CITY COUNCIL MEETING MINUTES FROM OCTOBER 7, 2025

Mayor Patricia Randall called the Regular Meeting to order at 06:00 PM in the Council Chambers at Portage City Hall.

ROLL CALL: Councilmembers Chris Burns, Victor Ledbetter, Nicole Miller, Terry Urban, Jihan Young, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: None.

ALSO PRESENT: City Manager Pat McGinnis, Chief Operating Officer Adam Herringa, Chief Development Officer Peter Dame, City Attorney Catherine Kaufman, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to reflect on the local, national, and international charitable impact of Rotary International. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

World Polio Day: Portage Rotary Club President José Santamaria read the proclamation and relayed the current efforts of the Portage Rotary Club in the city.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Alan Loveridge (23965 88th Ave, Marcellus) suggested cellular phone tower regulations and creation of an ordinance for remunerations to property owners residing within the area of a cellular signal tower.
2. Frederick Miles from the Southwestern Michigan Chapter of Jack and Jill of America was introduced by city staff member Justin Williams. Mr. Williams provided the group with an informational tour of City Hall to assist with their learning about municipal government and policy. Mr. Miles expressed an interest in addressing excess wood leftover from downed trees and limbs remaining from the 2024 tornado.
3. John Paver (5811 Forest Harbor Drive, Kalamazoo) spoke regarding a data center proposed for construction in Pavilion Township and its demand on local power grids, Kalamazoo area natural resources, and lack of long-term supplementary jobs to the area.
4. Jay Woodhams (2223 Bay Side Avenue) relayed concerns regarding specifications of the single waste hauler contract as compared to the Request For Proposal that was advertised. He asked about a potential lien the company could put on private properties and if there was an opt-out option.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any would like an item removed from the Consent Agenda. Councilmember Urban removed items A.10 and 11. Councilmember Burns removed item A.6. Councilmember Young removed items A.3 and 12. Motion by Young, seconded by Urban, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 7 to 0.

Approval of Minutes: Motion by Young, seconded by Urban, to approve the City Council Meeting Minutes of the Regular Meeting of September 23, 2025. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Young, seconded by Urban, to approve the Accounts Payable Register of October 7, 2025, as presented. Upon a roll call vote, motion carried 7 to 0.

South 12th Street Block Lift Station Renovation Project - Bid Tabulation: Motion by Young, seconded by Urban, to award a contract to Williams & Works of Grand Rapids, Michigan in the amount not to exceed $193,640 to perform engineering services for the South 12th Street Block Lift Station Renovation Project and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Consolidated Drain Rehabilitation Project: Motion by Young, seconded by Urban, to ward a construction contract for the Consolidated Drain Rehabilitation project to Hoffman Bros, Inc., Battle Creek, Michigan in an amount not to exceed $168,740 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Gift and Naming Rights Agreement for Portage Farmers Market: Motion by Young, seconded by Urban, to approve the Gift and Naming Rights Agreement for the Portage Farmers Market and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Designation of Neighborhood Enterprise Zones in the City Centre and the Lake Center Subarea: Motion by Young, seconded by Urban, to schedule a public hearing for Wednesday, November 5, 2025, for both the City Centre and Lake Center Subarea Neighborhood Enterprise Zones and notify the City Assessor and taxing bodies of the hearing date. Upon a roll call vote, motion carried 7 to 0.

2026-27 Kalamazoo County Early Voting Agreement: Motion by Young, seconded by Urban, to support the City of Portage's participation in the *Intergovernmental Agreement for Early Voting Election Services between Kalamazoo County and Associated Municipalities* and authorize the City Clerk to sign the Agreement on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Calendar of Meetings: Motion by Young, seconded by Urban, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

Annual Report from the Planning Commission for 2025/2026: Planning Commission Chairperson Dan Corradini provided the annual update of the Commission. Mr. Corradini highlighted the prior year's focus on the Lake Center District Corridor's Placemaking Study and updating the City Master Plan. He then noted the Commission's efforts to assist the City Administration and the Council on earning a Redevelopment Ready Community certification sponsored by the Michigan Economic Development Corporation. Mr. Corradini also highlighted the efforts to expand housing options, noting the continued developments at McConley Cove, Creekside, and Stanwood housing developments. He then noted the citywide zoning code updates, and the recent Centreport Plaza site plan, and pointed to the eleven active housing development projects actively under construction in the city. He closed by complimenting the Community Development Department and the staff involved on the Development Review Team.

