



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

7:00 P.M. Monday, May 20, 2019
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
7:04 PM	IV. <u>Public Comment</u> (5-minute time limit per speaker)	
7:05 PM	V. <u>City Manager Report</u>	
7:05 PM	VI. <u>Presentations</u>	
7:15 PM	A. DDA/Main Street Director ConnerWellman – Downtown Report	
7:20 PM	B. The Brook Retirement Communities	
7:35 PM	VII. <u>Public Hearing(s)</u> – Public Hearing to consider an amendment to the Rindlehaven TND PUD to remove a 10-acre parcel for rezoning related to potential development of a Senior Housing Facility by The Brook on a portion of the Rindlehaven Development.	
7:35 PM	VIII. <u>Old Business</u> - None	
7:35 PM	IX. <u>New Business</u>	
7:45 PM	A. Proposed Resolution 19-28 Approving an Amendment to the Rindlehaven Planned Unit Development (PUD) to Remove a 10-Acre Parcel from the Overall PUD	Decision
7:50 PM	B. First Reading of Ordinance 17500 to Amend the City Zoning Map	
7:52 PM	C. First Reading of Ordinance 175PP to Amend the City Zoning Map	
7:55 PM	D. Proposed Resolution 19-29 Approving, Authorizing, and Directing the Mayor and Clerk to Sign the Third Amendment to the First Amended Joint Fire and Emergency Services Agreement	Decision
7:58 PM	E. Proposed Resolution 19-30 Approving Fleis & VandenBrink’s Proposal to Provide Geographic Information System (GIS) Services for the City’s Water Department as Part of the SAW Grant Process	Decision
8:00 PM	F. Proposed Resolution 19-31 Confirming the Mayor’s Appointment to City Boards and Commissions	Decision
8:02 PM	X. <u>Consent Agenda</u>	Decision
8:02 PM	A. Minutes & Synopsis from the Regular City Council Meeting held on May 6, 2019	Decision

**Estimated
Time**

**Desired
Outcome**

- B.** Payment of Invoices in the Amount of \$90,878.04 and Payroll in the Amount of \$99,599.46 for a Total of \$190,477.50
- C.** Purchase Orders over \$5,000.00
 - 1. Pleune Service Company in the Amount of \$6,258.39 to Repair and Replace Boilers in the Electric Department Warehouse

XI. Communications

- A.** Planning Commission Minutes for April 10, 2019
- B.** Ionia County Board of Commissioners Agenda for May 14, 2019
- C.** MPSC Notice of Hearing for Consumers Energy

XII. Other Business - None

XIII. City Manager Comments

XIV. Council Comments

XV. Adjournment

8:05 PM

8:10 PM

8:15 PM

8:20 PM

Decision

PORTLAND CITY COUNCIL
Ionia County, Michigan

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

RESOLUTION NO. 19-28

**A RESOLUTION APPROVING AN AMENDMENT TO THE
RINDLEHAVEN PLANNED UNIT DEVELOPMENT (PUD) TO
REMOVE A 10-ACRE PARCEL FROM THE OVERALL PUD**

WHEREAS, the Rindlehaven PUD is approximately 152 acres and zoned as a Traditional Neighborhood Development (TND) and located along the Looking Glass River, north of I-96; and

WHEREAS, Mayberry Homes is requesting to remove a 10-acre parcel from the overall PUD in order to facilitate the development of an elderly housing facility, a copy of which is attached as Exhibit A; and

WHEREAS, a Public Hearing was held at the regularly scheduled Planning Commission meeting on May 8, 2019. The Planning Commission approved the PUD amendment request and recommended same to City Council, a memorandum from the City's zoning consultant is attached as Exhibit B; and

WHEREAS, the City Manager and Zoning Consultant recommend that City Council approve the request to amend the PUD to remove a 10-acre parcel from the overall PUD in order to facilitate the development of an elderly housing facility.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. City Council hereby approves the request to amend the PUD to remove a 10-acre parcel from the overall PUD in order to facilitate the development of an elderly housing facility.
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 20, 2019

Monique I. Miller, City Clerk



March 21, 2019

City of Portland
Attn: Tutt Gorman, City Manager
259 Kent St
Portland, MI 48875

RE: Rindlehaven PUD Amendment

This letter is to formally request an Amendment to the Rindlehaven PUD.

We would like to withdraw a 10 acre parcel from the area currently represented as Area G. Included for your point of reference are the current PUD site plan, along with the boundary survey and legal description of the subject parcel. The new 10 acre parcel will be rezoned to R-3 with a Special Land Use designation for an Assisted Living Facility.

We respectfully request that the PUD Amendment, Rezoning and Site Plan approval for the 10 acre parcel run in parallel in an effort to expedite the start of construction of the Assisted Living Facility.

Sincerely,

David Straub

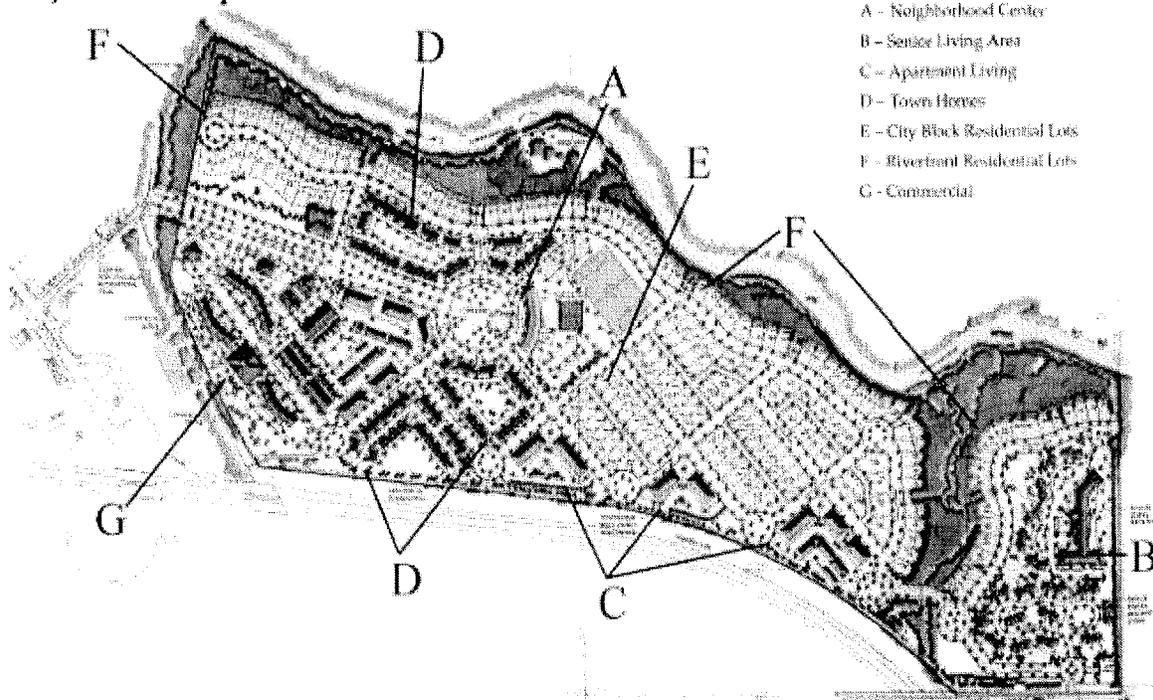
David Straub
Chief Operating Officer
Mayberry Homes
(517)575-5355

Rindlhaven Pattern Book

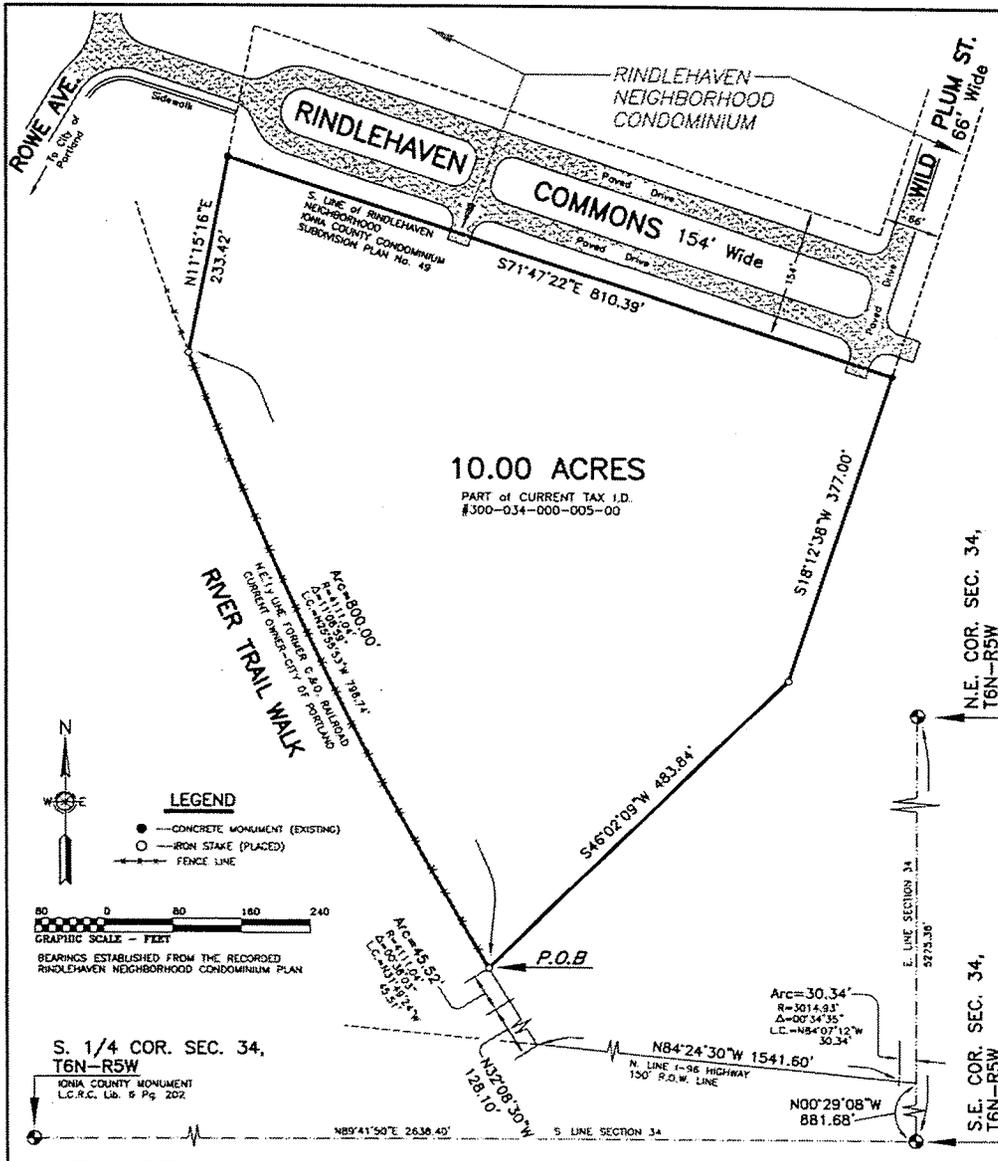
Project Development Plan

Distinct Community Patterns:

- A - Neighborhood Center
- B - Senior Living Area
- C - Apartment Living
- D - Town Homes
- E - City Block Residential Lots
- F - Riverfront Residential Lots
- G - Commercial



The Rindlhaven Pattern Book has been prepared specifically for the Rindlhaven development. This document is not suitable for use on other projects or other locations without the prior approval of Korsch Development, L.L.C., Wells/Marshfield, Inc., and Praverse Architectural Group, L.L.C. Reproduction, in whole or in part, is prohibited.



