

6:00 p.m. Call to Order.

Moment of Silence.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Family Court Awareness Month 2025
2. Winners of the 4th Annual *Tricked Out Home* Halloween Decorating Contest

Petitions and Statements of Citizens (3 mins. per speaker).

A. Consent Agenda:

1. Approve the City Council Meeting Minutes of the:
 - a. Committee of the Whole Meeting of October 21, 2025
 - b. Regular Meeting Minutes of October 21, 2025
2. Approve the Accounts Payable Register of November 5, 2025, as presented.
3.
 - a. Approve a one-year contract with Blue Cross Blue Shield of Michigan at a current cost of \$0.00, and Blue Care Network at an estimated cost of \$2,755,541.44, for employee health insurance;
 - b. Approve a four-year contract renewal with EyeMed for Department Head and Non-Union (DH/NU) vision insurance, changing plan year to calendar year, at an estimated cost of \$67,253.76;
 - c. Take action to continue to exempt the city from requirements of P.A. 152 for the 2026 medical benefits plan year, and authorize the City Manager to execute all documents related to the contract renewals on behalf of the city.
4. Approve a two-year contract with benefit change to the Department Head and Non-Union (DH/NU) group, with the option of an additional renewal for a period of up to two years, with Delta Dental Plan of Michigan for dental insurance and authorize the City Manager to execute all documents on behalf of the city.
5. Award the Retirement Plan Investments [401a, IRA, Retirement Health Savings Plan (RHS) and 457 plans] Servicing contract to Municipal Employees' Retirement System (MERS) of Michigan for a five-year servicing agreement for the cost of \$195,600.00 to plan participants and authorize the City Manager to execute all documents related to this action on behalf of the city.
6. Award a contract in the amount of \$401,499 to Miller-Davis Company, for Fire Station No. 3 facility improvements, approve a budget transfer of \$101,499 to reallocate appropriations from completed public safety projects with unspent appropriations, and authorize the City Manager to execute all documents related to this action on behalf of the city.
7. Award a contract to perform engineering services for the Old Centre Road Reconstruction Project to Williams & Works, Grand Rapids, Michigan in the amount not to exceed \$202,123 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
8. Approve a one-year contract with McDonald's Towing and Rescue of Kalamazoo, Michigan, for towing and impound lot services in the amount of \$177,375 for one year, with the option for four (4) one-year renewals, and authorize the City Manager to execute all documents related to this matter on behalf of the city.
9. Award a contract to Eng., Incorporated of Lansing, Michigan in the amount not to exceed \$106,465 to perform engineering services for the East Shore Drive Lift Station Renovation Project and authorize the City Manager to execute all documents related to the contract on behalf of the city.

10. Adopt the Resolution to authorize the City Manager or designee to sell real property at Stanwood Crossings (9617 Portage Road as divided or otherwise created), place the resolution on file for 28 days with the City Clerk, and take final action on December 2, 2025.
 11. Approve the Resolution to accept the terms of the Project Agreement from the Michigan Department of Natural Resources to receive a grant of \$400,000 from the Natural Resources Trust Fund toward construction of the Austin Lake Trail Project and authorize the City Manager to execute all documents related to this action on behalf of the city.
 12. Set a special meeting on Thursday, November 20, 2025, at 8:30 a.m. at the Department of Parks and Recreation (320 Library Lane) to conduct the annual City Council Goal Setting Session (Retreat).
 13. Minutes of Boards & Commissions:
 - a. Planning Commission of August 21, 2025
 14. Materials Transmitted.
 15. Calendar of Meetings:
 - Human Services Board: Thursday, November 6 at 5:30 p.m. at Portage City Hall, Conference Room 1.
 - Planning Commission: Thursday, November 6 at 7:00 p.m. at Portage City Hall, City Council Chambers.
 - Zoning Board of Appeals: Monday, November 10 at 7:00 p.m. at Portage City Hall, City Council Chambers.
 - Environmental Board: Wednesday, November 12 at 7:00 p.m. at Portage City Hall, Conference Room 1.
 - B. Communications:
 - C. Public Hearings:
 1. Hold a public hearing for both the City Centre and Lake Center Subarea Neighborhood Enterprise Zones (NEZ) and confirm December 16, 2025, as the date for consideration of NEZ resolutions.
 - D. Regular Business Agenda:
 - E. Unfinished Business:
 1. Adopt the amended Chapter 14 Businesses, Article 4 Solicitor and Canvassers ordinance.
 2. Adopt the amended Chapter 14 Businesses, Article 8 Secondhand Dealers ordinance.
 - F. Council Committee Reports:
 - G. New Business:
 - H. Statements of City Council and City Manager.
- Adjournment.



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Use the camera on your phone or mobile device to scan the QR Code and then follow the instructions that appear on your screen.

The link will take you to <https://portagemi.portal.civicclerk.com/> where you can view the meeting agendas and agenda packets.

There is one opportunity for public comment during meetings. The Americans with Disabilities Act (ADA) requires reasonable accommodations for participation. Please contact the City Clerk regarding accommodations.



CITY OF PORTAGE PROCLAMATION

Family Court Awareness Month Proclamation 2025

- WHEREAS,** the mission of Family Court Awareness Month is to highlight the need to prioritize child safety in family court, as 1 in 3 families in Michigan are exposed to domestic abuse; and
- WHEREAS,** an estimated 58,000 children in the U.S. are ordered into unsupervised contact with abusive parents each year, resulting in almost 1,000 children in the United States murdered during visitation with abusive parent since 2008, and 39 children in Michigan have been murdered by a parent since 2008 during divorce or custody disputes, including 6-year-old Rowan Morey-Pols of Caledonia in 2024 and 3-year-old Dylan Thebo of Kent County in 2021; and
- WHEREAS,** Rowan's and Dylan's families have been working to increase awareness of child safety issues by promoting Family Court Awareness Month and have been honoring their children's legacy by introducing legislation to improve the safety of missing children in Michigan; Rowan's Act was introduced in the Michigan House of Representatives this year by Representative Angela Rigas and is an amendment that would allow a faster response for Amber Alerts to be issued if Police believe a missing child to be in danger; following six domestic violence-related homicides within three months in 2021, Kent County recognized the need for a specialized Domestic Violence Court, staffed by individuals knowledgeable about the intricacies of domestic violence, aims to support victims and families, hold offenders accountable, and prevent further homicides; and
- WHEREAS,** the City of Portage hopes to improve safety and outcomes for families exposed to domestic violence by having law enforcement change the way it responds to domestic violence calls by using 'Lethality Assessments' in all domestic violence cases; and
- WHEREAS,** Family Court Awareness Month recognizes the need to incorporate evidence-based research into the court's decisions, including the Adverse Childhood Experiences (ACEs) Study, which highlights long term effects of exposure to abuse in childhood and emphasizes the need for research-informed and impartial decision-making to protect children's well-being;
- WHEREAS,** Family Court Awareness Month aims to encourage collaboration among legislators, advocates, professionals, and the community to improve family court practices, ensuring they are guided by evidence-based research and prioritize the safety and best interests of children.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, Mayor of the City of Portage, hereby November 2025, to be Family Court Awareness Month and encourage all citizens to support our communities' efforts to prevent the harm to children in the hands of family members, and honor the value and lives of children.

Signed this 5th day of November 2025.

Patricia M. Randall, Mayor

COMMITTEE OF THE WHOLE MEETING MINUTES FROM OCTOBER 21, 2025

Mayor Patricia Randall called the Committee of the Whole Meeting to order at 05:00 PM in Conference Room #1 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 Chief Operating Officer Herringa, Chief Development Officer Peter Dame, and City Clerk Erica Eklov. Also present were Public Safety Director - Police/Fire Chief Nick Arnold, Human Resources Director Shannon Hertz, and Kalamazoo County Emergency Management Director Brandi Janes.

DISCUSSION ON EMERGENCY MANAGEMENT STAFF:

City Manager Pat McGinnis introduced the discussion on emergency management. He noted that there were two returning items on the Regular Meeting's agenda which directly related to the topic: final action on property sale and sharing an employee with Kalamazoo County for emergency management services. The position, if approved during the Regular Meeting, would be jointly funded by the city and county.

Chief Operating Officer (C.O.O.) Herringa introduced Brandi Janes, Kalamazoo County Emergency Management Director, who would be involved in the daily aspects of the agreement. C.O.O. Herringa relayed that Portage had a part-time emergency management position at Public Safety until March/April 2024. Shortly after the position was vacated, the tornado hit. The city responded well due to existing preparedness and organizational capacity. Chief Operating Officer Herringa took on significant additional duties in the aftermath while the city continued trying to fill the position without success.