Motion by Miller, seconded by Young, to receive the Annual Report Presentation from the Planning Commission for the 2025/2026 Year. Upon a voice vote, motion carried 7 to 0.

PUBLIC HEARINGS:

Transfer of Industrial Tax Abatement: Following an introduction by the City Manager, Deputy Director of Economic Development Jon Hallberg provided a summary of the project and the proposed transfer of the existing tax abatement from Depatie Fluid Power Company to KalBlue Group Inc. for one of the three suites at 5870 Sprinkle Road. He noted the applicant, CEO of KalBlue Group Kip Young, was present to answer any questions. Mayor Randall opened the hearing at 6:39 p.m. As there were no comments, motion by Young, seconded by Miller, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Councilmember Miller asked for clarification from Deputy Director Hallberg regarding the nature of the transfer of the abatement certificate.

Motion by Pearson, seconded by Miller, to adopt Resolution #4 to approve transfer of the Tax Abatement Certificate, Tax Abatement Agreement, and Affidavit of Fees for KalBlue Group, Inc. at 5870 S. Sprinkle Road, Unit 1, under existing Industrial Development Districts No. 34 and 62. Upon voice vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

Appointments to Citizen Advisory Boards: At the request of the Mayor, Clerk Eklov read the appointments from the earlier interview session into the record as follows: Appoint Tim Earl, with a term ending May 30, 2028, to the Construction Board of Appeals; appoint Anson Liu, with a term ending March 31, 2028, to the Downtown Development Authority; appoint Joe Chamberlain, Chase Dechnik, David Lancaster, and Lauren Tompkins, with terms ending October 1, 2028, to the Environmental Board; appoint Anson Liu, with a term ending March 31, 2029, to the Local Development Finance Authority; appoint Angelique McGuire, Josh Suarez, and Matthew Wollerman, with terms ending October 1, 2028, and Louann Palmer, with a term ending October 1, 2026, to the Park Board; appoint Anthony Ladd, with a term ending May 31, 2026, to the Planning Commission; appoint Joan Stommen, Sharon White, Linda Zoeller, and Nathan Sachritz, with terms ending October 1, 2028, to the Senior Citizens Advisory Board; and, reappoint Brooke Kolodzieckzyk to a term ending October 1, 2028 and appoint Dominick DeCesare to a term ending October 1, 2028 to the Human Services Board.

Motion by Burns, seconded by Young, to appoint the individuals as noted by the City Clerk. Upon a roll call vote, motion carried 7 to 0.

Farmers Market Pavilion Structures: Councilmember Young explained she removed the item from the Consent Agenda due to the magnitude and impact the new Farmers' Market will have on the community. She asked Chief Operating Officer Herringa to relay the process of selecting the recommended construction firm. Mr. Herringa conveyed the pavilion portion of the project awarded at the prior City Council meeting and noted eight bids had been received for the current site work aspect of the project. He closed with a reminder of the groundbreaking ceremony for the following day.

Motion by Young, seconded by Burns, to award a contract in the amount of $1,626,424.06 to Quest Design Build for the construction of the Portage Farmer's Market and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Annual BS&A Integrated Municipal Software Licensing and Maintenance Fees - Single Source Purchase: Councilmember Burns, who removed the item, asked why the $75,000 purchasing threshold would be negated if the annual renewal increases remained under 10 percent, noting that BS&A serves as a fundamental software for the city with multiple city services tied into its database. At the City

Manager's invitation, Technology Services Director Devin Mackinder stated it was simply an effort towards convenience and there was no desire to bypass the Council's policies. As such, Councilmember Burns recommended striking the language in the Action Recommended beyond "related documents".