FOR: THE BROOK

LEGAL DESCRIPTION: LANDS LYING SOUTH OF AND CONTIGUOUS TO RINDLEHAVEN NEIGHBORHOOD SITE CONDOMINIUM (IONIA COUNTY SUBDIVISION PLAN # 49) DESCRIBED AS PART OF SECTION 34, T6N-R5W, CITY OF PORTLAND, IONIA COUNTY, MICHIGAN; COMMENCING AT THE SOUTHEAST CORNER OF SECTION 34; THENCE N 00° 29' 08" W 881.68 FEET ALONG THE EAST LINE OF SECTION 34 TO A POINT ON THE NORTH RIGHT OF WAY LINE OF INTERSTATE HIGHWAY I-96; THENCE NORTHWESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF I-96 ON A CURVE TO THE LEFT AN ARC DISTANCE OF 30.34 FEET, SAID CURVE HAVING A RADIUS OF 3014.93 FEET, A DELTA ANGLE OF 00° 34' 35", AND A LONG CHORD AND BEARING OF N 84° 07' 12" W 30.34 FEET; THENCE CONTINUING ALONG THE NORTH RIGHT OF WAY LINE OF I-96 N 84° 24' 30" W 1541.60 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE FORMER C & O RAILROAD (NOW KNOWN AS THE PORTLAND PEDESTRIAN RIVER TRAIL); THENCE ALONG SAID RIGHT OF WAY LINE N 32° 08' 30" W 128.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE CONTINUING NORTHWESTERLY ALONG THE CURVE ON SAID RIGHT OF WAY LINE AN ARC DISTANCE OF 45.52 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID CURVE HAVING A RADIUS OF 4111.04 FEET, A DELTA ANGLE OF 00° 38' 03", AND A LONG CHORD AND BEARING OF N 31° 49' 24" W 45.51 FEET; THENCE CONTINUING NORTHWESTERLY ON THE CURVE ALONG THE NORTHEASTERLY RIGHT OF WAY OF THE FORMER RAILROAD AN ARC DISTANCE OF 800.00 FEET, SAID CURVE HAVING A RADIUS OF 4111.04 FEET, A DELTA ANGLE OF 11° 08' 59", AND A LONG CHORD AND BEARING OF N 25° 55' 53" W 798.74 FEET; THENCE N 11° 15' 16" E 233.42 FEET TO A POINT ON THE SOUTH LINE OF RINDLEHAVEN NEIGHBORHOOD SITE CONDOMINIUM SUBDIVISION; THENCE S 17° 47' 22" E 810.39 FEET ALONG THE SOUTH LINE OF SAID RINDLEHAVEN NEIGHBORHOOD SITE CONDOMINIUM SUBDIVISION; THENCE S 18° 12' 38" W 377.00 FEET; THENCE S 46° 02' 09" W 483.84 FEET TO THE POINT OF BEGINNING. THIS PARCEL CONTAINS 10.00 ACRES.

I CERTIFY THAT THE REQUIREMENTS FOR I.S.70, PUBLIC ACT 131, MCL 211.33 HAVE BEEN MET. THE RELATIVE POSITIONAL PRECISION OF THE CORNERS IDENTIFIED FOR THIS SURVEY AND SHOWN ON THE MAP ARE WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING. THIS SURVEY PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED THIRD PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAKING SAID THIRD PERSON.

MARINUS A. MULDER
P.S. #25863

CERTIFIED SURVEY FOR:

THE BROOK

PROPERTY LOCATION: PART OF SECTION 34, T6N-R5W, PORTLAND TOWNSHIP, IONIA COUNTY, MICH. 48875

MULDER & ASSOC.
6585 MULDER DR., PORTLAND, MI. 48875
Email: muldersurveying@regoon.com
Ph: 517-647-7826

JOB No. 19-30	DATE 2-7-19
DRN. BY I.M.	SHEET 1 of 1

TO: Portland City Planning Commission
FROM: Paul LeBlanc, AICP
DATE: May 1, 2019
SUBJECT: Rindlehaven PUD Amendment

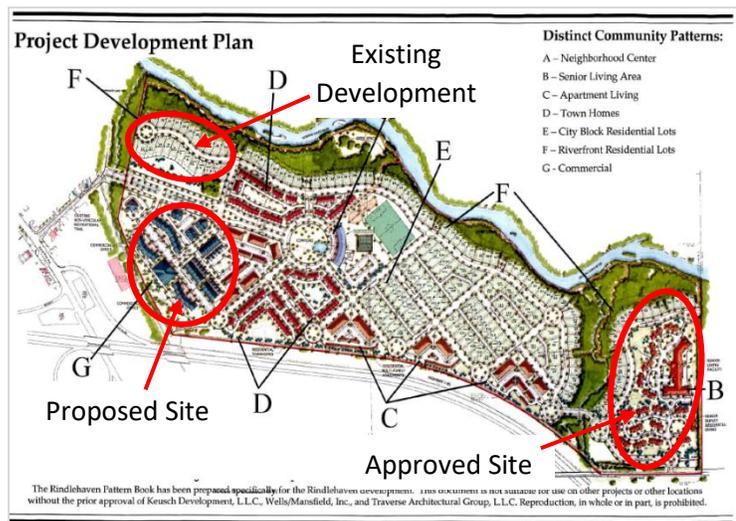
Request

This is a request to amend the Rindlehaven Planned Unit Development that would remove a 10-acre parcel from the overall PUD in order to develop an elderly housing project on a site that had been designated for Commercial. Because of the size and complexity of the overall PUD, removing the parcel from the PUD altogether was considered a more feasible option than redesigning the entire PUD.

PUD Plan

The Rindlehaven site is approximately 152 acres located along the Looking Glass River, north of I-96. It is zoned as a TND (Traditional Neighborhood Development) project to accommodate a wide mix of housing types and nonresidential uses. To date, only the first phase, consisting of about two dozen single-family homes, has been developed.

One component of the approved PUD was a “senior living” village to be located at the far east end of the site, adjacent to Cutler Road and I-96. The approved plan included a 115-bed congregate living facility and 36 independent-living duplexes, plus an extensive open space area.



While amending the PUD would reduce the size of the overall development and remove the future commercial use, the proposed elderly housing project would be consistent in concept with the overall intent of the mixed-use PUD. In addition, the feasibility and desirability of the commercial component planned for this 10-acre site has been questioned due to its poor accessibility, general lack of visibility, and potential impact on existing East Grand River and downtown businesses.

Process

Unlike conventional zoning districts, the PUD District is linked to a specific development plan. Therefore, to significantly alter that plan by reducing its size (142 acres from 152), eliminating a significant component (commercial), and relocating/modifying another element (senior living) requires an amendment to the Development Agreement, in accordance with the original approval process. That

process requires a public hearing before the Planning Commission and a recommendation to City Council. Following receipt of the Commission's recommendation, Council must also hold a hearing and make a final decision regarding whether to approve or deny the amendment request.

Recommendation

I recommend that the Planning Commission recommend approval of the Rindlehaven PUD amendment to remove the 10-acre site, generally corresponding with the commercial area (G) on the Project Development Plan, for the following reasons:

- The scale of the approved PUD has been shown to be overly ambitious.
- The planned commercial component on the subject property is determined to be infeasible and not in the best interests of the City and its business community.
- The amendment would open an opportunity for an elderly housing development that is needed by the community and is consistent with the mixed-use character envisioned by the City Master Plan for this area.
- An elderly housing project on this parcel would generate far less traffic than the uses proposed in the approved PUD plan and would add a potential customer base for nearby businesses.

**CITY COUNCIL
CITY OF PORTLAND
Ionia County, Michigan**

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

ORDINANCE NO. 17500

AN ORDINANCE TO AMEND THE CITY ZONING MAP

THE CITY OF PORTLAND ORDAINS:

SECTION 1. AMENDMENT. The Official Zoning Map of the City of Portland is amended as follows:

Parcel 34-300-034-000-005-00, a 10-acre parcel of the Rindlehaven Development (as designated in Exhibit A), is rezoned from the TND PUD to R-3 Multifamily District

SECTION 2. PUBLICATION AND EFFECTIVE DATE. This Ordinance must be published and recorded as provided in the City Charter and takes effect on the date of publication, but not less than ten (10) days after its adoption by the City Council.

Ayes:

Nays:

Absent:

Abstain:

ORDINANCE DECLARED ADOPTED.

Dated:

James E. Barnes, Mayor

Monique I. Miller, City Clerk

Introduced: May 20, 2019

Adopted:

Published:

Effective:

CERTIFICATION

I certify that the foregoing is a true and complete copy of Ordinance No 17500, which was adopted by the Portland City Council at a regular meeting, held on _____ which was conducted in accordance with the Open Meetings Act, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated:

Monique I. Miller, City Clerk

TO: Portland City Planning Commission
 FROM: Paul LeBlanc, AICP
 DATE: May 1, 2019
 SUBJECT: Proposed Rezoning from TND-PUD to R-3, Multi-Family

Request

This is a request to rezone a site of approximately 10 acres, located north of I-96 and south of Rindle Bluff Road, from its existing TND-PUD classification to R-3, Multi-Family. The intent is to develop an elderly housing project, consisting of 42 residential units. Elderly housing is only allowed in the R-3 District as a special use.



Existing Conditions

The subject site is currently undeveloped and fronts on Rindle Bluff Road, an interior street serving the existing and planned Rindlehaven PUD project. It is bordered on the south by the City’s river trail walk. Surrounding land use and zoning are summarized in the following table:

	Existing Land Use	Existing Zoning
North	Rindle Bluff Rd. & single-family	TND-PUD
South	Trail & commercial	C-3, Highway Commercial
East	Vacant	TND-PUD
West	Trail & commercial	C-3, Highway Commercial

The City’s Master Plan designates this property and the area north and east as Mixed-Use.

Criteria

Section 42-33 (b)(2) specifies the criteria to be followed when considering a rezoning request. These include:

- a. **Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the city master plan; or, if conditions have changed significantly since the master plan was adopted, the consistency with recent development trends in the area;**

The Master Plan recommends mixed-use development for the subject site and surrounding property. The R-3 rezoning would permit residential development consistent with the concept of mixed-use, in particular the intended elderly housing. More specifically, the Plan also notes at p. 66: “The 2014 resident survey showed a desire for more apartments and senior housing.”

- b. Whether the proposed district and the uses allowed are compatible with the site’s physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts;**

While the applicant has expressed a desire for one specific use (elderly housing) on the subject property, it must be noted that, if rezoned, any use otherwise allowed in the R-3 District could be placed on the property. As a residential district, the uses allowed in R-3 are the same as those allowed in the R-1, Single-family District with the addition of elderly housing, two-family dwellings, and multiple-family dwellings. These same uses, however, have been proposed and approved as part of the Rindlehaven PUD within which the subject site was included. Therefore, even if the intended use did not materialize, the R-3 District would not permit any use that would be incompatible with the adjacent PUD zoning or commercial to the south.

In terms of other impacts, none of the allowed uses in the R-3 District would have the potential impact on property values, intensity, or traffic that the originally-intended commercial uses, as envisioned in the approved Rindlehaven PUD, would have had.

- c. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting; and**

The site is accessible from an existing street, has access to the abutting river trail, and is served by public utilities. Any potential R-3 use that could be accommodated on a 10 acre site could be served by the existing or planned infrastructure.

- d. Other factors deemed appropriate by the planning commission.**

The rezoning would make it more feasible to develop the subject property than would otherwise be likely under the existing PUD.

Recommendation

I recommend that the Planning Commission recommend to City Council approval of the rezoning to R-3, Multi-family Residential, for the following reasons:

- The rezoning request satisfies the criteria of Section 42-33 (b)(2).
- The R-3 zoning district permits a range of uses that would be compatible with the existing and planned development on the surrounding property.
- As noted in the Master Plan, there is an expressed need for alternate housing choices in the City that would be allowed in the R-3 District.

**CITY COUNCIL
CITY OF PORTLAND
Ionia County, Michigan**

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

ORDINANCE NO. 175PP

AN ORDINANCE TO AMEND THE CITY ZONING MAP

THE CITY OF PORTLAND ORDAINS:

SECTION 1. AMENDMENT. The Official Zoning Map of the City of Portland is amended as follows:

Parcel 34-300-050-000-175-00 (103 E. Grand River Ave.) is rezoned from C-2 General Business District to C-1 Central Business District

SECTION 2. PUBLICATION AND EFFECTIVE DATE. This Ordinance must be published and recorded as provided in the City Charter and takes effect on the date of publication, but not less than ten (10) days after its adoption by the City Council.

Ayes:

Nays:

Absent:

Abstain:

ORDINANCE DECLARED ADOPTED.