C.O.O. Herringa stressed the need for enhanced coordination, and a shared employee's ability to align operation plans between the city and county. During the tornado, there were instances where operational plans were not aligned, causing challenges in information release. He also highlighted resource efficiency as another benefit, as neither the city nor the county had enough work for a full-time emergency management person. The city found when interviewing applicants that the best applicant for a part-time position was based in Lansing and lacked local knowledge.

C.O.O. Herringa also stated that, following the tornado, the city lacked a debris management plan and had to improvise one. The purpose of the emergency management staff would be to have such plans in place for all hazards before disasters occur. Director Janes discussed a program to reach out to residents, businesses, and schools with the aim to improve understanding of emergency management and preparedness. Outreach includes talking to middle and high school students about natural disasters and preparedness, which can engage them and make them potential volunteers. City and county staff also desired to develop training plans for individual employee certifications and different training levels for different roles (e.g., public information officer, police chief).

C.O.O. Herringa and Director Janes stated that the draft agreement stipulates bi-weekly progress reports, potentially moving to monthly, from the employee and Director Janes, as well as regular meetings between City Manager McGinnis, Chief Arnold, and C.O.O. Herringa (or at least two of them) with Director Janes and the staff person to review the plan.

Further duties for the position were discussed. The proposed employee would be working with Director Janes' team and a volunteer program to address community warming and cooling centers

needs during severe weather. There was clarification regarding training and specifications. The goal is to establish rules and expectations before the next disaster to clarify roles. Director Janes also highlighted Community Emergency Response Training (CERT), a program that the county is working on regionally to use grant funding for training. CERT volunteers take the same basic training as staff to understand emergency operations. Extended training would include first aid, CPR, sheltering (Red Cross), chainsaw crews, and Disaster Recovery Center (DRC) support. Volunteers can be trained to fill gaps where no professional experience is required.

C.O.O. Herringa stressed the need for better volunteer coordination. Pointing to volunteer efforts after the tornado, volunteer coordination involved using a megaphone to direct people. He would prefer team leaders to be assigned to coordinate volunteers on the ground for a more productive response. While the City Manager's Office coordinated the community clean-up efforts, it lacked the capabilities of a robust team with experts. C.O.O. Herringa also noted that the city did well with disaster aid requests, but there was still ongoing paperwork related to relief funds from the State. Furthermore, he stated that the city would like to do more with National Preparedness Month and Severe Weather Awareness Week than just social media posts.

C.O.O. Herringa also stated the city's desire to create Hazard Specific Response Plans which would assess city facilities for risk and vulnerability. The city would like to address scenarios like lift station failures or damage to City Hall, including sewage and water issues, and alternate emergency operations centers. This analysis would be different from the facility needs analysis, which focuses on building maintenance. The Emergency Manager would also partner with local companies to obtain copies of their response plans, establishing partnerships to understand their response and how the city fits in.

Director Janes next spoke regarding several risk reduction initiatives prior to emergencies, including the Local Emergency Planning Committee (LEPC) that meets quarterly and is mandated by state and federal law for every county. It tracks industries with hazardous materials, ensures proper reporting, site plans, and fire department awareness. The LEPC monitors incidents and ensures proper reporting. Director Janes also noted the HAZMAT and EMS Coordination Meetings are held monthly, with boards and committees for each that discuss needs, ensure proper equipment and resources, and stay updated on protocols. She also spoke to the Kalamazoo County Readiness Council and the Kalamazoo County Response Consortium, the area Fire Chiefs meetings, and the Region 5 Homeland Security Council. Director Janes also relayed provisions with Pfizer, stating they have certified EMS and fire personnel and an on-staff hazmat team. She also noted that Pfizer has an emergency preparedness person who attends LEPC meetings.

C.O.O. Herringa closed by highlighting the proposed employee's position details. The cost of the employee with benefits is about \$80,000 a year, with the city responsible for half, and the position would be on call 24 hours. The employee would be required to obtain a professional emergency management manager certification within two years. During an emergency, Director Janes would oversee the county's response, while the shared employee would manage Portage's efforts. Portage Public Safety would handle the initial 24-48 hours after a disaster for immediate lifesaving efforts before the emergency manager would take over. Director Janes noted documentation is crucial for grants and reimbursements, including tracking volunteer hours. Volunteer hours can offset the cost share in FEMA declarations, potentially leading to 100% reimbursement. C.O.O. Herringa reiterated the advantages of the full-time position dedicated to emergency management, improved coordination with the county, enhanced preparedness, and public confidence, and streamlined response efforts. He stressed that Portage is the next most likely spot for a disaster to happen and the city already has a successful cross-governmental emergency relationship with Portage Public Schools via the School Resource Officers.

Discussion followed. Mayor Pro Tem Pearson noted that the city's response to the May 2024 tornado was tremendous, stating the city learned a lot, learned fast, and worked well together. He further stated that the morning after the tornado, the Mayor, Councilmembers, and others were at Station #1, amazed how everyone was working together. He highlighted that Mayor Randall's

response had served as an example for local communities in their own recovery efforts, because Portage staff knew exactly what was going on in the area and could communicate with her.

The Mayor Pro Tem asked Director Janes about current county staffing. She stated that the county currently has one emergency manager and one other person on staff. Mayor Pro Tem Pearson responded that Portage has 22 square miles, while the county has 562 square miles, and the county entails 264,000 people versus Portage's population of 50,000, numbers he highlighted to express his concern that it was not the responsibility of the City of Portage to give the County additional staffing support. Concerns were raised over resource sharing and the need for a written protocol or mutual agreement that outlines how decisions will be made when both jurisdictions are impacted will be needed, with one person unable to handle a natural disaster in Kalamazoo and a man-made disaster in Portage simultaneously. Director Janes responded that the person in the Emergency Manager position would be in the emergency operations center helping to coordinate Portage's response and letting the county know what Portage is doing. Director Janes then confirmed that command, direction, and response activities are going to be the purview of the Portage Public Safety Director, Public Works Director, and City Manager, consulting with the City Council and city leadership.

The City Manager highlighted certain areas for improvement within the city, including the need for better coordination with schools for emergency management planning, such as mass shooter drills, and with the faith community. He noted that, after recent mass shootings in eastern Michigan, members of faith community reached out to the city, seeking coordination and getting faith leaders together for discussions was on his to-do list. He closed by highlighting that during extreme temperature events there's confusion about when shelters open, who they're for, how to get there, how long people can stay, and what they get when they arrive.

Councilmembers agreed that the City of Portage needed a full-time emergency management staff specifically for the city, as the county's efforts cover the whole county. Mayor Randall suggested developing existing talent within the police or fire departments by providing training for a dual role in emergency management, as previous attempts to create a part-time emergency management position failed to attract qualified candidates. She highlighted the emergency manager in the City of Kalamazoo is additionally a staff sergeant now because the plans are already in place. For Portage, Public Safety has historically been the place where emergency management most easily resides, but there has never been an official person in public safety for emergency management. She reiterated the importance of the lifesaving first 40 hours during a disaster, and the incident command structure already in place after which public safety has other roles.

Councilmember Urban stated that he believes Portage is using much of the county's capacity by having emergency management in-house. He noted that Portage is a large population center and is likely to be closely watched by the county. He emphasized the need for day-to-day emergency management attention, especially considering the risk potential at the airport or on Pfizer or Stryker's campuses.

Clerk Eklov noted that both the May and August election days were disrupted by tornadoes in 2024. . She also pointed out that the most used Early Voting site is in Portage. Director Janes stated that, during the May 7th tornado, the county's then-emergency manager was at a conference and had to coordinate remotely. She reiterated the county's role as primarily coordination, recording, and reporting during emergencies, supporting local efforts with resources and equipment as needed.

Following the Mayor Pro Tem's inquiry, Director Janes stated that the county's emergency management division has been moved from the County Sheriff to report to the County Administrator and has received increased budget support. She further stated that the proposal to join efforts with Portage arose from discussions about personnel needs, aiming to share a full-time position.

Mayor Pro Tem Pearson expressed concern about the proposed position reporting to the County Administrator's Office rather than to the city's Public Safety Director or City Manager. Time constraints with the Regular Meeting began to end discussion.

STATEMENTS OF CITIZENS: None.

ADJOURNMENT: Mayor Randall adjourned the meeting at 5:57 PM.