Motion by Burns, seconded by Miller, to approve payment of the annual licensing and software maintenance services fees with BS&A, Incorporated at a total cost of $75,745 and authorize the City Manager to execute all related documents and future renewals Upon a roll call vote, motion carried 7 to 0.

Solicitor and Canvassers Ordinance Update: Councilmember Urban explained that he removed the item from the Consent Agenda as his main concern was if the City Manager should serve as the appellate body for solicitor permit denials since the City Administration makes the initial decision. Mayor Randall noted for the audience that the current ordinance requires individuals to obtain a city permit to go door-to-door for commercial solicitation, but permits may be denied if an applicant has a relevant criminal history. She noted a meeting earlier in the year when an appeal came before the Council that caused concern due to public discussion of personal and sensitive details. She noted that several members of the Council had requested staff to review the ordinance for alternatives to avoid such a public scenario in the future.

Councilmember Urban expressed opposition to the proposed ordinance revisions, stating permit denial appeals should remain with the elected Council and not be delegated to an unelected City Manager. He noted the City Manager supervises both the City Clerk and Public Safety Director, who are involved in permit decisions, and there is a need to retain transparency and oversight in the process. Councilmember Urban also highlighted several concerns in the ordinance draft, including a lack of definition for terms "Chief of Police" and "Director of Public Safety" as well as the questionable use of "moral turpitude" remaining in Section 14-147. He suggested the ordinance be tabled and corrected for clarity and consistency.

City Manager McGinnis confirmed that the ordinance change was being proposed in response to Councilmembers' concerns after the February 2025 appeal and aims to avoid subjecting future applicants to public embarrassment and scrutiny for their criminal histories. He assured the Council that the internal review is handled objectively, and decisions could still be appealed to district court. Mr. McGinnis closed, noting that very few appeals occur, possibly due to the intimidating public format. Councilmember Urban clarified his stance on the proposed revisions as they related to the position of City Manager. Mayor Randall deferred the matter to the City Attorney. Attorney Kaufman clarified the use of the term "moral turpitude," noting it refers to crimes with ethical/moral implications (e.g., fraud, abuse, sex crimes), and suggested replacing it with the phrase "as it pertains to the nature of soliciting or canvassing" would make the criteria more practical and specific in the ordinance. Attorney Kaufman confirmed that moving the appeals into a closed session would only be allowed under strict conditions according to the Open Meetings Act. The review of the appeal could be done in Closed Session, but any decisions would need to be made in open session.

Discussion by the Council followed. There was some agreement with Councilmember Urban that City Council should retain appellate power while maintaining the applicant's privacy, while others deferred to trained staff in these situations. It was suggested to add an appeal step before the City Manager prior to Council, which was generally favored.

Motion by Urban, seconded by Burns, to table the revised Solicitor and Canvassers Ordinance for October 21, 2025, for additional revisions and review with the City Attorney regarding parameters of the Open Meetings Act. Upon a roll call vote, motion carried 7 to 0.

Secondhand Dealers Ordinance Update: Councilmember Urban noted he had removed this ordinance revision from the Consent Agenda for similar reasons as previously discussed under the

Solicitors and Canvassers Ordinance revision. Mayor Randall inquired if he would like to pursue the same action as the prior agenda item and table the ordinance revision to treat the two ordinances similarly. Hearing no other comments from the Council, Councilmember Urban agreed.

Motion by Urban, seconded by Burns, to table the revised Secondhand Dealers Ordinance for October 21, 2025, for additional revisions and review with the City Attorney regarding parameters of the Open Meetings Act. Upon a roll call vote, motion carried 7 to 0.