Dated:

James E. Barnes, Mayor

Monique I. Miller, City Clerk

Introduced: May 20, 2019

Adopted:

Published:

Effective:

CERTIFICATION

I certify that the foregoing is a true and complete copy of Ordinance No 175PP, which was adopted by the Portland City Council at a regular meeting, held on _____ which was conducted in accordance with the Open Meetings Act, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated:

Monique I. Miller, City Clerk

PORTLAND CITY



PORTLAND CITY COUNCIL
Ionia County, Michigan

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

RESOLUTION NO. 19-29

**A RESOLUTION APPROVING, AUTHORIZING, AND DIRECTING THE
MAYOR AND CLERK TO SIGN THE THIRD AMENDMENT TO THE
FIRST AMENDED JOINT FIRE AND EMERGENCY-SERVICES AGREEMENT**

WHEREAS, the City of Portland and Portland and Danby Townships (collectively, the Portland Area Fire Authority, hereinafter the “Authority”) entered into the First Amended Joint Fire and Emergency-Services Agreement on March 2, 2015; and

WHEREAS, consistent with its published 5-year improvement plan, the Authority is in need of financing to purchase a 2019 Spencer Manufacturing Pumper-Rescue apparatus fire truck, a memorandum from PAFA Chairman is attached as Exhibit A; and

WHEREAS, pursuant to the Urban Cooperation Act, 1967 PA 7, Ex. Sess. as amended, MCL 125.501 *et seq.* (the “Act”), the City and the Townships must provide authorization to the Authority to finance the purchase of the Fire Truck and the Authority is requesting an amendment to the First Amended Agreement to authorize such a borrowing; and

WHEREAS, the Authority recommends that the City and Townships approve, authorize, and adopt the Third Amendment to First Amended Joint Fire and Emergency-Services Agreement, a copy of which is attached as Exhibit B.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council approves, authorizes, and directs the Mayor and Clerk to sign the Third Amendment to First Amended Joint Fire and Emergency-Services Agreement, a copy of which is attached as Exhibit B.
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 20, 2019

Monique I. Miller, City Clerk



PORTLAND AREA FIRE AUTHORITY

773 E Grand River Ave

Portland MI 48875

Ph. # 517-647-2950

To: City of Portland, Danby Township., and Portland Township

Date: April 25, 2019

I would like to give you an update on the purchase of our new fire truck. The truck is still on schedule for deliver sometime in June. We will be making our down payment of \$250,000 within the next two weeks as the Spartan truck chassis has been completed and inspected. This will leave us with a balance of \$343,816.00 which we are planning to finance for 4 years.

All of the entities have approved resolutions last year to get us to this point but the Urban Cooperation Act of 1967 Act 7- section 124.507, under which we are formed, gives the Authority the power to do pretty much anything as far as buying, selling etc. but what it doesn't do is give us permission to borrow money on behalf of the units of Government without them first passing a resolution authorizing us to do so. As we found with our last truck purchase it requires a modification of our master contract between the entities and PAFA to comply with Act -7 and banking laws.

Attached you will find an updated version of the amendment to the contract called "THIRD AMENDMENT TO FIRST AMENDED JOINT FIRE AND EMERGENCY SERVICES AGREEMENT". This updated version is the same as the "SECOND AMENDMENT" with the facts, dates, and dollar figures changed. We have not sought legal advice on this contract amendment but I believe that the townships did run it by Mr. Homier when the second amendment was created and that's how we ended up with this wording. We are not lawyers and are just doing this from a common sense perspective and are leaving the decision to seek legal advice with you.

One other change we are seeking, that has nothing to do with the truck, is section "E" a quorum. We are looking to modify the definition to allow for someone to participate electronically (think Skype/Facetime) with a meeting and allow that to constitute a voting quorum. We will still always be holding a physical meeting but we have run into a couple of times where both of the reps for one entity have been unable to physically be at the meeting, but participated via internet in all discussions, but could not vote. This has caused us to have to have a special meeting to pay the bills. Again this would not be a substitute for a physical meeting and would not be a regular thing. We have checked with MTA and it's legal and allowable as long as our contract has it in the quorum definition.

I have attached the "THIRD AMENDMENT" for the Boards of all entities to review at their earliest convenience for approval and signatures so that we might proceed with financing.

Thank You!

Mark Ackerson –PAFA Board Chairperson

**THIRD AMENDMENT TO FIRST AMENDED JOINT FIRE
AND EMERGENCY SERVICES AGREEMENT**

This Third Amendment to the First Amended Joint Fire and Emergency Services Agreement is made as of _____ (this “Third Amendment”), between the City of Portland, a Michigan municipal corporation, the principal business address of which is 259 Kent Street, Portland, MI 48875 (the “City”), Portland Township, a Michigan general law township, the principal business address of which is 773 East Grand River Avenue, Portland, MI 48875, and Danby Township, a Michigan general law township, the principal business address of which is 13122 Charlotte Highway, Sunfield, MI 48890 (collectively, the “Townships”).

RECITALS

- A. Pursuant to the Urban Cooperation Act, 1967 PA 7, Ex. Sess. as amended, MCL 125.501 *et seq.* (the “Act”), the City and the Townships entered into the First Amended Joint Fire and Emergency Services Agreement on March 2, 2015, and Second Amendment to the First Amended Joint Fire Agreement, copies of which is attached as Exhibit A and incorporated by reference (the “First Amended Agreement” and “Second Amended Agreement”), under which the City and the Townships established the Portland Area Fire Authority (the “Authority”).
- B. Consistent with its published 5-year improvement plan, the Authority is in need of financing to purchase a 2019 Spencer Manufacturing Pumper-Rescue apparatus fire truck (the “Fire Truck”) and has received a proposal from Mercantile (the “Bank”) to loan it the necessary funds in an amount not-to-exceed \$343,816.00, at an interest rate of 2.50 percent.
- C. Pursuant to the Act, the City and the Townships must provide authorization to the Authority to finance the purchase of the Fire Truck through the Bank and the Authority is requesting an amendment to the First Amended Agreement to authorize such a borrowing.
- D. The City and the Townships are amenable to the Authority’s request in accordance with the terms and conditions of this Third Amendment.
- E. Provision 1.4 (h) is struck in its entirety and replaced with
(h) Quorum. A quorum consists of a majority of the appointed Board members (four members) and must include at least one member who has been appointed by each municipality. The Board may not take action except at a meeting at which a quorum entitled to vote is present in person or by electronic presence, three of whom are present in person.

TERMS AND CONDITIONS

In exchange for the consideration in and referred to by this Third Amendment, the parties agree as follows:

- 1. (a) Notwithstanding the foregoing, the City and the Townships authorize the Authority, on or before June 30, 2019 to borrow an amount not to exceed \$343,816.00 from Mercantile Bank, at an interest rate of 2.50 percent, to finance the purchase the Fire Truck, over a period of four years. The Authority shall include in its annual budget the amounts necessary to make all installment payments of principal and interest to Mercantile Bank in relation to the financing

approved by this subsection. The obligation to make timely principal and interest payments to Mercantile Bank shall be the sole obligation of the Authority.

(b) Notwithstanding the foregoing, the City and the Townships hereby pledge that in the event the Authority should default on any portion of such obligation, subject to constitutional and statutory limitations, the City and Townships shall make such payments to the extent specified below:

	2019-2020	2020-2021	2021-2022	2022-2023
City of Portland	\$37,693	\$37,693	\$37,693	\$37,693
Portland Township	\$32,883	\$32,883	\$32,883	\$32,883
Danby Township	\$19,837	\$19,837	\$19,837	\$19,837

The authorization provided to the Authority by the City and the Townships through this subsection 3.4(b) is exclusively limited to financing to purchase the Fire Truck as specified herein and for no other purpose. In the event of default by the Authority, the parties agree that the City and the Townships shall jointly own the Fire Truck.

2. The Secretary of the Authority Board is hereby authorized and directed to execute and deliver such agreements, instruments, documents and certificates and to take all other actions necessary to complete the purchase of the Fire Truck, including, but not limited to, taking such actions as may be required by the Michigan Department of Treasury necessary to finance the purchase of the Fire Truck.

3. All other terms and conditions of the First Amended Agreement and Second Amended Agreement, except as specifically provided in this Third Amendment, shall remain in full force and effect.

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

CITY OF PORTLAND

PORTLAND TOWNSHIP

By: _____
James E. Barnes, Mayor

By: _____
Christian Jensen, Township Supervisor

By: _____
Monique Miller, Clerk

By: _____
Charlene Keilen, Township Clerk

Date: _____

Date: _____

DANBY TOWNSHIP

By: _____
Dan Platte, Township Supervisor

By: _____
Kristina Platte, Township Clerk

Date: _____

EXHIBIT A

**FIRST AMENDED JOINT FIRE
AND EMERGENCY SERVICES AGREEMENT**

**PORTLAND AREA FIRE AUTHORITY
CITY OF PORTLAND AND PORTLAND AND DANBY TOWNSHIPS
IONIA COUNTY, MICHIGAN**

FIRST AMENDED JOINT FIRE- AND EMERGENCY-SERVICES AGREEMENT

This First Amended Joint Fire and Emergency Services Agreement ("First Amended Agreement") is made on March 2, 2015, between the City of Portland ("City"), a Michigan municipal corporation; Portland Township, a Michigan general law township; and Danby Township, a Michigan general law township (collectively, "Townships").

RECITALS

The Parties agree to the following facts:

A. Under the Urban Cooperation Act, 1967 PA 7, Ex. Sess., as amended, MCL 124.501 et seq. (Act 7), public agencies may create interlocal agreements to jointly exercise any power, privilege, or authority that the agencies share in common and that each might exercise separately.

B. The City and the Townships are public agencies under Act 7. Each is authorized to provide fire protection and emergency medical support by establishing, operating, and maintaining a fire- or emergency-services department.

C. It is in the best interests of the City's and the Townships' citizens for the Parties to enter into an interlocal agreement to create a fire- and emergency-services authority as a separate legal entity, and to jointly operate, fund, and maintain that authority as provided in this First Amended Agreement.

D. This First Amended Agreement amends and restates the Joint Fire- And Emergency-Services Agreement executed by and between the parties on July 1, 2012.

AGREEMENT

In exchange for the consideration identified in this First Amended Agreement, the Parties agree as follows:

**ARTICLE I
CREATION OF AUTHORITY**

1.1 **Creation.** The parties established the Portland Area Fire Authority ("Authority") under Act 7 and under the terms of the Joint Fire- And Emergency-Services Agreement executed by and between the parties on July 1, 2012 (the "Original Agreement").

1.2 **Jurisdiction.** The Authority provides fire protection and emergency medical support to the City of Portland, Portland Township, and that portion of Danby Township shown on Appendix A.

1.3 **Power of the Authority.** The Authority, by action of the Board (defined in Section 1.4, below), may do any of the following:

(a) Establish, maintain, and operate the Authority and its facilities, programs, and services to provide fire protection and emergency medical support.

(b) Acquire and dispose of real and personal property, subject to this First Amended Agreement and to any limitations imposed at the time the property is acquired.

(c) Employ, discipline, terminate, set and adjust compensation for personnel, including but not limited to the following:

1. a Fire Chief;
2. fire department officers;
3. fire fighters; and
4. other personnel.

The Board may delegate the authority to employ, discipline, terminate, set and adjust compensation for personnel to the Fire Chief of the Authority, who will manage the day-to-day operations of the Authority pursuant to Section 1.5. The delegation of authority under this Section 1.3 is not exclusive and the Board retains the full and final authority to employ, discipline, terminate, set and adjust compensation for any personnel of the Authority.

(d) Accept funds, goods, voluntary work, or other assistance to carry out Authority functions or obligations. Funds, goods, voluntary work, and other assistance may come from any public or private source, including but not limited to local governmental funding; grants; and state, federal, or private donations. The Authority must maintain a complete record of all funds received from any source and must include those funds in the annual financial budget.

(e) Enter into agreements with public or private agencies for the purpose of receiving services under this First Amended Agreement and establishing, operating, and maintaining the Authority. Agreements may include but are not limited to mutual-aid agreements.

(f) Recommend code provisions and amendments to the City and the Townships as necessary to provide for the public safety and to promote the efficient use of the Authority's property, facilities, programs, and services.

1.4 **Governing Body.**

(a) Governing Board. The Authority is governed by the Portland Area Fire and Emergency Services Board ("**Board**"). The Board is a public body corporate with the powers to sue or be sued in its own name.

(b) Composition. The Board consists of six members, two appointed by each of the Parties' legislative bodies: the Portland City Council, the Portland Township Board, and the Danby Township Board. One member from each municipality must be a member of the municipality's legislative body and one member must be an at-large member of the public from each municipality. A vacancy on the Board must be filled by the original appointing legislative body.

(c) Qualifications. Each member of the Board must be a qualified elector of the municipality from which he or she is appointed. The following are ineligible to serve as members of the Board:

1. Employees of the Authority.
2. The spouse of any employee of the Authority.

(d) Term. To achieve staggered terms, each legislative body will initially appoint one member for two years and one member for four years. Thereafter, members are appointed for four-year terms. Members may serve multiple terms. The Board members serving terms under the Original Agreement shall continue their terms upon the execution of this First Amended Agreement.

(e) Compensation. Board members may be compensated for attending meetings by the legislative body that appointed them at a rate determined by that legislative body. Such compensation, if any, will be an expense of that legislative body and outside of the Authority's budget. The Board may reimburse its members for actual and necessary expenses incurred in the performance of Board duties. Such reimbursements will be an expense of the Authority and included in its annual budget.