Erica L. Eklov, City Clerk

DRAFT

CITY COUNCIL MEETING MINUTES FROM OCTOBER 21, 2025

Mayor Patricia Randall called the Regular Meeting to order at 06:03 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 providing various drug free alternatives and activities for kids after school. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

Lights on After School 2025: Jacquis Robertson, from Kalamazoo Youth Development Network, read the proclamation.

Red Ribbon Week 2025: Students from Portage Central and West Middle Schools read the proclamation.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Jay Woodhams (2223 Bay Side) asked the Council to postpone further action on the single waste hauler contract with Waste Management in light of a referendum petition which would trigger a Special Election two months after the launch of the sole source hauler.
2. Les Minor (2914 East Shore) spoke regarding concerns about the transparency behind the single waste hauler contract and why it had been pursued despite vocal, public opposition. He noted individual councilmembers' attempts to table the issue for further review were ignored.
3. Andrew Larkin (8139 Mayfield) spoke in support regarding the single waste hauler contract and the transparency in the process. He asked the City Administration to ensure the vendor responsibly handled and disposed of waste, noting a local company's Clean Water Act violations. He stressed the City Manager should address the lien provision in the current contract with Waste Management and highlighted other waste disposal companies' methods of pursuing collections. .
4. Tom Wyman, a former City staff member, explained he was seeking a response to several concerns regarding his separation from the city and had come before Council because he felt those concerns had been inadequately addressed through traditional means. He relayed the circumstances of his separation and disappointment with the City Administration for his treatment after a decade of employment. He also questioned the fairness of several current City staff members being allowed to remain employed by the city despite similar allegations of misconduct.
5. Deborah Wyman, Mr. Wyman's wife, cited prior discussions with Mr. McGinnis regarding questions about her husband's separation, which she felt were not sufficiently answered. She expressed concern about treatment by the City Administration and a question about fair treatment and responsible use of taxpayer funds.

6. James Bedoin (8645 Balmoral) also spoke regarding the waste hauler referendum petition and asked what the costs of breaking the contract would be, noting the possibility of legal costs in addition to the cost of conducting a Special Election.
7. Bill Davies (613 Beauvois) asked about new paving being installed in the parking lot next to Daane's Party Store as part of the city's intersection work on Forest Drive and Portage Road.

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 Miller removed Item A.6 (River Caddis Planned Development). Councilmember Ledbetter removed Item A.4 (Axon Enterprises). 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 Board & Commission Interviews of October 7, 2025, and the Regular Meeting of October 7, 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 21, 2025, as presented. Upon a roll call vote, motion carried 7 to 0.

Snow Plowing Services: Motion by Young, seconded by Urban, to award a contract in the amount of \$292,302.50 to Wolverine Lawn Services Inc, for snow plowing services for crosswalks and public facilities for three years with an additional three one-year renewals. Upon a roll call vote, motion carried 7 to 0.

City of Portage Gift Acceptance Policy: Motion by Young, seconded by Urban, to adopt the City of Portage Gift Acceptance Policy. Upon a roll call vote, motion carried 7 to 0.

First Reading Ordinance Amendment: Motion by Young, seconded by Urban, to receive for first reading the proposed ordinance to amend the Code of Ordinances regarding certain code enforcement provisions and schedule the ordinance for final adoption at the regular City Council meeting on November 18, 2025. Upon a roll call vote, motion carried 7 to 0.

2026 City Council Meeting Schedule: Motion by Young, seconded by Urban, to approve the 2026 schedule of regular City Council meetings. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: Motion by Young, seconded by Urban, to receive the minutes of the Human Services Board of September 4, 2025, and Park Board of September 10, 2025. 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:

Environmental Board Plastic Bag Recycling Drive Update: Environmental Board member Lauren Tompkins presented the results of the drive. Mayor Randall suggested the Board repeat the drive due to its successful first year.

Motion by Miller, seconded by Young, to receive the presentation from the Environmental Board regarding the plastic bag recycling drive. Upon a voice vote, motion carried 7 to 0.

Environmental Board Communication - Land Acknowledgement: Motion by Pearson, seconded by Young, to receive the communication from the Environmental Board regarding recommending an official local land acknowledgment initiative recognizing Indigenous Peoples. Upon a voice vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

Three-year Agreement with Axon Enterprises, Inc.: Mayor Randall deferred to Councilmember Ledbetter, who had requested the item removed from the Consent Agenda. Councilmember Ledbetter had several concerns regarding Artificial Intelligence (A.I.) software, particularly in its use in policing, and asked for information on the proposed software from Director Nick Arnold - Police/Fire Chief. Director Arnold provided an overview of the software, and its use during a trial run with the Public Safety Department.

Councilmember Young asked about the A.I.'s vendor also providing the Public Safety officers' body cameras. Director Arnold noted his desire to be cutting edge and turn time from an officer might spend at a desk drafting reports into officer time in the field. Mayor Randall asked about the time the A.I. would need to generate a report based on an officer's video recording. Director Arnold responded it took A.I. less than one minute to generate the report. Councilmember Burns asked about the ability for staff to monitor weak points and issues in the software and noted the city's relationship with this vendor could lead to the potential for a sole source purchase in bundling with the A.I. software. Director Arnold noted that Axon has become the leading vendor in the field. Councilmember Burns asked about termination clauses if any issues developed. Director Arnold specified they were committing to three one-year contracts should there be any issues. Councilmember Burns asked if the dictation being real-time would allow an officer to skew the narration of a case, to which Director Arnold said it would be an improvement since police reports would no longer be completed by the officer typing them 25 minutes or so later. Councilmember Burns opined the software could attract new recruits.

Councilmember Urban began by expressing his trust in the Public Safety - Police Division's judgment, but asked what the alternatives would be if reservations with the A.I. arose. Director Arnold stated that staff would revert to typing reports in Microsoft Word, dependent upon their writing skills.

Councilmember Ledbetter asked if the Michigan State Police or any other departments in Michigan had utilized the software. Director Arnold responded that the software was relatively new, and he was aware of Troy, Kentwood, and a few other cities. Mayor Randall asked about prior usage during a trial period. Director Arnold noted a two-month trial period and used specific staff with acknowledgements. He further stated the Prosecutor's Office is aware of and supports the department's use of the software.

Motion by Ledbetter, seconded by Urban, to approve a three-year agreement with Axon Enterprises, Inc., for the Draft One police report writing platform in the amount of \$93,898.42 for year one. Upon a roll call vote, motion carried 7 to 0.

River Caddis Planned Development – PD Designation and Tentative Plan Amendment

Extension Request: At the Mayor's request, Councilmember Miler stated that she removed the item from the Consent Agenda following several citizen questions regarding the matter. At the invitation of Mayor Randall, Chief Development Officer Pete Dame provided a summary regarding progress with the development. Mayor Randall asked if the new six-month deadline requested could be met. CDO Dame expressed his confidence in the new timeline. Councilmember Miller thanked staff for their continued efforts with the project and voiced her support due to the progress shown.

Motion by Miller, seconded by Young, to approve a six-month extension to the previously approved PD Designation and Tentative Plan Amendment for River Caddis Planned Development, at 412 West Centre Avenue and 7860 Shaver Road. Upon a roll call vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

Sale of 9246 Portage Industrial Drive to Kalamazoo County: Mayor Randall deferred to City Manager McGinnis to summarize the property matter to date. Mr. McGinnis explained the current action was conditioned on division of the property to provide space for the City of Portage, Kalamazoo County Government, and the Kalamazoo County Central Dispatch Authority. He also noted the City would retain easements adjacent to the property for future city use.

Councilmember Young asked the City Manager to explain why the city was selling property for less than what it purchased. Mr. McGinnis reiterated the agreement provided space for the city to use as well as the easements the city would retain. He also noted an additional 6-year claw-back clause that had been added since the first reading of the item following various Council concerns regarding the price gap.

Councilmember Burns expressed his expectation that the proposed storage would replace an existing storage location and would not add to current infrastructure. City Manager McGinnis confirmed.

Motion by Miller, seconded by Burns, to take final action regarding the Resolution to sell city property addressed as 9246 Portage Industrial Drive to Kalamazoo County for \$600,000 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.

Proposed Shared Emergency Management Staff Person: Mayor Randall introduced the item, noting the City Council met in a Committee of the Whole (COW) prior to the regular meeting to review the matter in greater detail, asking the City Manager to summarize the prior discussion. Mr. McGinnis explained the proposal to divide an Emergency Manager between Kalamazoo County and City of Portage duties. He also highlighted a 90-day opt-out provision should the collaboration breakdown.

