATV

providers are installing hundreds of thousands of Wi Fi access points on poles and on their existing fiber optic cable strands without needing to endure any formal, public process while WISP's, CLEC's, CMRS carriers are subjected to any number of local, municipal processes and approvals when attempting to place equipment of similar function, weight and dimensions and many States continue to exclude (both CMRS and CLEC owned) Antenna's from State Law and local siting policy in contradiction with Federal Law's, FCC rules and orders.

CONCLUSION

The outline provided by Neo Networks is intended to offer collaborative and rational input in order to facilitate all wireless and broadband deployments in a meaningful and impactful way that benefits the industry and their stakeholders as well as putting forth some concepts that would allow the local Community to retain their role as trustees over occupation and use of the public and utility rights of way and offer a form of safe harbor protection from Federal preemption.

We applaud the Commission in their continued effort to eliminate barriers to entry that are currently limiting wireless and broadband deployments and offer our continued support and assistance in that regard.

Respectfully submitted,

/s/ Vince Aragona

Vince Aragona, Chief Executive Officer

TABLE 1

| Infrastructure | Conditions | Process | Fees |
|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Existing Utility Poles | Subject to agreement with and receipt of occupancy permit from the utility pole owner and local building, electrical and traffic control permits. | 30 day administrative review and approval process (encroachment permit) that includes an option for securing ground space to host equipment cabinets for those carriers whose equipment dimensions or weight cannot be accommodated on the pole or whose installation on the pole would otherwise require a new pole or pole replacement. | Non-recurring, cost recovery based permit fee paid to the local municipality or government agency with discretionary authority and a cost recovery or tariff based rate paid by the applicant, directly to the utility pole owner in compliance with FCC rules and orders. |
| Proprietary Community Property (Street Lights and Traffic Signals) | Subject to execution of a lawfully compliant, Master Lease or License Agreement, submission and approval of attachment applications or encroachment permit, site plan approval, structural analysis, receipt of local building, electrical and traffic control permits, required insurance and indemnification. | 60 day review and approval of a completed Site Supplement that is incorporated into the Master Lease or License Agreement by reference. Site supplement to include a Compliance Statement certifying that existing utility poles are not available. | Non-recurring application fee (refundable if the site is not approved) paid to the pole owner plus an annual pole rental or attachment fee not to exceed the pole rental or attachment fee maximum rates to be established by the Commission. |
| New Community Owned Poles | Subject to execution of a lawfully compliant, Master Lease or License Agreement, submission and approval of attachment applications or encroachment permit, site plan approval, structural analysis, receipt of local building, electrical and traffic control permits, required insurance and indemnification. | 60 day review and approval of a completed Site Supplement that is incorporated into the Master Lease or License Agreement by reference. Site supplement to include a Compliance Statement certifying that existing utility poles and existing proprietary community properties are not available. | Non-recurring application fee (refundable if the site is not approved) plus a capital contribution of up to 100% of the cost of the new pole plus an annual pole rental or attachment fee not to exceed the pole rental or attachment fee maximum rates to be established by the Commission. Post transaction, the Community becomes the pole owner of record. |
| Public Private Partnership (P3) | Subject to execution of a lawfully compliant, Master Lease or License Agreement, submission and approval of attachment applications or encroachment permit, site plan approval, structural analysis, receipt of local building, electrical and traffic control permits, required insurance and indemnification. Public Private Partnerships may include both Regulated entities and non-regulated entities from within the private sector. | 60 day review and approval of a completed Site Supplement that is incorporated into the Master Lease or License Agreement by reference. Site supplement to include a Compliance Statement certifying that existing utility poles and existing proprietary community properties and new community owned poles are not available. | Non-recurring application fee (refundable if the site is not approved) plus a capital contribution of up to 100% of the cost of the new pole plus an annual pole rental or attachment fee not to exceed the pole rental or attachment fee maximum rates to be established by the Commission. Post transaction, the P3 partner becomes the pole owner of record. |
| Third Party Carrier Placement of New Poles | Subject to execution of a lawfully compliant, Master Lease or License Agreement, submission and approval of attachment applications or encroachment permit, site plan approval, structural analysis, receipt of local building, electrical and traffic control permits, required insurance and indemnification. Third party pole owner requires State certification as a Regulated Telecommunications (ILEC, CLEC), Commercial Mobile Radio Services (CMRS i.e. wireless carrier) or other qualifyable form of regulatory entitlements as a facilities based services provider. | 90 day review and approval of a completed Site Supplement that is incorporated into the Master Lease or License Agreement by reference. Site supplement to include a Compliance Statement certifying that existing utility poles, existing proprietary community properties, new community owned poles are not available and pole placement through a P3 partner is non-viable. | Non-recurring application fee (refundable if the site is not approved) plus an annual right of way maintenance and inspection fee not to exceed the ROW maintenance and inspection fees paid to the Community in compliance with rates to be established by the Commission. Post transaction, the properly certificated carrier (CLEC, CMRS, CATV etc.) becomes the pole owner of record. As a function of securing right of way access by Regulatory Entitlement, the pole owner would be relegated to compliance with Commission rules relating to adoption of a cost recovery based pole attachment fees not to exceed the pole rental or attachment fee maximum rates to be established by the Commission and mandatory collocation of additional third party attachments. Post transaction, the Regulated Third Party becomes the pole owner of record. |

TABLE 2

| Limiter | Description | Recommendation |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Blanket prohibitions on placement of antennas from local siting policy | Many States, Municipalities and local Communities continue to prohibit the placement of antennas in order to qualify DAS and small cell installations and right of way applications are administered under wireless siting policy. | Commission order that deems prohibitions of antennas from inclusion in right of way siting policy as unlawful and unenforceable. |
| Local conditions that require civil upgrades to Community infrastructure that are not directly related to the proposed network | Municipalities and Communities routinely impose local conditions and requirements on right of way applicants that require the applicant to independently pay for curb to curb road restoration, installation of ADA wheelchair ramps (in many cases, on all four corners of the intersection), requirements to place lateral facilities underground including in areas where otherwise usable utility poles remain in place. | Commission order that eliminates local authorities ability to impose civil improvements as a condition of approval combined with expedited dispute and resolution process for case by case review. |
| Unlawful annual fees and charges imposed on carriers for lateral access to and use of the public and utility rights of way for the placement of fiber, copper and conduit systems | Nationally State Government, Municipalities and Transportation Agencies are imposing annual recurring fees and charges on newly installed lateral facilities both underground and overhead. Often referred to as Right of Way Use Fees or Air Space Review Fees, these locally imposed fees represent a significant barrier to entry for new entrants. | Commission established rate structure including maximum allowable values on annual fees and charges imposed on lateral facilities. |
| Minimum annual (franchise) fees and revenue based fees. | Gauranteed annual minimum franchise and right of way use fees or revenue based fee structures create barriers to entry for new entrants and emerging technologies while revenue based annual fees functionally eliminate wireless carriers from participating directly. | Generally, dominant ILEC's pay no annual fees for the placement of their facilities and CATV providers pay revenue based franchise fees directly to the local community. The imposition of annual minimums on new entrants, while excluding the incumbants or the requirement to pay a revenue based fee for wireless or mobile services providers should be deemed unlawful and unenforceable by the Commission or, should the COMmission determine an annual fee is appropriate, establish the value and method of calculation of the fee to ensure it's |
| Proprietary Community Property (Street Lights and Traffic Signal Pole) Replacements and Foundation Upgrades | Similar to utility poles, many communities require the applicant to pay for the entire cost of replacing poles and upgrading or replacement of the foundation as a condition of approval. In addition, pole rents and attachment fees are charged without offset or deduction of the associated cost. The combination of pole replacements and foundation upgrades and replacements plus the pole rents and attachment fees result in delay or discontinuation of the proposed site or project due to the economics being non-viable or an increase in cost often exceeding 5 to 10 times more than the cost of a new pole. | As a component of the Commission pole rental and attachment fee maximum rate structure, all reasonable and qualifiable cost of the pole replacement and foundation upgrades or replacment, i.e. tenant improvements, should be deducted from the pole rents or attachment fee until the costs are recovered by the applicant. This would allow the Community to determine if the revenue or the improvement to the infrastructure is more valuable while remaining in compliance with the |

TABLE 3

| Limiter | Description | Recommendation |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Blanket prohibitions limiting the use of existing utility poles and pole tops | Nationally, electric utilities have implemented policy changes that effectively eliminate the use of existing utility poles. Common prohibitions include placement of electric meters on utility poles, antenna placement above primary power (pole top), use of tangent poles, use of poles with existing conduits, use of poles with primary power, use of poles with existing transformers or switchgear and other arbitrary and unqualified restrictions that functionally eliminate large percentages of otherwise usable utility poles. | Commission order that requires electric utilities and utility pole owners to comply with National Electric Code, National Electric Safety Code and secure Commission approval prior to the adoption of policy that prohibit or have the effect of prohibiting the use of existing utility infrastructure. When accompanied by a Commission sanctioned safety policy, advisory review board and expedited dispute resolution, the inventory of usable utility poles would increase geometrically. |
| Excessive Numbers of Utility Pole Replacements | Utility poles hosting lateral facilities attachments or equipment and antenna systems are being required to be replaced disproportionate number of poles as a condition of approval. Commonly referred to as "Gold Plating", the requirement to pay to replace existing utility poles due to calculated loading. The calculus used to produce these calculations are not consistent nationally and changing pass / fail criteria are routinely resulting in increasingly larger percentages of poles indicating a structural failure that would otherwise be eligible for use. Due to the cost of pole replacements and facility transfers and time involved in the scheduling and performance of the work, pole replacements have effectively prohibited entry of several competitive providers in markets throughout the US. | Commission to impose a cost sharing requirement that includes proportionate percentages of the replacement cost be shared by the electric utility, owners of existing attachments and the newly attaching party. Under a mandatory cost sharing arrangement, significant percentages of poles that are slated for replacement will be minimized as structural analysis and pole carrying capacity calculations revisited. Minimally, the cost of pole replacement paid by the newly attaching party should be deducted from the annual attachment fee until such time as the cost has been recovered. |
| Easements Over or Under Railroad Crossings | Nationally, private companies and railroad operators have imposed what can only be characterized as ridiculously excessive fees and charges for the placement of lateral facilities over or under railroad rights of way. These fees represent a significant barrier to entry and routinely result in massive cost overruns or a lack of continuity of constructed networks. | The Commission should review the conditions by which the original railroad rights of way were granted and ideally, eliminate or tariff the rate the railroads or their agents charge for the grant of easement. Since in most cases, the original railroad easements were granted prior to the invention of telecommunications services, it is unlikely the railroad easement or their ability to generate revenue was contemplated at that time and therefore, their eligibility to impose a fee may be obviated. |

PORTLAND CITY COUNCIL
Ionia County, Michigan

Council Member _____, supported by Council Member _____, made a motion to adopt the following resolution:

RESOLUTION NO. 17-36

A RESOLUTION TO ADOPT THE CITY OF PORTLAND'S ANNUAL BUDGET FOR FISCAL YEAR 2017-2018

WHEREAS, in accordance with the provisions of the City Charter, the City Manager submitted a recommended budget for the City of Portland, Michigan for the fiscal year commencing July 1, 2017 and ending June 30, 2017 to the City Council on April 17, 2017; and

WHEREAS, the City Council has considered the financial needs of the City of Portland for its efficient operations during the coming fiscal year and has reviewed the recommended budget submitted by the City Manager; and

WHEREAS, on May 1, 2017, the Council did, after proper notice and in accordance with the laws of the State of Michigan, conduct a public hearing on the proposed budget and on the proposed millage rate to be levied to support the proposed budget; and

WHEREAS, the Council has heard and considered all objections and comments on the proposed budget and millage rate to support the proposed budget made at the public hearing.

NOW, THEREFORE BE IT RESOLVED, that the expenditures for the fiscal year commencing July 1, 2016 and ending June 30, 2017 are hereby appropriated by the Portland City Council as follows:

101 - GENERAL FUND

| | |
|--------------------------------------|---------------|
| Mayor and Council | \$ 244,482.00 |
| Community Promotion | \$ 291,060.00 |
| City Manager | \$ 159,476.00 |
| Elections | \$ 5,110.00 |
| General Administration | \$ 332,268.00 |
| Assessor's Department | \$ 48,556.00 |
| Maintenance City Hall | \$ 53,889.00 |
| Economic Development | \$ 6,960.00 |
| Police Department | \$ 701,921.00 |
| Code Enforcement Zoning and Planning | \$ 45,432.00 |
| Cemetery Department | \$ 154,240.00 |
| Parks Department | \$ 240,475.00 |

SUBTOTAL OF EXPENDITURES FOR GENERAL FUND \$ 1,996,525.00

| | |
|-------------------------------------------|-------------------------------|
| 105 - INCOME TAX FUND | \$ 1,297,305.00 |
| 202 - MAJOR STREET FUND | \$ 1,003,383.00 |
| 203 - LOCAL STREET FUND | \$ 243,716.00 |
| 208 - RECREATION FUND | \$ 87,706.00 |
| 210 - AMBULANCE FUND | \$ 515,694.00 |
| 248 - DOWNTOWN DEVELOPMENT AUTHORITY FUND | \$ 396,039.00 |
| 520 - REFUSE COLLECTION FUND | \$ 111,000.00 |
| 582 - ELECTRIC DEPARTMENT FUND | \$ 4,227,411.00 |
| 590 - WASTEWATER DISPOSAL FUND | \$ 1,080,443.00 |
| 591 - WATER DEPARTMENT FUND | \$ 634,230.00 |
| 661 - MOTOR POOL FUND | \$ <u>348,031.00</u> |
| GRAND TOTAL EXPENDITURES ALL FUNDS | <u>\$11,941,483.00</u> |

BE IT FURTHER RESOLVED, that the contributions "TO and FROM" for the fiscal year commencing July 1, 2017 and ending June 30, 2018 are hereby appropriated by the City Council as follows:

| | |
|----------------------------------------|-------------------------------|
| From General Fund | |
| To Major Street Fund | \$ 47,000.00 |
| To Local Street Fund | \$ 80,000.00 |
| To Motor Pool | <u>\$ 110,000.00</u> |
| | \$ 237,000.00 |
| From Capital Improvement Fund | |
| To Major Street Fund | \$ 683,900.00 |
| To Local Street Fund | \$ 435,000.00 |
| To Wastewater Fund | <u>\$ 289,000.00</u> |
| | \$ 1,407,900.00 |
| From Electric Fund | |
| To General Fund | \$ 50,037.00 |
| From Wastewater Fund | |
| To General Fund | \$ 31,764.00 |
| From Water Fund | |
| To General Fund | <u>\$ 32,009.00</u> |
| GRAND TOTAL TRANSFERS ALL FUNDS | <u>\$ 2,048,543.00</u> |

BE IT FURTHER RESOLVED, that the revenues for the fiscal year commencing July 1, 2017 and ending June 30, 2018 are estimated as follows:

| | |
|-------------------------------------------|------------------------------------|
| 101 - GENERAL FUND REVENUE | |
| Taxes | \$ 1,053,050.00 |
| Licenses & Permits | \$ 30,100.00 |
| Grants / Revenue Sharing | \$ 415,126.00 |
| Charges for Services | \$ 330,557.00 |
| Fines & Forfeits | \$ 14,900.00 |
| Other | \$ <u>204,810.00</u> |
| SUBTOTAL OF REVENUES FOR GENERAL FUND | \$ 2,048,543.00 |
| 105 - INCOME TAX FUND | \$ 702,550.00 |
| 150 - PERPETUAL CARE | \$ 2,500.00 |
| 202 - MAJOR STREET FUND | \$ 323,000.00 |
| 203 - LOCAL STREET FUND | \$ 926,390.00 |
| 208 - RECREATION FUND | \$ 106,300.00 |
| 210 - AMBULANCE FUND | \$ 576,932.00 |
| 248 - DOWNTOWN DEVELOPMENT AUTHORITY FUND | \$ 260,000.00 |
| 520 - REFUSE COLLECTION FUND | \$ 112,150.00 |
| 582 - ELECTRIC DEPARTMENT FUND | \$ 4,113,225.00 |
| 590 - WASTEWATER DISPOSAL FUND | \$ 1,291,666.00 |
| 591 - WATER DEPARTMENT FUND | \$ 909,089.00 |
| 661- MOTOR POOL FUND | \$ <u>362,793.00</u> |
| GRAND TOTAL REVENUES ALL FUNDS | \$ <u>11,735,138.00</u> |

BE IT FURTHER RESOLVED, that funds be appropriated from fund balances to balance the budget as follows:

| | |
|---------------------------------|----------------------------|
| 101 - GENERAL FUND | \$ 235,326.00 |
| 208 - RECREATION FUND | \$ 7,303.00 |
| 210 - AMBULANCE FUND | \$ 54,548.00 |
| 406 - CAPITAL IMPROVEMENTS FUND | \$ 1,407,900.00 |
| 582 - ELECTRIC DEPARTMENT FUND | \$ 749,988.00 |
| 590 - WASTEWATER FUND | \$ 146,679.00 |
| 591 - WATER DEPARTMENT FUND | \$ 362,590.00 |
| 661 - MOTOR POOL FUND | \$ <u>63,011.00</u> |
| TOTAL | \$ <u>3,027,345.00</u> |

BE IT FURTHER RESOLVED, that 12.6574 mills be levied on the taxable assessed valuation as equalized for general operating requirements of the City of Portland and 1.000 mills be levied on the taxable assessed valuation as equalized for local streets and the Mayor and Clerk are authorized to sign the 2017 Tax Rate Request (form L-4029) to request a total levy of 13.6574 mills.