(f) Removal. Board members serve at the pleasure of the legislative body that appointed the members. The appointing legislative body may remove any Board member it appoints with or without cause.

(g) Voting. Each Board member is entitled to one vote for each action taken by the Board, unless that member has a conflict of interest, in which case such member will not participate in the discussion or vote on the action in which the member has a conflict of interest. Except as provided elsewhere in this First Amended Agreement, Board action requires approval of a simple majority of the members (four votes). Proxy voting is not allowed.

(h) Quorum. A quorum consists of a majority of the appointed Board members (four members) and must include at least one member who has been appointed

by each municipality. The Board may not take action except at a meeting at which a quorum entitled to vote is present in person.

(i) Meetings. The Board must annually establish a meeting schedule, which must include at least one meeting each quarter. One of those meetings must be the Board's annual organizational meeting, which must be held in, or as near as practicable to, July. The meeting schedule must be posted at the City and the Township offices, in the time and manner required by law.

The Chairperson, Vice-Chairperson, or any three Board members may call a special meeting. All Board members must be notified in writing at least 18 hours before a special meeting. Notice of special meetings must be posted at the Portland City Hall, the Portland Township Hall, the Danby Township Hall, and all fire stations.

All Board meetings must be noticed, held, and conducted as required by law, including the Open Meetings Act, 1976 PA 267, as amended.

(j) Minutes. Minutes of all Board meetings must be prepared and approved as required by law. The Board must provide copies of its minutes to the City and the Townships following the Board meetings. The Authority must make its minutes and other public records available as required by law, including the Freedom of Information Act, 1976 PA 442, as amended.

(k) Rules. The Board may adopt bylaws for the conduct of its meetings.

(l) Officers. At the Board's annual organizational meeting, the Board must select the following from among its members: Chairperson, Vice-Chairperson, Secretary, and Treasurer. Officers' terms are for one year and expire at the organizational meeting in the year after their selection. Officers have the following duties and authority:

1. **Chairperson**. The Chairperson presides at all Board meetings. The Chairperson retains all duties and authority of a Board member, including the right to vote on all matters.
2. **Vice-Chairperson**. The Vice-Chairperson exercises all duties and authority of the Chairperson in the Chairperson's absence.
3. **Secretary**. The Secretary keeps the Board's records and minutes of all Board meetings.
4. **Treasurer**. The Treasurer receives deposits, invests, and reinvests all Authority funds. The Treasurer must keep accurate financial records and must keep Board members apprised of the Authority's financial status at intervals established by the Board. The Treasurer must provide copies of all financial reports to the City and the Townships after each scheduled meeting.

Before taking on the duties of the office, the Treasurer must give a bond to the Authority. The Board must establish the bond amount and sureties. The bond must be conditioned on the Treasurer's faithful discharge of the duties of the office and conditioned on the Treasurer's duty to account for and pay over to the Authority all money received as Treasurer. The Authority must pay the bond premium.

(m) Combination and Delegation of Offices. The Board may combine the offices of Secretary and Treasurer into a Secretary-Treasurer position. The Board may delegate any part of the functions of the Secretary and Treasurer to a person the Board deems qualified and who may or may not be an employee of the Authority. If the Board delegates any of those functions to a municipal Clerk or Treasurer or to an employee of the City or either Township, such delegation will only become effective if the legislative body of each municipality approves the delegation by a duly adopted resolution.

1.5 **Fire Chief and Fire Fighters.** The Board will employ a part-time Chief, who will manage the Authority's day-to-day operations. The Chief is responsible to the Board.

The Board may authorize the Chief to employ other officer positions, fire fighters, emergency personnel, and other employees to assist the Chief. The Board must establish procedures for the hiring and removal of Authority employees; those procedures may or may not include the Board's active participation in hiring or removal. The Board must undertake an annual review of the Chief at the time of budget approval.

All Authority employees, including the Chief, are at-will employees of the Authority, subject to removal, discipline, and adjustment in compensation by the Board with or without cause and with or without notice.

1.6 **Adding a Municipality.** The Authority may negotiate with other municipalities to become part of the Authority. Other municipalities may become parties to this First Amended Agreement as follows:

(a) The Authority must prepare and present to each party to this First Amended Agreement a cost-benefit analysis, demonstrating that the addition of the new municipality will not negatively impact the Authority's financial condition or the level of services it provides to the existing parties.

(b) The Authority must propose any amendments to this First Amended Agreement necessary to accommodate the addition of the new municipality.

(c) The new municipality and all existing parties to this First Amended Agreement must approve any proposed amendments by resolution duly adopted by each municipality's legislative body.

1.7 **Contracting for Services.** With approval of the City's and the Townships' legislative bodies, the Authority may contract with a governmental entity not a party to this First Amended Agreement to provide fire and emergency services during the term of this First Amended Agreement. The Authority may also contract with the City or Townships for goods or

services sold or rendered to the Authority, so long as the contract for such goods or services was competitively bid.

ARTICLE II FINANCING

2.1 **Fiscal Year.** The Authority's fiscal year is July 1 through June 30.

2.2 **Annual Budget.** The Board must prepare the Authority's annual line-item operating budget in accordance with the Uniform Budget and Accounting Act and the following provisions:

(a) The Board must submit the Authority's proposed budget to the City and the Townships for review before January 31st of each year. The proposed budget will include adjustments set forth in Section 2.3, which adjustments will become effective for the next fiscal year. The City and Townships may recommend adjustments to the Authority budget through their appointed Board members by March 1. The Board must submit the Authority budget with revisions, if any, to the City and Townships by March 15. That budget will become the Authority's operating budget on approval by the City Council and Township Boards. If the City Council or either Township Board declines to approve the proposed budget, the Authority will operate under the previous fiscal year's budget until all parties agree on a new operating budget.

(b) The Authority will seek to maintain a budget that recognizes the parties' financial constraints with regard to the ability to levy taxes or collect monies to support the Authority. The Authority will strive to keep proposed budget increases consistent with the then-current rate of inflation, with an allowance for new growth within the service area.

(c) The Board may only disburse funds as provided in the approved budget and the terms of this First Amended Agreement. The Board may amend the budget in response to deviations in expected revenues or authorized expenditures. But the Board may not increase the total budget without approval of the City Council and both Township Boards.

2.3 **Funding Formula.** The City and Townships will contribute to the Authority's budget, subject to annual adjustments of state equalized value, the average number of fire runs of the previous three years and adjustments to population every 10 years. The funding formula shall be weighted equally between state equalized value, population and the average number of runs of the previous three years as set forth below. Thus, the City's and Townships' share of the total budget based on state equalized value, population and number of runs will be their respective percentage of the sum of the state equalized value, population and number of runs for all of the parties multiplied by 100%.

Component	Weight	Description
State Equalized Value	33.33%	State equalized value for those sections of each municipality covered by this First Amended Agreement as certified by the Ionia County Equalization Department. State equalized values must be reported to the Authority on or before May 1 of each year for the following fiscal year.
Population	33.33%	As determined by the most recent decennial census completed by the U.S. Bureau of Census of those sections of a municipality covered by this First Amended Agreement.
Number of Runs	33.33%	Based on the average number of runs of the previous three years. ¹ Mutual-aid runs will not be included in this calculation.

2.4 **Quarterly Payments.** The City and Townships must make quarterly payments to the Authority to cover their pro-rated portions of the Authority's annual budget. The Authority will send an invoice in July for the fiscal year. The first payment will be due in August and the remaining payments due in October, January and April.

2.5 **Annual Audit.** The Board will commission a Certified Public Accountant to conduct an annual financial audit following the end of each fiscal year. The Board must provide copies of the audit to appropriate federal and state agencies, each member of the Board, the City Clerk, and the Township Clerks.

2.6 **Invoicing for Fire Protection Or Emergency Medical Support Service.** Neither the Board nor the Authority may invoice for fire protection or emergency medical support services provided. The City and Townships reserve the right to invoice a resident or nonresident to recoup all or a portion of the cost of fire protection or emergency medical support services that the Authority provided to that resident or nonresident. The City and the Townships may only invoice for services under this Section 2.6 for services rendered by the Authority within their respective jurisdictions. Any monies recouped by the City or Townships shall be the property of the City or Townships invoicing for services.

2.7 **Invoicing for Water.** During the term of this First Amended Agreement and any successive effective terms as provided in Section 5.1, the City will provide water to the Authority at the same rate as it provides water to similar size users based upon rates determined by the City Council. The City will invoice the Authority on a monthly basis for water used by the Authority.

¹ The number of runs attributed to Danby Township shall not include any runs to the Rest Area or along that portion of I-96 located in Danby Township. Runs to the Rest Area and along that portion of I-96 located in Danby Township shall instead be attributed to the City of Portland pursuant to the Agreement executed April 21, 2005 between Danby Township and the City of Portland, which shall remain in full force and effect.

**ARTICLE III
PROPERTY**

3.1 **Personal Property Contribution.** Upon approval of this First Amended Agreement by the City and Townships, the City will, for the consideration of \$1.00, transfer the following equipment to the Authority:

<u>Vehicle No.</u>	
201	1999 Pierce Rescue/Pumper
202	1979 Air/Light Truck
206	1994 Chevy ¾ Ton P/U Truck – Grass Rig
207	1976 LaFrance Pumper
208	1994 Chevy ¾ Ton P/U Truck – Grass Rig
209	1990 International 1950 Gallon Tanker
210	1990 Command and Support Vehicle
211	1991 Pierce Pumper
212	1996 DNR Blazer – Grass Rig
251	2002 Honda Quad
343	Ford Excursion
Boat 1	Zodiac Inflatable with 25hp motor and trailer
Old Engine 1	1942 Ford Pumper

All loose equipment on the vehicles is included. In addition to the vehicles identified in this Section, the personal property in possession of the Authority on the effective date of this Agreement will be transferred to the Authority. The Authority will be responsible for operating, maintaining, depreciating, replacing, and insuring the vehicles and equipment.

3.2 **Contribution and Maintenance.** Members of the Portland Area Municipal Authority (PAMA) agree to continue the PAMA and lease the PAMA assets, identified in Exhibit A (hereinafter referred to as the PAMA Assets), to the Authority for \$1.00 during the term of this First Amended Agreement. The fire station at 773 E. Grand River Avenue will serve as the Authority's principal office, and must remain the primary station for emergency responses.

3.3 **Substations.** The Authority may make recommendations regarding the creation of one or more substations to provide services within the service area. The municipality or municipalities making the decision to create the substation must approve, fund, and construct the substation at its sole cost and expense. Any substation created will be the sole and exclusive property of the municipality creating the substation. So long as the municipality creating a substation is a party to this First Amended Agreement, the municipality must permit the Authority to use and occupy such substation, for no additional compensation, to provide fire protection and emergency medical support services. Substations must be built to the Authority's specifications.

3.4 **Maintenance Costs and Capital Expenses.** The Authority must pay day-to-day maintenance costs in the fire station portion of the building. "Maintenance costs" means the cost of replacing or repairing expendable items in existing buildings and equipment but does not

include major repairs exceeding the Authority's budget. The municipality that owns a building or equipment must pay capital-improvement costs, which are defined as adding or improving buildings or equipment, as well as major repairs exceeding the Authority's budget or day-to-day maintenance costs, which are defined as replacing or repairing expendable items that are not in the fire station portion of the building. The Authority may assume the cost of a capital expense by unanimous vote of the Board.

ARTICLE IV INSURANCE

4.1 Insurance Coverage. The Authority must independently purchase public liability insurance covering any cause of action, claim, damage, accident, injury, or liability that may arise as a result of the ownership, construction, maintenance, or operation of the property (including any substation used or occupied by the Authority), facilities, programs, or services of the Authority or otherwise provided for under the terms of this First Amended Agreement. The Authority will purchase risk insurance against equipment and property damage or destruction for any and all equipment and property owned, rented, leased, used or occupied by the Authority, including damage or destruction caused by fire, tornado, or other means. The Authority will review its insurance program annually, including coverage and costs, and will make those adjustments it deems necessary. At a minimum, the Authority's insurance coverage shall include the following:

- (a) The Authority must purchase and maintain comprehensive general liability insurance of \$5,000,000 for each occurrence involving bodily injury, death, or property damage.
- (b) The Authority must provide motor vehicle insurance required under State of Michigan no-fault motor-vehicle requirements of \$2,000,000 for each occurrence involving bodily injury liability or property damage liability.
- (c) The Authority must provide all required worker's compensation insurance and unemployment compensation insurance for all persons engaged to work on behalf of or at the request of the Authority.
- (d) All insurance required under this First Amended Agreement must name the Authority, the City, and the Townships, together with their authorized officials, officers, employees, and agents, as named or additional insureds and certificate holders.