Councilmember Miller relayed some of the discussion from the COW meeting, noting that the 2024 Tornado could have been significantly worse if not for providence. She noted that the collaboration with the County seemed the best solution budget-wise for both jurisdictions.

Councilmember Urban quoted Benjamin Franklin in that a failure to plan is planning to fail and highlighted three prior severe weather events which had caused significant infrastructure damage to the city. He expressed the staff person's goal is to prepare not to manage a response.

Mayor Pro Tem Pearson, as well as Councilmembers Ledbetter and Young, expressed concerns with the County's dependence on the city for supplementary emergency management staffing, the division of time such a staff person would be able to focus on the City of Portage, and the terms staffing oversight within the noted agreement.

Councilmember Burns added the Council's concerns were not fully addressed during the COW and expressed a desire to discuss the position more in-depth at the Council Goal Setting Retreat. He noted he would like to deny the recommended action presented on the agenda but keep the theme going considering the efforts from city staff during the tornado.

Councilmember Urban stated he would support amending the budget to acquire a full-time position. Mayor Pro Tem Pearson responded against amending the budget on short notice and asked the City Administration to ensure the matter was discussed at the Council Goal Setting Retreat following the November 4 election.

Motion by Pearson, seconded by Ledbetter, to deny the proposed agreement for the provision of an emergency management staff person to be shared evenly between the City of Portage and Kalamazoo County and authorize the City Manager to execute all documents related to this action. Upon a roll call vote, motion carried 5 to 2, with Councilmembers Miller and Urban voting no.

Solicitor and Canvassers Ordinance Update: At the request of the Mayor, City Manager McGinnis relayed the Council's concerns from the prior City Council meeting regarding the ordinance revisions and provided the staff's updates since that time.

Motion by Urban, seconded by Young, to receive the amended Chapter 14 Businesses, Article 4 Solicitor and Canvassers ordinance for first reading and set a second reading for November 5, 2025. Upon a roll call vote, motion carried 7 to 0.

Secondhand Dealers Ordinance Update: City Manager McGinnis relayed similar concerns and updates in the ordinance to that of the prior Solicitor's Ordinance, noting how the two were related in nature.

Motion by Miller, seconded by Urban, to receive the amended Chapter 14 Businesses, Article 8 Secondhand Dealers ordinance for first reading and set a second reading for November 5, 2025. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Young provided an update from the Kalamazoo County Environmental Health Advisory Council regarding PFAS testing, Eastern Equine Encephalitis, and Portage water testing. Additionally, she highlighted the Household Hazardous Waste Center was seeking a new location. She also had updates regarding the Portage Community Center's upcoming holiday gift drive and PCC volunteers providing hot chocolate at the Mayor's Tree Lighting Ceremony.

Councilmember Burns relayed an update about the Central County Transportation Authority. He noted the CCTA had extended its agreement with the operating system for the MetroLink app and highlighted a presentation the committee was given regarding fare policy. He also provided where to find information on the upcoming funding millage in the November 4 Election.

Motion by Pearson, 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 Young began by noting her and Portage Northern's humiliating loss in the Battle of the Bins competition with Councilmember Miller and Portage Central but highlighted the contest collected 3,840 pounds of food for 12 Baskets Food Pantry. Councilmember Young also thanked Disability Network for hosting her and Councilmember Miller at the Breaking Barriers breakfast and highlighted the Southwest Michigan First "Rise and Thrive" event at the Air Zoo. She noted the upcoming Why I Love Portage essay contest, the Fall leaf pick-up and closed with a reminder of the upcoming November 4 E Election.

Councilmember Burns had no comments.

Councilmember Urban noted the city could not renegotiate a duly entered contract as suggested during citizen comment request to change the current terms between the city and Waste Management.

Councilmember Ledbetter began by thanking the Public Safety Director for answering his questions regarding A.I.'s use in police report writing, though asked for periodic, future updates. Councilmember Ledbetter then agreed for a future discussion about the Emergency Management position at the Council Goal Retreat. He then expressed personal interest and support for the Environmental Board's land acknowledgment report.

Councilmember Miller began by recognizing the groundbreaking for the new Farmers' Market, as well as the ribbon cutting for the Lexington Green Park. She then thanked city staff for assisting with the Battle of the Bins, including weighing and moving the collected food to the 12 Baskets Food Pantry. Councilmember Miller also spoke about her dog's recent graduation as a therapy dog, attending Fire Station 1 fire safety open house, as well as the Disability Network breakfast.

City Manager McGinnis began by announcing a \$10,000 donation by the Shaver Road Meijer store to the Portage Zhang Senior Center in support of the veterans' lunches. He also announced the launch of the Fuelwood Permit by the Department of Public Works in December to provide residents with firewood resulting from the tornado. He closed by highlighting the success of the Environmental Board's plastic bag recycling efforts and suggested reinstituting the recycling program.

Mayor Pro Tem Pearson had no comments.

Mayor Randall began by thanking the Council for their attendance during the long evening of meetings at 5 pm. She then thanked those companies who provided candy for trick-or-treating during Monster Mash despite the event ultimately being rained out. Mayor Randall also noted the high community participation despite the weather.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:07 PM.

Erica L. Eklov, City Clerk

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Approve the Accounts Payable Register of November 5, 2025, as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register, which includes automated clearing house payments, paper checks, auto-pay payments and electronic payments. The attached Accounts Payable Register covers the period October 12, 2025, through October 25, 2025, and notes \$1,878,951.76 in automated clearing house payments, \$1,757,573.77 in paper checks, \$223,378.56 in auto-pay payments and \$413,475.82 in electronic payments for a grand total of \$4,273,379.91.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of November 5, 2025

ACCOUNTS PAYABLE REGISTER
Check Dates From: 10/12/2025 to 10/25/2025

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Check Date	Check	Vendor Name	Description	Amount
Check Type: ACH Transaction				
10/17/2025	25160(A)	ADP, INC.	ADP WORKFORCE NOW	7,584.94
10/17/2025	25161(A)	BEYER, NICHOLAS	PER DIEM-APWA ROAD SCHOLAR PROGRAM	157.00
10/17/2025	25162(A)	D. WOOD PLUMBING LLC	BACKFLOW TESTING FOR CITY DEVICES	1,549.36
10/17/2025	25163(A)	CITY EMPLOYEE	RETURNED WAGE GARNISHMENT	478.25
10/17/2025	25164(A)	POWERDMS, INC.	POWER ACTION/POWER IA/POWER VITALS SUB	16,659.75
10/17/2025	25165(A)	SLAVIN, NATHAN	REIMBURSE-PAINT SUPPLIES DET BUREAU	91.05
10/24/2025	25166(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SVCS-W CENTRE AT ANGLING	2,867.25
10/24/2025	25167(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	4,855.29
10/24/2025	25168(A)	ALL-TRONICS, INC.	SERVICE MONITORING	159.00
10/24/2025	25169(A)	ALRO STEEL CORPORATION	GUSSETS FOR BIKE RACK	30.00
10/24/2025	25170(A)	AMAZON.COM SALES, INC.	OFFICE SUPPLIES-TREASURY	114.41
10/24/2025	25171(A)	AMERICAN ARBOR LLC	CITY WIDE TREE WORK	24,500.00
10/24/2025	25172(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	2,650.00
10/24/2025	25173(A)	AUNALYTICS INC	DISASTER RECOVERY SERVICES	385.00
10/24/2025	25174(A)	BARRETT, KIMBERLY	PZSC ART INSTRUCTOR PRINT MAKING	130.00
10/24/2025	25175(A)	BARRON, DIANE E	PZSC TAP CLASS INSTRUCTOR	240.00
10/24/2025	25176(A)	BEST WAY DISPOSAL, INC.	CURBSIDE RECYCLING PROGRAM EXTENSION	70,446.50
10/24/2025	25177(A)	BLUE CARE NETWORK-GREAT LAKES	HEALTH INSURANCE	233,590.65
10/24/2025	25178(A)	BLUE LINE REMODELING LLC	MI NEIGH - REPLACE ROOF	12,948.86
10/24/2025	25179(A)	BOGARD, SCOTT T	REIMB EXPS-NAPCH NATIONAL K9 SEMINAR	132.48
10/24/2025	25180(A)	BOUND TREE MEDICAL LLC	FIRE EMS SUPPLIES	706.50
10/24/2025	25181(A)	BYHOLT INC.	LEXINGTON GREEN - BACKFILL SAND	537.90
10/24/2025	25182(A)	C D W GOVERNMENT, INC.	OFFICE SUPPLIES-SCANNER	862.59
10/24/2025	25183(A)	CAPSTONE HOME IMPROVEMENT, LLC	MI NEIGH - PATIO DOOR REPLACEMENT	9,671.77
10/24/2025	25184(A)	CARLETON EQUIPMENT CO.	TILT TACH FOR SKIDSTEER	3,600.00
10/24/2025	25185(A)	CHARTER COMMUNICATIONS	CABLE TV	667.34
10/24/2025	25186(A)	CIVICPLUS, LLC	AGENDA & MEETING MGMT RENEWAL	16,324.53
10/24/2025	25187(A)	CLARK LOGIC EARTHWORKS, LLC	LANDSCAPE BED MAINTENANCE	8,515.00
10/24/2025	25188(A)	CLEAN EARTH ENVIRONMENTAL SERV	SEPTIC TANK SERVICE - W LAKE NATURE PRES	318.00
10/24/2025	25189(A)	CONSOLIDATED ELECTRICAL DIST INC	REPAIR & MAINTENANCE SUPPLIES	115.88
10/24/2025	25190(A)	CONTINENTAL LINEN SERVICES	PZSC PROGRAM & EVENT SUPPLIES	67.97
10/24/2025	25191(A)	COX, ELISA ROSE	PZSC SUPERVISED FITNESS INSTRUCTOR	405.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 10/12/2025 to 10/25/2025

