

# City of Plainwell



Rick Brooks, Mayor  
Lori Steele, Mayor Pro-Tem  
Brad Keeler, Council Member  
Todd Overhuel, Council Member  
Roger Keeney, Council Member

Department of Administration Services  
211 N. Main Street  
Plainwell, Michigan 49080  
Phone: 269-685-6821 Fax: 269-685-7282  
Web Page Address: [www.plainwell.org](http://www.plainwell.org)

“The Island City”

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## AGENDA Plainwell City Council Monday, September 10, 2018 7:00PM

1. **Call to Order**
2. **Invocation**
3. **Pledge of Allegiance**
4. **Roll Call**
5. **Approval of Minutes/Summary – 08/23/2018 Regular Meeting**
6. **General Public Comments**
7. **County Commissioner Report**
8. **Presentations – *Employee Recognition – Bill Bomar – 40 years of service***
9. **Agenda Amendments**
10. **Mayor's Report**
11. **Recommendations and Reports:**
  - A. **Site Plan Review – 938 Lincoln Parkway**  
Council will consider a site plan for a new building for Rizzo Packaging at 938 Lincoln Parkway.
  - B. **Updates to the Civil Rights Act of 1964 Non-Discrimination Plan**  
Council will consider updates to the city’s Title VI Non-Discrimination Plan.
  - C. **Airport – Painting, Doors and Concrete Work**  
Council will consider projects to improve airport facilities for an amount not to exceed \$10,000.00.
  - D. **DPW – Repair Vehicle 20**  
Council will consider authorizing repairs to Vehicle 20 with H&H Auto Body for \$6,512.16.
  - E. **WR – Screw Pump Construction Phase Engineering**  
Council will consider authorizing construction-engineering services for the screw pump replacement project with Fleis & Vandenbrink for \$16,000.00.
12. **Communications:** The August 2018 Investment and Fund Balance Reports and the Planning Commission Draft Meeting Minutes from September 5, 2018.
13. **Accounts Payable - \$295,298.25**
14. **Public Comments**
15. **Staff Comments**
16. **Council Comments**
17. **Adjournment**

Note: All public comment limited to two minutes, when recognized please rise and give your name and address

The Island City  
*The City of Plainwell is an equal opportunity provider and employer*

**MINUTES**  
**Plainwell City Council**  
**August 27, 2018**

1. Mayor Brooks called the regular meeting to order at 7:01 PM in City Hall Council Chambers.
2. Steve Smail of Lighthouse Baptist Church gave the invocation.
3. Pledge of Allegiance was given by all present.
4. Roll Call: Present: Mayor Brooks, Mayor Pro-tem Steele, Councilman Keeler, and Councilman Overhuel.  
Absent: Councilman Keeney.
5. Approval of Minutes/Summary:  
**A motion by Steele, seconded by Overhuel, to accept and place on file the Council Minutes and Summary of the 08/13/2018 regular meeting and the Council Minutes. On voice vote, all voted in favor. Motion passed.**
6. General Public Comments: None
7. County Commissioner Report: None.
8. Presentations: None
9. Agenda Amendments: None.
10. Mayor's Report:  
Mayor Brooks expressed gratitude to Chris Haas for her many community service projects.
11. Recommendations and Reports:
  - A. Clerk/Treasurer Kelley reported having been approached by DC Strong for recognition as a non-profit organization in the city so it can apply to the State of Michigan for a charitable gaming license for fundraising efforts.  
**A motion by Steele, seconded by Overhuel, to adopt Resolution 18-21 recognizing DC Strong as a non-profit organization in the City of Plainwell. On a voice vote, all in favor. Motion passed.**
  - B. Superintendent Nieuwenhuis briefed Council about new frames and lids for use in the street projects. The paving company bid amounts to raise and lower the existing frames, but using city staff afforded opportunity to buy new frames and lids and still save money from the bid amount. The frames and lids are for manhole covers for the sewer and storm sewer access.  
**A motion by Steele, seconded by Overhuel, to purchase frames and lids from EJ USA Inc for \$5,464.06. On a roll-call vote, all in favor. Motion passed.**
  - C. Superintendent Pond reported that the north barn still uses inefficient fluorescent lighting that is not motion sensitive. The project under consideration would replace the fixtures with efficient LED lighting that would be motion sensitive, automatically turning off when the barn is not in use.  
**A motion by Keeler, seconded by Overhuel, to approve the project to replace lights in the north barn with Moore Electric for a project cost of \$3,525.00. On a voice-vote, all in favor. Motion passed.**
  - D. Superintendent Pond reported a component of the Industrial Pretreatment Program requires period review and updating policies and procedures to ensure ongoing compliance.

**A motion by Overhuel, seconded by Steele, to approve the project to update the Industrial Pretreatment Program policies with Fleis & Vandenbrink for a project cost of \$6,400.00. On a voice-vote, all in favor. Motion passed.**

12. Communications:

**A. A motion by Steele, seconded by Overhuel, to accept and place on file the July 2018 Water Renewal Report and the Parks & Trees Draft Meeting Minutes from 08/16/2018. On a voice vote, all in favor. Motion passed.**

13. Accounts Payable:

**A motion by Keeler, seconded by Overhuel, that the bills be allowed and orders drawn in the amount of \$802,630.78 for payment of same. On a roll call vote, all in favor. Motion passed.**

14. Public Comments None

15. Staff Comments

Personnel Manager Lamorandier reported having given Title VI training to all city staff.

Superintendent Nieuwenhuis reported preparing for the Bridge Walk and that the Wedgewood paving project started today, to be followed by Chart then Starr, all to be done prior to the start of school.

Superintendent Pond reported a pre-construction meeting for the screw pump replacement project.

Community Development Manager Siegel reported working on grants and compliance issues.

Director Bomar brief Council on the recent emergency signal for a storm on the opposite corner of the county and how the county's response was appropriate.

Clerk/Treasurer Kelley reported having received a FOIA request for paper copies of all ballots cast at the November 2016 election as well as absentee voter applications and envelopes. Most, if not all, clerks across the state received similar requests from an ambiguous out-of-state firm. He also reported the auditors will be on-site in three (3) weeks for audit work.

City Manager Wilson reported ongoing negotiations for a School Resource Officer.

16. Council Comments:

None.

17. Adjournment:

**A motion by Steele, seconded by Overhuel, to adjourn the meeting at 7:29 PM. On voice vote, all voted in favor. Motion passed.**

Minutes respectfully  
Submitted by,  
Brian Kelley  
City Clerk/Treasurer

**SUMMARY**  
**Plainwell City Council**  
**August 27, 2018**

1. Mayor Brooks called the regular meeting to order at 7:01 PM in Council Chambers at City Hall.
2. Invocation was given by Steve Smail of Lighthouse Baptist Church.
3. Pledge of Allegiance was given by all present.
4. Roll Call: Present: Brooks, Steele, Keeler, and Overhuel. Absent: Keeney.
5. Approved Minutes/Summary of the 08/13/2018 regular meeting.
6. Adopted Resolution 18-21 recognizing DC Strong as a non-profit organization operating in the City of Plainwell.
7. Approved the purchase of frames and lids used in street paving projects from EJ USA Inc. \$5,464.06.
8. Adopted a project to replace lights in the north barn with Moore Electric for a project cost of \$3,525.00.
9. Approved a project to update Industrial Pretreatment Program requirements with Fleis & Vandenbrink for a project cost of \$6,400.00.
10. Accepted and placed on file the July 2018 Water Renewal Report and the Parks & Trees Draft Meeting Minutes from 08/16/2018.
11. Approved Accounts Payable for \$802,630.78.
12. Adjourned the meeting at 7:29 pm.

Submitted by,  
Brian Kelley  
City Clerk/Treasurer

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# City of Plainwell



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## Employee Recognition

August 2018

**Congratulating 40 Years of Service**

**Bill Bomar**

**Department of Public Safety**

*Director of Public Safety – August 1 1978, – current*



## Preliminary Site Plan Checklist

City of Plainwell Administration Department  
 211 N. Main St. Plainwell, MI 49080  
 269-685-6821  
 Plainwell.org

Project Name: Rizzo Packaging Inc.  
 Parcel Number: **55-205-009-10**  
 Current Zoning District: I (industrial)

Item	Requirement	Shown	NO – N/A
1.	Provide name, address and phone number of applicant	X	
2.	Provide name, address, phone number and sealed with signatures of Michigan licensed architect, engineer, designer, landscape architect or planner who prepared the plan. Plan should be stamped "Preliminary or titled Preliminary Site Plan	X	
3.	Has <b>the Zoning Permit</b> has been completed?	X	
4.	Include the north arrow, legend, graphic and written scale on all sheets	X	
5.	Include the land description	X	
6.	Include the zoning of the site and adjacent parcels	X	
7.	Include the gross land area	X	
8.	Include scale		
9.	Include Structure location(s) Dimensions of lot and property lines- Location of all structures on subject and abutting properties- Location of each proposed structure, w/use(s), w/number of stories, gross building area Distances between structures and lot lines, setback lines	X	
10.	Include Occupancy type and Fire exits	X	
11.	<b>Parking and Paving</b> Proper number of parking spots/handicap? Location of loading docks/zone? Adequate loading space? Asphalt or gravel requirement met?	X	
12.	<b>Landscaping</b> Location and volume meets requirement for zoning district	X	
13.	<b>Lighting</b> Exterior lighting kept substantially on property?		X
14.	<b>Traffic Flow (vehicular and pedestrian)</b> Driveway permit needed? Does traffic circulation provide safe vehicular and pedestrian flow Public safety vehicle access? <b>Yes</b> Fire lanes needed? <b>Driveway is sufficient</b>	X	
15.	<b>Storm Water Retention</b> Location of proposed storm collection area shown? Is it an adequate size?	X	
16.	<b>Dumpster</b> Location and screening met for zoning district		X

Item	Requirement	Shown	No- N/A
17.	<b>Water and Sewer Lines (hookups)</b> Will permits be needed? Size and location of water connections/meter(s) ? Is a backflow preventer required? <b>YES pr BN</b> Size and location of sewer connections? Hydrant location <b>#245 on NE side of property</b>	X	
18.	Noise, Odor, Particulate, Vibration, Combustible or Hazardous Material Concerns		X
19	<b>Signage Plan</b> Describe plan and show signage plan		X N/A
20	<b>Outside Storage</b> Will outside storage be required? Proper screen age and distances met?		X N/A
21.	Is Minimum/Maximum Lot Width Requirement Met	X	
22.	Is Minimum/Maximum Lot Area Requirement Met	X	
23.	Is Minimum/Maximum Height Requirement Met	X	
24	Are the Setback Requirements met for the zoning district Front – 30 Back - 30 Side - 20	X	
25	<b>Is this a phase Construction? If so</b> Description of each phase:		X
26.	<b>Fire Suppression Considerations (if applicable)</b> Is sprinkler needed or recommended <b>Yes</b> Fire Pump needed ( 3 stories or more)	X	
27.	<b>Is this project in a wellhead Protection/Flood Hazard District?</b>		X
28.	<b>Include a brief description of the project</b> – New building for storage approx. 24,000 sq. feet	X	

**Reviewed by:**

Community Development Manager

DS 8/22/18

Public Works Superintendent

RN 8/23/18

Director of Public Safety

BBomar 8/23/18

Waste Water Superintendent

BP 8/23/18-commented no sewer or floor drains shown

City Manger

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Subject: Policy and Procedures for Compliance with Title VI of the Civil Rights Act of 1964 Non-Discrimination Plan	Original Adoption Date: March 11, 2005
Policy Number: CW 15-02	Reviewed Date: May 2015 November 2017 August 2018
Primary Responsibility: Title VI Coordinator City Manager	Revision Date: May 12, 2015 September 10, 2018
Department Head Approval:	Date:
Approved by: _____	Date:

**211 North Main Street  
Plainwell, MI 49080  
Phone: 269-685-6821  
Fax: 269-685-7282**

**Website: <http://www.plainwell.org/>**

**Title VI Coordinator:  
Erik J. Wilson, City Manager  
Email: [ewilson@plainwell.org](mailto:ewilson@plainwell.org)**



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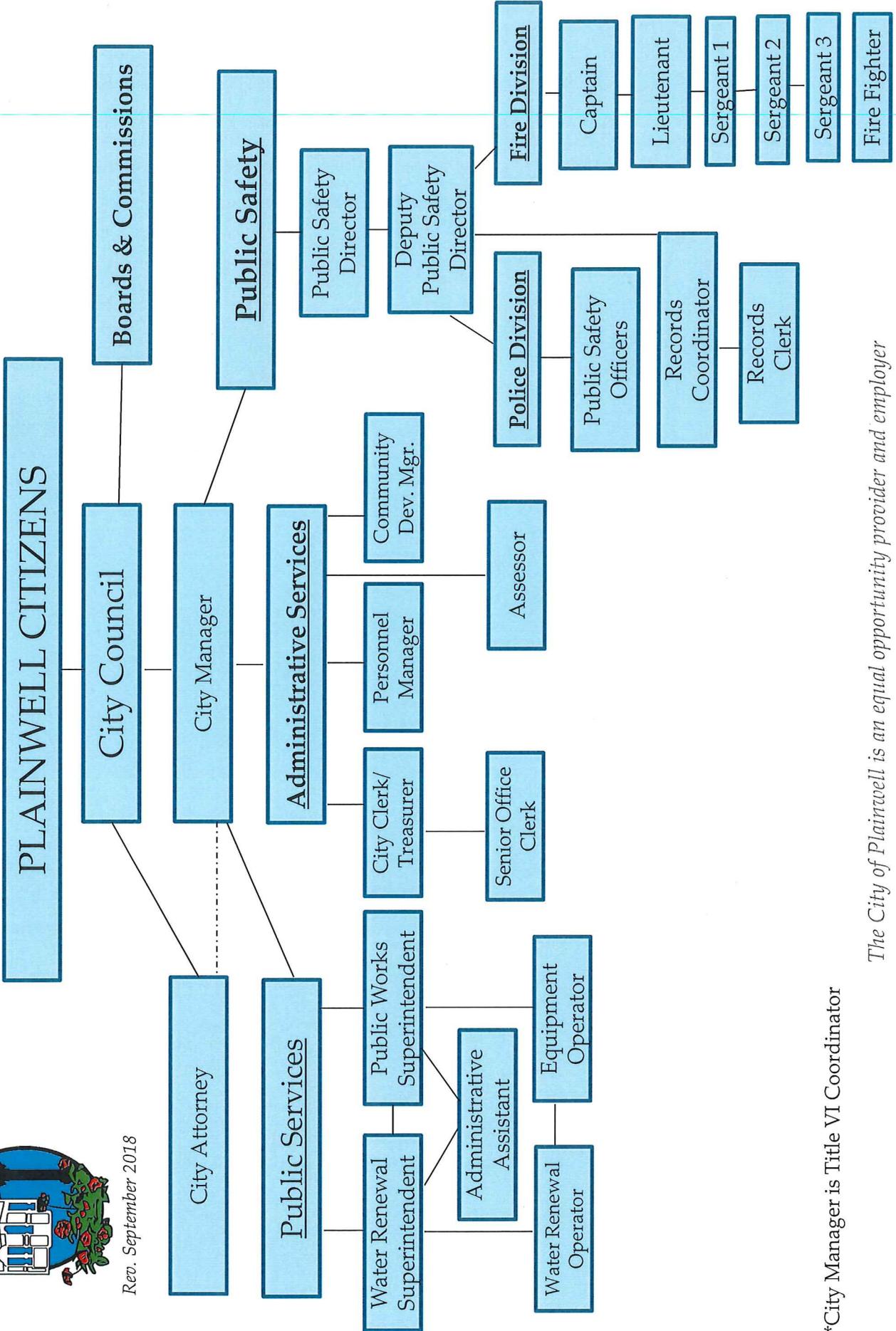
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Rev. September 2018

# City of Plainwell, Michigan

## Organizational Chart



\*City Manager is Title VI Coordinator

*The City of Plainwell is an equal opportunity provider and employer*



## INTRODUCTION

Plainwell is an ideal place to live and work. Plainwell offers an exemplary school system, an award winning health care provider, downtown parks, available and affordable housing, and a distinct community with its own industrial, commercial and residential base. With over 4,500 jobs currently supported in Plainwell, companies, firms, and small business owners alike will find that Plainwell provides the needed market, space, and talent needed to succeed.