BE IT FURTHER RESOLVED, the water and wastewater utility rates have been reviewed and determined that a 2% increase in water and wastewater rates is necessary to support the appropriations set forth above.

BE IT FURTHER RESOLVED, that the City Manager is authorized to make budgetary transfers within the line items of appropriation centers established through this budget and that all transfers between appropriations listed in this resolution may be made only by further action of the Council, pursuant to the provisions of the Michigan Uniform Accounting and Budgeting Act.

BE IT FURTHER RESOLVED, that the funds appropriated shall be drawn from the treasury of the City for the purpose pursuant to the authority granted by the Portland City Charter.

BE IT FINALLY RESOLVED that all resolutions and parts of resolution are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

Dated: May 1, 2017

Monique I. Miller, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Portland, County of Ionia, State of Michigan, at a regular meeting held on May 1, 2017 and that the meeting was conducted and public notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976.

Monique I. Miller, City Clerk

PORTLAND CITY COUNCIL
Ionia County, Michigan

Motion by _____, supported by Council Member _____, made a motion to adopt the following resolution:

RESOLUTION NO. 17-37

A RESOLUTION APPROVING, AUTHORIZING, AND DIRECTING THE MAYOR AND CLERK TO SIGN A LICENSE AGREEMENT TO FARM THE 52.9 ACRES AT GRAND RIVER AND CUTLER ROAD

WHEREAS, the City owns approximately 58 acres of property at the corner of Grand River Avenue and Cutler Road (the "Property") that it purchased for economic development purposes; and

WHEREAS, the City Council charged its Economic Development Corporation (EDC) with planning and making recommendations for development on the Property; and

WHEREAS, the City has sold off 2.34 acres and anticipates some off-site development activity on approximately 2.96 acres of adjacent property; and

WHEREAS, the EDC anticipates that no development activity will occur on the remaining 52.9 acres during 2017 and recommends that the City permit a license to farm that portion of the portion of the Property; and

WHEREAS, Mr. Francis Hoerner has indicated that he would like to farm the remaining 52.9 acres that is not being developed during 2017 and is willing to renew the license to farm the Property with the understanding that he may only access the Property from Grand River Avenue, a copy of the proposed License Agreement for 2017 is attached as Exhibit A.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Portland City Council approves renewing the license and authorizes the Mayor and Clerk to sign the License Agreement, a copy of which is attached as Exhibit A.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 1, 2017

Monique I. Miller, City Clerk

LICENSE AGREEMENT

This License Agreement is made as of May __, 2017, between the City of Portland, a Michigan municipal corporation the principal business address of which is 259 Kent Street, Portland, MI 48875-1495 (the "City"), and Mr. Francis Hoerner, an individual whose address is 10006 Barnes Road, Portland, MI 48875 ("Mr. Hoerner").

RECITALS

- A. In 2008 the City purchased approximately 58 acres of property for economic development purposes that is described and depicted on the attached Exhibit A.
- B. The City has sold some of the property described in the attached Exhibit A for the development of a Family Farm & Home store but desires to license 52.9 acres of the property of the remaining acreage, which is depicted on the attached Exhibit B, (the "Property"), because no development activity is anticipated to occur on it during the remainder of 2017.
- C. Mr. Hoerner would like to use the Property during the 2017 growing season to grow and harvest corn or soy beans, consistent with prior use of the Property.
- D. The parties believe it is in their mutual best interests to provide for that use of the Property during the remainder of 2017, so long as the City has the needed access for surveying, testing, inspection and other activities that might lead up to its development.
- E. Mr. Hoerner recognizes and understands that there is current discussions regarding development of the Property that may potentially interfere with his crop and ability to farm the entire Property. The City will not be responsible for any damages or interference arising from or related to the said road construction. Mr. Hoerner further agrees to only access the property from Grand River Avenue and not Cutler Road.

TERMS AND CONDITIONS

In exchange for the consideration in and referred to by this agreement, the parties agree as follows.

1. Grant of License. The City licenses Mr. Hoerner's use the Property under the terms and conditions of this Agreement for the purpose of planting, growing and harvesting corn or soy beans and for no other purpose or use.
2. Term. Unless terminated earlier pursuant to this Agreement, the term of the license commences on the date first written above and terminates on December 30, 2017.
3. Fee. The license fee is \$7,875.00 to be paid no later than May 15, 2017.
4. Use Restrictions. Mr. Hoerner's use of the Property shall comply with applicable all laws, ordinances, rules, regulations, permit and license requirements, orders and directives of governmental bodies and officials of competent jurisdiction and, to the extent they do not conflict with the foregoing, with generally accepted farming practices. Mr. Hoerner shall not bring any hazardous substances or materials onto the Property except as may be generally used to grow corn or soy bean crops and, then, in accordance with the foregoing requirements. Mr. Hoerner also agrees to comply by the terms of section E above.
5. Assignment or Use by Others Prohibited. Mr. Hoerner may not assign this Agreement or its rights, privileges, duties or obligations under this Agreement and may not allow any other person or entity to use the Property for any purpose without the City's prior written consent.
6. Condition of Property. This license is granted on an "as is" basis. The City makes no representations or warranties about the condition of the Property or its fitness for any purpose or use, and shall have no duty to maintain, repair, replace or improve any portion of the Property. While the City is currently unaware of the presence of any hazardous substances on the Property in violation of any applicable laws, rules or regulations, the City makes no representations or warranties and expressly disclaims all representations and warranties as to the presence or absence of hazardous substances on, in, or under the Property.

7. Utility Costs. If Mr. Hoerner needs or desires any utility services to the Property, he shall place all utility services to the Property in his name, shall pay all required deposits or initial fees and shall timely pay (*i.e.*, before the date on which they can no longer be paid without penalties or interest) all rates, fees and charges for the utility service to the Property.

8. Changes to Property. No buildings or other structures shall be built or placed on the Property, no additions or improvements may be made to the Property, and no changes may be made to the grading of the Property without the City's prior written consent which the City may for any reason decline.

9. Indemnification and Insurance.

(A) The City shall not be responsible for any loss or damage from whatever cause to personal property located on the Property. Mr. Hoerner shall hold the City (defined for purposes of this paragraph to include the City's officers and employees) harmless from, indemnify it for and defend it (with legal counsel reasonably acceptable to the City) against any demand, claim, judgment, award, legal proceeding or loss of any kind arising from Mr. Hoerner's use or occupancy of the Property. This provision shall not apply to crop losses due to entry on the property as otherwise specifically provided in this Agreement or to losses due to the City's early termination of the license as otherwise specifically provided in this Agreement.

(B) Mr. Hoerner shall obtain and maintain a general liability insurance policy covering the Property and his activities on the Property in minimal coverage amounts of \$500,000 per occurrence. That policy shall name the City as an additional insured and certificate holder. Copies of certificates of insurance showing the coverage to be in place, that the premiums are fully paid, and that coverage cannot be terminated or modified except after 30 days prior written notice to the City, shall be provided to the City. Upon request the City shall be provided copies of the policies of insurance and all endorsements.

10. Breach and Remedies. To the extent not otherwise prohibited by law, the prevailing party in any action brought pursuant to or to enforce any provision of this Agreement shall, in addition to any other remedies, be entitled to recover its actual costs, including without limitation, actual reasonable attorney fees, incurred to bring, maintain or defend such action from the first demand through any and all appellate proceedings, and jurisdiction and venue of any action brought pursuant to or to enforce this Agreement shall be solely in the state courts in Ionia County, Michigan. The failure of either party to act upon any breach of this Agreement shall not be deemed a waiver of that breach.

11. Termination. The license granted pursuant to this Agreement is terminable at the will of the City Council of the City of Portland.

(A) However, prior to terminating the license, the City shall first give Mr. Hoerner 14 days written notice that it is considering such action and the date and time of the City Council meeting at which such action will initially be considered so that Mr. Hoerner may address the City Council prior to the Council's action.

(B) The obligations to pay utility rates, fees and charges as provided in this Agreement and the obligation to provide insurance coverage and to indemnify the City as required in this Agreement shall survive any termination of the license granted under this Agreement whether such termination is due to the expiration of the license term or a result of action taken by the City pursuant to this paragraph.

(C) If the City terminates the license pursuant to this paragraph, the City will compensate Mr. Hoerner for any loss of income if the corn was to be sold or costs of buying replacement corn if Mr. Hoerner intended to keep the corn for feeding livestock. In determining lost profits or other amounts to be paid under this paragraph, the parties shall account for Mr. Hoerner's fuel, seed, fertilizer, herbicides, pesticides and other materials, including any savings he experiences in those costs due to early termination,

for any amounts Mr. Hoerner paid or no longer needed to pay others for work to farm grow or harvest the crop, for costs or savings in equipment rentals to the extent Mr. Hoerner uses the equipment of others, and for other out-of-pocket costs Mr. Hoerner incurred or saved. The City will compensate Mr. Hoerner under this paragraph by paying an amount agreed upon by the parties. If they cannot agree, the parties shall consult an agent of the Michigan State University Extension whose decision as to the amount to be paid shall be binding on the parties.

12. Access. The City and its agents may enter upon the Property at such reasonable times as will not unreasonably interfere with Mr. Hoerner's use of it in order to plan for its possible development, by surveying it, making soil borings, taking soil and groundwater samples, showing it to potential persons who might market, develop, purchase, lease, occupy or use the Property. If crop damage occurs because of such entry upon the property, the City will compensate Mr. Hoerner for that crop loss by paying an amount agreed upon by the parties. If they cannot agree, the parties shall consult an agent of the Michigan State University Extension whose decision as to the amount to be paid for the crop loss shall be binding on the parties. Notwithstanding the foregoing the City will have access along the west 30 feet of the property for a distance 300 feet south of the Cutler Road right-of-way and the east 20 feet of the property for a distance of 50 feet south of the Cutler Road right-of-way for the purpose of installing and maintaining City owned utilities. Mr. Hoerner further agrees to only access the property from Grand River Avenue and not Cutler Road.

13. Miscellaneous.

(A) This Agreement is written pursuant to the laws of the State of Michigan and was made in Ionia County, Michigan. This is the entire agreement between the parties regarding its subject matter. There are no prior or contemporaneous agreements. It may not be modified or amended except in writing, signed by all parties. It shall not be affected by any course of dealing or usage of trade. The captions are for reference only and shall not affect its interpretation. More than one copy of this Agreement may be signed, but all constitute but one agreement.

(B) Any notices shall be made in writing to the addresses first written above or such other addresses as indicated by notice and shall be made by personal delivery or by postage prepaid United States first-class mail and shall be deemed completed when actually received or, if by first-class mail, three business days after mailing.

The parties have signed this Agreement as of the date first written above.

CITY OF PORTLAND

FRANCIS HOERNER

By: _____
James E. Barnes, Mayor

Francis Hoerner

Date signed: _____, 2017

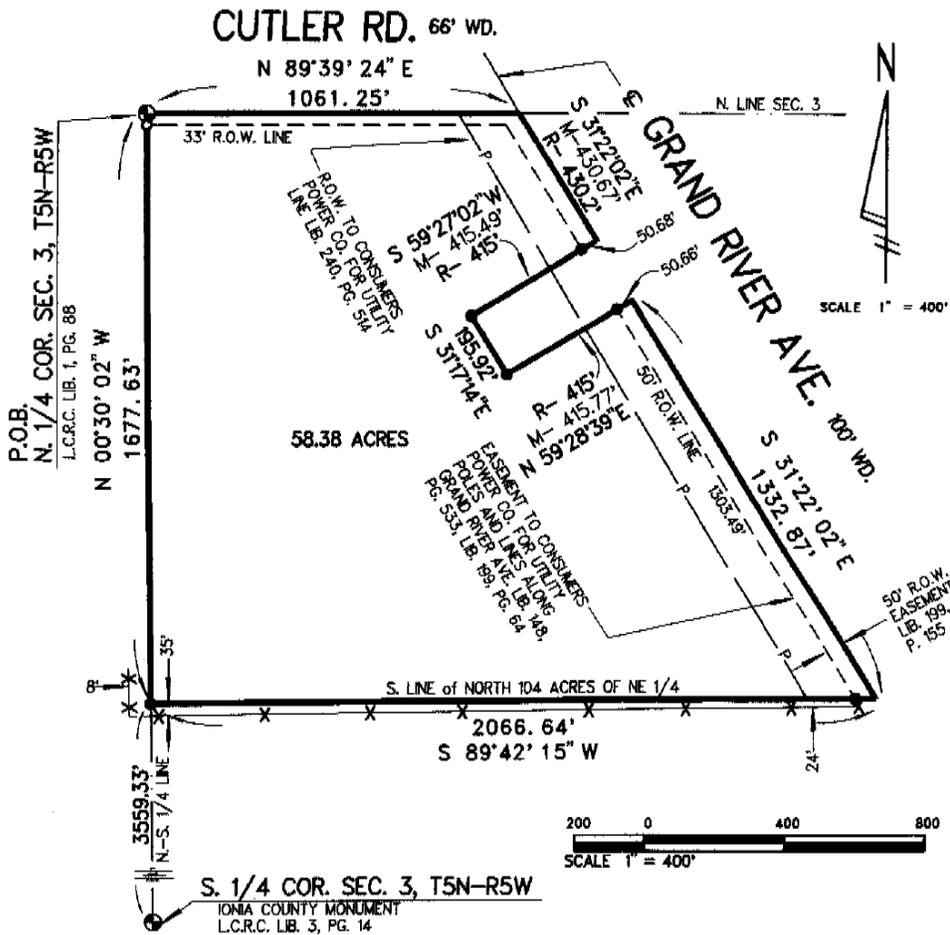
By: _____
Monique I. Miller, Clerk

Date signed: _____, 2017

EXHIBIT A
DESCRIPTION AND DEPICTION OF "PROPERTY"

LEGAL DESCRIPTION: THE NORTH 104 ACRES OF THE NE 1/4 OF SECTION 3, T5N-R5W, IONIA COUNTY, MICHIGAN EXCEPT THAT PORTION OF LAND LYING EAST OF GRAND RIVER AVENUE. ALSO EXCEPTING LAND DESCRIBED AS: BEGINNING AT A POINT ON THE CENTERLINE OF GRAND RIVER AVENUE 430.2 FEET SOUTHEASTERLY FROM THE INTERSECTION OF SAID HIGHWAY WITH THE SECTION LINE BETWEEN SECTION 3, T5N-R5W, AND SECTION 34, T6N-R5W; THENCE SOUTHEASTERLY 195.92 FEET; THENCE SOUTHWESTERLY 415 FEET ALONG AN EXISTING FENCE LINE; THENCE NORTHWESTERLY 195.92 FEET IN A LINE PARALLEL WITH THE HIGHWAY; THENCE NORTHEASTERLY 415 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL ALSO BEING DESCRIBED AS: BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 3, T5N-R5W, DANBY TOWNSHIP, IONIA COUNTY, MICHIGAN; THENCE N 89° 39' 24" E 1061.25 FEET ALONG THE NORTH LINE OF SECTION 3 TO THE CENTERLINE OF GRAND RIVER AVENUE; THENCE ALONG SAID CENTERLINE S 31° 22' 02" E 430.20 FEET (MEASURED 430.67 FEET); THENCE S 59° 27' 02" W 415.00 FEET (MEASURED 415.49 FEET); THENCE S 31° 17' 14" E 195.92 FEET; THENCE N 59° 28' 39" E 415.00 FEET (MEASURED 415.77 FEET) TO THE CENTERLINE OF GRAND RIVER AVENUE; THENCE ALONG SAID CENTERLINE S 31° 22' 02" E 1332.87 FEET; THENCE S 89° 42' 15" W 2066.64 FEET ALONG THE SOUTH LINE OF THE NORTH 104 ACRES OF THE NE 1/4 OF SECTION 3; THENCE N 00° 30' 02" W 1677.63 FEET ALONG THE NORTH-SOUTH 1/4 LINE OF SECTION 3 TO THE POINT OF BEGINNING.