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Check Date	Check	Vendor Name	Description	Amount
10/24/2025	25192(A)	D. WOOD PLUMBING LLC	LEXINGTON GREEN - WATER MAIN HOOKUP	5,890.00
10/24/2025	25193(A)	DEARBORN LIFE INSURANCE COMPANY	LIFE LTD AND STD INSURANCE	11,832.12
10/24/2025	25194(A)	DEMING, JONATHAN	PZSC FOOT CARE CLINIC	800.00
10/24/2025	25195(A)	DEPATIE FLUID POWER COMPANY	REPAIR & MAINTENANCE SUPPLIES	97.11
10/24/2025	25196(A)	DOPP, LYNLEY	PER DIEM-MIAHN CONFERENCE	160.00
10/24/2025	25197(A)	DURIAN, TAMMY	PER DIEM-MAMC EDUCATION DAY CONF	55.50
10/24/2025	25198(A)	ENG., INC.	AUSTIN LAKE TRAIL A&E DESIGN	16,925.40
10/24/2025	25199(A)	ENGINEERED PROTECTION SYSTEMS, INC.	FIRE ALARM MONITORING, SERVICE CALL	1,646.44
10/24/2025	25200(A)	ENVIRONMENTAL SYSTEMS RESEARCH	ARGIS ANNUAL SUBSCRIPTION/ONLINE HUB	18,271.87
10/24/2025	25201(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	VEHICLE REPAIR & MAINTENANCE	1,260.00
10/24/2025	25202(A)	FULL CIRCLE FARM	REIMBURSEMENT FOR SNAP & DUFB	76.00
10/24/2025	25203(A)	GENUINE PARTS COMPANY INC	REPAIR & MAINTENANCE SUPPLIES	291.58
10/24/2025	25204(A)	GORDON WATER SYSTEMS	WATER SERVICES	569.35
10/24/2025	25205(A)	GRAHAM, WILLIAM	REIMB EXPS-EMU FIRE STAFF & COMMAND SCHL	1,259.38
10/24/2025	25206(A)	GRAINGER INC	SHOP SUPPLIES/GLOVES & SAFETY GEAR	3,773.06
10/24/2025	25207(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICES	455.00
10/24/2025	25208(A)	HAAN, MEGAN KATHLEEN	PZSC BARRE, PILATES INSTRUCTOR	150.00
10/24/2025	25209(A)	HAMBRIGHT, JARED	PER DIEM-THE ART OF READING SMOKE	60.00
10/24/2025	25210(A)	HELMER, TRAVIS	PER DIEM-THE ART OF READING SMOKE	60.00
10/24/2025	25211(A)	HOWMEDICA OSTEONICS CORP	POLICE AED BATTERIES	936.00
10/24/2025	25212(A)	INCREDIBLE KETTLE	SNAP REIMBURSEMENT	47.00
10/24/2025	25213(A)	INDUSCO SUPPLY CO., INC.	JANITORIAL SUPPLIES	1,940.10
10/24/2025	25214(A)	INSIGHT PUBLIC SECTOR, INC.	ADOBE SUBS, CLOUD SVCS, DASHBOARD RENEWAL	25,054.73
10/24/2025	25215(A)	IP CONSULTING, INC.	BACKUP VERIFICATIONS/ADDT'L WORK	312.00
10/24/2025	25216(A)	J & H OIL COMPANY	FUEL PURCHASES	202.18
10/24/2025	25217(A)	J & J LAWN SERVICE, INC.	UTILITY MOWING, TRIMMING & WEED CONTROL	8,824.95
10/24/2025	25218(A)	JB PRINTING	PZSC SEPT/OCT ADDITIONAL NEWSLETTERS	3,675.00
10/24/2025	25219(A)	JONS TO GO PORTABLE RESTROOM	PORT-A-JOHNS FOR LEAF PICKUP	492.90
10/24/2025	25220(A)	KALAMAZOO LANDSCAPE SUPPLIES	LEXINGTON GREEN - RESTORATION	1,371.20
10/24/2025	25221(A)	KEHOE, EDWARD J	PZSC TAI CHI & QIGONG INSTRUCTOR	580.00
10/24/2025	25222(A)	KENDIG KEAST COLLABORATIVE	ZONING CODE UPDATE	10,841.20
10/24/2025	25223(A)	KENT COUNTY DPW	WASTE DISPOSAL RED MED/DRUG/WASTE DISP	90.00
10/24/2025	25224(A)	KONICA MINOLTA BUSINESS SOLUTIONS	LEASE, MAINTENANCE AGREEMENTS	2,120.44

ACCOUNTS PAYABLE REGISTER
Check Dates From: 10/12/2025 to 10/25/2025

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Check Date	Check	Vendor Name	Description	Amount
10/24/2025	25225(A)	KREITNER, JAMES	REIMBURSEMENT FOR SNAP & DUFB	198.00
10/24/2025	25226(A)	KURZAVA, MATTHEW STEPHEN	PZSC FITNESS INSTRUCTOR TAI CHI & PARKINSONS	1,070.00
10/24/2025	25227(A)	MACQUEEN EQUIPMENT, LLC	REPAIR & MAINTENANCE SUPPLIES	1,841.11
10/24/2025	25228(A)	MAIL MANAGEMENT, INC.	INK CARTRIDGE	395.00
10/24/2025	25229(A)	MAPLE HILL SPRINKLING, INC.	S WESTNEDGE PARK IRRIGATION REPAIRS	2,238.00
10/24/2025	25230(A)	MATTAWAN MUSHROOM CO	REIMBURSEMENT FOR SNAP & DUFB	75.00
10/24/2025	25231(A)	MCGUIRE, INGRID	REIMBURSE-OFFICE SUPPLIES	147.64
10/24/2025	25232(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	174.83
10/24/2025	25233(A)	MEJEUR ELECTRIC LLC	PZSC-INSTALL GFI OUTLETS	1,575.00
10/24/2025	25234(A)	MICHIGAN PAVING & MATERIALS CO.	2025 LOCAL STREETS RECONSTRUCTION	138,501.73
10/24/2025	25235(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	330.82
10/24/2025	25236(A)	MUNICIPAL EMERGENCY SERVICES INC	SCBA TECH 1 COURSE REGISTRATION	400.00
10/24/2025	25237(A)	MY GREEN MICHIGAN	MGM FOOD WASTE COMPOST SVC AGREEMENT	2,558.00
10/24/2025	25238(A)	NYE UNIFORM CO	FIRE UNIFORMS	493.94
10/24/2025	25239(A)	O'BOYLE-COLWELL-BLALOCK & AS.	LAKEVIEW PARK PHASE 1 A&E SERVICES	2,395.00
10/24/2025	25240(A)	OFF THE CUFF CATERING	PZSC HALLOWEEN DANCE, PEEP SCREENING	1,255.00
10/24/2025	25241(A)	ONSTAFF GROUP SERVICES LLC	TEMPORARY EMPLOYEE SERVICES	11,833.08
10/24/2025	25242(A)	PARIS CLEANERS	LAUNDRY SERVICES	944.40
10/24/2025	25243(A)	PEARSON, GERALD	PARKS FACILITY CLEANING	7,005.00
10/24/2025	25244(A)	PEERLESS-MIDWEST, INC.	INSTALLATION OF PRODUCTION WELL	26,451.00
10/24/2025	25245(A)	PETERS CONSTRUCTION CO.	EMERG REPAIR SANITARY SEWER - MOORSBRIDGE	11,552.00
10/24/2025	25246(A)	PLASKO, PATRICIA MARIE	PZSC FITNESS INSTRUCTOR BE MOVED & YOGA	690.00
10/24/2025	25247(A)	PRECISION PRINTER SERVICES INC	PRINTER SUPPORT SERVICES	648.32
10/24/2025	25248(A)	PRINTING SERVICES INC	PRINTING SERVICES	114.50
10/24/2025	25249(A)	PROGRESSIVE AE, INC	CONSULTING SVCS FOR AQUATIC NUISANCE	4,375.00
10/24/2025	25250(A)	PURITY CYLINDER GASES, INC	WELDING SUPPLIES	523.70
10/24/2025	25251(A)	REED, BRENT LESLIE	TREE & BRUSH REMOVAL, RET BASIN MAINT	8,940.00
10/24/2025	25252(A)	RENEWED EARTH, INC.	COMPOST SITE MANAGEMENT	8,166.66
10/24/2025	25253(A)	RIETH-RILEY CONSTRUCTION CO., INC	S WESTNEDGE AVE RECONSTRUCTION PROJ	774,878.02
10/24/2025	25254(A)	ROE-COMM, INC.	MISC RADIO SERVICES	412.50
10/24/2025	25255(A)	ROSE, SANDRA K.	PZSC FITNESS CARDIO DRUMMING	400.00
10/24/2025	25256(A)	S B F ENTERPRISES, INC.	PRINT, PROCESS & MAIL WATER/SEWER BILLS	580.36
10/24/2025	25257(A)	SAFETY SERVICES, INC.	CALIBRATION - MICROCLIPS, GAS MONITORS	638.59