All policies must be provided by insurance companies authorized to transact business in Michigan. All policies must provide at least 30 days' written notice to the Authority and the governing municipalities should policies be canceled or terminated by the insurance company or its agent.

- (e) The Authority may purchase an appropriate level of errors-and-omissions insurance for Board members.

ARTICLE V
TERM/TERMINATION/WITHDRAWAL

5.1 **Term.** This First Amended Agreement will remain in effect for ten years. Thereafter, it will renew for two successive ten-year periods. The Board will make a recommendation regarding the continuation of this First Amended Agreement to the legislative bodies at least one year prior to the expiration of each ten-year period defined in this First Amended Agreement. The legislative bodies must approve each successive ten-year periods, by resolution.

5.2 **Termination.** If the Authority or a party commits a material breach of this First Amended Agreement, any party may terminate the First Amended Agreement by written request. The request for termination must specify the claimed breach and must also propose a means to cure the breach. If the cause of the breach is not remedied by the breaching party within 60 days of the mailing of the written request for termination, this First Amended Agreement will terminate six months after the date of the request for termination.

If this First Amended Agreement is terminated, the Authority must be dissolved and the assets liquidated and distributed as provided in Section 5.4.

5.3 **Withdrawal; Disposition of Assets upon Withdrawal.** Any party may withdraw from this First Amended Agreement by satisfying the conditions in this Section 5.3. A party's withdrawal will not terminate this Agreement or dissolve the Authority.

(a) The withdrawing party must file a written notice of withdrawal with all other parties at least 12 months before the withdrawal. The notice must specify the withdrawal date.

(b) The withdrawing party must continue to pay its proportionate share of the budget until the withdrawal date.

(c) The withdrawing party will continue to receive Authority services until the withdrawal date.

(d) The withdrawing party will remain liable for a proportion of the Authority's debts and liabilities that were incurred while the withdrawing party was a member of the Authority, so long as the debts and liabilities were approved by the withdrawing party's governing body, as part of the budgeting process. The withdrawing party's proportion will be the percentage of the total budget that the withdrawing party is responsible for in the year it withdraws.

5.4 **Dissolution.**

(a) The Board and the Authority will be deemed dissolved if the Board terminates this First Amended Agreement by a majority vote and that action is ratified by all Parties' legislative bodies. If this First Amended Agreement is not renewed and the Parties have not entered into a successive agreement, the Board and the Authority will be deemed dissolved. However, the Authority and the Board will continue in existence only

for such time as needed to wind down the affairs of the Authority, including the liquidation and distribution of assets as provided in this Section 5.4.

(b) On dissolution, the property held or used by the Authority will be liquidated, allocated and distributed to the parties that have not withdrawn from the Authority under Section 5.3 as follows:

1. All property owned by the City or a Township will remain the property of the City or the Township.

2. After deducting any expenses associated with the Authority's dissolution, all monies and funds that are the Authority's property will be distributed between the parties based on the average contribution percentages during the preceding three years, as calculated under the formula in Section 2.3 of this Agreement.

3. All of the assets owned by the Authority, except for monies and funds that are the Authority's property distributed as provided in Section 5.4(b)2, will be liquidated as provided in Section 5.4(b)4 of this Agreement.

4. If the Authority is dissolved on or before July 1, 2024, then the City shall be compensated for assets transferred to the Authority from the City prior to any other distribution of assets. The amount of such compensation shall be based on the following schedule, which values are identified in the May 7, 2014 appraisal of "The Fire Company":

Fiscal Year	Amount Due to City	Fiscal Year	Amount Due to City
2014/2015	\$311,500	2019/2020	\$155,750
2015/2016	\$280,350	2020/2021	\$124,600
2016/2017	\$249,200	2021/2022	\$93,450
2017/2018	\$218,050	2022/2023	\$62,300
2018/2019	\$186,900	2023/2024	\$31,150

If the Authority is dissolved on or before July 1, 2024, all other property owned by the Authority not transferred to it by the City will be liquidated by public auction or private sale and the proceeds from such liquidation will be distributed to the City and Townships based on the average contribution percentages during the preceding three years, as calculated under the formula in Section 2.3 of this Agreement.

After July 1, 2024, the City shall not be entitled to compensation for assets transferred to the Authority based upon the above schedule. Instead, all property of the Authority will be liquidated by public auction or private sale and the proceeds from such liquidation will be distributed to the City and Townships based on the average contribution percentages during the preceding three years, as calculated under the formula in Section 2.3 of this Agreement.

5. The Board may select a certified appraiser to value the Authority's property. The certified appraiser must be approved by a majority of the parties that have not withdrawn from the Authority prior to dissolution. If the parties cannot agree on a certified appraiser, then the dispute must be resolved by mediation as provided in Article VI of this Agreement.

ARTICLE VI DISPUTE RESOLUTION PROCEDURE

The parties agree to mediate any dispute or disagreement arising from this First Amended Agreement. The parties will select a single mediator, who may take testimony and receive evidence he or she deems appropriate. If the parties cannot agree on a single mediator, then each party to the dispute may submit a name to the then-presiding Chief Judge of the Ionia Circuit Court. The judge will select the mediator. The parties involved in the dispute will share equally the costs of mediation. If the mediation does not result in a resolution that satisfies the parties, they may seek recourse through the Ionia Circuit Court.

ARTICLE VII AMENDMENTS TO THIS AGREEMENT

The parties may amend this First Amended Agreement only in writing and only if each party's legislative body adopts the proposed amendment. Certified copies of each amendment must be filed with the Clerk of each municipality.

ARTICLE VIII MISCELLANEOUS

8.1 **Entire Agreement.** This First Amended Agreement is the entire agreement between the parties for the provision of fire and emergency services. The First Amended Agreement supersedes and replaces any prior agreements between the parties to provide these services.

8.2 **Governing Law.** This First Amended Agreement will be construed under the laws of the State of Michigan.

8.3 **Governmental Immunity.** Nothing in this First Amended Agreement provides any third-party-beneficiary rights to any person or creates a cause of action in favor of any person.

8.4 **Political Involvement.** The Authority is non partisan and may not participate in or lend its influence, either directly or indirectly, to the nomination, election, or appointment of any candidate for public office, nor may it sponsor or participate in any meetings of a political nature.

8.5 **Effective Date.** This First Amended Agreement takes effect when all of the following are completed:

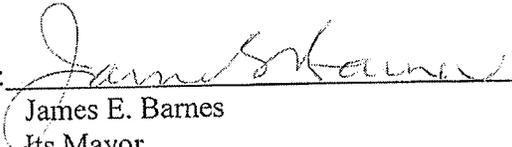
- (a) Approval by the legislative body of each party to the Agreement;
- (b) Execution by all parties.

By their authorized representatives' signatures below, the parties agree to the terms of this First Amended Agreement.

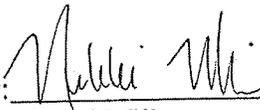
[SIGNATURES ON THE FOLLOWING PAGE]

CITY OF PORTLAND
a Michigan municipal corporation

DATE: 02/17/15

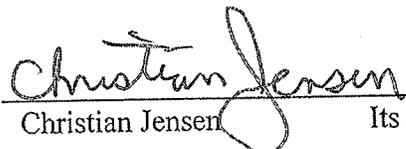
By: 
James E. Barnes
Its Mayor

DATE: 02/17/15

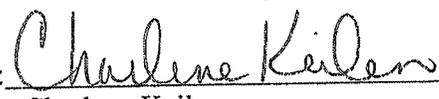
By: 
Nikki Miller
Its Clerk

PORTLAND TOWNSHIP
a Michigan general law township

DATE: 02/18/15

By: 
Christian Jensen Its Supervisor

DATE: 3/2/15

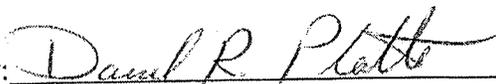
By: 
Charlene Keilen
Its Clerk

DANBY TOWNSHIP
a Michigan general law township

DATE: 2-26-15

By: 
Richard Pohl
Its Supervisor

DATE: 2-26-15

By: 
Daniel Platte Its Clerk

PORTLAND CITY COUNCIL
Ionia County, Michigan

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

RESOLUTION NO. 19-30

A RESOLUTION APPROVING FLEIS & VANDENBRINK'S PROPOSAL TO PROVIDE GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES FOR THE CITY'S WATER DEPARTMENT AS PART OF THE SAW GRANT PROCESS

WHEREAS, the Michigan Department of Environment, Great Lakes and Energy (EGLE) is administering a Stormwater Asset Management, and Wastewater Asset Management (SAW) grant and loan program, which provides grants for costs associated with planning and design of sewage collection and treatment projects, development of asset management plans for sanitary and stormwater systems, development of stormwater plans, and pilot testing of innovative projects; and

WHEREAS, SAW grants are available for up to \$2 million per municipality with a 10% local match on the first \$1 million, and a 25% local match on the second \$1 million. Grants cover only planning and design activities and may be used for payment of consultants or contractors, or to pay for City personnel and expenses directly related to the work; and

WHEREAS, the City of Portland previously applied for the SAW grant and was recently notified that it was approved for funding in the amount of \$764,849.00 with a match of \$25,851.00; and

WHEREAS, the City Engineers, Fleis & VandenBrink have submitted a proposal to provide GIS Services for the Water Department as part of the Saw Grant process for the amount of \$16,400.00, a copy of the proposal is attached as Exhibit A.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Portland City Council approves Fleis and VandenBrink's Proposal to provide GIS Services for the Water Department in the amount of \$16,400.00, a copy of the proposal 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 20, 2019

Monique I. Miller, City Clerk

April 10, 2019

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

RE: GIS Services for Water and Electric Systems

Dear Tutt:

We understand that the City is interested in including the water and electric systems in the Geographic Information System (GIS) that we will be developing for the City's stormwater and wastewater systems as part of the Stormwater Asset Management and Wastewater (SAW) project. As we have discussed, by coordinating these activities, we anticipate significant "economy of scale" savings, both during the data collection in the field and processing in the office. As such, we propose the following to assist you:

WORK PLAN

- Coordinate with GRP to acquire the electronic mapping for the electric system. Import those files into the overall GIS. If the formats prove to be incompatible or the imported data doesn't align well with the basemap, we will attach PDF versions of the mapping to be accessible from the GIS. Collect location of system components (vaults, poles, lights, etc.) and coordinate with GRP to integrate basic data fields, as applicable.
- Mapping of the water system will be a coordinated effort between the City and F&V personnel. We propose to map the water system components (valves, hydrants and service leads/stop boxes) as we map the storm and sanitary sewer components, relying on City staff to mark the various system components (curb boxes, valve boxes, etc.) ahead of F&V field staff. Coordination will be critical, as our budget assumes making just one "pass" for each applicable street.
- Integrate the water system mapping into the GIS and link available record drawings. We have assumed that all record drawings not already scanned to PDF or compatible format will be scanned as part of the SAW project.
- Enter the age and material of water main information developed during the most recent water reliability study work. This information can be updated periodically, and additional records can be added; however, this proposal contemplates just the initial setup of the GIS to provide the framework.
- Assist the City with loading the GIS on hardware purchased through the SAW project. Incorporate GIS training for the water and electric systems with training for the stormwater and wastewater GIS.

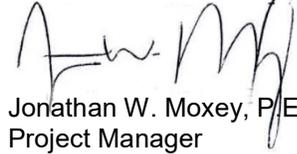
Based on our understanding of the project requirements, we propose the following engineering budgets to complete the scope of work identified above:

<u>Task</u>	<u>Budget</u>
Water System GIS	\$16,400
Electric System GIS	\$6,400

The water and electric system work can be done independently, however, the budgets above assume the work will be done concurrently with the SAW project. Approval to proceed with the work under our existing Professional Services Agreement for the SAW project dated July 11, 2018 can be given by returning a copy of this proposal signed where indicated. Please feel free to contact us with any questions.