PORTLAND CITY COUNCIL
Ionia County, Michigan

Council Member _____, supported by Council Member _____, made a motion to adopt the following resolution:

RESOLUTION NO. 17-38

A RESOLUTION APPROVING, AUTHORIZING, AND DIRECTING THE MAYOR AND CLERK TO SIGN AMBULANCE SERVICES AGREEMENTS WITH DANBY TOWNSHIP, PORTLAND TOWNSHIP, WESTPHALIA TOWNSHIP, ORANGE TOWNSHIP, LYONS TOWNSHIP, THE VILLAGE OF WESTPHALIA, THE VILLAGE OF PEWAMO, AND SEBEWA TOWNSHIP AND APPROVING THE CARE PLAN MEMBERSHIP AGREEMENT FORM

WHEREAS, the City provides ambulance service to various political subdivisions through its Portland Ambulance Service; and

WHEREAS, those political subdivisions that would like the City to provide ambulance service to their citizens must sign a copy of the 2017-2018 Ambulance Services Agreement, a copy of the proposed agreement is attached as Exhibit A; and

WHEREAS, households within may participate in the Portland Ambulance Care Plan Subscription Service to limit their out-of-pocket expenses for the uninsured portions of their ambulance bills, a copy of the Membership Application/Agreement Form is attached as Exhibit B.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Portland City Council approves, authorizes, and directs the Mayor and Clerk to sign the Ambulance Services Agreement with those Political Subdivisions that desire service in a form substantially the same as the copy which is attached as Exhibit A.
2. The Portland City Council approves the Membership Application/Agreement Form attached as Exhibit B.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 1, 2017

Monique I. Miller, City Clerk

PORTLAND AMBULANCE SERVICE AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 2017, by and between the CITY OF PORTLAND, Ionia County, Michigan, a Michigan Municipal Corporation, hereafter referred to as CITY, and

1. THE TOWNSHIP OF DANBY, and
2. THE TOWNSHIP OF PORTLAND, and
3. THE TOWNSHIP OF WESTPHALIA, and
4. THE TOWNSHIP OF ORANGE, and
5. THE TOWNSHIP OF LYONS, and
6. THE VILLAGE OF WESTPHALIA, and
7. THE VILLAGE OF PEWAMO, and
8. THE TOWNSHIP OF SEBEWA,

all being Michigan Municipal Corporations and hereinafter collectively referred to as Political Subdivisions.

WHEREAS, the above named Political Subdivisions are desirous of providing ambulance service to their residents through the PORTLAND AMBULANCE SERVICE, which is owned and operated by the CITY.

NOW, THEREFORE, in consideration of mutual promises, services, and sums of money hereinafter provided, the parties agree as follows:

THE CITY SHALL:

1. Purchase, maintain, equip, and house two (2) vehicles suitable to be used as ambulances.
2. Employ EMERGENCY MEDICAL TECHNICIANS to operate said ambulances.
3. Train said EMERGENCY MEDICAL TECHNICIANS to meet all Federal, State, and Local requirements.
4. Purchase and carry all necessary and normal insurance for ambulance business.
5. Compile an annual report showing the following:
 - a. Number of runs to assist patients who reside in each Political Subdivision and the number of runs in each Political Subdivision to assist patients who reside outside of the entire district covered by this contract.
 - b. The total of revenues and expenses of operating the Ambulance Service, and the gain or loss for that period.
6. Maintain accounts and records for all transactions of the Ambulance Service, which will be audited as part of the City's annual audit. A copy of the City's audit will be made available to each Political Subdivision, upon request.

7. Make all services of the ambulance department available to any and all residents in the territory of all parties.
8. Provide a subscription agreement to each Political Subdivision to allow its residents the option of participating in the ambulance service according to the terms and conditions of the Portland Emergency Care Plan, a copy of which is attached and is incorporated by reference. This subscription plan for ambulance service shall commence at 12:01 a.m. on the **1st day of July 2017** and shall run for a period of one year.
9. Each Political Subdivision agrees to be responsible for the mailing of the Portland Emergency Care Plan to all households in their political subdivision.
10. The CITY and the Political Subdivisions agree to pay a \$5.75 per capita charge for each of their residents, based on the 2010 Census, which will be deposited into the Ambulance Fund. The Ambulance Department retains the right to bill all patients for all ambulance calls and to retain all funds collected by such billing. Political Subdivisions will not be billed for individual ambulance runs into their respective Political Subdivision.

The Political Subdivisions agree that the sums paid by the Political Subdivision to the CITY are in consideration of the CITY providing ambulance service to their jurisdiction during the contract term and are not refundable. Funds paid for ambulance service under this agreement do not create any ownership rights or equity interests in the CITY's Ambulance Department assets, vehicles, equipment, accounts receivable or any other present or future accounts thereof.

THE PARTIES MUTUALLY AGREE THAT:

11. Services rendered to a resident of any of the parties hereto by an ambulance service other than Portland Ambulance Service shall not be construed as services provided hereunder and the City shall assume no responsibility for the payment of such services.
12. That the City will be responsible for the collection of rates and charges for ambulance service it provides in the Political Subdivisions and is entitled to keep all proceeds.
13. This Agreement supersedes all prior Ambulance Service agreements between the parties. However, nothing contained herein will be interpreted to prevent the City from the collecting on any unpaid accounts, including any unpaid charges of a Political Subdivision.
14. That the payment by the Political Subdivision to the City shall create no agency relationship between parties, nor will the Political Subdivision have any supervision or control over the City's manner of conducting its ambulance business.
15. The terms of this agreement shall commence at 12:01 a.m. **on the 1st day of July, 2017**, and shall run for a period of one year from the date thereof, and from month to month thereafter until terminated by mutual consent or by any party giving the other at least **sixty (60) days** written notice of its desire to terminate.

16. That should any provision of this agreement be unenforceable, void, or contrary to public policy as set forth in any statute or in any case decided by an appellate or supreme court in the State of Michigan, that such provision shall be severed from the remainder of this Agreement, and shall have no force and effect upon remaining provisions not so affected by such legislative or judicial action.
17. It is further agreed that the City shall hold the Political Subdivision harmless for any liability said Political Subdivision might suffer due to acts or omissions of the City's employees in the performance of their duties under this contract.

IN WITNESS WHEREOF, THE PARTIES HERETO SET THEIR HANDS THE DAY AND YEAR FIRST ABOVE WRITTEN AND CERTIFY THAT EACH HAS EXECUTED THIS AGREEMENT AFTER BEING DULY AUTHORIZED BY RESOLUTION OF THEIR RESPECTIVE LEGISLATIVE BODY AT A MEETING OF SUCH BODY CALLED FOR SUCH A PURPOSE.

THE CITY OF PORTLAND

BY RESOLUTION OF ITS CITY COUNCIL

By _____
 Mayor James E. Barnes

Dated _____

By _____
 Monique I. Miller, City Clerk

The _____

BY RESOLUTION OF ITS _____

By _____

Dated _____

By _____

**PORTLAND AMBULANCE EMERGENCY CARE PLAN
Membership Application/Agreement Form**

Head of Household: _____ Social Security # _____
 Address: _____ Phone Number: _____
 City: _____ State: _____ Zip: _____ Birth Date: _____
 Township/Village: _____ Renewal: Yes No Employer: _____

Other Eligible* Household Members:

| | Name | Birth Date | Social Security Number | Employer |
|----|-------------|-------------------|-------------------------------|-----------------|
| 1. | _____ | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |

Insurance Information:

Head of Household Medicare #'s: _____ Medicaid #'s: _____
 Spouse Medicare #'s _____ Medicaid #'s: _____

Commercial Insurance Company: _____ Policy Number: _____
 Group Number: _____ Name of Insured: _____

Commercial Insurance #2: _____ Policy Number: _____
 Group Number: _____ Name of Insured: _____

Please submit with a copy of all current insurance cards (renewals included)

Please read the following agreement and sign below. Payment must accompany form for the agreement to be valid. I understand that the annual **\$60.00 membership fee** limits my out-of-pocket expenses for the uninsured portion of my ambulance bill(s) for **medically necessary** ambulance transportation provided only by Portland Area Ambulance. I understand that the Emergency Care Plan is not an insurance program and that the Portland Area Ambulance will bill all applicable insurances including supplemental and complementary, for all ambulance services, and will accept as payment in full any payment(s) received from same. **I further understand that ambulance transports deemed to be not a medical emergency are not covered by this Emergency Care Plan and the bill then becomes my responsibility.** I understand that my signature below authorizes Portland Ambulance Service to bill any and all insurance carriers on my behalf and authorizes my insurance carriers to make payments directly to Portland Area Ambulance. Should my insurance carrier send payment(s) to me for any services provided by Portland Area Ambulance, I agree to immediately forward such payment(s) to **MHR PO Box 13247, Lansing, MI 48901-3247.** My signature also allows Portland Ambulance to release any information regarding my ambulance run to my insurance company(ies) for billing purposes. **Membership fees will be collected from May 1, 2017 through June 30, 2017.** Membership is non-transferable and non-refundable. Coverage period is from July 1, 2017 through June 30, 2018.

*Note: a household is considered all persons claimed on enrolling member's Federal Tax Return for the previous year (2016). Any exception must have approval from the Ambulance Director prior to entering into this agreement.

I have read and agree to the above statements

Head of Household: _____ Spouse: _____
 Signature Date Signature Date

PORTLAND AMBULANCE EMERGENCY CARE PLAN

Welcome!

This past year has brought more changes in Medicare laws and health care overall. We at Portland Ambulance are striving to provide you with the best care possible while still adhering to some very stringent federal regulations. If you are a returning subscriber or a new member, we would like to thank you for participating in our program. As always, patient care is our top priority.

The annual fee is \$60.00. **Please read the agreement carefully before you sign it.** Applications must be turned in before the enrollment deadline of June 30, 2017. You will also need to supply us with copies of your insurance cards at that time. This applies to new and renewing members.

Frequently Asked Questions

Who can subscribe? Any household residing in the coverage area of Portland Ambulance Service, regardless of financial status or insurance coverage. All members of the household will be covered under the terms stated in the agreement.

How do I enroll in the Plan?

1. Carefully read the agreement and fill it out completely. **You may enroll anytime between May 1 and July 1, 2017.** Your enrollment covers medically necessary service from July 1, 2017 through June 30, 2018.
2. Submit your form with payment and copies of your insurance cards to:

| | | |
|---------------------------|----|---------------------------|
| City of Portland | | Portland Area Ambulance |
| 259 Kent St. | OR | 773 E Grand River |
| Portland MI 48875 | | Portland MI 48875 |
| Attn: Emergency Care Plan | | Attn: Emergency Care Plan |

What does the Plan cover? The plan covers all medically necessary ambulance runs during the coverage year of July 1, 2017 through June 30, 2018.

Do I have to renew every year? Yes. With changes in insurance billing requirements, we must renew your signature and verify your insurance cards every year. This insures correct and efficient billing to your insurance company.

Can I subscribe if I live in Florida for the winter? Yes. Your coverage will cover you while you are at your residence in Portland. You must provide us with the months you will be gone, and we will prorate your fees accordingly. **Remember, you must enroll before July 1, 2017.**

If you have any questions or need further information, please call Phil Gensterblum at 517-647-2935 or contact via email at: **philg@portland-michigan.org**.

PORTLAND CITY COUNCIL
Ionia County, Michigan

Council Member _____, supported by Council Member _____, made a motion to adopt the following resolution:

RESOLUTION NO. 17-39

A RESOLUTION APPROVING, AUTHORIZING AND DIRECTING THE MAYOR TO SIGN A PERMIT FOR A FIREWORKS DISPLAY AT PORTLAND HIGH SCHOOL

WHEREAS, the Chamber of Commerce has requested that the City Council approve a permit for Melrose Pyrotechnic, Inc. to put on a fireworks display at the Portland Public School High School Football Field on the third of July to celebrate Independence Day with no rain date; and

WHEREAS, the City Manager recommends that Council approve the display subject to the Chamber and Pyrotechnics company providing proof of insurance (attached as Exhibit A) and Melrose Pyrotechnics, Inc. locating the mortar firing area to comply with the requirements of the National Fire Protection Association 1123 Code for Fireworks Displays (e.g. the minimum separation distance between the mortar firing area and spectators shall be 70 feet for each inch of internal mortar diameter; the secure diameter of the firing site shall be twice that distance; and fire department personnel and vehicles being present at the display site perimeter when the fireworks are set off) and Act 358 of the Public Acts of Michigan of 1968, as amended.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Portland City Council approves and authorizes the Mayor to sign a permit (attached as Exhibit B) for a fireworks display at the Portland Public School High School Football Field as a part of a fourth of July celebration on Monday, July 3, 2017, subject to the Chamber and Pyrotechnics company providing proof of insurance and Melrose Pyrotechnics, Inc. locating the mortar firing area to comply with the requirements of the National Fire Protection Association 1123 Code for Fireworks Displays (e.g. the minimum separation distance between the mortar firing area and spectators shall be 70 feet for each inch of internal mortar diameter; the secure diameter of the firing site shall be twice that distance, and fire department personnel and vehicles must be at the display site perimeter) and Act 358 of the Public Acts of Michigan of 1968, as amended.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 1, 2017

Monique I. Miller, City Clerk



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/8/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--|-----------------------|
| PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114 | CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 | | FAX (A/C, No): |
| | E-MAIL ADDRESS: | | |
| INSURED Melrose Pyrotechnics, Inc. Kingsbury Industrial Parkway Heinold Complex Kingsbury IN 46345 | INSURER(S) AFFORDING COVERAGE | | NAIC # |
| | INSURER A :Everest Indemnity Insurance Co. | | 10851 |
| | INSURER B :Everest National Insurance Company | | 10120 |
| | INSURER C :Travelers Indemnity Co | | 25658 |
| | INSURER D :Maxum Indemnity Company | | 26743 |
| | INSURER E : | | |
| INSURER F : | | | |

COVERAGES

CERTIFICATE NUMBER: 549363328

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|----------------|-------------------------|-------------------------|--------------------------------------------------------------------------------------------|-------------|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | Y | | SI8ML00042-171 | 1/15/2017 | 1/15/2018 | EACH OCCURRENCE | \$1,000,000 |
| | | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$500,000 |
| | | | | | | | MED EXP (Any one person) | \$ |
| | | | | | | | PERSONAL & ADV INJURY | \$1,000,000 |
| | | | | | | | GENERAL AGGREGATE | \$2,000,000 |
| | | | | | | | PRODUCTS - COMP/OP AGG | \$2,000,000 |
| | | | | | | | | \$ |
| B | AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS | | | SI8CA00025-171 | 1/15/2017 | 1/15/2018 | COMBINED SINGLE LIMIT (Ea accident) | \$1,000,000 |
| | | | | | | | BODILY INJURY (Per person) | \$ |
| | | | | | | | BODILY INJURY (Per accident) | \$ |
| | | | | | | | PROPERTY DAMAGE (Per accident) | \$ |
| | | | | | | | | \$ |
| D | UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$ | | | EXC6017975 | 1/15/2017 | 1/15/2018 | EACH OCCURRENCE | \$4,000,000 |
| | | | | | | | AGGREGATE | \$4,000,000 |
| | | | | | | | | \$ |
| C | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below | | N/A | 0323N491 (MI) | 4/1/2017 | 4/1/2018 | <input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER | |
| | | | | | | | E.L. EACH ACCIDENT | \$1,000,000 |
| | | | | | | | E.L. DISEASE - EA EMPLOYEE | \$1,000,000 |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | \$1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 DISPLAY DATE: July 3, 2017
 LOCATION: Portland High School Football Field
 ADDITIONAL INSURED: Portland High School Student Council; Portland Chamber of Commerce; Portland Area Public Schools; City of Portland, MI

CERTIFICATE HOLDER**CANCELLATION**
 Portland Chamber of Commerce
 P.O. Box 303
 Portland MI 48875

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.