The City of Plainwell serves all people of the City, including minority populations, low-income populations, the elderly, persons with disabilities, and those who traverse the state of Michigan. The City of Plainwell recognizes its responsibility to provide fairness and equity in all of its programs, services, and activities, and that it must abide by and enforce federal and state civil rights legislation.

Title VI of the Civil Rights Act of 1964, is the overarching civil rights law which prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that, “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.” Title VI has been broadened by related statutes, regulations and executive orders. Discrimination based on sex is prohibited by Section 324 of the Federal-Aid Highway Act, which is the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibit unfair and inequitable treatment of persons as a result of projects which are undertaken with Federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal-aid recipients and contractors whether those programs and activities are federally funded or not.

In addition to statutory authorities, Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” signed in February of 1994, requires federal agencies to achieve Environmental Justice as part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Environmental Justice initiatives are accomplished by involving the potentially affected public in the development of transportation projects that fit within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice. Also, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP),” provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance.



As a recipient of federal financial assistance, the City of Plainwell must provide access to individuals with limited ability to speak, write, or understand the English language. The City will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin. Therefore, the primary goals and objectives of the City of Plainwell's Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by the City's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability;
3. To prevent discrimination in the City of Plainwell's programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create illegal adverse discrimination on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, and all interested persons and affected Title VI populations;
5. To establish procedures to annually review Title VI compliance within specific program areas within the City;
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in the City's services, programs or activities.

As a sub-recipient of federal transportation funds, the City of Plainwell must comply with federal and state laws, and related statutes, to ensure equal access and opportunity to all persons, with respect to transportation services, facilities, activities, and programs, without regard to race, color, national origin, sex, socio-economic status, or geographical location. Every effort will be made to prevent discrimination in any program or activity, whether those programs and activities are federally funded or not, as guaranteed by the Civil Rights Restoration Act of 1987.

The City of Plainwell shall also ensure that their sub-recipients adhere to state and federal law and include in all written agreements or contracts, assurances that the sub-recipient must comply with Title VI and other related statutes. The City of Plainwell, as a sub-recipient who distributes federal transportation funds, shall monitor their sub-recipients for voluntary compliance with Title VI. In the event that non-compliance is discovered, the City will make a good faith effort to ensure that the sub-recipient corrects any deficiencies arising out of complaints related to Title VI; and that sub-recipients



will proactively gauge the impacts of any program or activity on minority populations and low-income populations, the elderly, persons with disabilities, all interested persons and affected Title VI populations.

### **Discrimination under Title VI**

There are two types of illegal discrimination prohibited under Title VI and its related statutes. One type of discrimination which may or may not be intentional is “disparate treatment.” Disparate treatment is defined as treating similarly situated persons differently because of their race, color, national origin, sex, disability, or age.

The second type of illegal discrimination is “disparate impact.” Disparate impact discrimination occurs when a “neutral procedure or practice” results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

The City of Plainwell’s efforts to prevent such discrimination must address, but not be limited to, a program’s impacts, access, benefits, participation, treatment, services, contracting opportunities, training, investigation of complaints, allocation of funds, prioritization of projects, and the overarching functions of planning, project development and delivery, right-of-way, construction, and research.

The City of Plainwell has developed this Title VI Plan to assure that services, programs, and activities of the City are offered, conducted, and administered fairly, without regard to race, color, national origin, sex, age, or disability of the participants or beneficiaries of federally funded programs, services, or activities (see Title VI Assurances).



**CITY OF PLAINWELL  
NON-DISCRIMINATION POLICY STATEMENT**

The City of Plainwell reaffirms its policy to allow all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In applying this policy, the City and its sub-recipients of federal funds shall not:

1. Deny any individual of any service, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual’s receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others;
5. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
11. Locate a facility in any way, which would limit or impede access to a federally-funded service or benefit.



The City of Plainwell will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues within a period not to exceed 90 days.

The City of Plainwell designates Erik Wilson, City Manager, as the Title VI Coordinator. The City Manager will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the City of Plainwell complies with the Title VI regulations and pursues prevention of Title VI deficiencies or violations. Inquiries concerning the City of Plainwell and Title VI may be directed to the City Manager, 211 N. Main Street, Plainwell, MI 49080; Phone: 269-685-6821; Fax: 269-685-7282; E-mail: [ewilson@plainwell.org](mailto:ewilson@plainwell.org).

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Richard Brooks  
Mayor

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Erik Wilson  
City Manager/Title VI Coordinator

**CITY OF PLAINWELL  
TITLE VI ASSURANCES**

The City of Plainwell (hereinafter referred to as the "Recipient") hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs for the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient received Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and hereby gives assurances that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) and (b) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the Federal Aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

“The (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, SubTitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.



6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom it delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

City of Plainwell

\_\_\_\_\_  
Richard Brooks, Mayor

\_\_\_\_\_  
Date



## AUTHORITIES

**Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h);**

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, sex, low income, and disability.

The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

**Federal Aid Highway Act of 1973, 23 USC 324:** No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

**Age Discrimination Act of 1975, 42 USC 6101:** No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

**Americans With Disabilities Act of 1990 PL 101-336:** No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination by a department, agency, special purpose district or other instrumentality of a state or local government.

**Section 504 of the Rehabilitation Act of 1973:** No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

**USDOT Order 1050.2:** Standard Title VI Assurances

**EO12250:** Department of Justice Leadership and coordination of Non-discrimination Laws.

**EO12898:** Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

**28 CFR 50.3:** Guidelines for the enforcement of Title VI of the Civil Rights Act of 1964.

**EO13166:** Improving Access to Services for Persons with Limited English Proficiency.



## DEFINITIONS

Adverse Effects – The totality of significant individual or cumulative human health or environmental effects including interrelated social and economic effects, which may include, but are not limited to: (See Appendix E for additional discussion of “significant”)

- Bodily impairment, infirmity, illness or death
- Air, noise and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of person’s businesses, farms or non-profit organizations
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of the City programs, policies and activities

Federal Assistance – Includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, federal property or any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement or other contract which has, as one of its purposes, the provision of assistance.

Limited English Proficiency - Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the City.

Low-Income – A person whose median household income is at or below the Department of Health and Human Service Poverty guidelines (see <http://aspe.hhs.gov/poverty-guidelines>).

Low-Income Population – Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City program, policy or activity.

Minority – A person who is:

- a. Black – A person having origins in any of the black racial groups of Africa;
- b. Hispanic – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;



- c. Asian American – A person having origins in any of the original people of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands; or
- d. American Indian and Alaskan Native – A person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population – Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City program, policy or activity.

Non-Compliance – A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

Persons – Where designation of persons by race, color or national origin is required, the following designation ordinarily may be used; “White not of Hispanic origin”, “Black not of Hispanic origin”, “Hispanic”, “Asian or Pacific Islander”, “American Indian or Alaskan Native”. Additional sub-categories based on national origin of primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program – Includes any road or park project including planning or any activity for the provision of services, financial aid or other benefits to individuals. This includes education or training, work opportunities, health welfare, rehabilitation, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Recipient - Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Significant Adverse effects on Minority and Low-Income Populations –

An adverse effect that:

- a. is predominantly borne by a minority population and/or a low-income population, or
- b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Sub-Recipient – Any agency such as a council of governments, regional planning agency, or educational institution, for example, that received Federal Highway Administration (FHWA) funds through the State DOT and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.



## ADMINISTRATION – GENERAL

The City of Plainwell designates Erik Wilson, City Manager, as the Title VI Coordinator (hereinafter referred to as the “Title VI Coordinator”). Mr. Wilson shall have lead responsibility for coordinating the administration of the Title VI and related statutes, programs, plans, and assurances.

Complaints: If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age or disability, he/she may exercise his/her right to file a complaint with the City. Complaints may be filed with the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

Data Collection: Statistical data on race, color, national origin, English language ability and sex of participants in and beneficiaries of the City programs; e.g., impacted citizens and affected communities will be gathered and maintained by the City. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Program Reviews: Special emphasis program reviews will be conducted based on the annual summary of Title VI activities, accomplishments, and problems. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The City does not have any special emphasis programs at this time.

Title VI Reviews on Sub-Recipients: Title VI compliance reviews will be conducted annually by the Title VI Coordinator. Priority for conducting reviews will be given to those recipients of federal (U.S. Department of Transportation) funds with the greatest potential of impact to those groups covered by the Act. The reviews will entail examination of the recipients’ adherence to all Title VI requirements. The status of each review will be reported in the annual update and reported to relevant U.S. Department of Transportation (USDOT) modes upon request.

Annual Reporting Form: The Title VI Coordinator will be responsible for coordination, compilation, and submission of the annual reporting form data to the Michigan Department of Transportation (MDOT), Civil Rights Program Unit via the Sub-Recipient Annual Certification Form (MDOT form #0179) by October 5<sup>th</sup>.

Title VI Plan Updates: If updated, a copy of Title VI Plan will be submitted to the MDOT, Civil Rights Program Unit, as soon as the update has been completed, or as soon as practicable, and no later than 30 days if significant changes are made.

Public Dissemination: The City will disseminate Title VI Program information to the City employees and to the general public. Title VI Program information will be submitted to sub-recipients, contractors and beneficiaries. Public dissemination will include inclusions of Title VI language in contracts and publishing the City’s Title VI Plan within 90 days of approval on the main page of the City of Plainwell’s internet website, at <http://www.plainwell.org/>.



Remedial Action: The City, through the Title VI Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.



### LIMITED ENGLISH PROFICIENCY (LEP)

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency<sup>i</sup>, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter<sup>ii</sup>. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, “LEP,” or Limited English Proficient. The Executive Order states that:

“Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.”

Not only do all federal agencies have to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies, to nonprofits and organizations. Title VI covers a recipient’s entire program or activity. This means all parts of a recipient’s operations are covered, even if only one part of a recipient’s organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

The City of Plainwell receives funds from the US Department of Transportation via the Federal Highway Administration.

The US Department of Transportation published *Policy Guidance Concerning Recipients’ responsibilities to Limited English Proficient Person* in the December 14<sup>th</sup>, 2005 Federal Register.<sup>iii</sup>

The Guidance implies that the City of Plainwell is an organization that must follow this guidance:

This guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local transit operators, among many others. Coverage extends to a recipient’s entire program or activity, i.e., to all parts of a recipient’s operations. This is true even if only one part of the recipient receives the Federal assistance. For example, if DOT provides assistance to a state department of transportation to rehabilitate a particular highway on the National Highway System, all of the operations



of the entire state department of transportation—not just the particular highway program or project—are covered by the DOT guidance.

### **Elements of an Effective LEP Policy**

The US Department of Justice, Civil Rights Division has developed a set of elements that may be helpful in designing an LEP policy or plan. These elements include:

1. Identifying LEP persons who need language assistance
2. Identifying ways in which language assistance will be provided
3. Training Staff
4. Providing notice to LEP persons
5. The recommended method of evaluating accessibility to available transportation services is the Four-Factor Analysis identified by the USDOT.

These recommended plan elements have been incorporated into this plan.

### **Methodology for Assessing Needs and Reasonable Steps for an Effective LEP Policy**

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to the LEP Community.
4. The resources available to the City of Plainwell and overall cost.

The greater the number or proportion of eligible LEP persons, the greater the frequency with which they have contact with a program, activity, or service and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets.



The DOT guidance is modeled after the Department of Justice’s guidance and requires recipients and sub-recipients to take steps to ensure meaningful access to their programs and activities to LEP persons. More information for recipients and sub-recipients can be found at <http://www.lep.gov>.

**The Four-Factor Analysis**

This plan uses the recommended four-factor analysis of an individualized assessment considering the four factors outlined above. Each of the following factors is examined to determine the level and extent of language assistance measures required to sufficiently ensure meaningful access to City of Plainwell services and activities that may affect their quality of life. Recommendations are then based on the results of the analysis.

**Factor 1: The Proportion, Numbers and Distribution of LEP Persons**

The Census Bureau has a range for four classifications of how well people speak English. The classifications are: ‘very well,’ ‘well,’ ‘not well,’ and ‘not at all.’ For our planning purposes, we are considering people that speak English less than ‘very well’ as Limited English Proficient persons.

As seen in Table #1, the Census 2012 Data for the City of Plainwell shows a small number of the population that speak English less than ‘very well.’