Sincerely,

FLEIS & VANDENBRINK



Jonathan W. Moxey, P.E.
Project Manager



Paul R. Galdes, P.E.
President

**AUTHORIZATION TO PROCEED WITH
GIS SERVICES FOR WATER SYSTEM**

By: _____

Title: _____

Date: _____

**AUTHORIZATION TO PROCEED WITH
GIS SERVICES FOR ELECTRIC SYSTEM**

By: _____

Title: _____

Date: _____

PORTLAND CITY COUNCIL
Ionia County, Michigan

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

RESOLUTION NO. 19-31

**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 appointment:

Board of Light & Power

-Nick Lefke to a term expiring June 30, 2021

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Portland City Council confirms the Mayor's appointments 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 20, 2019

Monique I. Miller, City Clerk

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, May 6, 2019

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; City Treasurer Tolan; Police Chief Thomas

Guests: Kathy Parsons; Tim Krizov; Greg Barber; Rudy Tober of Pulse Broadband; Bryan Gehrcke of Boy Scouts Troop 129; Mary Teachout, Laurie Thelen, and Ruth Ann Peake of the Portland Civic Players; Robert Lathers of The Beacon; Mitchell Boatman of the Ionia Sentinel-Standard

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

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

Yeas: Fitzsimmons, Baldyga, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

Under Public Comment, Mary Teachout with the Portland Civic Players provided information on the marquis fundraising project to replace the original marquis on the front of the building along with other façade improvements. The grant application they are submitting is due June 1, 2019.

Under City Manager Report, City Manager Gorman presented a video produced by The WODA Group showcasing the revitalization of the Portland School Apartments.

City Manager Gorman provided information related to the power outage that occurred on Thursday, April 25, 2019. The outage was related to a Consumers Energy issue that began about 8:00 A.M. and affected the surrounding area. At about 11:00 A.M. Consumers Energy power was restored but caused a catastrophic failure on a piece of equipment at the Electric Department in Portland which continued the outage until approximately 5:30 P.M.

City Manager Gorman thanked Electric Superintendent Hyland and everyone involved for their diligence in getting the power restored to Portland as soon as possible.

City Manager Gorman noted the Planning Commission will meet on Wednesday, May 8, 2019. They will hold four Public Hearings to hear public comment regarding requests to rezone the property located at 103 E. Grand River Ave. from C-2 to C-1, to amend the Rindlehaven TND PUD to remove a 10-acre parcel for rezoning, to rezone those 10-acres from the TND PUD to R-

3, and to approve a Special Land Use Permit related to the potential development of an Elderly Housing Facility by The Brook on a portion of the Rindlehaven development.

Mayor Barnes thanked City Manager Gorman for his expertise in handling this potential development that could bring employment and housing to the City of Portland.

City Manager Gorman further noted that Katie Abraham, the new Executive Director of the Michigan Municipal Electric Association visited Portland and toured the electric facilities.

The Citywide Cleanup held on Saturday, May 4, 2019 was another successfully event. In 2018 there were 248 loads brought to the Department of Public Works for disposal, this year there were 273 loads.

City Manager Gorman presented the results of the statistically valid Broadband Market Feasibility Survey that was conducted by Inside Information.

Under Presentations, Rudy Tober of Pulse Broadband presented comparatives of the survey results to four other projects that they have moved forward. The survey results for Broadband are very encouraging, especially given the competition in the area.

Council Member Baldyga stated that the survey results validate moving forward.

City Manager Gorman stated that the next step will be to perform due diligence in terms of how to finance a potential project and examine how the service would be handled administratively. This project would not only provide improved service to Portland residents but would provide the foundation for Smart City Technology.

Under Public Hearings, Mayor Barnes opened the Public Hearing on the Proposed Budget for Fiscal Year 2019-2020 at 7:55 P.M.

City Manager Gorman thanked City Treasurer Tolan and staff for their efforts in putting together the Fiscal Year 2019-2020 Budget.

City Manager Gorman outlined highlights and information regarding the proposed budget.

Council Member Baldyga asked how long it before information is received from the State regarding funding under the Emergency Declaration as a result of the ice jam and flooding.

City Manager Gorman stated that he expects to hear something by the end of May.

Mayor Barnes closed the Public Hearing at 8:05 P.M.

Under New Business, the Second Reading and Consideration of Ordinance 175NN to amend the Code of Ordinances of the City of Portland by adding a new Section 42-318 entitled “Small Wireless Communications Facilities” to Chapter 42 “Zoning” of said code.

City Manager Gorman explained that Ordinance 175NN would create the regulatory framework for the public right-of-way. This is the sister ordinance to Ordinance 199 for Small Cell Wireless Communication Facilities that was approved by Council on March 18, 2019.

Motion by Baldyga, supported by Fitzsimmons, to approve Ordinance 175NN to amend the Code of Ordinances of the City of Portland by adding a New Section 42-318 entitled “Small Wireless Communications Facilities” to Chapter 42 “Zoning” of said Code.

Yeas: Baldyga, Fitzsimmons, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 19-22 to adopt the City of Portland’s Annual Budget for Fiscal Year 2019-2020.

Motion by VanSlambrouck, supported by Johnston, to approve Resolution 19-22 to adopt the City of Portland’s Annual Budget for Fiscal Year 2019-2020.

Yeas: VanSlambrouck, Johnston, Fitzsimmons, Baldyga, Barnes

Nays: None

Adopted

The Council considered Resolution 19-23 to amend the Fiscal Year 2018-2019 Budget.

Motion by Fitzsimmons, supported by Baldyga, to approve Resolution 19-23 to amend the Budget for Fiscal Year 2018-2019.

Yeas: Fitzsimmons, Baldyga, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 19-24 to approve a permit for a fireworks display at Bogue Flats Recreation Area for the Independence Day celebration on Wednesday, July 3, 2019.

City Manager Gorman presented information and a map of where the fireworks will be launched from. He further noted the fireworks are being moved from Portland High School this year due to construction that will be taking place over the summer.

Motion by Johnston, supported by Fitzsimmons, to approve Resolution 19-24 approving, authorizing, and directing the Mayor to sign a permit for a fireworks display at Bogue Flats Recreation Area.

Yeas: Johnston, Fitzsimmons, VanSlambrouck, Baldyga, Barnes

Nays: None

Adopted

The Council considered Resolution 19-25 to approve allowing the Boy Scouts to camp overnight at Community Lake Park.

Bryan Gehrcke, of Boy Scout Troop 129, stated the goal of the event is to provide an outdoor, overnight experience for the scouts. The event is also designed to provide greater exposure to the scout program as they will hold daytime activities and demonstrations for the public.

Motion by VanSlambrouck, supported by Baldyga, to approve Resolution 19-25 approving the Parks and Recreation Board's recommendation to approve allowing the Boy Scouts to camp overnight at Community Lake Park.

Yeas: VanSlambrouck, Baldyga, Fitzsimmons, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 19-26 to approve the Michigan Public Power Agency's (MPPA) recommendation to authorize an Energy Services Project Transaction to replace the anticipated loss of renewable energy from the Pegasus Project by expanding solar energy expected to be received from the Assembly Solar Facility in Shiawassee County.

Motion by Baldyga, supported by Johnston, to approve Resolution 19-26 approving the Michigan Public Power Agency's (MPPA) recommendation to authorize an Energy Services Project Transaction for solar energy.

Yeas: Baldyga, Johnston, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 19-27 to confirm the Mayor's appointment of Jacob Spedoske to a term on the Parks & Recreation Board.

Motion by Fitzsimmons, supported by VanSlambrouck, to approve Resolution 19-27 confirming the Mayor's appointment to City Boards and Commissions.

Yeas: Fitzsimmons, VanSlambrouck, Baldyga, 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 15, 2019 and the Budget Workshop held on April 22, 2019, payment of invoices in the amount of \$90,196.05 and payroll in the amount of \$222,233.60 for a total of \$312,429.65. A purchase order to Northern Pump and Well in the amount of \$16,843.00 for pump and motor rehabilitation and maintenance to Well #6 was also included.

Yeas: Fitzsimmons, Johnston, VanSlambrouck, Baldyga, Barnes

Nays: None

Adopted

Under City Manager Comments, City Manager Gorman noted that he attended the National Day of Prayer event on May 2, 2019 conducted at the Red Mill Pavilion by the Portland Area Ministerial Association.

The ceremonial tree planting noted in the Arbor Day Proclamation was held on Friday, April 26, 2019 at the Red Mill Pavilion to replace a tree that had died. Seedlings were also distributed to all 2nd grade students at Portland Public School and St. Patrick Schools to promote the importance of trees in our community.

City Manager Gorman thanked and expressed his appreciation to the many volunteer groups that have volunteered to help cleanup the parks and Rivertrail.

City Manager Gorman further reminded residents to clean up after their dogs when walking them in public and to take care of their lawns and keep their grass mowed. Grass clippings should be kept out of the streets and curbs as they clog the drains and damage the infrastructure, as well as create a slip hazard.

Under Council Comments, Mayor Barnes recognized the passing of Fred Steed, Portland resident and former member of the Portland Police Department and Ionia County Sheriff Department.

Council Member Baldyga stated that he was impressed by the depth and breadth of the Council Meeting as it speaks volumes as to the expertise of City Manager Gorman, City Staff and the community as a whole.

Mayor Barnes noted that he is very appreciative of the work and dedication of City Manager Gorman and City staff. He further stated that Portland is a great City to live in and he appreciates representing the residents of Portland.

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

Yeas: Fitzsimmons, VanSlambrouck, Baldyga, Johnston, Barnes

Nays: None

Adopted

Meeting adjourned at 8:27 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk

City of Portland
Synopsis of the Minutes of the May 6, 2019 City Council Meeting

The City Council meeting was called to order by Mayor 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; City Treasurer Tolan; Police Chief Thomas

Public Comment - Mary Teachout with the Portland Civic Players provided information on the marquis fundraising project to replace the original marquis on the front of the building along with other façade improvements.

Presentation - City Manager Gorman presented the results of the statistically valid Broadband Market Feasibility Survey that was conducted by Inside Information and Rudy Tober of Pulse Broadband presented comparatives of the survey results to four other projects that they have moved forward.

Public Hearing on the Proposed Budget for Fiscal Year 2019-2020.

Second Reading and Consideration of Ordinance 175NN to amend the Code of Ordinances of the City of Portland by adding a new Section 42-318 entitled “Small Wireless Communications Facilities” to Chapter 42 “Zoning” of said code.

Approval of Resolution 19-22 to adopt the City of Portland’s Annual Budget for Fiscal Year 2019-2020.

All in favor. Adopted.

Approval of Resolution 19-23 to amend the Budget for Fiscal Year 2018-2019.

All in favor. Adopted.

Approval of Resolution 19-24 approving, authorizing, and directing the Mayor to sign a permit for a fireworks display at Bogue Flats Recreation Area.

All in favor. Adopted.

Approval of Resolution 19-25 approving the Parks and Recreation Board’s recommendation to approve allowing the Boy Scouts to camp overnight at Community Lake Park.

All in favor. Adopted.

Approval of Resolution 19-26 approving the Michigan Public Power Agency’s (MPPA) recommendation to authorize an Energy Services Project Transaction for solar energy.

All in favor. Adopted.

Approval of Resolution 19-27 confirming the Mayor’s appointment to City Boards and Commissions.

All in favor. Adopted.

Approval of the Consent Agenda.

All in favor. Adopted.