FIREWORKS DISPLAY PERMIT
 Michigan Department of Energy, Labor, & Economic Growth
 Bureau of Fire Services
 P.O. Box 30700
 Lansing, MI 48909
 (517) 241-8847

2017

| | |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Authority: 1988 PA 358 Compliance: Voluntary Penalty: Permit will not be issued | The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, material status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the American with Disabilities Act, you may make your needs known to this agency. |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

This permit is not transferable. It authorizes the resident wholesale dealer or jobber named below to have in his or her possession fireworks of any type, for sale only to holders of permits for public display or agriculture control.

PUBLIC DISPLAY
 AGRICULTURAL PEST CONTROL

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------------------|
| Issued To <i>MELROSE PYROTECHNICS, INC.</i> | | Age (18 or over) |
| Address <i>P.O. BOX 123, 9019 W. BELDING RD. SUITE 3, BELDING, MI 48809</i> | | |
| Name of Organization, Group, Firm, or Corporation <i>Portland Chamber of Commerce</i> | | |
| Address, <i>P.O. BOX 303 Portland, Michigan 48875</i> | | |
| Number and Types of Fireworks <i>Approximately 1200 aerial display shells ranging in size from 1 1/4 inches to 5 inches in diameter.</i> | | |
| Exact Location of Display <i>Portland High School Football Field</i> | | |
| City, Village, Township <i>Portland</i> | Date <i>July 3, 2017</i> | Time <i>Dusk</i> |
| Bond or Insurance Filed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | Amount <i>\$5,000,000.00</i> |

Issued by action of the council commission board of the
 city village township of _____
(Name of City, Village, Township)
 on the _____ day of _____,

(Signature and Title of Council/Commission/Board Representative)

APPLICATION FOR FIREWORKS DISPLAY PERMIT
 Michigan Department of Energy, Labor, & Economic Growth
 Bureau of Fire Services
 P.O. Box 30700
 Lansing, MI 48909
 (517) 241-8847

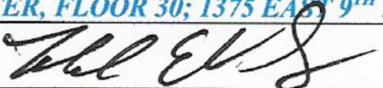
2017

| | |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Authority: 1988 PA 358 Compliance: Voluntary Penalty: Permit will not be issued | The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, material status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the American with Disabilities Act, you may make your needs known to this agency. |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | | |
|-------------------------------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> PUBLIC DISPLAY | <input type="checkbox"/> AGRICULTURAL PEST CONTROL | Date of Application <i>03/9/17</i> |
| Name of Applicant <i>MELROSE PYROTECHNICS, INC.</i> | Address <i>P.O. BOX 302, KINGSBURY, IN 46345</i> | Age (18 or over) |
| If a Corporation, Name of President <i>MICHAEL CARTOLANO</i> | Address <i>P.O. BOX 302, KINGSBURY, IN 46345</i> | |
| If a Non-resident Applicant: Name of MI Attorney or Resident Agent <i>MIKE VAN LOO</i> | Address <i>9019 W. BELDING RD, SUITE 3, BELDING, MI 48809</i> | Phone No. <i>(616) 794-0205</i> |
| Name of Pyrotechnic Operator <i>MIKE VAN LOO</i> | Address <i>P.O. BOX 123, BELDING, MI 48809</i> | Age (18 or over) <i>48</i> |
| No. Years Experience No. Displays <i>30 YEARS 500+</i> | Where <i>MICHIGAN, ILLINOIS, INDIANA</i> | |
| Name of Assistant: <i>RODNEY LOPER</i> | Address <i>P.O. BOX 123, BELDING, MI 48809</i> | Age <i>46</i> |
| Name of Other Assistant: <i>BRIAN LOPER</i> | Address <i>P.O. BOX 123, BELDING, MI 48809</i> | Age <i>50</i> |
| Exact Location of Proposed Display <i>Portland High School Football Field</i> | | |
| Date of Proposed Display <i>July 3, 2017</i> Time of Proposed Display <i>Dusk</i> | | |

| No. Of Fireworks | Kind of Fireworks to be Displayed |
|---------------------------|-----------------------------------------------------------------------------------------|
| <i>Approximately 1200</i> | <i>Aerial display shells ranging in size from 1 1/4 inches to 5 inches in diameter.</i> |
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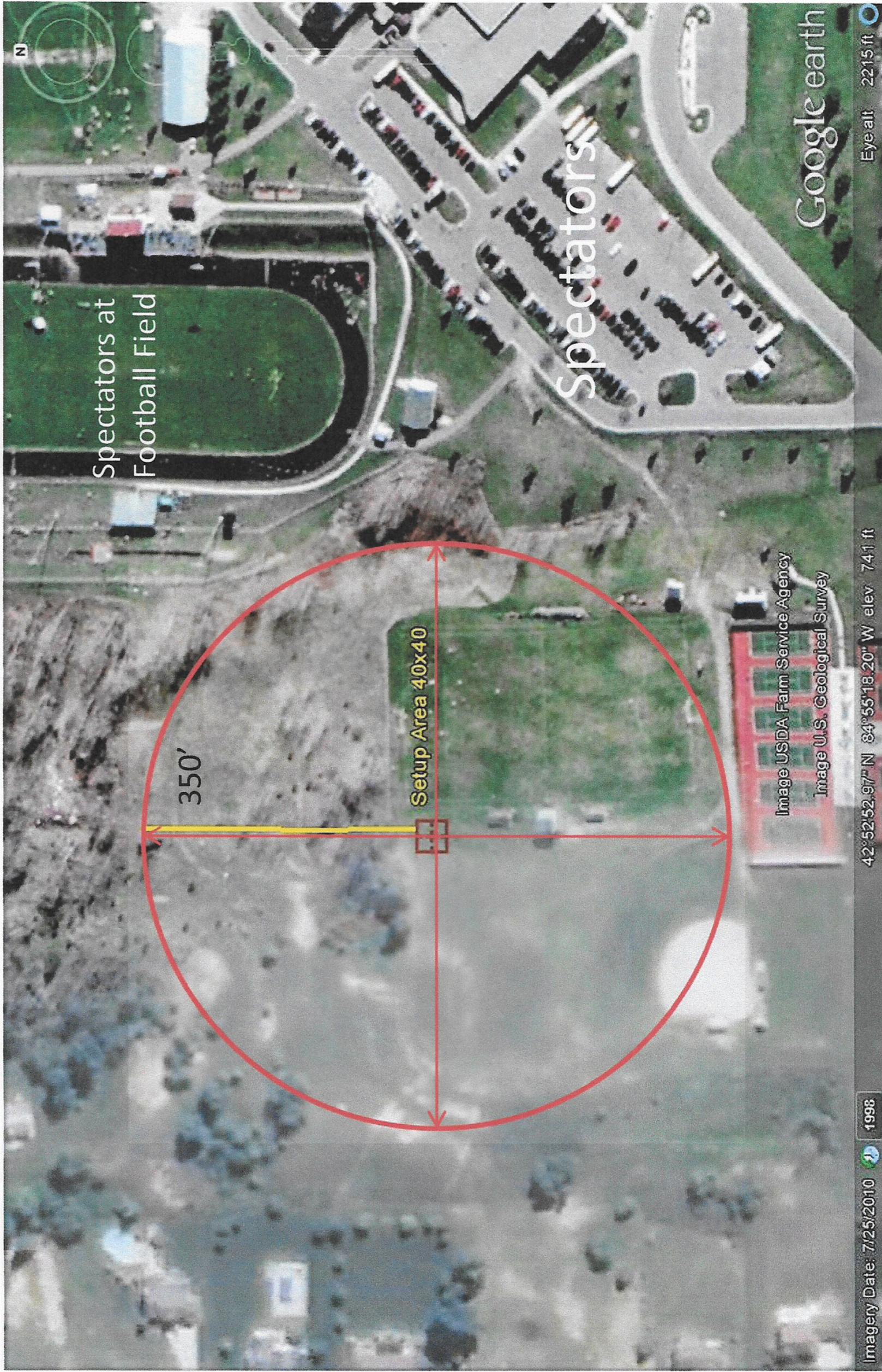
Manner & Place of Storage Prior to Display (Subject to Approval of Local Fire Authorities)
NO STORAGE NECESSARY, DELIVERED ON DATE OF DISPLAY

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Amount of Bond of Insurance (to be set by local gov't) <i>\$5,000,000.00</i> | Name of Bonding Corporation or Insurance Company <i>BRITTON-GALLAGHER & ASSOCIATES</i> |
| Address of Bonding Corporation or Insurance Company <i>ONE CLEVELAND CENTER, FLOOR 30; 1375 EAST 9TH STREET, CLEVELAND, OHIO 44114</i> | |
| Signature of Applicant  For Melrose Pyrotechnics, Inc. | |

SEE OTHER SIDE FOR INSTRUCTIONS

Portland Chamber of Commerce
5" Shells; Up to 3" Angles

Portland High School; 1100 Ionia Rd, Portland, MI
MVL 1/22/13



Operator: Center of Setup area is 50' South from Tree line and 25' West from edge of soccer field.

PORTLAND CITY COUNCIL
Ionia County, Michigan

Council Member _____, supported by Council Member _____, made a motion to adopt the following resolution:

RESOLUTION NO. 17-40

**A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT
TO CITY BOARDS AND COMMISSIONS**

WHEREAS, City Council has established guidelines for appointments to City Boards and Commissions pursuant to Council Policy 96-1; and

WHEREAS, the Mayor has reviewed the applications for the various City Boards and Commissions and, in accordance with Council Policy 96-1, requests that the Council confirm the following appointments:

Downtown Development Authority
-Terence M. Frewen to a term expiring June 2018

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Portland City Council confirms the Mayor's appointment as set forth above.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 1, 2017

Monique I. Miller, City Clerk

PORTLAND CITY COUNCIL
Ionia County, Michigan

Council Member _____, supported by Council Member _____, made a motion to adopt the following resolution:

RESOLUTION NO. 17-41

A RESOLUTION APPROVING THE PURCHASE OF AUTOMATIC METER READING TECHNOLOGY

WHEREAS, by resolution in 2012, Council approved the process of migrating the existing water meters to the radio read Orion ME meter system by Badger and replacing all of the non-compatible meter bodies over the next 5 years; and

WHEREAS, the cost of AMR technology has come down and the products have become more robust offering potential leak detection, reverse flow indication, non-usage alarm, GPS mapping, and now Badger's system is capable of being migrated from a walk-by/drive by system to a fixed base system; and

WHEREAS, the AMR system will eliminate manual entry of water readings at the meter and into the billing system at City Hall and new meters may help pay for themselves because older meters typically maintain their accuracy or slow down 5-7% as they age; and

WHEREAS, City staff is recommending that the City purchase (100) meter bodies, (150) meter registers of various sizes, (4) – 1 inch brass meter bodies and (1) 1 and ½ inch Orion meter register from SLC Meter LLC for \$29,531.98, a copy of the quote is attached as Exhibit A.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council approves staff's recommendation to purchase 153 meter bodies and 162 meter registers of various sizes from SLC Meter LLC for \$29,531.98, a copy of the quote is attached as Exhibit A.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 1, 2017

Monique I. Miller, City Clerk

SLC Meter llc
595 Bradford St.
Pontiac, MI 48341



QUOTATION

Ph. 248-625-0667
Fx. 248-625-8650
www.slcmeter.com

| Date | Quote # |
|-----------|---------|
| 3/20/2017 | 29948 |

| Name / Address |
|-----------------------------------------------------------|
| CITY OF PORTLAND 259 KENT STREET PORTLAND, MI 48875 |

| Ship To |
|---------------------------------------------------------|
| CITY OF PORTLAND 451 MORSE DR. PORTLAND, MI 48875 |

| Expires on | Terms | Rep | Entered by |
|------------|--------|-----|------------|
| 4/19/2017 | Net 30 | RS | RS |

| Item | Description | Qty | Unit Price | Total |
|--------------------|---------------------------------------------------------------------------------------------------------------|-----|------------|-----------|
| BM-M25-23-BRZ-B... | 5/8" X 3/4" (7 1/2" LONG) BADGER MODEL 25 WATER METER BASE ONLY, NSF-61 NO LEAD BRONZE BODY, CAST IRON BOTTOM | 50 | 57.49 | 2,874.50 |
| BM-HRE-LCD-OME | M25 BADGER HRE-LCD ENCODER REGISTER WITH ORION ME TRANSMITTER, POTTED W/ 10' WIRE & WALL COVER | 50 | 159.07 | 7,953.50 |
| BM-M25-23-BRZ-B... | 5/8" X 3/4" (7 1/2" LONG) BADGER MODEL 25 WATER METER BASE ONLY, NSF-61 NO LEAD BRONZE BODY, CAST IRON BOTTOM | 100 | 55.96 | 5,596.00 |
| BM-HRE-LCD-OME | M25 BADGER HRE-LCD ENCODER REGISTER WITH ORION ME TRANSMITTER, POTTED W/ 10' WIRE & WALL COVER | 100 | 155.55 | 15,555.00 |
| BM-M25-23-BRZ-B... | 5/8" X 3/4" (7 1/2" LONG) BADGER MODEL 25 WATER METER BASE ONLY, NSF-61 NO LEAD BRONZE BODY, CAST IRON BOTTOM | 150 | 54.95 | 8,242.50 |
| BM-HRE-LCD-OME | M25 BADGER HRE-LCD ENCODER REGISTER WITH ORION ME TRANSMITTER, POTTED W/ 10' WIRE & WALL COVER | 150 | 153.20 | 22,980.00 |
| SHIP | SHIPPING/HANDLING CHARGES | | 0.00 | 0.00 |

**Exhibit
A**

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------|
| Please note the purchase and payment terms of SLC Meter llc. Written acceptance of this quotation is needed to order materials. All special order items have a 30% restocking fee. Brass products not marked "N-L" "BIA" "E-B" or "NSF-61" may contain lead and are not for use in potable or drinking water systems. Please go to www.slcmeter.com for further details. | Total | \$63,201.50 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------|

Thank You!