**TABLE #1**

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	3,616	100%
English only	3,544	98.0%
Language other than English	72	2.0%
Speak English less than "very well"	13	0.4%
Spanish	18	0.5%
Speak English less than "very well"	0	0.0%
Other Indo-European languages	31	0.9%
Speak English less than "very well"	13	0.4%
Asian and Pacific Islander languages	23	0.6%
Speak English less than "very well"	0	0.0%
Other languages	0	0.0%
Speak English less than "very well"	0	0.0%



**Factor 2: Frequency of Contact with LEP Individuals**

The City has conducted an informal survey of our employees with regard to whether they have had encounters with LEP individuals in the performance of their job functions and found that they have had few occurrences with LEP individuals. We have offices accessible to the public and therefore accessible to LEP individuals and we have staff that work in the field that could encounter LEP individuals. Additionally, regular Council meetings are held every 2nd and 4th Monday of the month at 7:00 p.m. in the City Hall. The City Hall is located at 211 N. Main Street. LEP individuals could potentially attend these meetings. Given the number of LEP individuals, as displayed in Table #1 (above), the probability of our employees to encounter an LEP individual is low.

**Factor 3: The Nature and Importance of the Program, Activity, or Service to LEP**

The City of Plainwell serves individuals throughout the City in a variety of ways including managing roads, water, sewer, police, fire, elections, and other services to residents and other individuals, such as visitors and those traversing the state. The nature of the services that the City provides is very important to an individual’s day-to-day life. Therefore the denial of services to an LEP individual could have a significant detrimental effect. Given the number of LEP individuals in the City, we will ensure accessibility to all of our programs, services, and activities.

**Factor 4: The Resources Available to the City of Plainwell and Overall Cost**

US Department of Transportation Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

*“Certain DOT recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written LEP plan.”*

The City of Plainwell serves very few LEP persons and has very limited resources. However, it has decided to include a LEP section in its Title VI Plan in order to comply with the Executive Order and to ensure access and reasonable accommodations for LEP persons who may be unknown at this time.

**Safe Harbor Stipulation**

Federal law provides a “Safe Harbor” situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A “Safe Harbor” means that if a recipient provides written translation in certain circumstances, such action will be considered strong evidence of compliance with the recipient’s written-translation obligations under Title VI.



The failure to provide written translations under the circumstances does not mean there is non-compliance, but rather provides a guide for recipients that would like greater certainty of compliance than can be provided by a fact-intensive, four factor analysis. For example, even if a Safe Harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient’s written translation obligations under “Safe Harbor” includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This “Safe Harbor” provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Given the small number of LEP language group members, the City of Plainwell’s budget and number of staff, it is deemed that written translations of vital documents would be so burdensome as to defeat the legitimate objectives of our programs. It is more appropriate for the City of Plainwell to proceed with oral interpretation options for compliance with LEP regulations.

### **Providing Notice to LEP Persons**

USDOT LEP guidance says:

Once an agency has decided, based on the four factors, that it will provide language service, it is important that the recipient notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.

The guidance provides several examples of notification including:

1. Signage in languages that an LEP individual would understand that free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the recipient’s services, including the availability of language assistance services.

Statements in languages that an LEP individual would understand will be placed in public information and public notices informing LEP individuals that those requiring language assistance and/or special



accommodations will be provided the requested service free of charge, with reasonable advance notice to the City of Plainwell.

### **Options and Proposed Actions**

#### **Options:**

Federal fund recipients have two (2) main ways to provide language services: oral interpretation either in person or via telephone interpretation service and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis.<sup>iv</sup>

The City of Plainwell is defining an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.<sup>v</sup>

Considering the relatively small size of the City of Plainwell, the small number of LEP individuals in the service area, and limited financial resources, it is necessary to limit language aid to the most basic and cost-effective services. However, when requested appropriate assistance will be provided.

#### **What the City of Plainwell will do. What actions will the City of Plainwell take?**

- Notify the public that interpreter services are available upon request, with seven day advance notice.
- With advance notice of seven calendar days, the City will provide interpreter services at public meetings, including language translation and signage for the hearing impaired.
- The City will utilize the *Translators Resource List* as provided by MDOT for translation services and verbal interpretation.
- The Census Bureau “I-speak” Language Identification Card will be distributed to all employees that may potentially encounter LEP individuals.
- Once the LEP individual’s language has been identified, an agency from the *Translators Resource List* will be contacted to provide interpretation services.
- Publications of the City’s complaint form will be made available online and upon request.
- In the event that a City employee encounters a LEP individual, they will follow the procedure listed below:



#### OFFICE ENCOUNTER

1. Provide an I-speak language identification card to determine the language spoken by the LEP individual.
2. Once the foreign language is determined, provide information to Title VI Coordinator who will contact an interpreter from MDOT's *Translators Resource List*.
3. If the need is for a document to be translated, the Title VI Coordinator will have the document translated and provided to the requestor as soon as possible.

#### ROAD ENCOUNTER

1. Road crew employee will immediately contact the Title VI Coordinator for assistance, and provide an I-speak language identification card to the LEP individual to determine the language spoken by the individual.
2. Once the foreign language is determined, provide information to Title VI Coordinator who will contact an interpreter from MDOT's *Translators Resource List* to provide telephonic interpretation.
3. If the need is for a document to be translated, the Title VI Coordinator will have the document translated and provided to the requestor as soon as possible.

#### IN WRITING

1. Once a letter has been received it will be immediately forwarded to the Title VI Coordinator.
2. The Title VI Coordinator will contact a translator from the MDOT's *Translators Resource List* to determine the specifics of the letter request information.
3. The Title VI Coordinator will work with the selected agency to provide the requested service to the individual in a timely manner.

#### OVER THE PHONE

1. If someone calls into our office speaking another language, every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line, and if possible, determine the language spoken by the caller.
2. Once the language spoken by the caller has been identified, we will proceed with providing the requested assistance to the LEP individual.



### **The City of Plainwell's Staff Training**

The City of Plainwell's staff will be provided training on the requirements for providing meaningful access to services for LEP persons.

### **ENVIRONMENTAL JUSTICE (EJ)**

Compliance with Title VI includes ensuring that no minority or low income population suffers "disproportionately high and adverse human health or environmental effect" due to any "programs, policies and activities" undertaken by any agency receiving federal funds. This obligation will be met by the City in the following ways:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, follow mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The City will use U.S. Census data to identify low income and minority populations.

Where a project impacts a small number or area of low income or minority populations, the City will document that:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment; etc.
- The project's impact is unavoidable;
- The benefits of the project far out-weigh the overall impacts; and
- Mitigation measures are being taken to reduce the harm to low income or minority populations.
- 

If it is concluded that no minority and/or low income population groups are present in the project area, the City will document how the conclusion was reached. If it is determined that one or more of these population groups are present in the area, the City will administer a potential disproportionate effects test.



The following steps will be taken to assess the impact of projects on minorities and/or low income population groups:

**STEP ONE:** Determine if a minority or low income population is present within the project area. If the conclusion is that no minority and/or low income population is present within the project area, document how the conclusion was reached. If the conclusion is that there are minority population groups and/or low income population groups present, proceed to Step Two.

**STEP TWO:** Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts and questions contained in Appendix E. If it is determined that there are disproportionately high and adverse impacts to minority and low income populations, proceed to Step Three.

**STEP THREE:** Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project.

**STEP FOUR:** If after mitigation, enhancements and offsetting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low income populations, then the following questions must be considered:

Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low income population?

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?

Question 3: Considering the overall public interest, is there a substantial need for the project?

Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action, (b) have increased costs of extraordinary magnitude?

**STEP FIVE:** Include all findings, determinations or demonstrations in the environmental document prepared for the project.



## FILING A TITLE VI COMPLAINT

### I. Introduction

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the City programs, activities, and services, as required by statute.

### II. Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the City for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

### III. Roles and Responsibilities

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion assign a capable person to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

### IV. Filing a Complaint

The complainant shall make himself/herself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability: The complaint procedures apply to the beneficiaries of City programs, activities, and services, including but not limited to: the public, contractors, sub-contractors, consultants, and other sub-recipients of federal and state funds.

Eligibility: Any person who believes that he/she has been excluded from participation in or denied benefits or services of any program or activity administered by the City or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age or disability may bring forth a complaint of discrimination under Title VI.

Time Limitation on Filing Complaints: Title VI complaints may be filed with the Title VI Coordinator's office. In all situations, the employees of the City must contact the Title VI Coordinator immediately upon receipt of Title VI related complaints.

Complaints must be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know that the act was discriminatory within the 180 day period, he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.



Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information
2. Inquiries seeking advice or information
3. Courtesy copies of court pleadings
4. Newspaper articles
5. Courtesy copies of internal grievances

## V. Investigation

Investigation Plan: The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s)
- Basis for complaint
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against
- Information needed to address the issue
- Criteria, sources necessary to obtain the information
- Identification of key people
- Estimated investigation time line
- Remedy sought by the complainant(s)

Conducting the Investigation:

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained as much as possible.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- If a Title VI complaint is received on a MDOT related contract against the City of Plainwell, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a Title VI complaint filed against the City of Plainwell, the complaint and any pertinent information should immediately be forwarded to the MDOT, Civil Rights Program Unit.



Investigation Reporting Process:

- Complaints made against a City of Plainwell sub-recipient should be investigated by the City following the internal complaint process.
- Within 60 days of receiving the complaint, the investigator prepares an investigative report and submits the report and supporting documentation to the office of Erik Wilson for review.
- The Title VI Coordinator reviews the file and investigative report. Subsequent to the review, the Title VI Coordinator makes a determination of “probable cause” or “no probable cause” and prepares the decision letter.

Retaliation:

The laws enforced by this City prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint, please contact:

Erik Wilson, City Manager, Title VI Coordinator  
211 N. Main Street  
Plainwell, MI 49080  
Phone: 269-685-6821  
Fax: 269-685-7282  
Email: [ewilson@plainwell.org](mailto:ewilson@plainwell.org)

**Reporting Requirements to an External Agency**

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the MDOT, Civil Rights Program Unit within 60 days of the date the complaint was received.

**Records**

All records and investigative working files are maintained in a confidential area. Records are kept for three years.



**APPENDIX A**  
**[TO BE INSERTED IN ALL FEDERAL-AID CONTRACTS]**

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees, as follows:

1. **Compliance with Regulations:** The contractor shall comply with Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor’s noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:



- a. Withholding payments to the contractor under the contract until the contractor complies
  - b. Cancellation, termination or suspension of the contract, in whole or in part
6. **Incorporation of Provisions:** The contractor shall include provisions of paragraphs (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.



**APPENDIX B –  
TRANSFER OF PROPERTY**

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Michigan, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4) does hereby remise, release, quitclaim and convey unto the State of Michigan all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit “A” attached hereto and made a part hereof.

(HABENDUM CLAUSE)\*

TO HAVE AND TO HOLD said lands and interests therein unto the State of Michigan, and its successors forever, subject, however, the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the State of Michigan, its successors and assigns.

The State of Michigan, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part, on, over, or under such lands hereby conveyed (,) (and)\*(2) that the State of Michigan shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may



be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.



**APPENDIX C  
PERMITS, LEASES AND LICENES**

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Michigan Department of Transportation, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases, add, “as a covenant running with the land”) that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall remain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to re-enter lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Michigan Department of Transportation and its assigns.

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.



APPENDIX D
CITY OF PLAINWELL
TITLE VI COMPLAINT FORM

Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program, service, or activity receiving federal assistance."

This form may be used to file a complaint with the City of Plainwell based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 day period, you have 60 days after you became aware to file your complaint.

If you need assistance completing this form, please contact Erik Wilson by phone at 269-685-6821 or via e-mail at ewilson@plainwell.org.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work)

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work)

Please explain your relationship with the individual(s) indicated above: \_\_\_\_\_

Name of agency and department or program that discriminated:

Agency or department name: \_\_\_\_\_

Name of individual (if known): \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_



Date(s) of alleged discrimination:

Date discrimination began \_\_\_\_\_ Last or most recent date \_\_\_\_\_

**ALLEGED DISCRIMINATION:**

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others, by the agency, or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

- \_\_\_\_ Race
- \_\_\_\_ Disability
- \_\_\_\_ Sex
- \_\_\_\_ Color
- \_\_\_\_ Religion
- \_\_\_\_ Income
- \_\_\_\_ Age
- \_\_\_\_ National Origin
- \_\_\_\_ Retaliation

Explain: Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please return completed form to:** Erik Wilson, City Manager, 211N. Main Street, Plainwell, MI 49080; Phone: 269-685-6821; Fax: 269-685-7282; E-mail: [ewilson@plainwell.org](mailto:ewilson@plainwell.org).

*Note: The City of Plainwell prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.*



## APPENDIX E DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

“Significant” requires considerations of both context and intensity:

- (a) *Context*. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.
- (b) *Intensity*. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:
  - (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component and this has no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by the City Manager.



## APPENDIX F

### PROGRAM COMPLIANCE/PROGRAM REVIEW GOALS FOR CURRENT PLAN YEAR

1. The City of Plainwell's Title VI Plan will be communicated to each City Department Head who will review the plan with departmental employees. All City employees will be trained or made aware of the Title VI and LEP policies and complaint procedures.
2. The City of Plainwell's Title VI Plan will be published on the main page of the City's website <http://www.plainwell.org/>, within 90 days of approval.
3. Appendix A will be included in all City contracts as outlined in the Title VI Plan.
4. The language in Number 2 of the City of Plainwell's Title VI Assurances will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements.
5. The procedure(s) for responding to individuals with Limited English Proficiency will be implemented.
6. A review of City facilities will be conducted in reference to compliance with the American Disabilities Act.
7. The following data will be collected and reviewed by the Title VI Coordinator and included, where appropriate, in the annual report submitted to MDOT.
  - a. **Boards and Commissions:** The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities will be evaluated.
  - b. **Public Meetings:** The number of open meetings; how meeting dates and times are communicated to the general public and to individuals directly affected by the meeting.
  - c. **Construction Projects:** The number of construction projects and minority contractors bidding and the number selected; verification that Title VI language was included in bids and contracts for each project.
  - d. **LEP Needs:** The number of requests for language assistance that were requested or required; the outcome of these requests.
  - e. **Complaints:** The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
  - f. **Timeliness of Services:** The number of requests for services; amount of time from request to when service was delivered; number of requests denied.
  - g. **Right of Way/Eminent Domain:** The number of such actions and diversity of individual(s) affected.
  - h. **Program Participants:** Racial data of program participants where possible.

<sup>i</sup> The executive order verbatim can be found online at <http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>.

<sup>ii</sup> Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons. Federal Register: December 14, 2005 (Volume 70, Number 239)

<sup>iii</sup> The DOT has also posted an abbreviated version of this guidance on their website at <https://www.civilrights.dot.gov/civil-rights-awareness-enforcement/language-assistance/dots-lep-guidance>.