Adjournment at 8:27 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

VENDOR NAME	VENDOR	DESCRIPTION	AMOUNT
AECOM TECHNICAL SERVICES	01810	PERC MONITORING - ELECTRIC	315.00
HYDROCORP	02340	INSPECTION & REPORTING SVCS - WTR	499.00
CAPITAL ASPHALT LLC	02578	ASPHALT - LOCAL STREETS	356.40
ERSCO CONSTRUCTION SUPPLY	00851	ST LIGHT REBAR, CIR TIE - COMM PROMO	263.06
PREMIER SAFETY	02465	CALLIBRATION OF GAS METER - WATER	137.38
MCFADDEN LAW OFFICE PLLC	02299	APRIL LEGAL SERVICES - POLICE	241.50
ANTHONY SMITH	02449	CLASS/MILEAGE WW EXAM - WASTEWATER	226.20
RESCO	00392	PROGRAMMING CABLE - ELECTRIC	897.87
INSOURCE SOLUTIONS GROUP INC.	01813	E FILED RETURNS APRIL - INCOME TAX	498.00
AMERICAN RENTALS, INC.	00017	PORTABLE TOILET RENTAL - PARKS	225.00
RESCO	00392	TRACK MATS/SHIPPING - ELECTRIC	634.00
UTILITY CONSULTING GROUP, LLC	00465	CALC PCA FACTOR - ELECTRIC	225.00
BS&A SOFTWARE	00029	ANNUAL SOFTWARE CONTRACT/TIME SHEETS - ASSESS,	1,172.00
CENTURYLINK	01567	PHONE SERVICES - GEN, WATER, WW, MP, ELECT.	3.01
STAPLES BUSINESS ADVANTAGE	00426	APRIL OFFICE SUPPLIES - VAR DEPTS	272.76
MUNICIPAL SUPPLY CO.	00324	HOSE, CUPPLINGS, ADAPTOR - WW	511.80
NORTH CENTRAL LABORATORIES	00959	PROBE STORING SOLUTION - WW	199.11
APPLIED IMAGING	02493	CITY HALL COPY MACHINE MAINT - GENERAL	45.60
RIVERSIDE INTEGRATED SYSTEMS	01441	ANNUAL MONITORING FEE - ELECTRIC	300.00
B&W AUTO SUPPLY, INC.	00030	VAR SUPPLIES/PARTS - VAR DEPTS	856.88
STAR THOMAS	01654	CERT MAIL, KEY REPLACEMENT- POLICE	32.25
BADGER METER INC.	02247	TRIMBLED SERVICE AGREEMENT - WATER	780.00
WOLVERINE POWER SYSTEMS	02122	PREV MAINT. WELL 4 - WATER	790.00
WOLVERINE POWER SYSTEMS	02122	PREVENT MAINT WELL # 7 - WATER	790.00
MHR BILLING	01780	APRIL BILLING FEE - AMB	1,364.00
GENEVIEVE MARTIN	MISC	REIMB FOR OVERPYMT OF AMB RUN - AMB	123.15
CLEAR RATE COMMUNICATIONS	02231	PHONE SVC - CITY HALL	425.94
USA BLUEBOOK	01850	HOSE ADAPTERS & FITTINGS - WW	63.05
BOUND TREE MEDICAL LLC.	01543	EMS SUPPLIES - AMB	436.98
BOUND TREE MEDICAL LLC.	01543	EMS SUPPLIES - AMB	485.82
APPLIED IMAGING	02493	COPY MAINT CITY HALL - GENERAL	21.31

VENDOR NAME	VENDOR	DESCRIPTION	AMOUNT
FAMILY FARM & HOME	01972	MOWER BLADE, HERBICIDE - WW	32.98
NOREEN LOGEL	01105	FLOOD CONTRACT, RESORCE COORDIN - GEN	575.00
PLEUNE SERVICE COMPANY INC.	00741	WTR HTR REPAIR, PARTS, LABOR - CITY HALL	2,500.00
CONNIE MALLEK-FEDEWA	MISC	ENERGY OPTZ PROGRAM - ELECTRIC	40.00
LUKE SIMON	MISC	ENERGY OPTZ PROGRAM - ELECTRIC	50.00
USA TODAY NETWORK	02501	LEGAL NOTICES - GEN, CODE	454.00
TIMBER TREE SERVICES LLC	01817	REMOVE STUMP -ELECTRIC	1,048.50
CINTAS-725	00083	UNIFORM CLEANING, BLDG SUPPLIES - VAR DEPTS	1,182.68
THR	02386	REPAIR COUNCIL CHAMB COUNTER-CITY HALL	1,605.00
USA BLUEBOOK	01850	KEYED PADLOCKS FOR LIFT STATION- WW	30.98
MACALLISTER MACHINERY	02580	TRASH PUMPS FOR CANAL ST - WW	901.00
WOLVERINE POWER SYSTEMS	02122	RINDLEHAVEN GENSET REPR ITEMS - WW	583.76
WOLVERINE POWER SYSTEMS	02122	RIVERSIDE LS ANNUAL GENSET - WW	700.00
WOLVERINE POWER SYSTEMS	02122	WWTP GENSET ANNUAL PM -WW	790.00
WOLVERINE POWER SYSTEMS	02122	ANNUAL PREVEN RH LIFT STA MANTN - WW	700.00
GRANGER	00175	REFUSE - REFUSE	12,316.19
GRANGER	00175	REFUSE - PARKS, CEM, MP	374.26
GRANGER	00175	REFUSE - WW	152.58
GRANGER	00175	REFUSE - ELECTRIC, POL, COMM PROMO	152.58
GRP ENGINEERING INC.	01994	ENGINEERING SERVICE - ELECTRIC	500.00
WOW! INTERNET-CABLE PHONE	02132	INTERNET - MTR POOL	25.00
SERVPRO	02463	BIO REMEDIATION - GEN	1,721.82
CONSUMERS ENERGY	00095	GAS SERVICE - ELECTRIC	619.44
GALL'S INC.	00159	PBT STRAWS, FLASH LIGHT HOLDER - POLICE	96.24
CULLIGAN	02130	WATER - POLICE	16.50
FREDRICKSON SUPPLY LLC	02104	CURTAIN SET ST SWEEPER - MP	447.42
BOUND TREE MEDICAL LLC.	01543	TOURNIQUETS - POLICE	269.90
HOMETOWN SPORTS, INC.	01326	UNIFORM EMBLAMS - POLICE	15.00
TOM'S FOOD CENTER	00452	SUPPLIES - VAR DEPTS	608.46
MICHIGAN MUNICIPAL WC FUND	00291	WORKERS COMP POLICY - VAR DEPTS	30,569.00
BRIAN RUSSELL	00593	SOFTBALL OFFICIAL - REC	144.00

VENDOR NAME	VENDOR	DESCRIPTION	AMOUNT
ED FILTER	00540	SOFTBALL OFFICIAL - REC	96.00
GREG GARN	02185	SOFTBALL OFFICIAL - REC	96.00
ISSAC HONSOWITZ	02573	FLAG FOOTBALL OFFICIAL - REC	100.00
LEAH COOK	02506	SOFTBALL OFFICIAL - REC	64.00
OWEN RUSSELL	02249	SOFTBALL OFFICIAL - REC	50.00
MILO ROOT	02499	FLAG FOOTBALL/SOFTBALL OFFICIAL - REC	60.00
KALEB BOWER	02584	FLAG FOOTBALL OFFICIAL - REC	10.00
F&V OPERATIONS & RESOURCE MANAGMNT	02564	MAY SERVICES - WW	9,473.33
FLEIS & VANDENBRINK	00153	GEN SERV, TOAN PARK MDNR - GEN, PARKS	3,761.47
SOCIETY FOR HUMAN RESOURCE MGM	01418	PROFESSIONAL MEMBERSHIP - GEN	209.00
BASIC	01983	MONTHLY FEE HRA ADMIN - GEN	297.00
SPARROW OCCUPATIONAL HEALTH-LANSIN	00340	PRE EMPLOYMENT PHYSICALS - PARKS	217.00
SPARROW OCCUPATIONAL HEALTH-LANSIN	00340	PRE EMPLOYMENT PHYSICALS - PARKS	103.50
IONIA OCCUPATIONAL HEALTH SERVICES	02275	DOT PHYSICALS - ELECT, WW	200.00
KEUSCH SUPER SERVICE	00228	TIRE REPAIR FOR GATOR - PARKS, CEM	44.95
FAMILY FARM & HOME	01972	VAR SUPPLIES - PARKS, CEM	44.94
CAPITAL ASPHALT LLC	02578	2.02 TONS ASPHALT - LOCAL STREETS	96.96
TIMBER TREE SERVICES LLC	01817	STUMP GRINDING/CLEAN UP - PARKS	2,077.50
VAN BRO'S IRRIGATION INC.	01762	SPRINKLER PARTS/REPAIR - CITY HALL	36.30
MPARKS	00296	MEMBERSHIP RENEW - PARKS	485.00
GRAINGER, INC.	00172	REPAIR KIT PARK BATHROOMS - PARKS	63.33
KENDALL ELECTRIC	00225	CONDUIT & SUPPLIES - ELECTRIC	112.40
USA SOFTBALL OF MI	02444	ADULT SOFTBALL TEAM REG - REC	765.00
Total:			\$90,878.04

**BI-WEEKLY
WAGE REPORT
May 20, 2019**

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.	10,965.03	229,191.34	2,360.86	62,179.48	13,325.89	291,370.82
ASSESSOR	1,164.81	27,041.44	89.11	2,196.80	1,253.92	29,238.24
CEMETERY	2,688.27	69,524.82	270.58	17,655.86	2,958.85	87,180.68
POLICE	13,020.93	386,480.85	2,730.17	102,236.37	15,751.10	488,717.22
CODE ENFORCEMENT	640.68	17,221.53	90.19	3,755.27	730.87	20,976.80
PARKS	3,484.27	51,591.39	339.35	8,920.09	3,823.62	60,511.48
INCOME TAX	1,908.26	39,926.48	659.20	16,156.12	2,567.46	56,082.60
MAJOR STREETS	2,569.32	97,755.55	551.46	43,918.05	3,120.78	141,673.60
LOCAL STREETS	2,594.28	72,873.56	551.37	29,391.52	3,145.65	102,265.08
RECREATION	1,751.63	55,068.26	248.16	10,570.87	1,999.79	65,639.13
AMBULANCE	11,620.48	291,419.83	2,095.72	62,598.40	13,716.20	354,018.23
DDA	2,189.42	54,429.34	315.72	9,247.24	2,505.14	63,676.58
ELECTRIC	15,568.12	383,528.40	2,469.34	98,874.41	18,037.46	482,402.81
WASTEWATER	6,356.42	237,885.00	1,070.77	55,243.22	7,427.19	293,128.22
WATER	5,230.78	126,891.06	1,356.55	46,804.30	6,587.33	173,695.36
MOTOR POOL	2,441.04	58,940.88	207.17	25,359.45	2,648.21	84,300.33
TOTALS:	84,193.74	2,199,769.73	15,405.72	595,107.45	99,599.46	2,794,877.18

BI-WEEKLY CASH BALANCE ANALYSIS
AS OF 05/16/2019
MEETING DATE 05/20/2019

Fund	Description	Beginning Balance 05/02/2019	Total Cash in	Total Cash out	Cash Balance 05/16/2019	Time Certificates	Ending Balance 05/16/2019
101	GENERAL FUND	1,901,590.00	129,017.12	(177,398.26)	1,853,208.86	235,000.00	2,088,208.86
105	INCOME TAX FUND	97,666.41	21,845.62	(27,479.56)	92,032.47	10,000.00	102,032.47
150	CEMETERY PERPETUAL CARE FUND	52,997.51	-	-	52,997.51		52,997.51
202	MAJOR STREETS FUND	242,973.19	6,661.67	(19,087.72)	230,547.14		230,547.14
203	LOCAL STREETS FUND	211,626.02	71,601.56	(15,286.95)	267,940.63		267,940.63
208	RECREATION FUND	14,412.37	5,308.85	(8,394.80)	11,326.42		11,326.42
210	AMBULANCE FUND	51,230.84	24,897.71	(36,493.27)	39,635.28		39,635.28
245	MSHDA LOFT FUND	-	-	-	-		-
248	DDA FUND	403,747.25	3,084.03	(26,841.65)	379,989.63		379,989.63
404	CAPITAL IMPROVEMENT-RED MILL PAVILION	3,362.25	-	-	3,362.25		3,362.25
405	WELLHEAD IMPROVEMENT FUND	-	-	-	-		-
406	CAPITAL IMPROVEMENT FUND-STREET PROJECT	441,013.97	-	-	441,013.97		441,013.97
520	REFUSE SERVICE FUND	22,822.34	4,628.99	(12,241.23)	15,210.10		15,210.10
582	ELECTRIC FUND	791,584.11	169,037.68	(131,399.49)	829,222.30	530,000.00	1,359,222.30
590	WASTEWATER FUND	(126,687.94)	39,755.41	(77,475.98)	(164,408.51)		(164,408.51)
591	WATER FUND	65,122.56	32,035.34	(35,802.44)	61,355.46	420,000.00	430,955.46
661	MOTOR POOL FUND	77,834.73	15,184.95	(20,201.38)	72,818.30		72,818.30
703	CURRENT TAX FUND	7,403.14	-	-	7,403.14		7,403.14
TOTAL - ALL FUNDS		4,258,698.75	523,058.93	(588,102.73)	4,193,654.95	1,195,000.00	5,338,254.95
						ELECTRIC-RESTRICTED CASH	400,000.00
						ELECTRIC - MPPA MUNICIPAL TRUST	150,915.28
						CUSTOMER DEPOSIT CD	170,000.00 *
						PERPETUAL CARE CD	130,000.00
						INCOME TAX SAVINGS	783,819.19
						ELECTRIC-PRIN & INT ESCROW	128,344.11
						WASTEWATER DEBT ESCROW	277,706.71
						WASTEWATER REPAIR ESCROW	59,401.92
						DDA-PRIN & INT ESCROW	501.77
						WATER BOND ESCROW	57,600.00
							<u>7,496,543.93</u>