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Check Date	Check	Vendor Name	Description	Amount
10/24/2025	25258(A)	SCHULTZ, KYLIE	PZSC FITNESS INSTRUCTOR BARRE & PILATES	180.00
10/24/2025	25259(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL REPAIRS & MAINT	7,447.82
10/24/2025	25260(A)	SHELDON, ASHLEY ELIZABETH	PZSC DANCE RENTAL SPACE	245.00
10/24/2025	25261(A)	SIMPLIFILE LLC	RECORDING AND SUBMISSION FEES	299.25
10/24/2025	25262(A)	SMART SOURCE, LLC	MIS UNIFORMS	217.86
10/24/2025	25263(A)	SMITH GARSON, INC.	FEDERAL ADVOCACY SERVICES	5,000.00
10/24/2025	25264(A)	SNELL, DEBRA	PZSC BODY REBOUND & LINE DANCING INSTR	420.00
10/24/2025	25265(A)	SORENSEN, JULIE	PZSC PROGRAM PRESENTER SOCIAL ISOLATION	150.00
10/24/2025	25266(A)	SULLIVAN, WHITNEY	CITY HALL PLANT CARE	125.00
10/24/2025	25267(A)	TEAM SUPPORT SERVICES, LLC	PROJECT MANAGEMENT & RECORD STORAGE	919.00
10/24/2025	25268(A)	TERMINAL SUPPLY CO.	SAFETY LIGHTS	1,378.06
10/24/2025	25269(A)	TMK WORLDWIDE, LLC	METER SERVICE	695.54
10/24/2025	25270(A)	TOMSIC, MATTHEW	REIMB EXPS - K9 SEMINAR	167.68
10/24/2025	25271(A)	TRUGREEN AND ACTION PEST CONTROL	FLEA & TICK SPRAY APPLICATION	272.79
10/24/2025	25272(A)	UNDERWOOD, TAMARA ANJANETTE	PZSC FITNESS INSTRUCTOR DRUMS ALIVE	350.00
10/24/2025	25273(A)	UNITED PARCEL SERVICE	UPS WEEKLY	12.00
10/24/2025	25274(A)	UNITED ROTARY BRUSH CORPORATION	WOLVERINE HD GUTTER BROOMS FOR SWEEPERS	957.34
10/24/2025	25275(A)	US SIGNAL COMPANY, LLC	INTERNET FIBER SERVICES	900.00
10/24/2025	25276(A)	VANGUARD FIRE & SUPPLY LLC	FIRE FACILITY MAINT	1,500.00
10/24/2025	25277(A)	VEOLIA WATER CONTRACT OPERATIONS	UTILITY SYSTEM OPERATION, WATER METERS	236,553.39
10/24/2025	25278(A)	WARNER NORCROSS & JUDD LLP	LEGAL SERVICES	110.00
10/24/2025	25279(A)	WAYNE COUNTY APPRAISAL LLC	SEPTEMBER SPECIAL BILLING SERVICES	162.78
10/24/2025	25280(A)	WENTWORTH, JORDAN	REIMB EXPS-NATIONAL K9 SEMINAR	151.94
10/24/2025	25281(A)	WEST MICHIGAN INT'L LLC	REPAIR & MAINTENANCE SUPPLIES	651.56
10/24/2025	25282(A)	WEST MICHIGAN STAMP & SEAL, INC	NOTARY STAMP & CRIMPER SET	69.00
10/24/2025	25283(A)	WHITE, MICHAEL	UNDERCOATING/FRAME RESTORATION	4,723.82
10/24/2025	25284(A)	WIGHTMAN	ENGINEERING SVCS-MULT LOCS	61,830.00
10/24/2025	25285(A)	XEROX CORPORATION	XEROX COPIER FEES	176.95
Total ACH				1,878,951.76

Check Type: Paper

10/14/2025	332020	BAKER, MARK D.	2023 SUMMER TAX REFUND DUE PRE CHANGE	1,601.35
10/17/2025	332021	AT&T	ELECTRONIC COMMUNICATIONS	81.09

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Check Dates From: 10/12/2025 to 10/25/2025

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Check Date	Check	Vendor Name	Description	Amount
10/17/2025	332022	CD-1909 LLC	UMBRELLAS WITH STANDS	330.00
10/17/2025	332023	CORELOGIC	2025 SUMMER TAX REF DUE TO VETERAN EXEMPT	9,812.88
10/17/2025	332024	DEKILDER, TERRY	PER DIEM-APWA ROAD SCHOLAR PROGRAM	157.00
10/17/2025	332025	SOLITUDE LAKE MANAGEMENT, LLC	AUSTIN LAKE HERBICIDE APPLICATION	1,651.50
10/17/2025	332026	VERIZON WIRELESS	WIRELESS CARDS	543.75
10/24/2025	332027	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	2,287.48
10/24/2025	332028	ALLEN EDWIN HOME BUILDERS LLC	BD BOND REFUND	1,290.00
10/24/2025	332029	ALLIED MECHANICAL SERVICE	HVAC SERVICES	1,394.00
10/24/2025	332030	ALTA EQUIPMENT CO.	REPAIR & MAINTENANCE SUPPLIES	1,377.30
10/24/2025	332031	ALTSCHUL, DUSTIN	FIRE STATION 1 RENOVATIONS	4,450.00
10/24/2025	332032	AMERICAN HOIST AIR & LUBE EQUIP INC	MOWHAWK LIFTS-ARM RESTRAINTS REPLACED	3,928.94
10/24/2025	332033	AMLD CONSULTING LLC	NETWORK PENETRATION TEST & ASSESS	2,375.00
10/24/2025	332034	AT&T	ELECTRONIC COMMUNICATIONS	0.30
10/24/2025	332035	BAILEY'S MEATS	SNAP REIMBURSEMENT	86.00
10/24/2025	332036	BALKEMA EXCAVATING, INC.	EMERGENCY REPAIR - STORM DRAIN	17,139.67
10/24/2025	332037	BELDEN BRICK AND SUPPLY	LAKEVIEW - STONE VENEER	550.21
10/24/2025	332038	BELSON OUTDOORS, LLC	LEXINGTON GREEN FURNITURE	6,394.94
10/24/2025	332039	BONAMEGO, LOUIS	REIMBURSEMENT FOR SNAP & DUFB	12.00
10/24/2025	332040	BRINKHUIS, STEPHANIE	SNAP REIMBURSEMENT	11.00
10/24/2025	332041	BRINN, CHAUNCEY J.	CULINARY ACADEMY INSTRUCTOR	360.00
10/24/2025	332042	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAWS	400.00
10/24/2025	332043	BUTCHER, CHRISTINE	SCHRIER BLD DEPOSIT REFUND	150.00
10/24/2025	332044	CHAPMAN, CORY	S WESTNEDGE PARK DEPOSIT REFUND	100.00
10/24/2025	332045	CHICAGO TITLE OF MICHIGAN	OVER PMT FINAL W/S BILL & PRE PMT WIN TAX25	1,053.48
10/24/2025	332046	CHILCOTE, SARA KAY	SNAP REIMBURSEMENT	3.00
10/24/2025	332047	CLASSIC GLASS, INC.	WINDSHIELD REPLACEMENT	986.65
10/24/2025	332048	COLBY, GAY	SCHRIER BLD DEPOSIT REFUND	150.00
10/24/2025	332049	COLLEGE HUNKS	RAMONA SOFTBALL DEPOSIT REFUND	100.00
10/24/2025	332050	COLLICK, DANIEL	HAYLOFT STAGE CURTAIN INSTALLATION	1,200.00
10/24/2025	332051	CORELOGIC	2025 SUMMER TAX REFUND DUE TO PRE CHANGE	479.19
10/24/2025	332052	CT ELECTRICAL SERVICES, INC.	SALT CONVEYOR HOOK UP/WIRING	1,100.20
10/24/2025	332053	CUNNINGHAM, DANIEL R	PZSC COOKING INSTRUCTOR-FALL SOUPS	408.39
10/24/2025	332054	CURRY, JAMES	RAMONA SOFTBALL DEPOSIT REFUND	100.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 10/12/2025 to 10/25/2025