<sup>iv</sup> <http://www.dotcr.ost.dot.gov/asp/lep/asp>

<sup>v</sup> Department of Justice Final LEP Guidelines, Federal Register June 18, 2002-Vol. 67-Number 117.



## “The Island City”

### MEMORANDUM

211 N. Main Street  
Plainwell, Michigan 49080  
Phone: 269-685-6821  
Fax: 269-685-7282

To: City Council  
From: Erik J. Wilson, City Manager  
Subject: Airport Improvements  
Date: September 7, 2018

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Airport Manager Virgil Williams solicited bids to complete the painting of our remaining buildings at the airport. If you remember, we recently painted all of the hangars and this work would complete the remaining structures. Low bid was \$5,000 from Ron’s Painting. This work was included in our budget.

Additionally, Manager Williams solicited quotes to have doors put on two hangars. Virgil has indicated that we have lost some potential tenants due to the fact that these hangars do not have doors. The existing tenants have committed to paying half of the cost of installing the doors. Virgil received bids of \$14,200, \$10,200 and \$6,500. The low bid is from Hoyt Builders.

The cost breakdown for these airport improvements is as follows:

- Paint - \$5,000
- Hangar Doors - \$3,250 (50% of total cost)
- Concrete - \$1,750. This work would be done in-house

I want to thank Virgil for his excellent work in organizing and managing these upgrades, we are fortunate to have him working for the City.

# City of Plainwell



“The Island City”

Rick Brooks, Mayor  
Lori Steele, Mayor Pro-Tem  
Brad Keeler, Council Member  
Todd Overhuel, Council Member  
Roger Keeney, Council Member

211 N. Main Street  
Plainwell, Michigan 49080  
Phone: 269-685-6821  
Fax: 269-685-7282  
Web Address: [www.plainwell.org](http://www.plainwell.org)

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To: Erik Wilson, Brian Kelley  
From: Robert Nieuwenhuis  
Subject: 2018 Equipment Fund  
Date: September 6, 2018, 2018

Truck #20 is in need of body repairs. I have quotes from two local body shops.

Midway \$6,557.82  
H&H \$6,512.16

We will be reimbursed this money minus our deductible from the insurance company. I recommend we use H&H for the repairs on truck #20.

Sincerely,

Robert Nieuwenhuis Public works Superintendent

Error! Unknown document property name.

[www.plainwell.org](http://www.plainwell.org).

*The City of Plainwell is an equal opportunity provider, and employer*

**H & H AUTO BODY**  
745 N Main St, Plainwell, MI 49080  
Phone: (269) 685-5832  
FAX: (269) 685-5834

Workfile ID: 29450603  
Federal ID: 01-0583601  
License Number: F154920

**Preliminary Estimate**

**Customer: CITY of PLAINWELL**

**Job Number:**

Written By: TERRY HAYNES, M204406

Insured: CITY of PLAINWELL  
Type of Loss:  
Point of Impact:

Policy #:  
Date of Loss:

Claim #:  
Days to Repair: 0

**Owner:**  
CITY of PLAINWELL

**Inspection Location:**  
H & H AUTO BODY  
745 N Main St  
Plainwell, MI 49080  
Repair Facility  
(269) 685-5832 Business

**Insurance Company:**

**VEHICLE**

2016 CHEV Silverado 3500 HD Work Truck Regular Cab & Chassis 137.5" WB 59.06" 2D P/U 8-6.0L Flex Fuel Electronic Fuel Injection

VIN: 1GB3CYCGXGZ183803 Interior Color: Mileage In: Vehicle Out:  
License: Exterior Color: Mileage Out:  
State: Production Date: Condition: Job #:

**TRANSMISSION**

Automatic Transmission  
Overdrive

**POWER**

Power Steering  
Power Brakes  
Power Locks

**DECOR**

Dual Mirrors  
Tinted Glass

**CONVENIENCE**

Air Conditioning  
Tilt Wheel  
Cruise Control  
Message Center  
Auxiliary Fuel Tank

**RADIO**

AM Radio  
FM Radio  
Stereo

Search/Seek

Auxiliary Audio Connection

**SAFETY**

Drivers Side Air Bag  
Passenger Air Bag  
Anti-Lock Brakes (4)  
4 Wheel Disc Brakes  
Traction Control  
Stability Control  
Positraction

**SEATS**

Reclining/Lounge Seats

**WHEELS**

Styled Steel Wheels

**PAINT**

Clear Coat Paint

**TRUCK**

Dual Rear Wheels

**Preliminary Estimate**

**Customer: CITY of PLAINWELL**

**Job Number:**

2016 CHEV Silverado 3500 HD Work Truck Regular Cab & Chassis 137.5" WB 59.06" 2D P/U 8-6.0L Flex Fuel Electronic Fuel Injection

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		<b>FRONT DOOR</b>					
2	Repl	RT Door shell regular cab	84208312	1	591.67	5.2	3.4
3		Add for Clear Coat					1.4
4	Repl	RT Nameplate "3500 HD"	15129646	1	61.88	0.3	
5		<b>CAB</b>					
6	Repl	RT Uniside assy	23172934	1	498.63 s	17.5	4.5
7		Overlap Major Adj. Panel					-0.4
8		Add for Clear Coat					0.8
9	Repl	RT Uniside assy tape	22983160	1	21.95	0.2	
10	*	Rpr Back panel				<u>10.0</u>	3.0
11		Overlap Major Adj. Panel					-0.4
12	*	Add for Clear Coat					0.5
13	Repl	RT Pressure vent	13596856	1	27.73	0.3	
14	#	R&I INTERIOR				4.0	
15		<b>BACK GLASS</b>					
16	R&I	Back glass GM, w/o deep tint w/o rear defogger				1.5	
17	#	Repl BONDING KIT		1	45.00		
18		<b>FRONT BUMPER</b>					
19		O/H front bumper				3.2	
20	**	Repl A/M KEYSIQ Bumper chrome w/o fog lamps	23229367	1	875.00	Incl.	
21	**	Repl A/M KEYSIQ RT Outer bracket	23469229	1	170.00	Incl.	
22		<b>FENDER</b>					
23	**	Repl A/M KEYSIQ RT Fender	84214215	1	554.00	2.4	2.0
24		Overlap Major Adj. Panel					-0.4
25	*	Add for Clear Coat					0.3
26		Add for Edging					0.5
27		Add for Inside					1.2
28		<b>GRILLE</b>					
29	R&I	Grille assy standard w/o body color				Incl.	
30		<b>FRONT LAMPS</b>					
31	R&I	RT Headlamp assy w/o body color				0.3	
32	#	CORROSION PROTECTION		1	10.00		
33	#	Repl CAR COVER		1	6.00 T	0.3	
34	#	Subl HAZORDOUS WASTE		1	3.00 X		
35	#	Repl SEAM SEALER		1	32.30		
36		<b>WHEELS</b>					
37	Repl	RT/Front Hub cap type 1 code: PYN, PYT	22781441	1	43.00		
<b>SUBTOTALS</b>					<b>2,940.16</b>	<b>45.2</b>	<b>16.4</b>

Preliminary Estimate

Customer: CITY of PLAINWELL

Job Number:

2016 CHEV Silverado 3500 HD Work Truck Regular Cab & Chassis 137.5" WB 59.06" 2D P/U 8-6.0L Flex Fuel Electronic Fuel Injection

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			2,931.16
Body Labor	45.2 hrs @	\$ 50.00 /hr	2,260.00
Paint Labor	16.4 hrs @	\$ 50.00 /hr	820.00
Paint Supplies	16.4 hrs @	\$ 30.00 /hr	492.00
Miscellaneous			9.00
Subtotal			6,512.16
Sales Tax	\$ 3,429.16 @	6.0000 %	205.75
<b>Grand Total</b>			<b>6,717.91</b>
Deductible			0.00
<b>CUSTOMER PAY</b>			<b>0.00</b>
<b>INSURANCE PAY</b>			<b>6,717.91</b>

MyPriceLink Estimate ID: 456797010415116288

H & H AUTO BODY WILL NOT BE RESPONSIBLE FOR ANY PERSONAL ITEMS LEFT IN VEHICLES, SUCH AS STERO EQUIPMENT, CDS, ETC.

THERE IS NO WARRENTY ON RUST REPAIRS

LABOR RATES ARE NON NEGOTIBLE

THERE IS A 1 YEAR WARRANTY ON PAINT WORK

WARRANTY ON PAINT REPAIR ON RUBBER BUMPERS AT OUR DISCRETION.

ANY VEHICLE NOT PICKED UP ON SCHEDULED COMPLETION DATE AND PAID FOR WILL BE SUBJECT TO STORAGE FEES AT \$15.00 A DAY WITHOUT PRIOR ARRANGEMENTS.

CUSTOMER PLEASE SIGN AND DATE ON COMPLETION OF REPAIRS, YOU ARE RESPONSIBLE FOR REPAIRS THAT YOUR INSURANCE COMPANY DOES NOT PAY.

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

## Preliminary Estimate

**Customer: CITY of PLAINWELL**

**Job Number:**

2016 CHEV Silverado 3500 HD Work Truck Regular Cab & Chassis 137.5" WB 59.06" 2D P/U 8-6.0L Flex Fuel Electronic Fuel Injection

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide DR1GH15, CCC Data Date 8/1/2018, and potentially other third party sources of data; and (b) the parts presented are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts may reflect some specific, special, or unique pricing or discount. OPT OEM or ALT OEM parts may include "Blemished" parts provided by OEM's through OEM vehicle dealerships. Asterisk (\*) or Double Asterisk (\*\*) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2017 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

### SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

### SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

### OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Information Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

**Preliminary Estimate**

**Customer: CITY of PLAINWELL**

**Job Number:**

2016 CHEV Silverado 3500 HD Work Truck Regular Cab & Chassis 137.5" WB 59.06" 2D P/U 8-6.0L Flex Fuel Electronic Fuel Injection

**PARTS SUPPLIER LIST**

<b>Line</b>	<b>Supplier</b>	<b>Description</b>	<b>Price</b>
20	Keystone - P+ A-Kentwood 2929 32ND STREET SE STE 6 KENTWOOD MI 49512 (800) 968-9350 (616) 452-6066	#GM1002851R A/M KEYSIQ Bumper chrome w/o fog lamps	\$ 875.00
21	Keystone 2929 32ND STREET SE, SUITE #6 KENTWOOD MI 49512 (800) 968-9350	#GM1067200N A/M KEYSIQ RT Outer bracket Quote: 243188135 Expires: 09/23/18	\$ 170.00
23	Keystone 2929 32ND STREET SE, SUITE #6 KENTWOOD MI 49512 (800) 968-9350	#GM1241385C A/M KEYSIQ RT Fender Quote: 243188483 Expires: 09/23/18	\$ 554.00



# MIDWAY CHEVROLET

midwaychevybodyshop@hotmail.com  
381 12TH STREET, PLAINWELL, MI 49080  
Phone: (269) 685-6871  
FAX: (269) 685-9488

Workfile ID: 9db0ba7d  
Federal ID: 381660646  
State ID: F133598

## Preliminary Estimate

**Customer: CITY OF PLAINWELL # 20**

**Job Number:**

Written By: JIM SMALLA, M252506

Insured: CITY OF PLAINWELL # 20  
Type of Loss:  
Point of Impact:

Policy #:  
Date of Loss:

Claim #:  
Days to Repair: 0

**Owner:**  
CITY OF PLAINWELL # 20  
(269) 685-9363 Business

**Inspection Location:**  
MIDWAY CHEVROLET  
381 12TH STREET  
PLAINWELL, MI 49080  
Repair Facility  
(269) 685-6871 Business

**Insurance Company:**

## VEHICLE

2016 CHEV Silverado 3500 HD Work Truck Regular Cab & Chassis 137.5" WB 59.06" 2D P/U 8-6.0L Flex Fuel Electronic Fuel Injection YELLOW

VIN: 1GB3CYCGXGZ183803 Interior Color: Mileage In: 13,539 Vehicle Out:  
License: Exterior Color: YELLOW Mileage Out:  
State: Production Date: 1/2016 Condition: Job #:

### TRANSMISSION

Automatic Transmission  
Overdrive

### POWER

Power Steering  
Power Brakes  
Power Locks

### DECOR

Dual Mirrors  
Tinted Glass

### CONVENIENCE

Air Conditioning  
Tilt Wheel  
Cruise Control  
Message Center  
Auxiliary Fuel Tank

### RADIO

AM Radio  
FM Radio  
Stereo

### Search/Seek

Auxiliary Audio Connection

### SAFETY

Drivers Side Air Bag  
Passenger Air Bag  
Anti-Lock Brakes (4)  
4 Wheel Disc Brakes  
Traction Control  
Stability Control  
Positraction

### SEATS

Reclining/Lounge Seats

### WHEELS

Styled Steel Wheels

### PAINT

Clear Coat Paint

### TRUCK

Dual Rear Wheels

Get live updates at [www.carwise.com/e/3sm2Hy](http://www.carwise.com/e/3sm2Hy)

**Preliminary Estimate**

**Customer: CITY OF PLAINWELL # 20**

**Job Number:**

2016 CHEV Silverado 3500 HD Work Truck Regular Cab & Chassis 137.5" WB 59.06" 2D P/U 8-6.0L Flex Fuel Electronic Fuel Injection YELLOW

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		<b>FRONT BUMPER</b>					
2		O/H front bumper				3.2	
3	Repl	Bumper chrome w/o fog lamps	23229367	1	1,029.83	Incl.	
4	Repl	RT Outer bracket	23469229	1	225.63	Incl.	
5	Repl	Air deflector w/o skid plate	22978557	1	178.08	Incl.	
6		<b>FENDER</b>					
7	* Rpr	RT Fender				2.5	2.0
8		Add for Clear Coat					0.8
9	R&I	RT Protector				0.1	
10		<b>CAB</b>					
11	Repl	RT Uniside assy	23172934	1	498.63 s	17.5	4.5
12		Overlap Major Adj. Panel					-0.4
13		Add for Clear Coat					0.8
14	Repl	RT Uniside assy tape	22983160	1	21.95	0.2	
15	Repl	RT W'strip on body	23446707	1	68.08	Incl.	
16	Repl	Back panel	22957068	1	422.77	8.4	3.0
17		Overlap Major Adj. Panel					-0.4
18		Add for Clear Coat					0.5
19	Repl	RT Rocker reinf	23167606	1	129.30 s	4.0	
20		<b>FRONT DOOR</b>					
21	Repl	RT Door shell regular cab	84208312	1	591.67	5.2	3.4
22		Overlap Major Adj. Panel					-0.4
23	*	Add for Clear Coat					0.6
24	Repl	RT Nameplate "3500 HD"	15129646	1	61.88	0.3	
25		<b>BACK GLASS</b>					
26	R&I	Back glass GM, w/o deep tint w/o rear defogger				1.5	
27	#	Repl Urethane Kit		1	25.00 T		
28	#	Repl Car Cover/ Mask for Overspray		1	5.00 X		
29	#	Subl Hazardous Waste Disposal		1	3.00 X		
<b>SUBTOTALS</b>					<b>3,260.82</b>	<b>42.9</b>	<b>14.4</b>

**NOTES**

Estimate Notes:  
OWNER TO REMOVE DUMP BOX.