SLC Meter llc
 595 Bradford St.
 Pontiac, MI 48341



QUOTATION

| Date | Quote # |
|-----------|---------|
| 3/22/2017 | 29964 |

Ph. 248-625-0667
 Fx. 248-625-8650
 www.slcmeter.com

| Name / Address |
|-----------------------------------------------------------|
| CITY OF PORTLAND 259 KENT STREET PORTLAND, MI 48875 |

| Ship To |
|---------------------------------------------------------|
| CITY OF PORTLAND 451 MORSE DR. PORTLAND, MI 48875 |

| Expires on | Terms | Rep | Entered by |
|------------|--------|-----|------------|
| 4/21/2017 | Net 30 | RS | RS |

| Item | Description | Qty | Unit Price | Total |
|--------------|--------------------------------------------------------------------------------------------------------|-----|------------|--------|
| BM-M70- BASE | 1" (10 3/4" Long) BADGER MODEL 70 WATER METER BASE ONLY, NSF-61, NO LEAD BRONZE BODY, CAST IRON BOTTOM | 4 | 188.97 | 755.88 |
| BM-HRE-LCD | M120 BADGER HRE-LCD ENCODER WITH ORION ME IN GALLONS, W/ TWIST TIGHT CONNECTOR & 10' LENGTH OF WIRE | 1 | 200.10 | 200.10 |
| SHIP | SHIPPING/HANDLING CHARGES | | 0.00 | 0.00 |

Please note the purchase and payment terms of SLC Meter llc. Written acceptance of this quotation is needed to order materials. All special order items have a 30% restocking fee. Brass products not marked "N-L" "BIA" "E-B" or "NSF-61" may contain lead and are not for use in potable or drinking water systems. Please go to www.slcmeter.com for further details.

Total

\$955.98

Thank You!

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, April 17, 2017

In Council Chambers at City Hall

Present: Mayor Barnes, Mayor Pro-Tem VanSlambrouck, Council Members Fitzsimmons, Baldyga and Johnston; City Manager Gorman; City Clerk Miller; Police Chief Kirk; DDA/Main Street Transitional Coordination Director Briggs

Guests: Bill Rosier of Sparrow Ionia; Kathy Parsons; Mike Judd; Pam Minkley; Marietta Leatherman; Karen Bota of the Sentinel Standard

The meeting was called to order at 7:00 P.M. by Mayor Barnes with the Pledge of Allegiance.

Motion by Fitzsimmons, supported by Johnston, to approve the Proposed Revised Agenda as presented.

Yeas: Fitzsimmons, Johnston, VanSlambrouck, Baldyga, Barnes

Nays: None

Adopted

Under City Manager Report, City Manager Gorman recognized DDA/Main Street Transitional Coordination Director Briggs for stepping into the role when needed. He further thanked her for her hard work and dedication.

Mayor Barnes echoed the sentiment and also thanked Mike Judd for his efforts.

DDA/Main Street Transitional Coordination Director Briggs stated that she feels very comfortable with the direction the DDA/Main Street is headed. She further stated that she feels confident in the new DDA/Main Street Director Tina Conner Wellman and looks forward to working with her.

City Manager Gorman further reported that McDonald's plans to begin redevelopment of their building and property late this summer.

The building permit for ConfluxCity Brewery was released last week. City staff and engineers have worked with Mr. Hilligan over the past year to address the waste that will be produced by brewing beer. Mr. Hilligan has decided that the waste will be removed off site rather than be sent through the City's wastewater system.

City Manager Gorman stated that he met with Jim Valentine of Ionia County Central Dispatch, John Bush the Ionia County GIS Coordinator, and Police Chief Kirk to address problems with the emergency response issue in the Grand River area. They are working together to make the emergency response the best it can be.

City Manager Gorman reported that he attended the Grand River Water Trail meeting in Cascade Twp. last Thursday with Council Members Baldyga and Johnston. There was discussion about the processes and steps that can be taken to protect the Grand River.

Council Member Baldyga commented that the intent is to get organizations on the “same page” in terms of cleanliness, recreation, etc. There was a lot of information shared.

City Manager Gorman stated that about a year ago an application from ACD.net was submitted under the Metro Act and denied by the City Council. ACT.net has renewed discussions with the City regarding the placement of 40 ft. cell towers that would enhance cell phone technologies of Verizon customers. The City is working to balance the needs of its residents and protecting the City’s infrastructure and environment.

City Manager Gorman also stated that implementation strategies for curbside recycling are still being investigated.

City staff has also been working on upgrading internal processes this week with training and implementation of timesheet software.

Under Presentations, Mayor Barnes presented the Arbor Day Proclamation and reminded everyone that a tree planting ceremony will be held at Brush Street Park on April 28, 2017 and that seedlings will be distributed to second graders at both Oakwood Elementary and St. Patrick Schools.

Under New Business, the Council considered Resolution 17-30 to approve the EDC’s recommendation to enter into a Purchase and Sale Agreement, Declaration of Restrictions, and Commission Agreement to sell approximately 5 acres of City property to the Edward W. Sparrow Hospital Association.

Mr. Rosier of Sparrow Ionia stated that he is looking forward to this purchase of property so they can begin the planning of a new facility in Portland. He further stated that he looks forward to building the relationship with the City of Portland.

Mayor Pro-Tem VanSlambrouck stated that the negotiation process has not been easy and that he appreciates all of the effort and cooperation that has been shown. This will be great for the community.

Motion by VanSlambrouck, supported by Fitzsimmons, to approve Resolution 17-30 approving the Economic Development Corporation’s recommendation to approve, authorize, and direct the Mayor and Clerk to sign a Purchase and Sale Agreement, Declaration of Restrictions, and Commission Agreement to sell approximately 5 acres of City property to the Edward W. Sparrow Hospital Association.

Yeas: VanSlambrouck, Fitzsimmons, Baldyga, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 17-31 to authorize the issuance of General Obligation Limited Tax Bonds, Series 2017 that will finance the reconstruction of James St. and other street projects. The bonds will be paid back within four to five years.

Motion by Fitzsimmons, supported by VanSlambrouck, to approve Resolution 17-31 to authorize issuance of General Obligation Limited Tax Bonds, Series 2017.

Yeas: Fitzsimmons, VanSlambrouck, Baldyga, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 17-32 to schedule the City Council Budget Workshop on Thursday, April 20, 2017 at 5:30 P.M.

City Manager Gorman noted the draft budget was distributed to the Council tonight for their review. He further thanked City staff for their assistance in the budget preparation.

Motion by Baldyga, supported by Johnston, to approve Resolution 17-32 to schedule a Special Meeting of the City Council for a Budget Workshop.

Yeas: Baldyga, Johnston, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 17-33 to set a Public Hearing on May 1, 2017 at 7:00 P.M. on the Budget proposed for Fiscal Year 2017-2018.

Motion by VanSlambrouck, supported by Baldyga, to approve Resolution 17-33 setting a Public Hearing on the Budget proposed for Fiscal Year 2017-2018.

Yeas: VanSlambrouck, Baldyga, Fitzsimmons, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 17-34 to approving a License Agreement with the Friends of the Red Mill to plant wildflowers in a vacant area near the Red Mill along the River Trail; the former location of the livestock exchange. The Parks and Recreation Board met on April 17, 2017 and approved the request and recommends that the City Council approve the same.

Pam Minkley and Marietta Leatherman provided further information to the Council. The area of the proposed planting is .6 acres and would be planted in conjunction with the Michigan Wildflower Farm. They would plant the flowers and provide the 1st and 2nd years maintenance. They would fully fund the project through 2019. Their goal is to work in coordination with the schools and teachers so they could be a part of the process.

Council Member Baldyga stated that wildflowers are sometimes a slow, subtle process that recreates a “prairie” atmosphere. He noted that it will be important to educate the public.

Motion by Baldyga, supported by Fitzsimmons, to approve Resolution 17-34 approving, authorizing, and directing the Mayor and Clerk to sign a License Agreement with the Friends of the Red Mill.

Yeas: Baldyga, Fitzsimmons, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 17-35 to amend the transaction with Next-Era Power Marketing, LLC (NEPM) through the Michigan Public Power Agency (MPPA) contingent on the approval of the Board of Light and Power. The MPPA and NEPM are proposing to amend the current transaction to allow the NEPM the ability to broaden the sources of supply from the current single nuclear generation resource to other wholesale market resources.

Motion by Fitzsimmons, supported by Baldyga, to approve Resolution 17-35 approving the amendment to the transaction with Next-Era Power Marketing, LLC through the Michigan Public Power Agency contingent upon the approval of the Board of Light and Power.

Yeas: Fitzsimmons, Baldyga, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

Motion by Fitzsimmons, supported by Johnston, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting held on April 3, 2017, payment of invoices in the amount of \$64,652.53 and payroll in the amount of \$138,744.11 for a total of \$203,396.64. A purchase order to Utility Service Co., Inc. in the amount of \$15,416.63 for quarterly maintenance on the water towers was also included.

Yeas: Fitzsimmons, Johnston, VanSlambrouck, Baldyga, Barnes

Nays: None

Adopted

Under Communications, Mayor Barnes noted that an application from Terry Frewen to serve on the DDA has been submitted and will be considered at the next Council meeting.

Under City Manager Comments, City Manager Gorman provided information on upcoming community events. The Portland Community Fund will hold a wine tasting fundraiser at the Wagon Wheel on April 20, 2017 at 6:30 P.M. Portland High School will hold a Day of Caring which will consist of a community cleanup and ice cream social on April 26, 2017. The Portland PTO is sponsoring a shoe drive through May 26, 2017 to fund an outdoor garden. A wine tasting fundraiser will be held June 5, 2017 at Olivera's to benefit Our Dog Park.

City Manager Gorman informed residents that the Annual Cleanup Day will be held Saturday, May 6, 2017 from 7:00 A.M. to 3:00 P.M. at the Department of Public Works. This year each household will be limited to one pickup/trailer load in order to ensure that all residents can participate. Both Portland and Danby Township Supervisors support this change. The Hazardous Waste Cleanup will also be held Saturday, May 6, 2017 from 8:00 A.M. to Noon on the east side of the Fire Department.

Under Council Comments, Council Member Johnston noted that the outdoor garden that will be benefited by the Shoe Drive is in memory of her mom, a long time secretary with the Portland Public Schools.

Council Member Fitzsimmons noted that there was a community baseball cleanup day last Saturday and there were a lot of great comments on the condition of the baseball fields.

Council Member Baldyga stated that it is a privilege to serve and be a part of this community.

Motion by Fitzsimmons, supported by Baldyga, to adjourn the regular meeting.

Yeas: Fitzsimmons, Baldyga, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

Meeting adjourned at 7:45 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk

City of Portland
Synopsis of the Minutes of the April 17, 2017 City Council Meeting

The City Council meeting was called to order by Mayor James E. Barnes at 7:00 P.M.

Present – Mayor Barnes, Mayor Pro-Tem VanSlambrouck, Council Members Fitzsimmons, Baldyga and Johnston; City Manager Gorman; City Clerk Miller; Police Chief Kirk; DDA/Main Street Transitional Coordination Director Briggs

Presentation - Mayor Barnes presented the Arbor Day Proclamation.

Approval of Resolution 17-30 approving the Economic Development Corporation's recommendation to approve, authorize, and direct the Mayor and Clerk to sign a Purchase and Sale Agreement, Declaration of Restrictions, and Commission Agreement to sell approximately 5 acres of City property to the Edward W. Sparrow Hospital Association.

All in favor. Adopted.

Approval of Resolution 17-31 to authorize issuance of General Obligation Limited Tax Bonds, Series 2017.

All in favor. Adopted.

Approval of Resolution 17-32 to schedule a Special Meeting of the City Council for a Budget Workshop on Thursday, April 20, 2017 at 5:30 P.M.

All in favor. Adopted.

Approval of Resolution 17-33 setting a Public Hearing on the Budget proposed for Fiscal Year 2017-2018 on May 1, 2017 at 7:00 P.M.

All in favor. Adopted.

Approval of Resolution 17-34 approving, authorizing, and directing the Mayor and Clerk to sign a License Agreement with the Friends of the Red Mill.

All in favor. Adopted.

Approval of Resolution 17-35 approving the amendment to the transaction with Next-Era Power Marketing, LLC through the Michigan Public Power Agency contingent upon the approval of the Board of Light and Power.

All in favor. Adopted.

Approval of the Consent Agenda.

All in favor. Adopted.

Adjournment at 7:45 P.M.

All in favor. Adopted.

A copy of the approved Minutes is available upon request at City Hall, 259 Kent Street.

Monique I. Miller, City Clerk

City of Portland

Portland, Michigan

Minutes of the City Council Budget Workshop

Held on Thursday, April 20, 2017

In the Conference Room at City Hall

Present: Mayor Barnes; Council Members Fitzsimmons, VanSlambrouck, Baldyga, and Johnston; City Manager Gorman; Finance Officer Kinde; City Clerk Miller

The meeting was called to order at 5:30 P.M.

City Manager Gorman and Finance Officer Kinde presented the Fiscal Year 2017-2018 budget summary reports and the budget in its entirety.

There was discussion.

The workshop was adjourned at 8:38 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk

| VENDOR NAME | VENDOR | DESCRIPTION | AMOUNT |
|----------------------------------|--------|------------------------------------------------|-----------|
| TODD WENZEL BUICK GMC | MISC | TWO 2017 GMC SIERRA 2500HD 4X4 PICKUPS - ELECT | 59,234.50 |
| AT&T | 00686 | TELEPHONE SVC - VARIOUS DEPTS | 1,749.52 |
| AT&T | 00686 | TELEPHONE SVC - WASTE WTR | 227.34 |
| AT&T | 00686 | TELEPHONE SVC - WASTE WTR | 107.22 |
| STATE OF MICHIGAN | 00428 | FILING FEE FOR BONDS - | 484.00 |
| ALTEC INDUSTRIES, INC. | 00016 | REPAIR LEAK - ELECTRIC | 350.00 |
| AMERICAN RENTALS, INC. | 00017 | PORTABLE TOILET RENTAL - PARKS | 295.00 |
| BASIC | 01983 | FEE FOR HRA ADMIN - GENERAL | 337.50 |
| BOUND TREE MEDICAL LLC. | 01543 | EMS SUPPLIES - AMBULANCE | 377.28 |
| BOUND TREE MEDICAL LLC. | 01543 | SUPPLIES - AMBULANCE | 380.50 |
| BOUND TREE MEDICAL LLC. | 01543 | SUPPLIES, PANTS - AMBULANCE | 262.30 |
| BOUND TREE MEDICAL LLC. | 01543 | PANTS - AMBULANCE | 43.79 |
| BS&A SOFTWARE | 00029 | TIMESHEETS & ACCES MY GOV SOFTWARE - GENERAL | 2,075.00 |
| BUSINESS CARD | 02075 | MISC CHARGES - VARIOUS DEPTS | 3,465.97 |
| CHERRY HILL ESTATES | 02081 | SECOND QUARTER ASSOCIATION FEES - ECON DEV | 60.06 |
| CHROUCH COMMUNICATION, INC. | 00082 | BATTERY CP200 - MTR POOL | 85.00 |
| CHROUCH COMMUNICATION, INC. | 00082 | REPAIR OF AMB 43 - AMB | 140.80 |
| COOK BROS EXCAVATING | 00101 | LANDFILL FEES, DISPOSE HOLDING TANKS -PARKS | 2,323.00 |
| CREATIVE SERVICES OF NEW ENGLAND | MISC | STICKER BADGES - POLICE | 206.95 |
| CULLIGAN | 02130 | WATER - CITY HALL | 7.00 |
| DAVID MCGREGOR | MISC | REFUND FENCE PERMIT FEE - GENERAL | 25.00 |
| ENVIRONMENTAL SALES INC | 02384 | FLANGE VOGELSANG - WASTE WTR | 117.88 |
| FAMILY FARM & HOME | 01972 | RED WIRE, HITCH BALL INTERLOCK - CEM, PARKS | 17.98 |
| FAMILY FARM & HOME | 01972 | HITCH BAR STARTER - CEM, PARKS | 26.99 |
| FAMILY FARM & HOME | 01972 | FERTILIZER - ELECTRIC | 249.90 |
| FAMILY FARM & HOME | 01972 | MIX - MAJ STS | 17.76 |
| CONSUMERS ENERGY | 00095 | GAS - ELECTRIC | 127.16 |
| FAMILY FARM & HOME | 01972 | NUTS, BOLTS, WASHERS - CEMETERY | 41.96 |
| FAMILY FARM & HOME | 01972 | LAWN & LEAF BAGS - PARKS | 23.92 |