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Check Date	Check	Vendor Name	Description	Amount
10/24/2025	332055	DETROIT SALT CO.	EARLY SALT DELIVERY	174,102.90
10/24/2025	332056	DEVON TITLE AGENCY	MASTER POLICY-STANWOOD, MONITORING AGMT	7,335.00
10/24/2025	332057	DICK, ROBERT	REIMBURSEMENT FOR SNAP & DUFB	48.00
10/24/2025	332058	DORRANCE FORD INC	REPAIR & MAINTENANCE SUPPLIES	273.60
10/24/2025	332059	DUTCHMAN ORCHARDS, LLC	REIMBURSEMENT FOR SNAP & DUFB	205.00
10/24/2025	332060	EMERGENCY VEHICLE PRODUCTS	UPFITTING POL VEH, REPAIR & MAINTENANCE	37,246.05
10/24/2025	332061	EMERY FOODS LLC	SNAP REIMBURSEMENT	85.00
10/24/2025	332062	FARRELL, SUZANNE	SCHRIER BLD DEPOSIT REFUND	150.00
10/24/2025	332063	FLETCHER ENTERPRISES	HAYLOFT-WOOD STAIN, REMOVE GRAFFITI @ TRAIL	1,475.00
10/24/2025	332064	GALLS PARENT HOLDINGS, LLC	RANGER UNIFORMS	150.00
10/24/2025	332065	GORDON FOOD SERVICE	PZSC PROG & CAFE SUP, SNACKS LEAF-A-LEG VOL	696.10
10/24/2025	332066	GOULD, KENNETH	HAYLOFT THEATRE DEPOSIT REFUND	150.00
10/24/2025	332067	GREENSPIRE APARTMENTS	OVERBILLED FIRE SERVICE REFUND-GREENSPIRE DR	63,970.41
10/24/2025	332068	GREENSPIRE II APARTMENTS, LLC	REFUND OVERBILLED FIRE SERVICE-FAWN COVE	63,995.29
10/24/2025	332069	GROTHAUSE, DAVID	SNAP REIMBURSEMENT	62.00
10/24/2025	332070	GYGAX, KIM	SCHRIER BLD DEPOSIT REFUND	150.00
10/24/2025	332071	HACK, ISABELLA	GRAIN ELEVATOR DEPOSIT REFUND	150.00
10/24/2025	332072	HERRIMAN, SCOTT E	PZSC PERFORMER HALLOWEEN BASH	400.00
10/24/2025	332073	HOEKSTRA ROOFING CO.	PZSC BUILDING REPAIRS & MAINTENANCE	836.25
10/24/2025	332074	HOLCOMB, JOSHUA BARBER	PZSC UKULELE INSTRUCTOR	1,080.00
10/24/2025	332075	HOME DEPOT	REPAIR & MAINTENANCE SUPPLIES	4,918.66
10/24/2025	332076	VOID		0.00
10/24/2025	332077	IPUSA PORTAGE 1	2025 SUMMER BROWNFIELD CAPTURE IPUSA	168,046.33
10/24/2025	332078	J & J LOCKSMITHS	INSTALL OCCUPANCY INDICATOR, PZSC KEYS/LOCKS	580.10
10/24/2025	332079	KAL KLEEN INC	POST TORNADO HAYLOFT DEEP CLEAN	7,420.00
10/24/2025	332080	KALAMAZOO AREA TRANSPORTATION STUDY	TRAFFIC TECH SERVICES	3,610.00
10/24/2025	332081	KALAMAZOO COUNTY MASTER GARDENER	PZSC RENTAL REFUND 10.20.25	250.00
10/24/2025	332082	KALAMAZOO COUNTY TREASURER	COLONIAL ACRES SEPT 2025 MOBILE HOME TAXES	250.00
10/24/2025	332083	KALAMAZOO COUNTY TREASURER	ADMIN FEE REFUND FOR ASSESSOR PRE CHANGE	163.07
10/24/2025	332084	KALAMAZOO LAWN & GARDEN EQUIPMENT	REPAIR PARTS - SCAG WINDSTORM	305.98
10/24/2025	332085	KEENAN, CHRIS	SKATE PARK DEPOSIT REFUND	300.00
10/24/2025	332086	KNATZ, ANITA	GRAIN ELEVATOR DEPOSIT REFUND	150.00
10/24/2025	332087	KRAUSE, GREG & LINDA	PZSC PROGRAM REFUND	30.00

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Check Date	Check	Vendor Name	Description	Amount
10/24/2025	332088	KZOO TIRE COMPANY	VEHICLE REPAIR & MAINTENANCE	1,972.22
10/24/2025	332089	LAKELAND ASPHALT CORP.	2024-2025 MILL & FILL	394,655.33
10/24/2025	332090	LEADERS FOR YOUTH SPORTS	GRAIN ELEVATOR DEPOSIT REFUND	150.00
10/24/2025	332091	LENNING, EMILY	GRAIN ELEVATOR DEPOSIT REFUND	115.00
10/24/2025	332092	LERETA LLC	2025 SUMMER TAX REFUND DUE TO PRE CHANGE	3,734.06
10/24/2025	332093	LEXISNEXIS RISK DATA MANAGEMENT INC	IYETEK MAINTENANCE FEE	2,718.90
10/24/2025	332094	LIGHTHOUSE UNIFORM CO. INC.	FIRE UNIFORMS	2,872.84
10/24/2025	332095	LOVERS LANE PROPERTIES LLC	2025 SUMMER BROWNFIELD DISBURSEMENT	13,910.67
10/24/2025	332096	LUPINA, VICTOR	PZSC PROGRAM PAYMENT REFUND	139.00
10/24/2025	332097	LYNCH, JORDAN MICHAEL	ARBORIST SERVICES	800.00
10/24/2025	332098	MARTIN & ASSOC ENVIRONMENTAL, LLC	PANDA DYNASTY - ABATEMENT	2,240.00
10/24/2025	332099	MCDONALD'S TOWING & RESCUE, INC.	POLICE - TOWING SERVICES	45.00
10/24/2025	332100	MDSA	PZSC MDSA MEMBERSHIP DUES	150.00
10/24/2025	332101	MI ASSOC. OF CHIEFS OF POLICE	MEMBERSHIP FEES, WINTER CONFERENCE REG	380.00
10/24/2025	332102	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINT	2,101.90
10/24/2025	332103	MICHIGAN DISASTER RESPONSE	AFTER THE STROM TORNADO RELIEF REIMBURSE	78,665.50
10/24/2025	332104	MILLER ROAD TRANSFER STATION	DEBRIS HAULING	107.61
10/24/2025	332105	MODERNISTIC CARPET CLEANING CO	CLEAN ANNEX HALLWAY CARPETS	360.00
10/24/2025	332106	MONTOYA, MARISOL	STUART MANOR DEPOSIT REFUND	150.00
10/24/2025	332107	MONUMENT ENGINEERING GROUP ASSOCIAT	ACT 51 SURVEYING	925.00
10/24/2025	332108	NEXGEN CONSTRUCTION, LLC	EAST CENTRAL TRAIL CONSTRUCTION	55,601.05
10/24/2025	332109	NIAIA	MEMBERSHIP RENEWAL	125.00
10/24/2025	332110	NOREGON SYSTEMS LLC	HEAVY DUTY TRUCK CODE SCANNER RENEWAL	3,599.00
10/24/2025	332111	OFFICE DEPOT, INC.	OFFICE SUPPLIES	59.50
10/24/2025	332112	ON DUTY GEAR, LLC	BALLISTIC VESTS & CARRIERS, MISC SUPPLIES	1,020.00
10/24/2025	332113	PAVEMENT MAINTENANCE SYSTEMS, LLC	ANGLING ROAD MICROSURFACING	112,119.40
10/24/2025	332114	PDL PROPERTY MANAGEMENT LLC	CITY WIDE BOULEVARD MOWING	21,552.97
10/24/2025	332115	PETERMAN CONCRETE CO.	CONCRETE FOR SIDEWALKS - LEXINGTON	671.63
10/24/2025	332116	PETTY CASH-ANTONIA ALEMAN	REPLENISHMENT CHECK	369.76
10/24/2025	332117	PIPELINE MANAGEMENT COMPANY, LLC	SANITARY SEWER PIPELINE CLEANING-MULT LOCS	124,847.70
10/24/2025	332118	PLUMMER'S ENVIRONMENTAL SERVICES	SAN SEWER PIPELINE CLEANING-PORTAGE CREEK BR	88,294.48
10/24/2025	332119	PORTAGE PHYSICIANS PC	PZSC RENTAL DEPOSIT 10.15.25	250.00
10/24/2025	332120	PORTAGE PUBLIC SCHOOLS	PARKS & RECREATION DEPOSIT REFUND	150.00