Preliminary Estimate

Customer: CITY OF PLAINWELL # 20

Job Number:

2016 CHEV Silverado 3500 HD Work Truck Regular Cab & Chassis 137.5" WB 59.06" 2D P/U 8-6.0L Flex Fuel Electronic Fuel Injection YELLOW

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			3,227.82
Body Labor	42.9 hrs @	\$ 50.00 /hr	2,145.00
Paint Labor	14.4 hrs @	\$ 50.00 /hr	720.00
Paint Supplies	14.4 hrs @	\$ 30.00 /hr	432.00
Miscellaneous			33.00
Subtotal			6,557.82
Sales Tax	\$ 3,684.82 @	6.0000 %	221.09
<b>Grand Total</b>			<b>6,778.91</b>
Deductible			0.00
<b>CUSTOMER PAY</b>			<b>0.00</b>
<b>INSURANCE PAY</b>			<b>6,778.91</b>

MyPriceLink Estimate ID: 456786036450664448

\*\*\*\*\*

Thank You For Your Business.

This is an estimate only. This estimate does not account for hidden or unseen damage. Parts prices may vary and are subject to invoice.

I hereby authorize MIDWAY CHEVROLET INC. to make the above repairs:

Customer Signature \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

\*\*\*\*\*

## Preliminary Estimate

**Customer: CITY OF PLAINWELL # 20**

**Job Number:**

2016 CHEV Silverado 3500 HD Work Truck Regular Cab & Chassis 137.5" WB 59.06" 2D P/U 8-6.0L Flex Fuel Electronic Fuel Injection YELLOW

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide DR1GH15, CCC Data Date 8/1/2018, and potentially other third party sources of data; and (b) the parts presented are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts may reflect some specific, special, or unique pricing or discount. OPT OEM or ALT OEM parts may include "Blemished" parts provided by OEM's through OEM vehicle dealerships. Asterisk (\*) or Double Asterisk (\*\*) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2019 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

### SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

### SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

### OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Information Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

Rick Brooks, Mayor  
Lori Steel Mayor Pro-Tem  
Roger Kenney, Council Member  
Brad Keeler, Council Member  
Todd Overhuel, Council Member  
[www.plainwell.org](http://www.plainwell.org)



Bryan D. Pond, Superintendent  
129 Fairlane Street  
Plainwell, Michigan 49080  
Phone: 269-685-5153  
Fax: 269-685-1994  
Email: [BPond@plainwell.org](mailto:BPond@plainwell.org)

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9/6/2018

To: Erik Wilson, City Administrator  
From: Bryan Pond, Superintendent WR  
Cc: Brian Kelly City Treasurer  
RE Screw Pumps Construction Phase Engineering Services

Last fiscal year we completed the engineering basis of design, design, and organization of the bidding documents and contracts for distribution. The work was budgeted for \$37,114, and was completed for \$23,715.

The attached proposal is for \$16,000 to complete the construction phase engineering. These funds are available in the capital budgeted for in this fiscal year for the screw pump replacement.

With council's approval I would like to award the work to Fleis & Vandenbrink engineering.



August 28, 2018

Mr. Erik Wilson, City Manager  
City of Plainwell  
211 N Main Street  
Plainwell, MI 49080

**RE: City of Plainwell Water Renewal Plant Screw Pump Replacement  
Proposal for Construction Phase Services**

Dear Mr. Wilson:

Fleis and VandenBrink (F&V) offers this proposal for construction phase services to continue supporting the City of Plainwell during this crucial phase of the screw pump replacement project.

Installation of the screw pumps for the above referenced project is anticipated to start in the next 3-4 weeks. Equipment has been fabricated and is currently in route. Installation is currently expected to begin in early September. We offer the following construction phase services for continued support of the work:

#### **Construction Engineering Services**

- Schedule and Conduct a preconstruction meeting.
- Review Contractor's proposed sequence of construction and assist the City with coordination of operations.
- Review Contractor Pay Applications; provide Recommendations for Payment to the City.
- Answer Contractor questions and RFI's during construction. Prepare bulletins and change orders if required.
- Conduct site visits to review construction progress. We budgeted 24 hours over 4 trips for onsite construction observation on this project. If additional time is deemed necessary, we can adjust our budget at that time.
- Conduct one site visit to review the Contractor's work upon Substantial Completion; prepare a punch list and issue to Contractor.
- Conduct one additional site visit to review the Contractor's punch list work and verify Final Completion.
- Prepare Record Drawings from Contractor's markups and provide a set to the City in pdf format.

We propose to complete this Scope of Services for a lump sum fee of \$16,000.

Work under this proposed construction phase services proposal will be in accordance with the existing Professional Service Agreement dated April 12, 2018. Authorization to proceed can be given by returning a signed copy of the attached Amendment No. 1.

2960 Lucerne Drive SE  
Grand Rapids, MI 49546  
P: 616.977.1000  
F: 616.977.1005

AMENDMENT NO. 1

TO THE

PROFESSIONAL SERVICES AGREEMENT

**FLEIS & VANDENBRINK ENGINEERING, INC.**  
2960 Lucerne Drive SE, Grand Rapids, MI 49546  
(616) 977-1000 fax (616) 977-1005

The Professional Services Agreement ("PSA") entered into between Fleis & VandenBrink Engineering, Inc. ("Engineer") and The City of Plainwell, whose address is 211 N. Main Street, Plainwell, Michigan 49080, ("Owner") dated April 12, 2018, including previous amendments, if applicable, is hereby amended to include a project generally described as Construction Phase Services Related to WRP Screw Pump Replacement.

**DESCRIPTION OF PROJECT AND SCOPE OF SERVICES:** The description of the Project ("Project") and the scope of services ("Services") provided under the PSA are amended in accordance with our proposal letter dated August 28, 2018.

**AGREEMENT DOCUMENTS:** The following additional obligations are hereby included in the Agreement Documents, and are incorporated herein by reference;  
Engineer's proposal / letter dated August 28, 2018.

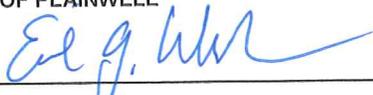
**COMPENSATION OF ENGINEER:** The services under this Amendment shall be provided on a Lump Sum Fee basis in the amount of \$16,000, billed monthly based on the percentage of Work completed.

**TERMS AND CONDITIONS:** The Terms and Conditions of the PSA and amendments to date shall apply to all work performed by Engineer.

**ELECTRONIC/FACSIMILE SIGNATURES.** The signatures on this PSA shall be deemed to be original signatures when transmitted electronically or by facsimile machine or by any other medium. No party shall be required to produce a PSA with an original signature in order to enforce any provision of this PSA.

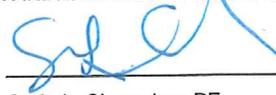
IN WITNESS WHEREOF, the parties hereto have made and entered into this Amendment to the PSA. To be valid, this Amendment must be signed by an authorized representative of Fleis & VandenBrink Engineering, Inc.

OWNER  
THE CITY OF PLAINWELL

By:   
Erik Wilson  
Title: City Manager 8-29-18

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ENGINEER  
FLEIS & VANDENBRINK ENGINEERING, INC.

By:   
Craig L. Shumaker, PE  
Title: Vice President

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: 8-28-2018

## ADDITIONAL PROVISIONS - CONSTRUCTION OBSERVATION

### 1. DEFINITIONS.

- 1.1. Contract Documents shall mean construction agreement(s) between Owner and Contractor(s), including plans, specifications, addenda and change orders.
- 1.2. Contractor shall mean the person or entity providing construction services to Owner, as defined in the Contract Documents.

### 2. SITE OBSERVATION.

- 2.1. The Engineer shall visit the site as defined in the Scope of Services to become generally familiar with the progress and quality of the portion of the Work completed, and to determine, in general, if the Work observed is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents. However, the Engineer shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. On the basis of the site visits, the Engineer shall keep the Owner reasonably informed about the progress and quality of the portion of the Work completed. Engineer will not be responsible for the means, methods, techniques, and procedures of construction observed during such visits. Engineer will not be responsible for the Contractor's failure to perform the work in accordance with the Contract Documents.
- 2.2. Based solely on Engineer's on-site observations and Engineer's review of the Contractor's applications for payment, Engineer will recommend in writing to Owner payment to the Contractor. Such recommendations of payment to constitute a representation to Owner, based solely on such observation, review and the data comprising such applications, that to the Engineer's knowledge, information and belief, the work has progressed to the point indicated and that to the Engineer's knowledge, information and belief the quality of the work is generally in accordance with the Contract Documents.
- 2.3. Engineer will conduct, in company with Owner, a final review of the Project for conformance with the design concept of the Project, and compliance with the information given by the Contract Documents, and recommend, in writing, payment to the Contractor, on the same basis as set forth above.

### 3. OWNER RESPONSIBILITIES. Owner will:

- 3.1. Provide full information as to his requirements for the Project. Assist Engineer by placing at Engineer's disposal all available information pertinent to the Project, including previous site reports and any other data relative to the design or construction of the Project.

### 4. SITE SAFETY PROGRAMS AND PRECAUTIONS.

- 4.1. Owner acknowledges that the Contractor, not Engineer, is responsible for initiating, maintaining and supervising all safety programs and all safety precautions in connection with the work.
- 4.2. Engineer shall neither have control over, nor be responsible for, safety programs and precautions in connection with the work, since these are solely the responsibility of the Contractor.
- 4.3. Neither the professional activities of the Engineer, nor the presence of the Engineer or its employees at the site, shall impose any duty on the Engineer, nor relieve the Contractor of its responsibility for jobsite safety.

Please feel free to contact us with any questions.

Sincerely,

FLEIS & VANDENBRINK



Elaine J. Venema, PE  
Project Manager, Associate



Craig Shumaker, PE  
Vice President

cc: Jeff Pugh, PE

Attachment: Amendment No. 1



## Investment Activity Report



“The Island City”

### City of Plainwell

Investment Portfolio Detail - Unaudited

at: 08/31/2018

**Brian Kelley, City Treasurer**

I verify that this investment portfolio is in conformity with Michigan laws and the City's Investment Policy as approved by City Council.

Insert Signature:

**Brian Kelley**

Digitally signed by Brian Kelley  
Date: 2018.09.01 15:41:48 -04'00'

	Investment Type	CUSIP	Principal Purchase	Institution or Bank	Contact Name and Number	Purchase Date	Maturity Date	Yield	Remaining Days to Maturity
1	Pooled Investment	N/A	\$130,279	Michigan Class	Rich Garay - 734.604.1494	03/28/2016		2.17%	
2	270-Day CD	N/A	\$101,444	Chemical Bank	Aimee Kornowicz - 269.324.7096	05/26/2018	02/20/2019	2.00%	173
3	365-Day CD	N/A	\$152,060	Flagstar Bank	Patti Dueweke - 248.312.2468	07/27/2018	07/29/2019	2.15%	332
4	365-Day CD	N/A	\$152,158	Northstar Bank	Julie Smith - 810.329.7104	02/13/2018	02/13/2019	1.75%	166
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									

Total Investments: \$535,940.61

Average Yield: 2.02%

### Cash Activity for the Month

Cash, beginning of month: \$1,559,118.10

Cash, end of month: \$2,491,651.43

**Erik J. Wilson, City Manager**

I verify that this investment portfolio is in conformity with Michigan laws and the City's Investment Policy as approved by City Council.

Insert Signature:

**Erik Wilson**

Digitally signed by Erik Wilson  
DN: c=US, st=Michigan, l=Plainwell, o=City of Plainwell, ou=CoP, cn=Erik Wilson, email=ewilson@plainwell.org  
Date: 2018.09.07 11:43:09 -04'00'

\*\* Funds 701 and 703 not included - Trust & Agency

CITY OF PLAINWELL

**ESTIMATED CASH BALANCE/FUND BALANCE REPORT**

MONTH ENDED: **8/31/2018**

% OF FISCAL YEAR: **16.99%**

FUND	AUDITED FIGURES AS OF MOST RECENT AUDIT *		CURRENT YEAR PERFORMANCE - UNAUDITED ***		ESTIMATED FUND BALANCE (AUDIT FB + ACT REV - ACT EXP)	TOTAL RECONCILED CASH AND INVESTED FUNDS	CURRENT YEAR AMENDED BUDGET EXP	EXPENSE BUDGET USED
	CASH BALANCE	FUND BALANCE	ACTUAL REVENUE YTD - CASH BASIS	ACTUAL EXPENSE YTD - CASH BASIS				
General	263,071	454,546	1,115,539	429,632	1,140,453	1,102,336	2,111,067	20.35%
Major Streets	67,748	88,027	237	54,490	33,775	101,297	337,673	16.14%
Local Streets	73,526	39,835	12,631	21,023	31,443	72,980	259,900	8.09%
Solid Waste	9,156	2,956	158,501	18,354	143,102	173,763	173,626	10.57%
Fire Reserve	56,229	61,176	79,721	24,958	115,939	126,597	81,413	30.66%
Airport	38,727	44,549	10,808	15,661	39,696	24,004	54,609	28.68%
Revolving Loan	18,787	61,170	1,342	-	62,512	26,526	10,000	0.00%
Capital Improvement	33,380	38,327	79,708	12,500	105,535	114,993	105,098	11.89%
Brownfield BRA	20,534	17,229	23,994	24,969	16,254	(39,813)	110,971	22.50%
Tax Increment TIFA	57,964	57,104	110	9,800	47,415	55,837	59,710	16.41%
Downtown DDA	12,995	9,756	42,331	8,957	43,130	44,798	60,098	14.90%
Sewer	701,829	786,466	247,766	217,905	816,327	801,756	1,565,903	13.92%
Water	289,143	293,634	97,516	66,674	324,476	203,455	533,800	12.49%
Equipment	157,883	151,916	56,369	28,953	179,332	154,932	233,155	12.42%
OPEB**	62,427	62,427	1,017	825	62,619	64,132	13,056	6.32%
	<b>1,863,399</b>	<b>2,169,118</b>	<b>1,927,590</b>	<b>934,700</b>	<b>3,162,008</b>	<b>3,027,592</b>	<b>5,710,079</b>	<b>16.37%</b>