CITY OF PORTLAND INVOICE REGISTER

| VENDOR NAME | VENDOR | DESCRIPTION | AMOUNT |
|-----------------------------------------|--------|------------------------------------------------|-----------|
| FAMILY FARM & HOME | 01972 | TRAILER - CEM, PARKS | 999.99 |
| FAMILY FARM & HOME | 01972 | LOCK PINS - SPRING LOCK - MTR POOL | 26.24 |
| FAMILY FARM & HOME | 01972 | GLOVES, TOWELS, CHAIN OIL, SWITCH - CEM PARKS | 31.74 |
| FLEIS & VANDENBRINK | 00153 | DESIGN ENGINEERING JAMES STREET - LOC STS, WAT | 13,040.14 |
| FLEIS & VANDENBRINK | 00153 | BUILDING HEATING IMPROVEMENTS - WASTE WTR | 300.50 |
| FLEIS & VANDENBRINK | 00153 | KENT STREET CONSTRUCTION ENGINEERING - MAJ STS | 309.84 |
| FOSTER BLUE WATER OIL, LLC | 02301 | PROPANE - CEMETERY, PARKS | 345.47 |
| GRANGER CONTAINER SERVICE | 00175 | REFUSE - REFUSE | 7,898.93 |
| HASSELBRING-CLARK | 02073 | COPIER OVERAGE - GENERAL | 74.35 |
| IONIA COUNTY TREASURER | 00209 | ACCESS/KEY CARD - POLICE | 10.00 |
| HERB MOSSER | 02434 | BOARD OF REVIEW - ASSESSING | 120.00 |
| IONIA OCCUPATIONAL HEALTH SERVICES02275 | | DOT PHYSICALS - ELEC, MTR POOL, CEM | 500.00 |
| JIM'S AUTO BODY | MISC | REPAIR OF AMB 43 - AMBULANCE | 656.80 |
| JOHN DEERE FINANCIAL | 01818 | EL BOW FITTING - MTR POOL | 232.55 |
| MIKE JUDD | 02450 | MARCH BOARD OF REVIEW - ASSESSING | 60.00 |
| KATHY'S CLEANING | 01684 | CLEANING SERVICES - CITY HALL | 720.00 |
| KERR PUMP | 01877 | FREIGHT FOR CUTLER ROAD LIFT STATION PUMP - WA | 94.08 |
| KENDALL ELECTRIC | 00225 | DEG ELBOW - ELECTRIC | 606.27 |
| KEUSCH SUPER SERVICE | 00228 | TIRE LABOR - CEM,K PARKS | 34.95 |
| KEUSCH SUPER SERVICE | 00228 | TIRE REPAIR - CEM, PARKS | 36.50 |
| KEUSCH SUPER SERVICE | 00228 | PUSH SPREADER TIRE REPAIR - CEM, PARKS | 15.00 |
| KEUSCH SUPER SERVICE | 00228 | TIRE REPAIR - CEM, PARKS | 20.00 |
| KODIAK EMERGENCY VEHICLES | 02224 | REPAIR OF AMB 43 - AMBULANCE | 107.60 |
| LANSING UNIFORM COMPANY | 00962 | AMERICAN FLAG - POLICE | 120.50 |
| LANSING UNIFORM COMPANY | 00962 | LS DUTY SHIRT & PANTS - POLICE | 98.95 |
| DOUG LOGEL SR. | 02451 | MARCH BOARD OF REVIEW - ASSESSING | 120.00 |
| LITE'S PLUS | 00243 | LAMPS - COMM PROMO | 370.80 |
| LYDEN OIL COMPANY | 01860 | KENDALL SUPER D - ELECTRIC | 1,990.00 |
| MENARDS | 00260 | LOCKS FOR OFFICE & SUPPLY CABINET - AMBULANCE | 33.99 |

CITY OF PORTLAND INVOICE REGISTER

| VENDOR NAME | VENDOR | DESCRIPTION | AMOUNT |
|-----------------------------|--------|-----------------------------------------------|----------|
| MRE SERVICES, INC. | 00318 | COMPUTER SERVICES - POLICE | 210.10 |
| MUNICIPAL SUPPLY CO. | 00324 | WATER METER SUPPLIES - WATER | 128.44 |
| MUZZALL GRAPHICS | 00326 | BUSINESS CARDS - INCOME TAX, GENERAL | 92.53 |
| PLEUNE SERVICE COMPANY INC. | 00741 | QUARTERLY LABOR & PARTS - CITY HALL | 779.00 |
| POLYDYNE INC. | 02196 | CLARIFLOC - WASTE WTR | 1,741.50 |
| DAVID KIRK | 02402 | CELL PHONE REIMB - POLICE | 60.00 |
| INDEPENDENT BANK | 00197 | BOND & REDEMPTION FUND - ELECTRIC | 9,000.00 |
| S. TUTT GORMAN | 02311 | CELL PHONE REIMB - CITY MANAGER | 60.00 |
| PURITY CYLINDER GASES, INC. | 00380 | OXYGEN - AMBULANCE | 60.70 |
| SPARROW OCCUPATIONAL HEALTH | 00340 | PRE-EMPLOYMENT PHYSICAL - ECON DEV, WASTE WTR | 272.50 |
| SPARROW OCCUPATIONAL HEALTH | 00340 | PHYSICALS - PARKS, WW, WW | 323.00 |
| SPRINT | 00859 | PHONES - POLICE | 113.97 |
| SPEEDWAY LLC | 02395 | FUEL - ELECTRIC, MTR POOL | 2,880.21 |
| SUPERIOR ASPHALT INC | 02348 | COLD PATCH - MAJ STS, LOC STS | 478.75 |
| STAPLES BUSINESS ADVANTAGE | 00426 | SUPPLIES - VARIOUS DEPTS | 1,439.70 |
| STATE INDUSTRIAL PRODUCTS | MISC | HAND WIPES, SANITIZER WIPES - WTR | 113.54 |
| STEVE'S METER SERVICE | 00442 | SUPPLIES - ELECTRIC | 340.00 |
| TROJAN TECHNOLOGIES | 02175 | SUPPLIES - WASTE WTR | 2,015.01 |
| VERTZON WIRELESS | 00470 | TELEPHONE SVC-ELEC, WW, WTR, M POOL | 183.34 |
| VFW | MISC | CEMETERY FLAG - CEMETERY | 16.00 |
| WESTPHALIA ELECTRIC CO. | 00412 | PARTS & LABOR FOR TRANSFER SWITCH - WATER | 663.26 |
| WOLVERINE POWER SYSTEMS | 02122 | MAINT - WATER | 1,184.14 |
| WOLVERINE POWER SYSTEMS | 02122 | LOADBANK TESTING - WATER | 790.00 |
| WOLVERINE POWER SYSTEMS | 02122 | LOAD BANK TESTING - CITY HALL | 590.00 |
| MARCUS WOURMAN | 02063 | SKILL TRAINING - REC | 400.00 |
| WOW! INTERNET-CABLE PHONE | 02132 | CABLE & PHONES - POLICE, COMM PROMO, AMB | 1,447.04 |
| BRENDA THELEN | MISC | REFUND - REC | 25.00 |
| PAM HILL | MISC | REFUND - REC | 40.00 |
| JASON SISLER | MISC | REFUND - SOFTBALL | 35.00 |

CITY OF PORTLAND INVOICE REGISTER

| VENDOR NAME | VENDOR | DESCRIPTION | AMOUNT |
|-------------------|--------|-----------------------------|--------------|
| MICHELLE SEAVEY | MISC | REFUND - REC | 35.00 |
| ANGIE BECKHOLD | MISC | REFUND - REC | 40.00 |
| DIANE HUHN | MISC | ENERGY SMART - ELECTRIC | 165.00 |
| RUTH CHADWELL | MISC | RESIDENTIAL HVAC - ELECTRIC | 165.00 |
| PORTLAND PRODUCTS | MISC | ENERGY SMART - ELECTRIC | 2,000.00 |
| LITES PIUS | MISC | ENERGY SMART - ELECTRIC | 693.72 |
| Total: | | | \$130,417.92 |

**BI-WEEKLY
WAGE REPORT
April 24, 2017**

| DEPARTMENT | GROSS EARNINGS CURRENT PAY | GROSS EARNINGS YEAR-TO-DATE | SOCIAL SECURITY & FRINGE BENEFITS CURRENT PAY | SOCIAL SECURITY & FRINGE BENEFITS YEAR-TO-DATE | TOTAL CURRENT PAYROLL | GRAND TOTAL YEAR-TO-DATE |
|------------------|-------------------------------|--------------------------------|-----------------------------------------------------|------------------------------------------------------|--------------------------|-----------------------------|
| GENERAL ADMIN. | 8,326.62 | 189,066.07 | 1,931.99 | 66,660.05 | 10,258.61 | 255,726.12 |
| ASSESSOR | 886.55 | 23,908.32 | 67.82 | 1,838.62 | 954.37 | 25,746.94 |
| CEMETERY | 2,695.63 | 53,250.77 | 424.23 | 22,169.37 | 3,119.86 | 75,420.14 |
| POLICE | 13,365.45 | 346,627.80 | 4,253.12 | 105,576.55 | 17,618.57 | 452,204.35 |
| CODE ENFORCEMENT | 610.20 | 15,494.34 | 46.67 | 7,152.50 | 656.87 | 22,646.84 |
| PARKS | 861.57 | 49,673.03 | 115.30 | 15,071.51 | 976.87 | 64,744.54 |
| INCOME TAX | 1,807.43 | 42,109.99 | 537.94 | 30,002.67 | 2,345.37 | 72,112.66 |
| MAJOR STREETS | 2,023.81 | 72,762.39 | 660.76 | 47,543.63 | 2,684.57 | 120,306.02 |
| LOCAL STREETS | 2,211.18 | 68,377.13 | 748.87 | 39,740.07 | 2,960.05 | 108,117.20 |
| RECREATION | 799.43 | 23,766.26 | 111.99 | 10,502.54 | 911.42 | 34,268.80 |
| AMBULANCE | 10,867.95 | 251,931.19 | 1,513.56 | 60,487.35 | 12,381.51 | 312,418.54 |
| DDA | 1,600.00 | 31,201.64 | 122.40 | 10,935.85 | 1,722.40 | 42,137.49 |
| ELECTRIC | 15,758.20 | 394,647.48 | 3,997.57 | 210,070.00 | 19,755.77 | 604,717.48 |
| WASTEWATER | 8,888.54 | 215,216.68 | 2,225.51 | 129,612.65 | 11,114.05 | 344,829.33 |
| WATER | 5,621.05 | 109,052.72 | 1,771.33 | 53,105.33 | 7,392.38 | 162,158.05 |
| MOTOR POOL | 1,892.32 | 55,658.77 | 656.71 | 33,762.02 | 2,549.03 | 89,420.79 |
| TOTALS: | 78,215.93 | 1,942,744.58 | 19,185.77 | 844,230.71 | 97,401.70 | 2,786,975.29 |

PURCHASE ORDER

CITY OF PORTLAND

259 KENT STREET • PORTLAND, MICHIGAN 48875 • (517) 647-7531

TO J & E/CC

SHIP TO E/CC

582-539-775

| DATE | DELIVERY DATE | SHIP VIA | F.O.B. | TERMS | PURCHASE ORDER NO. |
|----------------|---------------|----------|--------|-------|--------------------|
| <u>4-19-17</u> | | | | | |

| QUANTITY | DESCRIPTION | PRICE | AMOUNT |
|----------|----------------------------------------|----------|---------------|
| <u>1</u> | <u>225 KVA PYRAMOUNT</u> | <u>6</u> | <u>5315.-</u> |
| | <u>3 Ø PHASE TRANSFORMER</u> | | |
| | <u>12470/7200 - 2400/4160Y 120-208</u> | | |
| | <u>ON/OFF SWITCH, SPINDLES</u> | | |
| | <u>LOOSE-FEED, NORMAL STUFF</u> | | |
| | <u>WE GET.</u> | | |
| | <u>WOODA - REIMBURSE</u> | | |

NOT FOR RESALE FOR RESALE

TAX NUMBER _____

AUTHORIZED SIGNATURE _____

ORIGINAL

OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, SHIPPING PAPERS, AND PACKAGES



Portland Police Department

David Kirk, *Chief of Police*

4/11/17

To: S. Tutt Gorman

From: Chief D. Kirk

Re: Portable Radio Request

Mr. Gorman,

Attached please find an estimate for two portable radios. Our stock of portable radios has exceeded their service expectations and are no longer supported for repairs. We recently used the parts of two existing radios to assure we have a sufficient number of working radios so it appears as though the service life estimation is holding true.

These items were included in the budget plan for last year and we do have funds to support the purchase.

If you have any questions or need clarification please contact me.

Sincerely,

Chief David Kirk

A handwritten signature in cursive script that reads "David Kirk".



Quote Number: QU0000387849
 Effective: 03 JAN 2017
 Effective To: 04 MAR 2017

Bill-To:
 PORTLAND POLICE DEPARTMENT
 773 EAST GRAND RIVER AVE
 PORTLAND, MI 48875
 United States

Ultimate Destination:
 PORTLAND POLICE DEPARTMENT
 773 EAST GRAND RIVER
 PORTLAND, MI 48875
 United States

Attention:
Name: David Kirk
Phone: (517) 647-2934

Sales Contact:
Name: Kevin Courtney
Email: kevinc@chrouch.com
Phone: (616) 642-3881

Contract Number: MICHIGAN STATE CONTRACT
Freight terms: FOB Destination
Payment terms: Net 30 Due

| Item | Quantity | Nomenclature | Description | Your price | Extended Price |
|------|----------|--------------|---------------------------------------------------------------|------------|----------------|
| 1 | 2 | H98UCF9PW6AN | APX6000 700/800 MODEL 2.5 PORTABLE | \$2,053.50 | \$4,107.00 |
| 1a | 2 | H885BK | ADD: 3 YEAR SERVICE FROM THE START LITE | \$84.00 | \$168.00 |
| 1b | 2 | QA02756AA | ADD: 9600 TRUNKING OR 3600 DIGITAL TRUNKING | \$1,177.50 | \$2,355.00 |
| 1c | 2 | QA01833AH | ADD: EXTREME 1-SIDED NOISE REDUCTION | \$18.75 | \$37.50 |
| 2 | 2 | NNTN8863A | CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 100-240VAC, US/NA PLUG | \$127.50 | \$255.00 |

Total Quote in USD

\$6,922.00

THIS QUOTE IS BASED ON THE FOLLOWING:

1 This quotation is provided to you for information purposes only and is not intended to be an offer or a binding proposal.

If you wish to purchase the quoted products, Motorola Solutions, Inc. ("Motorola") will be pleased to provide you with our standard terms and conditions of sale (which will include the capitalized provisions below), or alternatively, receive your purchase order which will be acknowledged.