Resolution for Charitable Gaming License - Portage Northern Women's Basketball: Councilmember Young noted she removed the item from the Consent Agenda to highlight that under Public Act 382 of 1972, the local body must issue a charitable gaming license to nonprofits using gaming to raise funds. Motion by Young, seconded by Miller, to adopt the Resolution for Charitable Gaming License recognizing Portage Northern Women's Basketball, Inc. (d.b.a. "Lady Huskies Hoops"), as a nonprofit organization in the City of Portage. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Young provided an update regarding the Small Business Committee, including the recent ribbon cutting of the Kalamazoo Pediatrics location in Portage and a new partnership with Southwest Michigan First to allow small businesses access to the online market.

Motion by Burns, seconded by Miller, to receive the Council Committee Reports as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban highlighted the earlier citizen comment regarding waste hauling and requested that the City Manager provide clarification for opting out of the single hauler contract as an individual homeowner.

Councilmember Ledbetter acknowledged Jack and Jill of America and echoed Mr. Miles' comments regarding the felled wood. Councilmember Ledbetter noted he had also suggested solutions for allowing the community to collect the downed timber and asked the City Manager to provide an answer on his earlier inquiry. Councilmember Ledbetter then highlighted the upcoming holiday slated for the second Monday in October and its evolution from Columbus Day to Indigenous People's Day.

Councilmember Miller began by thanking staff for their efforts on the proposed ordinance revisions. She then congratulated the Portage Zhang Senior Center for raising over $13,000 through the recent "It's in the Bag" fundraiser sale. Councilmember Miller then highlighted a recent meeting with local ice arena clubs, organizations, and Discover Kalamazoo regarding the future of ice rinks in Kalamazoo County, noting the importance of ice skating and hockey to the local tourism economy. She closed with a reminder about the upcoming Portage Central and Portage Northern high school football game, warning about potential crowds in the City Centre area, while encouraging continued donations to the Battle of the Bins food drive.

Councilmember Young noted the upcoming elections article in the October *Portager* and thanked the League of Women Voters for hosting a forum for Portage City Council and Mayoral candidates the prior week. She then highlighted National Fire Prevention Week from October 5 through 11, and the upcoming open house at Fire Station 1. After thanking Human Services Board grantee, the First Day Shoe Fund, for ensuring area schoolchildren are outfitted with shoes they need for the coming school year, Councilmember Young closed with a reminder about the Battle of the Bins high school rivalry benefitting 12 Baskets.

Councilmember Burns began by thanking and complimenting city staff and contractors for their work to repair West Milham Avenue. He then thanked the City Clerk's Office for their efforts in making absentee voting accessible.

City Manager McGinnis began by responding to the public comment regarding the single waste hauler contract. He confirmed that liens were not part of the agreement and under no circumstances would one be placed on any private property; he also maintained that anyone could opt out as the contract was not compulsory. Mr. McGinnis next responded to Councilmember Ledbetter's excess timber concerns. He noted that staff had been working to address the remaining debris in addition to hiring a contractor to clean a large amount of city property, who had already collected 10 full cords of wood to deliver to the city compost site for residents. He also discussed the efforts in creating a waiver to allow the public to clear timber themselves. City Manager McGinnis closed by recognizing October as Breast Cancer Awareness Month and the staff to raise funds for breast cancer research by purchasing pink badges for $25 at the Public Safety Department.

Mayor Pro Tem Pearson expressed his enjoyment witnessing the rivalry between Councilmembers Young and Miller over the Battle of the Bins' food drive. He stated that he and his wife make regular donations to 12 Baskets. Mayor Pro Tem Pearson closed by stating that, since his son had attended classes at both Portage Northern and Portage Central high schools, he would remain neutral in the rivalry.

Mayor Randall began by complimenting the Public Safety officers for their efforts surrounding the annual Portage Cross Country Invitational amidst the record high temperatures. She then highlighted the Farmers' Market, noting that $1.75 million in funding came from state appropriations and an additional $1 million in support was received from Charles and Lynn Zhang. Additionally, several design aspects of the Farmers' Market purposefully utilized existing infrastructure to reduce costs. Mayor Randall closed by thanking the Council for its efforts to begin the evening with the Board and Commission interviews.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:55 PM.

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Erica L. Eklov, City Clerk