\* - Amounts taken from audited financial statements as of June 30, 2017

\*\* - OPEB listing on this worksheet is included in the General Fund for financial statement purposes

\*\*\* - These amounts are taken directly from the End of Month Financial Statement provided to Council

Erik J. Wilson, City Manager	Brian Kelley, City Treasurer
I verify that I have reviewed the revenue and expenditure financial summary attributed to my department and to the best of my knowledge the report is accurate.	I verify that I have reviewed the revenue and expenditure financial summary attributed to my department and to the best of my knowledge the report is accurate.
Insert Signature: <b>Erik Wilson</b> <small>Digitally signed by Erik Wilson                      DN: c=US, st=Michigan, l=Plainwell,                      o=City of Plainwell, ou=CoP, cn=Erik                      Wilson, email=ewilson@plainwell.org                      Date: 2018.09.07 11:43:27 -04'00'</small>	Insert Signature: <b>Brian Kelley</b> <small>Digitally signed by Brian                      Kelley                      Date: 2018.09.02                      19:24:34 -04'00'</small>

**CITY OF PLAINWELL  
MINUTES  
Planning Commission  
September 5, 2018**

1. Call to Order at 7:00 p. m. by Lubic
2. Pledge of Allegiance was given by all present.
3. Roll Call: Present: Jay Lawson, Rachel Colingsworth, Lori Steele, Diana Lubic, Jim Higgs  
Excused: Chris Haas, Gary Sausaman
4. Approval of Minutes – 07/18/18  
**Higgs motioned to approve minutes, as received seconded by Steele. Minutes approved on an all in favor voice vote.**
5. Chairperson’s Report: - Lubic mentioned that she will be honored for her 30 years on the Planning Commission and as a member of the MI Planning Association at the annual meeting the end of September in Grand Rapids, MI.
6. New Business:  
A. Rizzo Packaging Site Plans for new building. **A motion by Higgs to accept the Site Plans and move them forward to City Council for final approval was made and passed.**
7. Old Business: None
8. Public Comments – None
9. Reports and Communications:  
A. 07/23/18 & 08/13/18 Council Minutes
10. Staff Comments:  
Siegel, Community Development Manager gave an update on the Sesquicentennial celebration for 2019 and announced two businesses opening in September, Passiflora Home Décor and Plainwell Diner.
12. Commissioner Comments:
13. Adjournment:  
The meeting was adjourned at 7:36 p.m.

Minutes submitted by Denise Siegel, Community Development Manager

09/06/2018 INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF PLAINWELL  
 EXP CHECK RUN DATES 09/10/2018 - 09/10/2018  
 BOTH JOURNALIZED AND UNJOURNALIZED  
 BOTH OPEN AND PAID

Vendor Code	Vendor Name	Description	Amount
000760	ALLEGAN COUNTY SHERIFFS DEPT		
	2018-07	JULY 2018 WORK CREW	138.00
TOTAL FOR: ALLEGAN COUNTY SHERIFFS DEPT			138.00
000138	AMERICAN OFFICE SOLUTIONS		
	IN171380	7/22/18 - 8/21/18 PD COPIER	85.19
TOTAL FOR: AMERICAN OFFICE SOLUTIONS			85.19
000843	B & C TROPHY		
	43870	ENGRAVING FOR PLAQUE FOR CHRIS HAAS	36.50
TOTAL FOR: B & C TROPHY			36.50
002458	CHAMPION LAW OFFICES		
	2018-05/16	ATTORNEY FEES MAY/JUNE 2018	1,009.75
TOTAL FOR: CHAMPION LAW OFFICES			1,009.75
002116	CHARTER COMMUNICATIONS (SPECTRUM)		
	0036867082718	9/7/18 - 10/6/18 AIRPORT INTERNET	74.00
TOTAL FOR: CHARTER COMMUNICATIONS (SPECTRUM)			74.00
002219	CLARK TECHNICAL SERVICES		
	244-2018	AUGUST 2019 SUPPORT	1,047.49
TOTAL FOR: CLARK TECHNICAL SERVICES			1,047.49
002147	COFESSCO FIRE PROTECTION		
	409963	2018 DPW BLDG FIRE EXTING INSPECTIONS	103.02
	409964	2018 CITY HALL FIRE EXTING INSPECTIONS	41.88
	409965	2018 DPW VEHICLES FIRE EXTING INSPECTIONS	155.47
	409967	2018 WELLHOUSE FIRE EXTING INSPECTIONS	157.18
	409969	2018 PD/FIRE BUILDING FIRE EXTING INSPECTIONS	839.30
	409971	2018 POLICE CAR FIRE EXTING INSPECTIONS	34.90
	409972	2018 AIRPORT FIRE EXTING INSPECTIONS	119.68
	409973	2018 WR PLANT FIRE EXTING INSPECTIONS	206.04
TOTAL FOR: COFESSCO FIRE PROTECTION			1,657.47
000009	CONSUMERS ENERGY		
	2018-08	7/30/18 - 8/27/18 ELECTRIC	2,579.31
TOTAL FOR: CONSUMERS ENERGY			2,579.31
004136	DICKINSON WRIGHT PLLC		
	1284071	AUGUST 2018 LEGAL SERVICES	1,786.00
TOTAL FOR: DICKINSON WRIGHT PLLC			1,786.00
001669	DR HOOKS SIGNS INC		
	139775	3 FLOWER SIGNS 2018 J. BUMP/B. NEWTON/HIEMSTRA	50.00
TOTAL FOR: DR HOOKS SIGNS INC			50.00
002889	EJ USA, INC (EAST JORDAN IRON WOR)		
	110180066418	FRAMES AND LIDS FOR STREET PROJECT	5,464.06
	110180069009	PARTS	989.02
	110180069226	RETURN	(885.46)
TOTAL FOR: EJ USA, INC (EAST JORDAN IRON WOR)			5,567.62
002603	ELECTION SOURCE MC&E		
	2018-41335	BALLOT BOX	588.29
TOTAL FOR: ELECTION SOURCE MC&E			588.29

004889	FINAL CLEAN LLC		
	2018-08	WAXING FLOORS AT THE DPS/FIRE DEPT	450.00
TOTAL FOR: FINAL CLEAN LLC			450.00
-----			
002650	FUEL MANAGEMENT SYSTEM PACIFIC PRID		
	25409	PD GAS 8/31/18	677.25
TOTAL FOR: FUEL MANAGEMENT SYSTEM PACIFIC PRID			677.25
-----			
002651	GBS GOVERNMENTAL BUSINESS INC		
	18-33105	AUGUST 2018 ELECTION CODING	390.00
TOTAL FOR: GBS GOVERNMENTAL BUSINESS INC			390.00
-----			
004241	GHD SERVICES INC		
	945320	2018/2019 COMMON AREA/CITY HALL UTILITIES/MAINTI	1,403.03
TOTAL FOR: GHD SERVICES INC			1,403.03
-----			
000995	HIGH GRADE MATERIALS INC		
	684317	NATURAL STONE FOR S. SUNSET ST	150.60
	684507	CRUSHED CONCRETE FOR S. SUNSET ST	72.28
TOTAL FOR: HIGH GRADE MATERIALS INC			222.88
-----			
002281	HOME DEPOT		
	2018-07	JULY 2018 STATEMENT	478.77
TOTAL FOR: HOME DEPOT			478.77
-----			
002033	HYDRO DYNAMICS INC.		
	32014	PUMP FOR WR	973.82
TOTAL FOR: HYDRO DYNAMICS INC.			973.82
-----			
001183	JAMES PELL		
	2018-08	CONTROL TACTICS CLASS MEALS	20.00
TOTAL FOR: JAMES PELL			20.00
-----			
001993	KERKSTRA PORTABLE RESTROOMS INC		
	127640	HANDI-CAP RESTROOM FOR SHERWOOD PARK	100.00
TOTAL FOR: KERKSTRA PORTABLE RESTROOMS INC			100.00
-----			
REFUND UB	LOVELACE VIRGINIA		
	09/05/2018	UB refund for account: 02-00018900-00	7.98
TOTAL FOR: LOVELACE VIRGINIA			7.98
-----			
004206	MADISON NATIONAL LIFE INSURANCE CO		
	1310526	SEPT 2018 LIFE INSURANCE	99.88
TOTAL FOR: MADISON NATIONAL LIFE INSURANCE CO			99.88
-----			
000017	MASTERCARD		
	2018-08	AUGUST 2018 MASTERCARD	58.47
TOTAL FOR: MASTERCARD			58.47
-----			
000077	MCMMASTER- CAR SUPPLY		
	70900836	PARTS WR	36.58
TOTAL FOR: MCMMASTER- CAR SUPPLY			36.58
-----			
000911	MICHIGAN ASSOC OF PLANNING		
	29878	AWARD BANQUET TICKET FOR D. LUBIC	75.00
TOTAL FOR: MICHIGAN ASSOC OF PLANNING			75.00
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000609	MIDWAY CHEVROLET		
	61612	PD CAR #2 REPAIR MASTER CYLINDER REPLACEMENT	359.20
TOTAL FOR: MIDWAY CHEVROLET			359.20
-----			
000228	NATIONAL FIRE PROTECTION - NFPA		
	7304313Y	KIDS ACTIVITY/COMMUNITY MISC	334.95

TOTAL FOR: NATIONAL FIRE PROTECTION - NFPA		334.95
004195	NIEBOER HEATING & COOLING	
	71166 AC & FURNACE REPAIR @ DPS/FIRE HALL	194.00
TOTAL FOR: NIEBOER HEATING & COOLING		194.00
001413	NORTH CENTRAL NCL OF WISCONSIN INC	
	411220 CHEMICALS FOR WR	787.62
TOTAL FOR: NORTH CENTRAL NCL OF WISCONSIN INC		787.62
000095	ONE WAY PRODUCTS INC	
	700992 C-FOLD TOWELS FOR THE PARKS	68.40
TOTAL FOR: ONE WAY PRODUCTS INC		68.40
004855	PLAINWELL ACE HARDWARE	
	1330 CITY SIGNS	11.98
	1334 BOLTS FOR DOG PARK SIGNS	32.99
	1347 DPS LIVE TRAP	59.99
	1361 CLEANING SUPPLIES DPS	9.97
	1365 REPAIRED WATER LINE AT TOWER	6.99
	1369 TAPE WR	3.98
	1372 HOOK/ROPE WR	13.98
	1378 PAINT/MISC	89.56
TOTAL FOR: PLAINWELL ACE HARDWARE		229.44
001448	PROFESSIONAL CODE INSPECTIONS	
	5809 AUGUST 2018 PERMITS	1,772.00
TOTAL FOR: PROFESSIONAL CODE INSPECTIONS		1,772.00
004832	QUALITY PRECAST INC	
	13136 STORM CASTINGS	583.00
TOTAL FOR: QUALITY PRECAST INC		583.00
000013	RATHCO SAFETY SUPPLY INC	
	162393 DOG PARK SIGN	120.00
	162394 ROBERTS STREET SIGN	37.50
TOTAL FOR: RATHCO SAFETY SUPPLY INC		157.50
001748	REPUBLIC WASTE SERVICES	
	0249-006067496 9/1/18 - 9/30/18 CITY OFFICE RECYCLE	229.16
	0249-006067980 9/1/18 - 9/30/18 CITY OFFICE GARBAGE	247.33
TOTAL FOR: REPUBLIC WASTE SERVICES		476.49
000010	RIDDERMAN & SONS OIL CO INC	
	25702 AUGUST 2018 GAS FOR MOWING @ THE AIRPORT	104.68
TOTAL FOR: RIDDERMAN & SONS OIL CO INC		104.68
002402	STEENSMA LAWN & POWER EQUIPMENT	
	543272 OIL	14.94
	543556 BLADES	108.27
	543601 WEED EATER REPAIR	35.26
TOTAL FOR: STEENSMA LAWN & POWER EQUIPMENT		158.47
001041	TELE-RAD INC	
	887403 SHIRTS FOR E. LUTHY	57.99
TOTAL FOR: TELE-RAD INC		57.99
REFUND UB	TYLER, DANIEL	
	08/29/2018 UB refund for account: 03-00044100-03	44.11
TOTAL FOR: TYLER, DANIEL		44.11
000947	WYOMING ASPHALT & PAVING INC.	
	2018-365 STORM DRAIN HICKS AVE	52.52
TOTAL FOR: WYOMING ASPHALT & PAVING INC.		52.52



09/06/2018

CHECK REGISTER FOR CITY OF PLAINWELL  
CHECK DATE FROM 08/29/2018 - 09/19/2018

Check Date	Bank	Check	Vendor Name	Description	Amount
<b>Bank CBGEN Chemical Bank - General AP Account</b>					
Check Type: ACH Transaction					
08/31/2018	CBGEN	1362(A)	ALLEGAN COUNTY TREASURER	2018 SUMMER TAXES COLLECTED W/E 08/25/20	9,572.40
08/31/2018	CBGEN	1363(A)	RANSOM DISTRICT LIBRARY	2018 SUMMER TAXES COLLECTED W/E 08/25/20	1,013.35
09/19/2018	CBGEN	1364(A)	BANK OF NEW YORK MELLON NA	FALL 2018 DEBT SERVICE - SRF & DWRF	235,246.69
09/07/2018	CBGEN	1367(A)	ALLEGAN COUNTY TREASURER	2018 SUMMER TAX COLLECTIONS W/E 09/01/20	2,535.04
09/07/2018	CBGEN	1368(A)	RANSOM DISTRICT LIBRARY	2018 SUMMER TAX COLLECTIONS W/E 09/01/20	339.60
Total ACH Transaction:					248,707.08
Check Type: EFT Transfer					
09/14/2018	CBGEN	1365(E)	CITY OF PLAINWELL	SEPTEMBER 2018 CITY UTILITY BILLS	3,030.07
09/05/2018	CBGEN	1366(E)	STATE OF MICHIGAN	AUGUST 2018 AIRPORT FUEL SALES TAX	161.46
09/05/2018	CBGEN	1369(E)	CENTURYLINK	AUGUST 2018 LONG DISTANCE	2.86
09/05/2018	CBGEN	1370(E)	UNITED HEALTHCARE INSURANCE COMPANY	RETIREE HEALTH INSURANCE AUGUST 2018 - T	180.32
09/05/2018	CBGEN	1371(E)	UNITED HEALTHCARE INSURANCE COMPANY	RETIREE HEALTH INSURANCE SEPTEMBER 2018	186.76
Total EFT Transfer:					3,561.47
Check Type: Paper Check					
08/29/2018	CBGEN	12815	CRA 200 ALLEGAN STREET LLC	CONTRACTUAL REIMBURSEMENT - 2018 SUMMER	8,620.79
08/30/2018	CBGEN	12816	POSTMASTER	TO MAIL THE 09/01/18 UTILITY BILLS	565.17
09/04/2018	CBGEN	12817	CONSUMERS ENERGY	7/20/18 - 8/17/18 WR PLANT ELECTRIC	6,949.86
09/04/2018	CBGEN	12818	US BANK EQUIPMENT FINANCE (COPIER)	SEPT 2018 CITY HALL COPIER	147.00
09/04/2018	CBGEN	12819	VERIZON	7/18/18 - 8/17/18 DPW/WR PHONE BILLS	231.22
09/04/2018	CBGEN	12820	CHARTER COMMUNICATIONS (SPECTRUM)	9/1/18 - 9/30/18 WR/DPW INTERNET	632.01
09/04/2018	CBGEN	12821	MIDWEST CUSTOM EMBROIDERY	DPW & WR UNIFORM SHIRT ORDER 2018-2019	890.00
Total Paper Check:					18,036.05
CBGEN TOTALS:					
Total of 17 Checks:					270,304.60
Less 0 Void Checks:					0.00
Total of 17 Disbursements:					270,304.60

## Off Cycle Payment Authorization

**Brian Kelley, City Clerk/Treasurer**

I verify that I have reviewed the off-cycle payments listed above and to the best of my knowledge the listing is accurate and complies with the City's purchasing policy.