Thank you for your consideration of Motorola products.

2 Quotes are exclusive of all installation and programming charges (unless expressly stated) and all applicable taxes.

3 Purchaser will be responsible for shipping costs, which will be added to the invoice.

4 Prices quoted are valid for thirty(30) days from the date of this quote.

5 Unless otherwise stated, payment will be due within thirty days after invoice. Invoicing will occur concurrently with shipping.

MOTOROLA DISCLAIMS ALL OTHER WARRANTIES WITH RESPECT TO THE ORDERED PRODUCTS, EXPRESS OR IMPLIED INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

MOTOROLA'S TOTAL LIABILITY ARISING FROM THE ORDERED PRODUCTS WILL BE LIMITED TO THE PURCHASE PRICE OF THE PRODUCTS WITH RESPECT TO WHICH LOSSES OR DAMAGES ARE CLAIMED. IN NO EVENT WILL MOTOROLA BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.

PURCHASE ORDER

CITY OF PORTLAND

259 KENT STREET • PORTLAND, MICHIGAN 48875 • (517) 647-7531

TO Chrouch Communications
7960 Morrison Lake Rd
Saranac, MI 49981

SHIP TO Portland Police

| DATE | DELIVERY DATE | SHIP VIA | F.O.B. | TERMS | PURCHASE ORDER NO. | |
|----------|--------------------------------------|----------|--------|-------|--------------------|--------|
| 4/11/17 | | | | | | |
| QUANTITY | DESCRIPTION | | | | PRICE | AMOUNT |
| 2 | APX 6000 portable radios | | | | | |
| 2 | portable radio chargers | | | | | |
| | - 3 year service plan | | | | | |
| | - 9000 franking | | | | | |
| | * Information detailed on estimate * | | | | | |
| | Total | | | | \$6,922.50 | |

NOT FOR RESALE FOR RESALE

TAX NUMBER _____

ORIGINAL

AUTHORIZED SIGNATURE

OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, SHIPPING PAPERS, AND PACKAGES

PURCHASE ORDER

CITY OF PORTLAND

259 KENT STREET • PORTLAND, MICHIGAN 48875 • (517) 647-7531

TO F+V

SHIP TO _____

| DATE | DELIVERY DATE | SHIP VIA | F.O.B. | TERMS | PURCHASE ORDER NO. |
|----------|--------------------------------|----------|--------|-------|--------------------|
| 4/10/17 | | | | | |
| QUANTITY | DESCRIPTION | | | PRICE | AMOUNT |
| | Design Engineering - James St. | | | | |
| 50% | 203-452-803.017 | | | | 6,520.07 |
| 20% | 591-441-804.017 | | | | 2,608.03 |
| 30% | 590-441-804.017 | | | | 3,912.04 |
| | | | | | <u>13,040.14</u> |

NOT FOR RESALE
 FOR RESALE
 TAX NUMBER _____
 ORIGINAL
 AUTHORIZED SIGNATURE _____

OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, SHIPPING PAPERS, AND PACKAGES



Invoice

S. Tutt Gorman
 City Manager
 City of Portland
 259 Kent Street
 Portland, MI 48875-1495

April 10, 2017
 Project No: 830080
 Invoice No: 45925

Project 830080 City of Portland - James Street, Design

Services included: Topographic survey, kickoff meeting, preliminary design

For professional services rendered for the period February 25, 2017 to March 24, 2017

Professional Services

| | Hours | Billing | |
|------------------------------|---------------------------|-----------------|--------------------|
| | 102.25 | | |
| Total | | | 10,197.50 |
| Reimbursable Expenses | | | |
| Expenses | | 2,842.64 | |
| Total | | 2,842.64 | 2,842.64 |
| | Total this Invoice | | \$13,040.14 |

*Thank you for your business, it is sincerely appreciated.
 If there are any questions regarding this invoice or the services provided, please contact us.*

Terms: Net 15 days

PORTLAND ECONOMIC DEVELOPMENT CORPORATION

Minutes of the Special Meeting
Held at 7:00 P.M., February 27, 2017
City Hall Executive Conference Room
City Hall, 259 Kent St., Portland, Michigan

Present: Clement, Abel, Smith, Foote, Fitzsimmons, Lakin, City Manager Gorman

Staff: City Clerk Miller

Guests: Van Martin of CB Richard Ellis, representing Sparrow

The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance.

Motion by Fitzsimmons, supported by Lakin, to approve the agenda as presented.
All in favor. Approved.

Motion by Abel, supported by Fitzsimmons, to approve the Minutes of the June 13, 2016 meeting as presented.
All in favor. Approved.

Under New Business, City Manager Gorman provided an update on the history with Sparrow to this point. Most recently he has been working through the restrictions requested by Sparrow on the proposed purchase agreement for approximately 5 acres of City owned property on Cutler Rd. The exclusions have been changed to now allow dental offices and governmental agencies. City Manager Gorman stated that the City's legal counsel and Zoning Consultant Frederick have reviewed the document and recommend its approval.

There was discussion.

City Manager Gorman noted that as part of the agreement the City would be required to build a road. A design proposal has already been received from Fleis & VandenBrink. The 500 ft. road that would be constructed is estimated to cost \$630,000.00.

Motion by Smith, supported by Foote, to recommend the Purchase and Sale Agreement, the Declaration of Restrictions, and the Commission Agreement for Edward W. Sparrow Hospital Association to Council for approval.

City Manager Gorman made a friendly amendment that City Staff be allowed to make immaterial adjustments to the document.

Members Smith and Foote agreed to the amendment.

The vote on the motion was held.
All in favor. Approved.

City Manager Gorman provided an update on the Old School Manor project. He stated that it is a beautiful, well done project. The new windows have made a dramatic impact.

Economic Development Corporation
February 27, 2017

There was discussion.

City Manager Gorman provided updated on other developments in Portland. He received plans for reconstruction of McDonald's at the corner of Grand River Ave. and Bridge St. The Planning Commission will be considering the plans at their next meeting. The Planning Commission will also be considering plans for ConfluxCity Brewing Company for potential development at the corner of Grand River Ave. and Water St.

There was discussion.

Chair Clement suggested the Board take a formal role in making recommendations on development of the property at Grand River Ave. and Cutler Rd.

There was discussion about further steps to take. Should they take a pre-advisory role? Should their scope include more than the 52 acres at Grand River Ave. and Cutler Rd?

There was discussion.

Motion by Lakin, supported by Fitzsimmons, to adjourn the meeting.
All in favor. Approved.

The meeting was adjourned at 8:12 P.M.

Diane Smith, Secretary

**Minutes of the Downtown Development Authority
City of Portland**

Held on Thursday, March 16, 2017
In Council Chambers at City Hall

Members Present: Dumas, Barnes, Gorman, Blastic, VanSlambrouck, Urie, Grimminck

Members Absent: Antaya, Clement

Staff: DDA/Main Street Transitional Coordination Director Briggs, City Clerk Miller, Finance Officer Kinde, Deputy Treasurer Tolan

Guests: Laura Krizov of the MEDC; Mike Judd

Chair Dumas called the meeting to order at 3:05 P.M.

Motion by VanSlambrouck, supported by Barnes, to excuse the absences of Vice Chair Antaya and Member Clement.

All in favor. Adopted.

Motion by VanSlambrouck, supported by Grimminck, to approve the agenda as presented.

All in favor. Adopted.

Motion by Barnes, supported by VanSlambrouck, to approve the minutes of the February 16, 2017 meeting as presented.

All in favor. Adopted.

Motion by VanSlambrouck, supported by Blastic, to approve the Treasurer's Report as presented.

All in favor. Adopted.

The Chair had nothing to report for the Chair's Report.

Under Old Business Action Item for Approval, DDA/Main Street Transitional Coordination Director Briggs informed the Board that the \$1,000 payment for the 2016 Sign Grant to Terry Frewen had not been paid after he followed up with the required paperwork.

Motion by Gorman, supported by Urie, to approve the \$1,000 payment to Terry Frewen for the 2016 Sign Grant.

All in favor. Adopted.

DDA/Main Street Transitional Coordination Director Briggs and Finance Officer Kinde presented the Fiscal Year 2017/2018 DDA Budget for discussion and approval.

The board reviewed and discussed the budget.

City Manager Gorman noted that if the new director opts out of health insurance coverage the funds budgeted for that purposed will not be available to them “in lieu of” cash form.

Motion by VanSlambrouck, supported by Gorman, to approve the Fiscal 2017/2018 Budget as presented and recommend it to City Council for approval.
All in favor. Adopted.

Finance Officer Kinde left the meeting at 3:15 P.M.

Under New Business, Director Briggs stated that May is National Historic Preservation Month. The Design Committee is asking for DDA approval to request that City Council recognize Historic Downtown Portland in a proclamation signed by Mayor Barnes.

Motion by Dumas, supported by Urie, to request that City Council recognize Historic Downtown Portland in a proclamation signed by Mayor Barnes.
All in favor. Adopted.

Director Briggs requested approval to apply for all required licenses, insurance, bonds, contracts, permits, raffles, etc. for the Block Party scheduled to be held on Saturday, May 20, 2017.

Motion by Barnes, supported by VanSlambrouck, to approve the Block Party scheduled to be held on Saturday, May 20, 2017 and to apply for all required licenses, insurance, bonds, contracts, permits, raffles, etc.
All in favor. Adopted.

Director Briggs requested Board approval for attendance at the National Main Street Conference in Pittsburgh, PA, April 30, 2017 through May 4, 2017 for the new DDA/Main Street Director and at least two Main Street volunteers.

Motion by VanSlambrouck, supported by Urie, to approve attendance at the National Main Street Conference in Pittsburgh, PA, April 30, 2017 through May 4, 2017 for the new DDA/Main Street Director and at least two Main Street volunteers.
All in favor. Adopted.

Mayor Barnes stated that he spoke with Member Clement last week in regard to his lack of attendance at DDA meetings. Member Clement told him that he hasn't been able to attend due to circumstances with his business. Mayor Barnes further stated that he thanked Member Clement for his service to the DDA over the years. He further told Member Clement that per the DDA Bylaws Article III, Section 4, “Pursuant to notice and an opportunity to be heard, a member of the Board may be removed from office for neglect of duty, including non-attendance at three (3) or more meetings per year, misconduct, malfeasance, or any other good cause by a majority of the City Council.”. Member Clement has missed several meetings. He will be provided an opportunity to address the issue. His participation with the Board is needed. A formal letter will be sent to him advising him of the situation and indicating the intent that if there is another unexcused absence then his term with the DDA will be terminated.

There was discussion of how many member are needed on the DDA and if the number of members should be reduced.

Director Briggs presented the DDA calendar for the National Main Street visit for the Refresh Transformation Strategy Process.

Laura Krizov of the MEDC provided information on who will be attending the meetings from the MEDC office.

Under Board Comments, City Manager Gorman commented that he appreciates the effort from everyone over the past year. He further stated that he is looking forward to a new level of professionalism in a new DDA/Main Street Director. The past year has taken a significant toll on City staff. He thanked Finance Officer Kinde, Deputy Treasurer Tolan, and City Clerk Miller for their patience and hard work. He also thanked DDA/Main Street Transitional Coordination Director Briggs for her efforts; she has been great to work with.

Member Urie commented that there is a new performance at the Portland Civic Players starting this weekend.

Deputy Treasurer Tolan joined the meeting at 3:39 P.M.

The DDA held the interview for Tina Conner Wellman for the DDA/Main Street Director position.

The Board took a recess at 4:01 P.M.

The Board resumed the meeting at 4:08 P.M.

The DDA held the interview for Wanda M. Norman for the DDA/Main Street Director position.

The interviews were complete at 4:17 P.M.

The Board discussed the candidates for the DDA/Main Street Director position.

The Board concurred on the front runner for the position.

Motion by Urie, supported by VanSlambrouck to approve Tina Conner Wellman for the DDA/Main Street Director position with the hiring process to be carried out by Chair Dumas and Deputy Treasurer Tolan.

All in favor. Adopted.

Chair Dumas noted that clarification is needed in terms of salary exclusive of health insurance.

There was discussion.

Motion by VanSlambrouck, supported by Urie, to allow Chair Dumas and Deputy Treasurer Tolan to offer \$55,000 salary to Tina Conner Wellman with a 1-week vacation with the option to offer 2-week vacation if needed for negotiation purposes.

All in favor. Adopted.

Deputy Treasurer noted hiring would be conditional on successful background check, physical, and Council approval.

The Board concurred.

Director Briggs noted that Mrs. Conner Wellman had noted she would be able to start in 4-weeks and will be able to attend the Main Street Refresh training.

There was discussion of whether the position would be offered to Ms. Norman if Mrs. Conner Wellman does not accept.

The Board concurred they would not offer Ms. Norman the position as they don't have the confidence in her level of experience.

Director Briggs mentioned that the committee had decided they would pay for a hotel room for candidates.

Motion by Barnes, supported by Urie, to pay the hotel bill for candidate Wanda M. Norman.
All in favor. Adopted.

Motion by Blastic, supported by Urie, to adjourn the meeting at 4:49 P.M.
All in favor. Adopted

Respectfully submitted,

Kory Blastic, Secretary

**PORTLAND POLICE DEPARTMENT
STATISTICAL INFORMATION
MARCH 2017**

Calls for Service

| | |
|----------------------|----|
| Dispatched | 80 |
| Patrol Originated | 11 |
| Follow Up Complaints | 33 |
| Assist to PPD | 7 |
| Assist to Fire / EMS | 12 |
| Assist Other Depts | 8 |
| Directed Patrol | 35 |

Other Functions

| | |
|----------------------------|-----|
| Pistol Purchase Permits | 12 |
| PBT's | 21 |
| FOIA Requests | 6 |
| Sex Offender Registrations | 2 |
| Training | 35 |
| Administrative | 253 |
| Miscellaneous Function | 21 |

Traffic Stops

| | |
|-------------------|----|
| Total Stops | 71 |
| Traffic Citations | 23 |
| Verbal Warnings | 61 |
| Parking Citations | 28 |

Other

| | |
|--------------------------|-----|
| Physical Business Checks | |
| Interior | 53 |
| Exterior | 142 |
| Patrol Contacts | 260 |

Arrests

| | |
|------------------------|----|
| Misdemeanor Persons | 8 |
| Misdemeanor Charges | 14 |
| Felony Persons | 1 |
| Felony Charges | 1 |
| Juvenile Apprehensions | 0 |

Special Attention:

On March 6th, Sgt Thomas was contacted by a local business who suspected criminal activity on their premises. An investigation recovered stolen property, and confirmed both prostitution activity and narcotic use by syringe. The suspect was identified and transported from the City with possible criminal charges pending.

On March 13th, Officer Groenhof investigated a case of "road rage" between motorists that began on I96 with both vehicles exiting in Portland. The caller was waiting for police when the primary suspect in this investigation exited his vehicle and began throwing items at the vehicle and trying to get physical access to the caller. Damage to the vehicle totalled nearly \$1,500.00. The primary suspect was arrested and lodged at the Ionia County Jail.