*Customer Deposit Breakdown

Electric	128,000.00
Wastewater	21,000.00
Water	21,000.00
	<u>170,000.00</u>



PURCHASE ORDER

City of Portland

P.O. **3115**

259 Kent Street
Portland, MI 48875
(517) 647-7531

VENDOR

PLCONE

DATE: 5-13-19

582-539-930

DESCRIPTION	GL NUMBER	SPLIT	LINE TOTAL
REPAIR & REPLACE BOILERS IN WAREHOUSE DUE TO FAILING			<u>6,258.39</u>
DEPARTMENT HEAD (UP TO \$500) _____		TOTAL	

Treasurer Initials

Authorized by City Manager
(For Purchases over \$500 and less than \$5,000)

Invoice



750 HIMES STREET SE
 GRAND RAPIDS, MI 49548
 Phone: (616)243-5434

Invoice Date: 5/8/2019
Invoice No.: 127131
Work order No.: 43902

Bill to: PORTLAND CITY HALL
 259 KENT ST
 PORTLAND, MI 48875
 ATTENTION : ACCOUNTS PAYABLE

Service at: PORTLAND CITY HALL
 259 KENT ST
 PORTLAND, MI 48875

Customer ID: 8069

Terms: NET 30

PO Number:

Item	Description	Service Item	Quantity	Unit Price	Amount
Labor					
	2/25/2019 SCHUCHASKIE; TYLER		3.50	96.00	336.00
	3/4/2019 SCHUCHASKIE; TYLER		1.50	96.00	144.00
	3/5/2019 SCHUCHASKIE; TYLER		8.00	96.00	768.00
	3/5/2019 SCHUCHASKIE; TYLER		3.00	96.00	288.00
	3/7/2019 SCHUCHASKIE; TYLER		5.50	96.00	528.00
	3/5/2019 SCHUCHASKIE; TYLER		8.00	96.00	768.00
	3/5/2019 SCHUCHASKIE; TYLER		1.50	96.00	144.00
	3/6/2019 SCHUCHASKIE; TYLER		7.00	96.00	672.00
	3/6/2019 SCHUCHASKIE; TYLER		8.00	96.00	768.00
	3/7/2019 SCHUCHASKIE; TYLER		8.00	96.00	768.00
	3/7/2019 SCHUCHASKIE; TYLER		2.50	96.00	240.00
	3/8/2019 SCHUCHASKIE; TYLER		8.00	96.00	768.00
	3/29/2019 SCHUCHASKIE; TYLER		3.50	96.00	336.00
	4/16/2019 SCHUCHASKIE; TYLER		-13.00	96.00	-1,248.00
				<i>Labor Subtotal</i>	<u>5,280.00</u>
Miscellaneous					
	TRIP CHARGE		1.00	43.00	43.00
	3" x 10" pvc		1.00	27.16	27.16
	3" pvc 45		4.00	10.92	43.68
	3" pvc 90		4.00	12.20	48.79
	3" pvc coupler		4.00	5.93	23.70
	Pvc glue		1.00	17.20	17.20
	Pvc primer		1.00	21.20	21.20
	Prv		1.00	162.36	162.36
	CHALLENGER BOILER		2.00	3,483.44	6,966.88
	FREIGHT		1.00	175.00	175.00
	Permit fee		1.00	110.00	110.00
	CIRCUIT SETTER		1.00	228.60	228.60
	1 1/2 X 1 1/4 COPPER RED CC		1.00	37.76	37.76
	1 1/4 PXP COUPLING		1.00	20.42	20.42
	1 BRASS THD PLUG		1.00	19.52	19.52
	Boiler		-2.00	3,483.44	-6,966.88
				<i>Miscellaneous Subtotal</i>	<u>978.39</u>

Invoice



750 HIMES STREET SE
GRAND RAPIDS, MI 49548
Phone: (616)243-5434

Invoice Date: 5/8/2019
Invoice No.: 127131
Work order No.: 43902

-- CONDITIONS --

Invoices are subject to finance charge of 1% per month, annual rate 12% on balances over 30 days. Purchaser agrees to pay attorney's fees equal to 33 1/3% of balance plus all attendant collection costs.

Subtotal:	6,258.39
Sales Tax:	0.00
Total Due:	6,258.39

NOTES:

LOCHINVAR BOILER #1 IS DOWN ON FAULT CODE #8, NEEDS SERVICE TODAY, CALL MIKE WITH ETA 517-526-3815, SPACE IS GETTING COLD
WORK PERFORMED

Arrived on sight to find both boilers off on a code 8. Book says that there is a combustion fan problem. Re set units and checked power and forward signal to each motor. Both motors bad. Also noticed that plastic panel at top of each boiler was melting and warped. Talked with triangle tube and found that this is a sign of heat exchanger failure. They want me to replace both boilers under warranty. Once I got the ball rolling on that I got the mua unit running and checked unit operation.

Picked up water sample and dropped off to enerco.

Started boiler change.- Boilers under manufacturer warranty

Continued boiler replacements.

Had issues with boiler 1 had plumber assist in changing a bad circuit setter

Installed boiler 1 and 2 with exact replacement boilers. We removed all control wires and line voltage wires to unit, cut pvc venting and pulled units from wall. We reinstalled new units and re wired and ran new vent pipe. Ran a new outdoor air sensor that came with the boiler to boiler 2. Boiler 2 running good. Boiler 1 keeps turning on and off. Talked with triangle tube and determined the control board was bad. Picked up the old control board from supply house and installed. Problem did not go away. Started to swap sensor for sensor on boilers and checking operation. Found that when I changed the pressure sensor the problem transferred. I ordered a new board and sensor for boiler 1 per triangle tube. We also removed the flow switches from the circuit due to them being mis wired and not needed. The boilers have their own pressure sensors.

Removed the faulty control board and low pressure sensor from boiler 1. Installed the new control board. Filled the boiler with water and checked the heating operation. Let boiler 1 run for an hour and a half and boiler did not short cycle. Performed CSD1's on both boilers. Both units are now operating and heating normally.

**Minutes of the Planning Commission
Of the City of Portland**
Held on Wednesday, April 10, 2019 at 7:00 P.M.
In Council Chambers at City Hall

Portland Planning Commission Members Present: Grapentien, Fitzsimmons, Roeser, Kmetz, Hinds, Williamson, Culp

Absent: None

Staff: City Manager Gorman; City Clerk Miller

Guests: None

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

There were no public comments.

Motion by Fitzsimmons, supported by Williamson, to approve the Agenda as presented.
All in favor. Approved.

Motion by Williamson, supported by Kmetz, to approve the minutes of the March 13, 2019 meeting as presented.
All in favor. Approved.

Under Old Business, Chair Grapentien noted that proposed Ordinance 175NN to regulate the use of land for small wireless communications facilities was tabled at the March 13, 2019 meeting in order to clarify some language.

City Manager Gorman clarified that the language in proposed Ordinance 175NN is correct and based on State legislation.

Motion by Williamson, supported by Fitzsimmons, to recommend approval of proposed Ordinance 175NN to the City Council.
All in favor. Approved.

Under New Business, City Manager provided an update on the potential development by The Brook of an elderly housing complex. He and Mr. LeBlanc have been working very closely with representatives of The Brook. Representatives of The Brook plan to submit a packet with all requests for the Planning Commission's consideration at the May meeting. This will be dependent on the Public Notice requirements.

City Manager Gorman stated that he is still gathering information on marketing the property located at Grand River Ave. and Cutler Rd.

City Manager Gorman noted that Bill Fabiano of Fabiano's River House Grill is considering submitting a rezoning request for the property at 103 E. Grand River Ave from C-2 to C-1. He

Planning Commission Minutes
April 10, 2019

further stated that the buildings in this area are in the traditional downtown and should likely already be zoned C-1.

There was discussion.

City Manager Gorman provided information and background on the Redevelopment Ready Community (RRC) Program through the MEDC. He stated that he has spent the past year researching and considering the program. At this time the City Council has decided not to engage the program until there are more proven results as it requires a considerable amount of work on behalf of the City. Although the program has some good ideas and intentions it is administratively burdensome, and to date the City has not been having problems with development.

Chair Grapentien stated that he has had some time to review the program. He stated that there is a lot of good information but he agrees with City Manager Gorman that the administrative burden would bury the zoning component of the City.

Council Member Fitzsimmons commented that there are approximately 2400 communities in the State of Michigan. The RRC program has signed on about 24 communities during their 5-year existence.

There was discussion.

Chair Grapentien suggested an action item for the next meeting to make a recommendation to Council either in favor of or against engaging with RRC. This would allow the Planning Commission members to review the RRC Baseline Report.

City Manager Gorman provided development updates. Tim Fuller, of the Opera Block Properties, is continuing his efforts to fortify the back of the Opera House. The wall is extremely unstable.

The City Council has approved the resubmittal of the Toan Park Improvement Project, which would include the installation of a splash pad. This project is included in both the DDA TIF Plan and the Parks and Recreation Master Plan. This project would transform the look of the downtown.

There were no Planning Commission Member Comments.

Motion by Roeser, supported by Fitzsimmons, to adjourn the meeting at 7:46 P.M.
All in favor. Approved.

Respectfully submitted,

Jason Williamson, Secretary

IONIA COUNTY BOARD OF COMMISSIONERS

May 14, 2019 -3:00 p.m.

Board of Commissioners room: – Ionia County Administrative Building, (old District Court) 3rd floor. 101 W Main St. Ionia MI

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. Action on Consent Calendar**
 - A. Approve minutes of the previous meeting(s)
 - B. Approve closed session minutes from April 23, 2019
- VII. Unfinished Business**
 - A. Animal Control Ordinance
- VIII. New Business**
 - A. Request for approval of revision to Personal Leave Policy (new Paid Sick Leave law)
 - B. Request for approval of revision to Drug Testing Policy (comply with new State law)
 - C. Request to fill Victim Advocate Position in Prosecutor’s Office
 - D. Request to fill Legal Secretary Position in Prosecutor’s Office
 - E. Acknowledgement of Applications for Appointment
 - 1. Midwest Michigan Trail Authority
 - F.
- IX. Reports of Officers, Boards, and Standing Committees**
 - A. Chairperson
 - B. Board of Commissioners report
 - C. County Administrator
- X. Reports of Special or Ad Hoc Committees**

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

XII. Closed Session

- A. Review and discuss attorney/client privilege written opinion pursuant to MCL 15.268(h)

XIII. Adjournment

Board and/or Commission Vacancies

- Board of Public Works – One three-year term expiring January 2021.
- Construction Board of Appeals – Two two-year terms, expiring October 2019. One of these positions serves as an alternate member.
- Economic Development Corporation/Brownfield Redevelopment Authority – One three year term expiring April 2020.
- Parks Advisory Board – one- two-year term, serving as a Member-at-Large from the Lyons Area. One- two year term serving from Ionia County Road Commission.
- West Michigan Regional Planning Commission – Two one-year terms, expiring December 2018.
- Tax Advisory Board – One –one year term expiring 2020

Appointments for consideration in the month of May 2019

- Midwest Michigan Trail Authority – three -three year terms

Appointments for consideration in the month of June 2019: None

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
CONSUMERS ENERGY COMPANY
CASE NO. U-20202**

- Consumers Energy Company requests Michigan Public Service Commission's approval for reconciliation of its power supply cost recovery plan (Case No. U-18402) for the period January 2018 through December 2018.
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, MI 49201, 517-788-0550 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A pre-hearing will be held:

DATE/TIME: **Monday, May 20, 2019, at 9:00 AM**

BEFORE: **Administrative Law Judge Sally L. Wallace**

LOCATION: Michigan Public Service Commission
7109 West Saginaw Highway
Lansing, Michigan 48917

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 pre-hearing to consider Consumers Energy Company's (Consumers) March 29, 2019 application seeking Commission approval for: 1) reconciliation of its Power Supply Cost Recovery (PSCR) for the period January 2018 through December 2018 and its proposed methodology for rolling-in the net over-recovery. Consumers Energy has calculated a year-end under-recovery of \$1.02 million and accrued interest owed to customers for the 2018 period of \$2.48 million; 2) Consumers proposal to maintain the State Reliability Mechanism capacity charge for Planning Year 2020/2021 at the amount approved in the Commission's January 9, 2019 Order in Case No. U-20134; and 3) 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 13, 2019. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy Company's Legal Department – Regulatory Group, One Energy Plaza, Jackson, MI 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 Michigan Office of Administrative Hearings and 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 Company'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.

The Utility Consumer Representation Fund has been created for the purpose of aiding in the representation of residential utility customers in various Commission proceedings. Contact the Chairperson, Utility Consumer Participation Board, Department of Licensing and Regulatory Affairs, P.O. Box 30004, Lansing, Michigan 48909, for more information.

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.; 1982 PA 304, as amended, MCL 460.6j et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, and R 792.10401 through R 792.10448.

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