Insert Signature:

**Brian Kelley**

Digitally signed by Brian Kelley  
Date: 2018.09.06 11:19:25 -04'00'

**Erik J. Wilson, City Manager**

I verify that I have reviewed the off-cycle payments listed above and to the best of my knowledge the listing is accurate and complies with the City's purchasing policy.

Insert Signature:

**Erik Wilson**

Digitally signed by Erik Wilson  
DN: c=US, st=Michigan, l=Plainwell, o=City of Plainwell, ou=CoP, cn=Erik Wilson, email=ewilson@plainwell.org  
Date: 2018.09.07 11:40:42 -04'00'

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

**NOTICE OF HEARING  
FOR THE NATURAL GAS  
CUSTOMERS OF  
CONSUMERS ENERGY COMPANY  
CASE NO. U-20075**

- Consumers Energy Company requests Michigan Public Service Commission's approval for reconciliation of its gas cost recovery plan and revenues for the 12-month period of April 1, 2017 through March 31, 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 49201-2276 for a free copy of its application. Any person may review the application at the offices of Consumers Energy Company.
- The prehearing conference in this matter will be held:

**DATE/TIME:** **Tuesday, September 11, 2018, at 9:30 A.M.**

**BEFORE:** Administrative Law Judge Suzanne D. Sonneborn

**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 hearing to consider Consumers Energy Company's June 29, 2018 application requesting approval of their 2017-2018 Gas Cost Recovery (GCR) reconciliation; and their over-recovery of \$1,479,277, as of March 31, 2018 to be rolled into the beginning balance of their 2018-2019 GCR reconciliation.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: [michigan.gov/mpscedockets](http://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](mailto: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](mailto: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 **September 4, 2018**. (Petitions to intervene may also be filed using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy Company's Legal Department – Regulatory Group, Consumers Energy Company, 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 the Commission's Rules of Practice and Procedure 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 request may be reviewed on the Commission's website at: [michigan.gov/mpscedockets](http://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 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; and Parts 1 & 4 of the Michigan Administrative Hearing System's Administrative Hearing Rules, Mich. Admin Code, R 792.10101 through R 792.10137, and R 792.10401 through R 792.10448.

**[THE MICHIGAN PUBLIC SERVICE COMMISSION MAY GRANT OR DENY CONSUMERS ENERGY'S GAS COST RECOVERY RECONCILIATION AND OTHER PROPOSALS IN WHOLE OR IN PART, AND MAY APPROVE LESSER OR GREATER AMOUNTS THAN THOSE REQUESTED.]**

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

**NOTICE OF HEARING  
FOR THE ELECTRIC  
CUSTOMERS OF  
CONSUMERS ENERGY COMPANY  
CASE NO. U-20171**

- Consumers Energy Company requests Michigan Public Service Commission's approval to reconcile its Renewable Energy (RE) plan revenues and expenses for 2017.
- 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 49201-2276, (800) 477-5050 for a free copy of its application. Any person may review the application at the offices of Consumers Energy Company.
- The Prehearing conference in this matter will be held:

**DATE/TIME:**                    **Friday, September 14, 2018, at 9:00 A.M.**

**BEFORE:**                        Administrative Law Judge Suzanne D. Sonneborn

**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 hearing to consider Consumers Energy Company's (Consumers Energy) July 2, 2018 application requesting the Commission to: 1) determine that Consumers Energy's 2017 RE cost reconciliation is reasonable and meets all relevant requirements under Act 295, as amended; 2) reconcile the pertinent revenues recorded and the allowance for the non-volumetric revenue recovery mechanism with the amounts actually expensed and projected according to Consumers Energy's plan for compliance; 3) establish a price per megawatt hour for renewable energy and advanced cleaner energy capacity and for renewable energy and advanced cleaner energy to be recovered through the power supply cost recovery clause of \$79.19 per megawatt hour; 4) utilize surplus Energy Waste Reduction Credits from 2017 to offset future renewable energy requirements; and 5) other relief.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: [michigan.gov/mpscdockets](http://michigan.gov/mpscdockets). 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: [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov). If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: [mpscdockets@michigan.gov](mailto:mpscdockets@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 **September 7, 2018**. (Petitions to intervene may also be filed using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy Company's Legal Department – Regulatory Group, Consumers Energy Company, 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 the Commission's Rules of Practice and Procedure 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 request may be reviewed on the Commission's website at: [michigan.gov/mpscdockets](http://michigan.gov/mpscdockets), and at the office of Consumers Energy Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; 1982 PA 304, as amended, MCL 460.6j et seq.; 2008 PA 295, MCL 460.1001 et seq.; and Parts 1 & 4 of the Michigan Administrative Hearing System's Administrative Hearing Rules, Mich. Admin Code, R 792.10101 through R 792.10137, and R 792.10401 through R 792.10448.

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

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

**NOTICE OF HEARING  
FOR THE ELECTRIC  
CUSTOMERS OF  
CONSUMERS ENERGY COMPANY  
CASE NO. U-20275**

Received

SEP 7 2018

City of Plainwell  
Clerk/Treasurer's Office

- Consumers Energy Company requests Michigan Public Service Commission for approval of an electric rate case self-implementation reconciliation for Case No. U-18322.
- 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 49201-2276 for a free copy of its application. Any person may review the application at the offices of Consumers Energy Company.
- The Prehearing conference in this matter will be held:

**DATE/TIME:** **Tuesday, September 18, 2018, at 10:00 A.M.**

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

**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 hearing to consider Consumers Energy Company's (Consumers Energy) July 30, 2018 application (amended August 10, 2018), requesting Commission approval to: 1) issue the refund required pursuant to MCL 460.6a(2) with respect to the provisional rates implemented by Consumers Energy in Case No. U-18322 for the period October 1, 2017 through March 31, 2018 is \$33.6 million, which includes the over-recovery amount plus interest of approximately \$3,074,000, in the February 2019 billing month; 2) approve Consumers Energy's proposed integration of the remaining residual balances greater than \$50,000 in connection with the reconciliation of the self-implemented electric rate increase from September 1, 2016 to March 6, 2017 approved in Case No. U-18381 into its refund calculations; 3) direct that the refunded amounts be returned to customers during the February 2019 billing month by means of a negative surcharge added to customers' bills; 4) approve the negative surcharges included in the tariff sheet for the February 2019 billing month; and 5) other relief.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: [michigan.gov/mpscedockets](http://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](mailto: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](mailto: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 **September 11, 2018**. (Petitions to intervene may also be filed using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy Company Legal Department – Regulatory Department, One Energy Plaza, Suite EP11-223, 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 the Commission's Rules of Practice and Procedure 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 request may be reviewed on the Commission's website at: [michigan.gov/mpscedockets](http://michigan.gov/mpscedockets), and at the office of Consumers Energy Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Michigan Administrative Hearing System's Administrative Hearing Rules, Mich. Admin Code, R 792.10101 through R 792.10137, and R 792.10401 through R 792.10448.

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

# PCB Cleanup Completed at Otsego Dam

## Allied Paper/Portage Creek/Kalamazoo River Site

Otsego Township, Michigan

August 2018

### Informational meeting

EPA is holding a public meeting on **Sept. 13** at 6:00 pm at Otsego City Hall to update the community about the time-critical removal action at the Otsego Township Dam area.

EPA representatives and other officials will make formal presentations and then be available to discuss the cleanup.

### Contact EPA

If you want to know more about the various cleanup projects along the Kalamazoo River, contact:

*For technical questions:*

#### EPA

**Jim Saric – Kalamazoo River**

312-886-0992

saric.james@epa.gov

**Michael Berkoff – Allied Landfill**

312-353-8983

berkoff.michael@epa.gov

**Sheila Desai – Plainwell Mill**

312-353-4150

desai.sheila@epa.gov

**Paul Ruesch – Otsego Township Dam Area**

312-919-4382

ruesch.paul@epa.gov

#### MDEQ

**Dan Peabody – Project Manager**

517-284-5072

peabodyd@michigan.gov

*For general questions:*

**Diane Russell**

EPA Community Involvement

Coordinator

989-395-3493

russell.diane@epa.gov

You may also call EPA toll-free:

800-621-8431, weekdays, 9:30 a.m.

to 5:30 p.m.

You can learn more about the cleanup online at: [www.epa.gov/superfund/allied-paper-kalamazoo](http://www.epa.gov/superfund/allied-paper-kalamazoo).

The U.S. Environmental Protection Agency completed the removal of PCB-contaminated sediment and soil along the Kalamazoo River near the Otsego Township Dam. Georgia-Pacific LLC, Weyerhaeuser Co., and International Paper Co. were required to carry out the cleanup activities. Throughout this project, EPA coordinated with the Michigan Department of Environmental Quality (MDEQ) and Michigan Department of Natural Resources (MDNR).

The project involved a 1.7-mile area of PCB-contaminated sediment and soil immediately upstream of the former Otsego Township Dam. This portion of the Kalamazoo River is in what EPA calls Area 3 of Operable Unit 5 of the Allied Paper Inc./Portage Creek/Kalamazoo River Superfund site.

### Cleanup progress to date

Work began in August 2016. Workers dredged over 50,000 tons (33,000 cubic yards) of sediment and soil from this stretch of the river, stabilized riverbanks to prevent future contamination and erosion, and disposed of contaminated materials at an approved landfill. Once contaminated material was removed, workers tested and monitored the area to confirm cleanup goals were met, filled excavated areas with clean material, and restored the area with native plants.

A temporary water control structure that was built in 2015 to replace the dam was removed, and the river is now an open channel (*see photo, below*). The area around the former auxiliary spillway has been restored as a wetland area. There are two public parking areas built at former project staging areas. The river is now open, and there is access to the river at these areas for kayaks and canoes.



*The Kalamazoo River flows freely through the location of the former Otsego Township Dam, which was removed during the project.*

## Site history

The Otsego Township Dam removal area begins at the intersection of M-89 and the Kalamazoo River in Otsego and follows the stream west about 2 miles to the Otsego Township Dam (*see map, Page 3*). The area is bordered mostly by recreational areas but contains some residential properties.

Between 1954 and the early 1970s, the Allied Paper/Portage Creek/Kalamazoo River Superfund site was used by several paper companies that recycled carbonless copy paper, which at the time contained PCBs. The recycling process resulted in PCB-contaminated wastewater. Until 1970, this wastewater was released into Portage Creek and the Kalamazoo River.

In 1977, the MDNR issued a public health advisory regarding PCB contamination at the site and advised residents not to eat fish caught from the river. In 1990, the Allied Paper/Portage Creek/Kalamazoo River Superfund site, including 80 miles of the Kalamazoo River, was placed on the National Priorities List, a roster of the nation's most hazardous waste sites that are eligible for cleanup under EPA's Superfund program.

Since 1990, several parties responsible for the contamination, including Georgia-Pacific and Millennium Holdings, have investigated the Kalamazoo River under agreements with EPA and the state of Michigan. For Area 3 of the river, EPA approved Georgia-Pacific's Supplemental Remedial Investigation Report in 2016. This report identified high levels of PCB contamination in soil and sediment, as well as significant riverbank erosion. The Area 3 feasibility study (described in the next section) is underway. The status of this and other cleanup areas is provided below.

## Kalamazoo River cleanup progress

In September 2015, EPA signed a document called the "Record of Decision" for Area 1 of the river. (Area 1 is the portion of the Kalamazoo River between Morrow Dam and the former Plainwell Dam, and includes Portage Creek between Cork Street and the Kalamazoo River.) The cleanup for Area 1 includes excavation of PCB-contaminated hot spots in a 3-mile section of the Kalamazoo River near the confluence of Portage Creek, and floodplain soil removal in the Plainwell Impoundment near the former Plainwell Dam.

In December 2016, EPA ordered Georgia-Pacific, International Paper, and Weyerhaeuser to conduct the Area 1 work by issuing a legal document called a "Unilateral Administrative Order." Since then, sampling is ongoing to support the cleanup design, and cleanup work is anticipated to start in 2019.

In September 2017, EPA signed a Record of Decision for Area 2 of the river (Area 2 is the Kalamazoo River between the former Plainwell Dam and the Otsego City Dam). The remedy for Area 2 includes construction of a new river channel, excavation of PCB hot spots, capping of several side channel areas and removal of the Otsego City Dam.