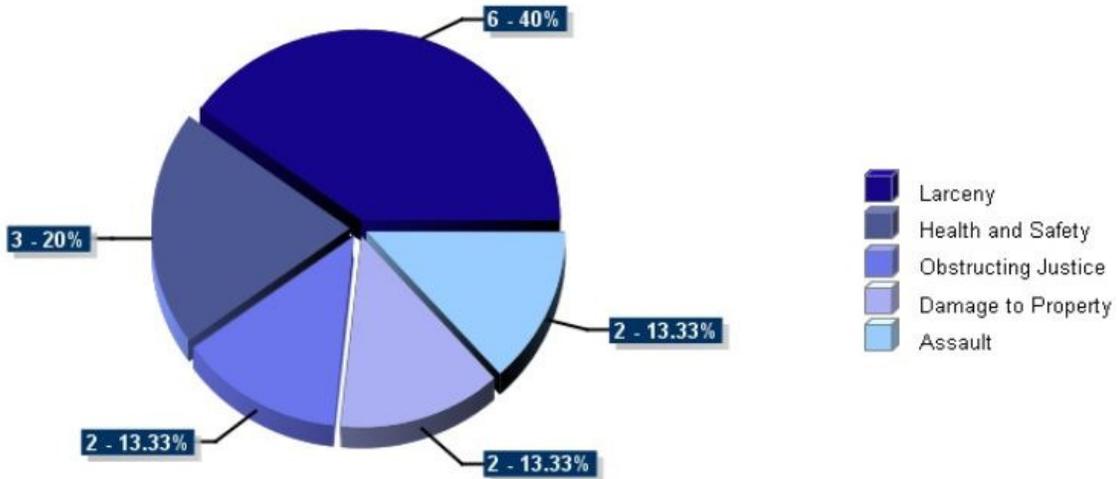
On March 16th, Sgt Thomas worked with Ionia Department of Public Safety K9 Officer Skorka, a parole agent from the Michigan Department of Corrections and a child protective services worker after information had been developed from a variety of sources pointing towards interavenous narcotic activity. An investigation resulted in the arrest of two subjects suspected of violating parole and possession of narcotics and lodged at the Ionia County Jail.

Continued on next page:

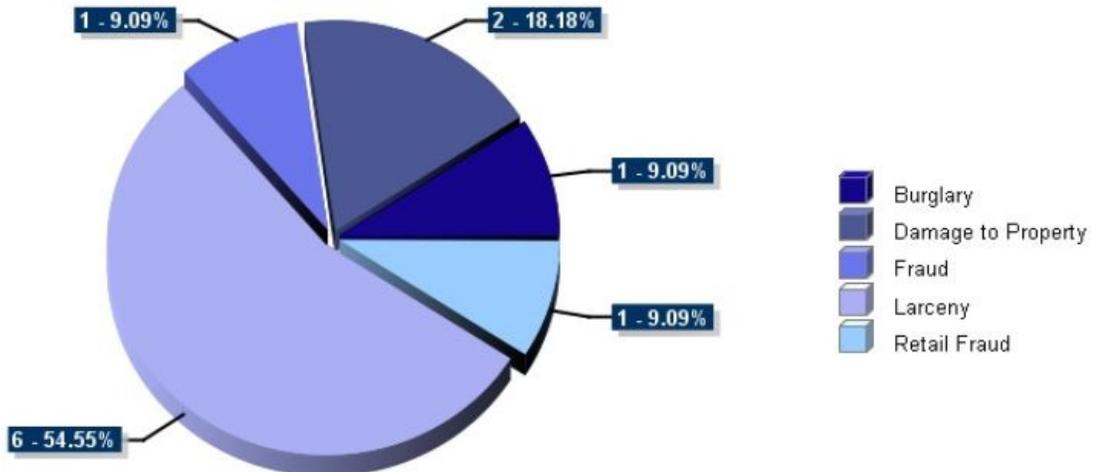
**PORTLAND POLICE DPEARTMENT
STATISTICAL INFORMATION
MARCH 2017**

On March 18th, Officer Gerhardt was called to the scene of a home invasion in progress with three suspects. It was discovered that suspects had forcefully entered the home, assaulted a resident, stole property and then left just prior to law enforcement arriving. Subsequent investigations by Chief Kirk, Sgt Thomas, and Officer Gerhardt resulted in the identification and arrest of two of the three suspects involved. The case remains under investigation.

Top 5 Offenses



Property Crimes



City Of Portland
 Water Department
 Monthly Water Report
 March 2017

Monthly Water Production

Daily Water Production

Well #4 8,155,000 Gallons
 Well #5 0 Gallons
 Well #6 17,000 Gallons
 Well #7 0 Gallons

Well #4 263,065 Gallons
 Well #5 0 Gallons
 Well #6 548 Gallons
 Well #7 Gallons

Daily Average Water Production for All Wells

263,613 Gallons

Total Water Production for the Month

8,172,000 Gallons

Total Water Production for the Previous Month

7,535,000 Gallons

Total Production increased by

637,000 Gallons

Total Production for This Month from the Previous Year

7,921,000 Gallons

Total Production increased by

251,000 Gallons

Rodney D. Smith Jr.
Water Technician

CITY OF PORTLAND

REPORT DATE
PERIOD COVERED

April 1, 2017
March 1-31, 2017

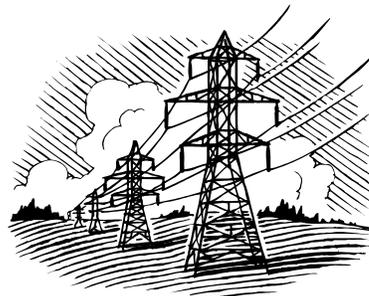
| | | | |
|----------------------------|------------------|---------------------------|----------------------|
| HYDRO GENERATION | 208,800 | | |
| DIESEL PRODUCTION | 0 | | |
| Kwh Purchased | 2,934,930 | Amount Paid | \$ 170,622.34 |
| | | | |
| Total Kwh Purchased | 3,143,730 | Total Dollars Paid | \$ 170,622.34 |

| | | | |
|-------------------------|------------------|-----------------------------|----------------------|
| Kwh Billed | | Dollars Billed | |
| Residential | 1,192,187 | PCA Billed | \$ 5,993.38 |
| Commercial | 594,794 | Residential | \$ 127,504.90 |
| Large General | 785,020 | Residential EO Charge | \$ 2,170.28 |
| City St. Lites Metered | 28,905 | Geothermal Discount | \$ (214.41) |
| St. Lites Unmetered | | Commercial | \$ 64,244.65 |
| Rental Lights | | Commercial/LG EO Charge | \$ 2,403.98 |
| Demand | 2,302 | Large General | \$ 54,264.13 |
| | | Large EO Charge | \$ 18.40 |
| | | City St. Lights Metered | \$ 2,428.89 |
| | | St. Lights Unmetered | \$ 1,543.05 |
| Total Kwh Billed | 2,603,208 | Rental Lights | \$ 253.24 |
| | | Demand | \$ 13,528.56 |
| Arrears after billing | \$ 14,256.03 | Tax | \$ 9,930.43 |
| Penalties Added | \$ 1,539.81 | | |
| Arrears end of month * | \$ 310,414.73 | Total Dollars Billed | \$ 284,069.48 |
| Fuel Cost Billed | \$ 8,776.91 | | |
| Amount Collected | \$ 310,184.45 | Power Cost Adj. | .00233 |
| Total Adjustments | \$ 3,079.04 | | |

**Includes the April 2017 Billing that was posted on 03/31/17*

| | |
|------------------------|--------------|
| Residential Customers | 2,200 |
| Commercial Customers | 319 |
| Large General | 16 |
| Total Customers | 2,535 |

03/31/17



**CITY OF PORTLAND
April-17**

WATER DEPARTMENT REPORT

| MONTH | Mar-17 | PERIOD COVERED | March 1-31, 2017 |
|-----------------------|------------------|---------------------------------------|-------------------------|
| Customers Billed | | Penalties Added | \$ 320.14 |
| City | 1,822 | Dollars Collected | \$ 45,013.43 |
| Rural | 23 | Arrears at end of Month | \$ 49,406.21 |
| Total Customers | 1,845 | Adjustments | \$ 278.47 |
| | | Gallons Pumped | 8,172,000 |
| | | Hydrant Flusing/Rental (unmetered) | 0 (hydrant flushing) |
| Gallons Billed | | Dollars Billed | |
| City | 7,301,434 | | \$ 42,592.01 |
| Rural | 134,402 | | \$ 1,445.48 |
| Total | <u>7,435,836</u> | | <u>\$ 44,037.49</u> |

SEWER DEPARTMENT REPORT

| | | | |
|------------------|-------|--------------------|--------------|
| Customers Billed | 1,783 | Dollars Billed | \$67,245.73 |
| | | Sewer Credit | \$ - |
| | | Total Sewer Billed | \$ 67,245.73 |

| | |
|-----------------------------|----------------|
| Penalties Added | \$ 515.57 |
| Dollars Collected | \$ 69,158.05 |
| Arrears at end of Month | \$ 75,702.60 * |
| Adjustments | \$ 458.13 |
| Gallons Treated per Million | 12.00 |

*Includes the April 2017 Billing that was procesed on 03/31/17



**IONIA COUNTY BOARD OF COMMISSIONERS
Committee-of-the-Whole**

**April 18, 2017 - 3:00 p.m.
Commissioners' Meeting Room – Courthouse – 3rd Floor**

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Invocation
- IV. Approval of Agenda
 - A. Consideration of additional items
- V. Public Comment
(3 minute time limit per speaker - please state name/organization)
- VI. Unfinished Business
 - A. Board Appointment Orientations
 - B.
- VII. New Business
 - A. Community Mental Health Annual Report - Robert Lathers, Director
 - B. Departmental Reports
 - 1. Building Codes
 - 2. Commission on Aging
 - 3. Juvenile/Probate Court
 - 4. Building & Grounds/Parks & Rec
 - C.
- VIII. Reports of Officers, Board and Standing Committees
 - A. Chairperson
 - B. Commissioners
 - C. County Administrator
- IX. Reports of Special or Ad Hoc Committees
- X. Closed Session
- XI. Adjournment

IONIA COUNTY BOARD OF COMMISSIONERS

April 25, 2017 - 7:00 p.m.

Conference Room – Central Dispatch Building

AGENDA

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Invocation**
- IV. Approval of Agenda**
 - A. Consideration of additional items
- V. Public Comment**

(3 minute time limit per speaker – please state name/organization)
- VI. Did You Know?**
- VII. Action on Consent Calendar**
 - A. Approve minutes of the previous meeting(s)
 - B. Approve per diem and mileage
 - C. Approve payment of General Fund payroll and accounts payable for the month of March 2017 - \$952,150.54
 - D. Approve payment of Health Fund bills - \$78,031.17
 - E.
- VIII. Unfinished Business**
 - A. Appointments
 - 1. Commission on Aging – Fill vacancy expiring September 2018
 - 2. Economic Development Authority – Three three-year appointments
 - 3. Land Bank Authority – One three-year appointment
 - B.
- IX. New Business**
 - A. Annual Equalization Report
 - B. Community Corrections American Interlock Agreement
 - C. Community Corrections Cognitive Behavioral Services Contract FY18
 - D. Sheriff's Office Services Agreement with Orleans Township
 - E. Sheriff's Office Services Agreement with Otisco Township
 - F. Community Corrections Smart Start Interlock Contract for FY18
 - G. Community Corrections FY18 Application
 - H. Request for approval of additional hours for Drug Court Case Manager
 - I. Request approval of Swift & Sure Sanctions Probation Program Subcontracts
 - 1. Comprehensive Recovery Services
 - 2. Karen S. McFadden

- J. Request approval of Subcontract for Drug Court Coordinator with Karen S. McFadden
- K. Budget Amendment – Establish Contractual Services Budget for Drug Court Grant
- L. Resolution Authorizing Financing for Court Facility Project
- M. Request from Administrative Health Officer
- N. Resolution authorizing application of CDBG Grant
- O. Resolution authorizing application of MDARD Grant
- P.

X. Reports of Officers, Boards, and Standing Committees

- A. Chairperson
- B. County Administrator

XI. Reports of Special or Ad Hoc Committees

XII. Public Comment (3 minute time limit per speaker)

XIII. Closed Session

XIV. Adjournment

Board and/or Commission Vacancies

- Board of Public Works – One three-year term expiring January 2018.
- Commission on Aging Board – One three-year term expiring September 2018.
- Community Mental Health Services Board – One three-year term, expiring March 2019. This position serves as a Consumer Representative.
- Construction Board of Appeals – Two two-year terms, expiring October 2017. One of these positions serves as an alternate member.
- Economic Development Corporation/Brownfield Redevelopment Authority – One three year term, expiring April 2018.
- West Michigan Regional Planning Commission – Two one-year terms, expiring December 2017.

Appointments for consideration in the month of May 2017: None

Appointments for consideration in the month of June 2017: None

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
CONSUMERS ENERGY COMPANY CASE
NO. U-18322**

- Consumers Energy Company requests that the Michigan Public Service Commission authorizes it to increase its rates for the generation and distribution of electricity and for other relief.
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A public hearing will be held:

DATE/TIME: **Tuesday, May 9, 2017, at 10:00 a.m.**
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge **Sharon L. Feldman**

LOCATION: Michigan Public Service Commission
7109 West Saginaw Highway
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 284-8090 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider Consumers Energy Company's (Consumers Energy) March 31, 2017 application, which seeks Commission's approval to: 1) adjust its retail electric rates so as to provide additional revenue of \$173 million annually above levels established in Case No. U-17990 based on a projected 12-month test year ending September 30, 2018; 2) adjust its existing retail electric rates so as to produce a rate of return on common equity of not less than 10.50%; 3) modify rates, rules, and regulations; and 4) grant accounting requests and regulatory asset treatment; and 5) grant further relief.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by May 2, 2017. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's Legal Department - Regulatory Group, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private.

Requests for adjournment must be made pursuant to the Michigan Administrative Hearing System's Administrative Hearing Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of Consumers Energy's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of Consumers Energy Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Michigan Administrative Hearing System's Administrative Hearing Rules, 2015 AC, R 792.10401 et seq.

[CONSUMERS ENERGY COMPANY HAS REQUESTED THE INCREASES AND OTHER PROPOSALS DESCRIBED IN THIS NOTICE. THE MICHIGAN PUBLIC SERVICE COMMISSION MAY GRANT OR DENY THE REQUESTED INCREASES AND OTHER PROPOSALS, IN WHOLE OR IN PART, AND MAY GRANT LESSER OR GREATER INCREASES THAN THOSE REQUESTED, AND MAY AUTHORIZE A LESSER OR GREATER RATE FOR ANY CLASS OF SERVICE THAN THAT REQUESTED.]

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING
FOR THE ELECTRIC AND NATURAL GAS CUSTOMERS OF
CONSUMERS ENERGY COMPANY
CASE NO. U-17771**

- Consumers Energy Company requests that the Michigan Public Service Commission, on the Commission's own motion, evaluate the regulatory review, revisions, determinations, and/or approvals necessary for Consumers Energy Company to fully comply with Public Act 295 of 2008 and Public Act 342 of 2016 (2016-2017 Energy Optimization Plan)
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A public hearing will be held:

DATE/TIME: **Thursday, May 11, 2017 at 9:00 a.m.**
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge **Mark D. Eyster**

LOCATION: Michigan Public Service Commission
7109 West Saginaw Highway
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 284-8090 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider Consumers Energy Company's (Consumers Energy) March 13, 2017 amended application, which seeks Commission's approval to: 1) determine that the Company's amended 2017 Energy Waste Reduction Plan is reasonable and prudent, and that it meets all applicable requirements of 2016 Public Act 342; 2) approve the requested Amended 2017 Energy Waste Reduction Plan natural gas and electric surcharges; 3) approve the requested accounting authority and approve the authority to roll-forward any unspent funds in 2017 into future approved Energy Waste Reduction plans; 4) approve the issuance of the tariff sheets; and 5) other relief.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by May 4, 2017. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's Legal Department - Regulatory Group, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private.

Requests for adjournment must be made pursuant to the Michigan Administrative Hearing System's Administrative Hearing Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of Consumers Energy's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of Consumers Energy Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1909 PA 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Michigan Administrative Hearing System's Administrative Hearing Rules, 2015 AC, R 792.10401 et seq.

**[THE MICHIGAN PUBLIC SERVICE COMMISSION MAY APPROVE,
REJECT, OR AMEND PROPOSALS MADE BY CONSUMERS ENERGY.]**