In July 2018, Georgia Pacific submitted a revised version of a document called the "Feasibility Study Report" for Area 3 of the river (Area 3 is the Kalamazoo River between the Otsego City Dam and the former Otsego Township Dam). This report details various cleanup alternatives for this area. EPA anticipates announcing a proposed cleanup plan in 2019 for public comment.

In November 2017, Georgia-Pacific submitted a revised Supplemental Remedial Investigation Report for Area 4 of the river (Area 4 is the Kalamazoo River between the Otsego Township Dam and Trowbridge Dam). The final version of the report, which shows where the contamination in Area 4 is located, will be submitted for EPA review in August 2018.

In October 2017, sampling began to support the investigation of Area 5 of the river (Area 5 is the Kalamazoo River between the Trowbridge Dam and Allegan City Dam). Additional investigation sampling will occur throughout 2018 and 2019.

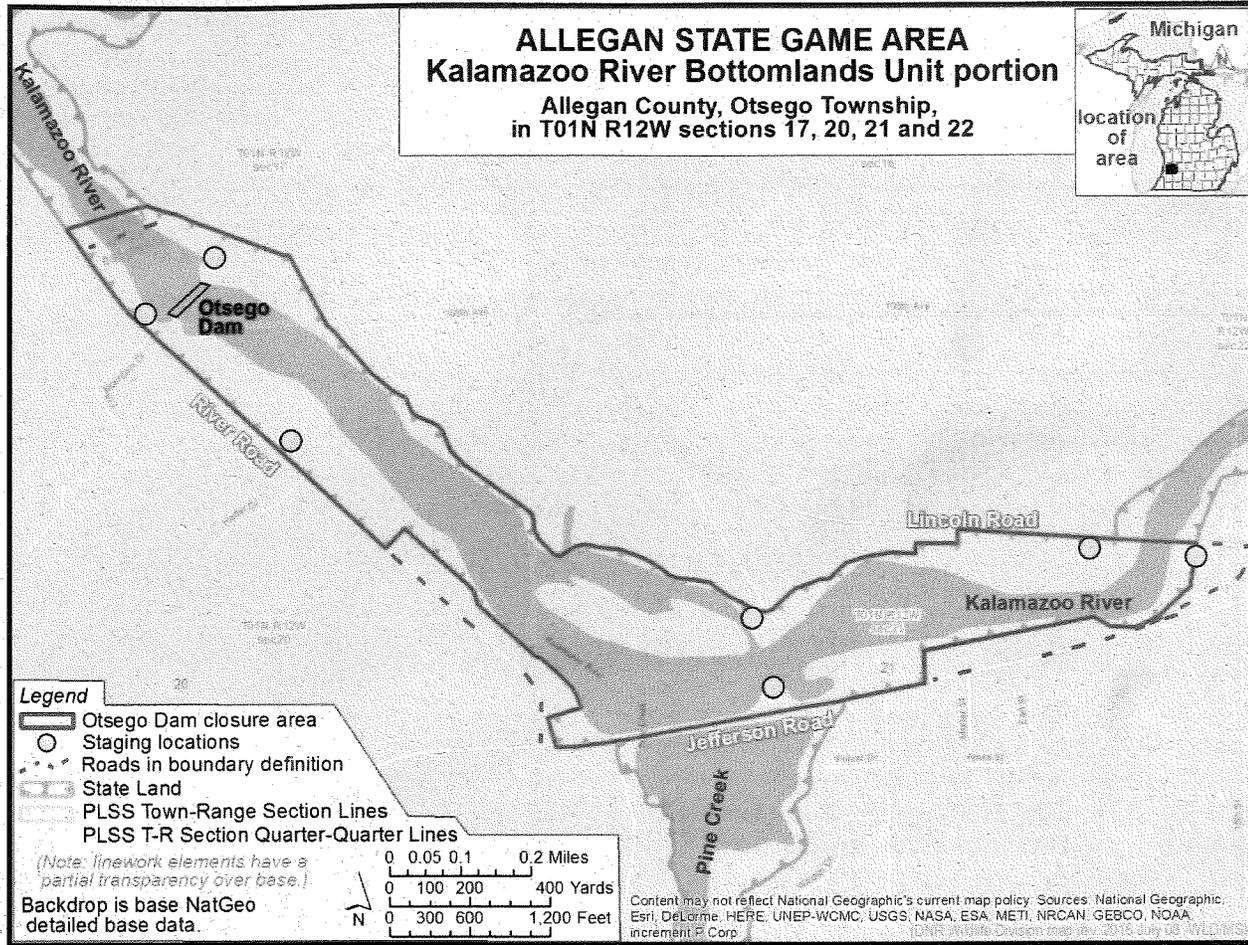
## Plainwell Mill update

EPA signed a Record of Decision for the former Plainwell Paper Mill in September 2015. The selected cleanup plan requires the excavation and off-site disposal of contaminated soil from the former mill site. The Remedial Design was finalized in April 2018, and Weyerhaeuser has submitted the cleanup work plan. Cleanup work will start once EPA approves the work plan, which is anticipated in 2018.

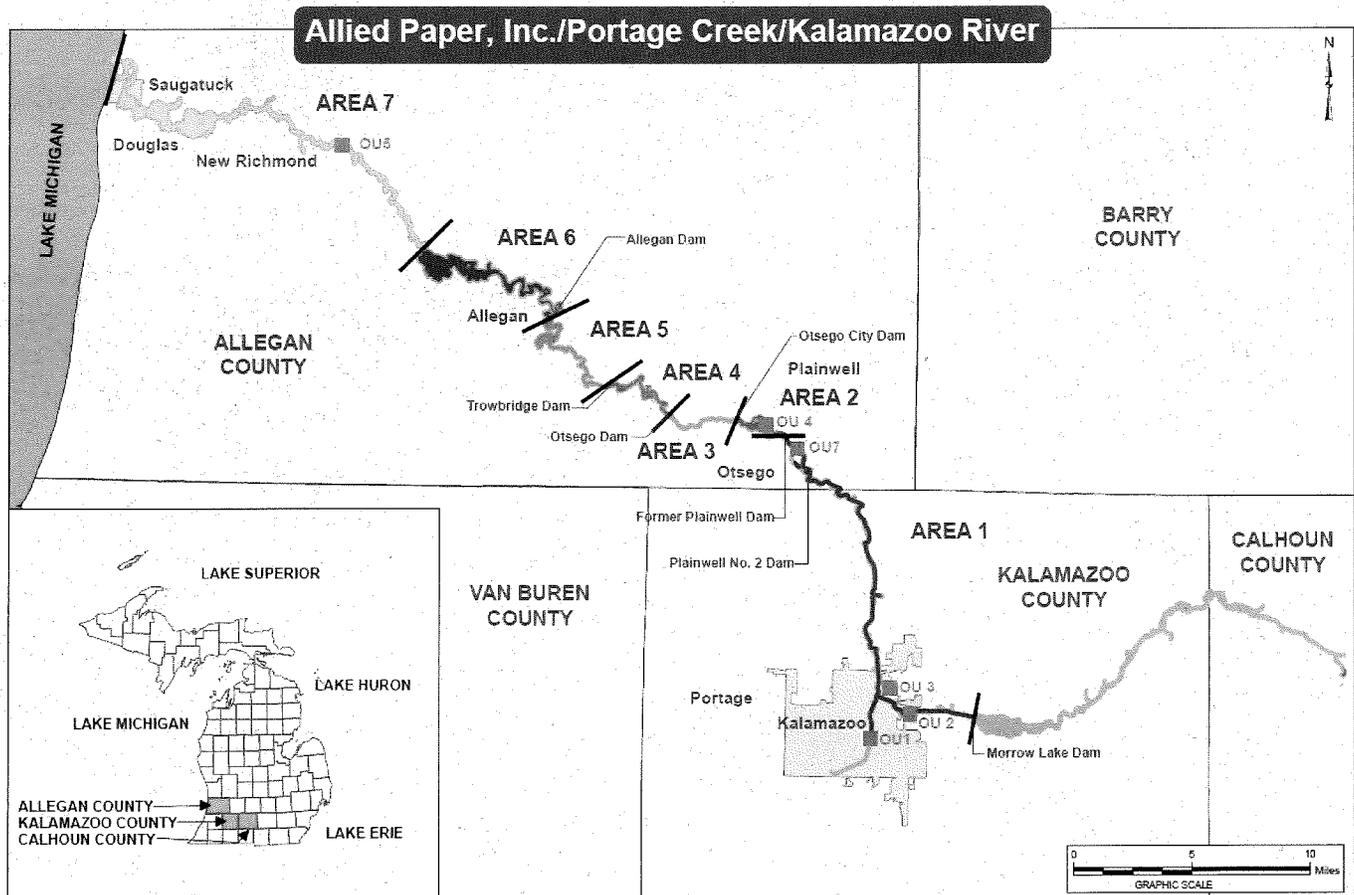
## Allied Paper Landfill update

EPA's selected remedy for Allied Landfill includes consolidation of existing waste materials to a 27-acre area, installation of a cap, and a long-term groundwater monitoring network. Areas outside of the cap would be available for commercial/industrial redevelopment, and the capped area would be available for some recreational reuse. EPA expects the city of Kalamazoo to facilitate any future redevelopment and act as the long-term steward of the property.

The project is currently in the design phase. EPA expects cleanup work to begin by 2020 and take up to three years to complete. EPA continues to gather input from the city of Kalamazoo on cleanup plans.



*Otsego Township Dam Area – Time-Critical Removal Action*





Community Information Office  
1300 Bluff St., Suite 140  
Flint, MI 48504

MILWAUKEE  
WI 532  
27 AUG '18  
PM 2 L



RETURN SERVICE REQUESTED

BRIAN KELLEY CLERK  
CITY OF PLAINWELL  
211 N MAIN ST  
PLAINWELL MI 49080

**ALLIED PAPER/PORTAGE CREEK/KALAMAZOO  
RIVER SITE: PCB Cleanup Complete at Otsego  
Township Dam**

49080-137 Reproduced on Recycled Paper

**EPA to Provide Update on  
Otsego Township Dam Area**

**Public meeting  
Sept. 13  
6 p.m.**

**Otsego City Hall  
117 E. Orleans  
Otsego**

For more information about the site, or to sign up for email updates, visit:  
[www.epa.gov/superfund/allied-paper-kalamazoo](http://www.epa.gov/superfund/allied-paper-kalamazoo).



**Come help us form a  
Community Advisory Group**  
for the Allied Paper/Portage Creek/Kalamazoo River  
Superfund Site

U.S. Environmental Protection Agency is in the process of forming a Community Advisory Group, or CAG, and invites you to attend an informational meeting to discuss the purpose, value and development of CAGs and to seek your input and interest in creating such a group for this site.

CAGs are an important tool for community involvement at Superfund sites both for EPA and the community. However, it will not replace EPA's obligation to inform and involve the public through regular as well as innovative community involvement activities.

The public will have the lead role in determining the membership appropriate for its CAG. CAG membership should be as inclusive as possible and reflect the composition of the community near the site and the diversity of local interests.

CAG members are expected to work together and commit up to 4-8 hours per month in support of CAG activities including monthly meetings and possible committee work.

**Tuesday, Sept. 18**

6 - 8 p.m.

***Allegan High School  
Conference Center  
1560 M-40, Allegan***

If you cannot attend this meeting but are interested in participating in a CAG, contact Diane Russell, EPA community involvement coordinator, russell.diane@epa.gov, 989-395-3493, 9:30 a.m. – 5:30 p.m., weekdays.

Visit EPA's webpage at [www.epa.gov/superfund/allied-paper-kalamazoo](http://www.epa.gov/superfund/allied-paper-kalamazoo) for additional information.



United States  
Environmental Protection  
Agency

Community Information Office  
1300 Bluff St., Suite 400  
Flint, MI 48504



**FIRST CLASS**

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## Reports & Communications:

### A. Site Plan Review – 938 Lincoln Parkway:

Rizzo Packaging Inc. has made application for a new building at its facility located at 938 Lincoln Parkway in the Industrial Park. The Planning Commission has reviewed, and recommends approval, of the site plan, having met all the requirements.

**Recommended action:** Consider approving the site plan for a new building for Rizzo Packaging at 938 Lincoln Parkway.

### B. Updates to the Civil Rights Act of 1964 Non-Discrimination Plan:

Due to legislative and regulatory changes, the city's Title VI Non-Discrimination Plan needs updates to remain in compliance.

**Recommended action:** Consider approving updates to the Non-Discrimination Plan.

### C. Airport – Painting, Doors and Concrete Work:

Airport Manager Virgil Williams solicited quotes for painting at the airport and included cost estimates in the 2018/2019 budget. The low-bid for that project is Ron's Painting for \$5,000.00. Additionally, doors should be added, at an estimated cost of \$6,500, to two hangers. We received two other bids for doors at \$14,200 and \$10,200. The tenants have offered to split the cost with the City. The work to add the doors will add concrete costs to the project, which could add \$1,750.00 to the project.

**Recommended action:** Consider approving the plan to improve airport facilities with painting, doors and concrete at a cost not to exceed \$10,000.00.

### D. DPW – Repair Vehicle 20:

Vehicle 20, a Silverado 3500 Work Truck, was damaged in an accident with the skid steer in early August. The city's liability insurance will cover most of the cost and two estimates are included in the packet.

**Recommended action:** Consider authorizing repairs to Vehicle 20 with H&H Auto Body for \$6,512.16.

### E. WR – Screw Pump Construction Phase Engineering:

The screw pump replacement project is entering the construction phase and Superintendent Pond recommends contracting engineering services with Fleis & Vandenbrink for \$16,000.00.

**Recommended action:** Consider authorizing construction-engineering services for the screw pump replacement project with Fleis & Vandenbrink for \$16,000.00.

## Reminder of Upcoming Meetings

- September 13, 2018 – Allegan County Board of Commissioners – 1:00pm
- September 11, 2018 – Plainwell DDA/BRA/TIFA Board – 7.30am
- September 19, 2018 – Plainwell Planning Commission – 7:00pm
- September 24, 2018 – Plainwell City Council – 7:00pm

## Non-Agenda Items / Materials Transmitted

- Notice of Public Hearing – Consumers Energy – September 11, 2018 9:30am
- Notice of Public Hearing – Consumers Energy – September 14, 2018 9:00am
- Notice of Public Hearing – Consumers Energy – September 18, 2018 10:00am
- EPA Newsletter – PCB Cleanup Completed at Otsego Dam
- EPA Community Advisory Group Informational Meeting - September 18, 2018 6:00pm

The Island City

*The City of Plainwell is an equal opportunity provider and employer*