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Check Date	Check	Vendor Name	Description	Amount
10/24/2025	332121	PREMIER COLUMBARIA LLC	COLUMBARIUM'S AT SOUTH CEMETERY	21,336.00
10/24/2025	332122	PROPERTY MANAGEMENT SYSTEMS	MANAGEMENT FEES 9303 PORTAGE RD	690.00
10/24/2025	332123	RADER, LINNEA	MANAGEMENT TRAINING	818.40
10/24/2025	332124	RATHCO SAFETY SUPPLY, INC.	ROAD SIGNS LOCALS	634.00
10/24/2025	332125	ROAD WARRIORS INC	RE-HOSE AERIAL UNIT/BOOM	14,058.54
10/24/2025	332126	ROSSOW, NEAL ALBERT	BASIC FOIA REGISTRATION	205.00
10/24/2025	332127	SCHUMACHER, CHRISTOPHER	RAMONA FOOTBALL DEPOSIT REFUND	100.00
10/24/2025	332128	SITEONE LANDSCAPE SUPPLY LLC	IRRIGATION REPAIR SUPPLIES	1,001.92
10/24/2025	332129	SOUTHWEST MICHIGAN FIRST	SHOP LOCAL SPONSORSHIP	10,000.00
10/24/2025	332130	SPIRIT SHOPPE, INC.	FIRE UNIFORMS	340.00
10/24/2025	332131	STATE OF MICHIGAN	SEX OFFENDER REGISTRATION	30.00
10/24/2025	332132	STATE OF MICHIGAN (DOT)	WEST MILHAM AVE CONSTRUCTION	148,820.88
10/24/2025	332133	STATE SYSTEMS RADIO, INC	PORTAGE REPEATER SERVICE	88.00
10/24/2025	332134	STEENSMA LAWN & POWER EQUIPMENT	BACK PACK BLOWERS, REPAIRS & MAINT	1,929.92
10/24/2025	332135	STOMMEN, JAKE	WESTFIELD SOFT DEPOSIT REFUND	100.00
10/24/2025	332136	STRYKER INSTRUMENTS	RAMONA FIELDS DEPOSIT REFUND	100.00
10/24/2025	332137	SWANK MOTION PICTURES, INC.	MOMASH MOVIE GHOSTBUSTERS	575.00
10/24/2025	332138	THIRD COAST TECH, LLC	PZSC EQUIPMENT REPAIR & MAINTENANCE	354.00
10/24/2025	332139	TIRIKOS, SUSAN	WESTFIELD TENT DEPOSIT REFUND	100.00
10/24/2025	332140	TODD WENZEL BUICK GMC OF WESTLAND	GMC TERRAIN AWD VEHICLE	29,865.00
10/24/2025	332141	TORRES LAWN CARE & SNOW REMOVAL LLC	TALL GRASS & WEED ABATEMENT	100.00
10/24/2025	332142	ULINE, INC.	PZSC FITNESS SUPPLIES	300.45
10/24/2025	332143	W MICH CRIMINAL JUSTICE TRAINING CO	EVERY OFFICER A LEADER REGISTRATION	4,821.68
10/24/2025	332144	W MICH CRIMINAL JUSTICE TRAINING CO	TASER INSTRUCTOR CERTIFICATIONS	400.00
10/24/2025	332145	WILKS, CHERYL	WESTFIELD SOFTBALL DEPOSIT REFUND	100.00
10/24/2025	332146	WILLIAMS & WORKS	ENGINEERING SERVICES-MULT LOCS	5,201.40
Total Paper Checks				1,757,573.77

Check Type: Auto-Pay Payments

10/14/2025	CONSUMERS ENERGY	GAS-ELECTRIC	8,417.97
10/15/2025	PRINCIPAL LIFE	UNION PENSIONS	49,401.64
10/15/2025	CONSUMERS ENERGY	GAS-ELECTRIC	343.04
10/16/2025	MISSIONSQUARE	EMPLOYER RETIREMENT CONTRIBUTIONS	96,225.55

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Check Date	Check	Vendor Name	Description	Amount
10/16/2025		CONSUMERS ENERGY	GAS-ELECTRIC	3,759.18
10/17/2025		MISSIONSQUARE	EMPLOYEE RETIREMENT WITHHOLDINGS	49,254.82
10/20/2025		CONSUMERS ENERGY	GAS-ELECTRIC	255.59
10/20/2025		CITY OF PORTAGE	WATER/SEWER BILLING	14,911.96
10/21/2025		CONSUMERS ENERGY	GAS-ELECTRIC	808.81
Total Auto-Pay Payments				223,378.56
Check Type: Electronic Payments				
10/15/2025		MULTIPLE	PPCOA, PPOA PENSION PAYMENTS	75,735.60
10/17/2025		MULTIPLE	WEEKLY TAX DISBURSEMENT 10/10/25	337,740.22
Total Electronic Payments				413,475.82
Grand Total				4,273,379.91

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Health Insurance Contract Renewals

SUPPORTING PERSONNEL: Shannon Hertz, Director of Human Resources

ACTION RECOMMENDED:

- a. Approve a one-year contract with Blue Cross Blue Shield of Michigan at a current cost of \$0.00, and Blue Care Network at an estimated cost of \$2,755,541.44, for employee health insurance;
- b. Approve a four-year contract renewal with EyeMed for Department Head and Non-Union (DH/NU) vision insurance, changing plan year to calendar year, at an estimated cost of \$67,253.76;
- c. Take action to continue to exempt the city from requirements of P.A. 152 for the 2026 medical benefits plan year, and authorize the City Manager to execute all documents related to the contract renewals on behalf of the city.

Health insurance is provided by the city to all full-time non-union and union personnel as part of an overall comprehensive benefit package which is key to attracting and retaining quality employees. City employees currently have an opportunity to enroll in health insurance specific to employee groups, offered through Blue Cross Blue Shield of Michigan Community Blue (BCBSM) or Blue Care Network (BCN).

Current health insurance contracts with BCBSM and BCN expire on December 31, 2025, and EyeMed vision insurance on January 31, 2026. As part of the health insurance contract renewal process for the 2026 plan year, the city was advised of increases in premium for all employee plans.

Changes to premium (excluding taxes and fees) are as follows:

BCN \$500/20%	IAFF and UAW	13.68%
BCN HDHP POS	DH/NU, IAFF, PPCOA, PPOA, UAW	15.17%
BCN HDHP HMO	Department Head & Non-Union	16.80%
BCN \$500/20%	Department Head & Non-Union	13.77%
BCN \$500/0%	PPCOA, PPOA and UAW	14.28%
BCBSM \$1000/20%	IAFF	1.94%

The state health insurance premium caps for 2026 increased by 2.9%. Taxes and fees decreased by

\$5,363.86 from the prior year, with a total estimated cost of \$13,982.40 expected for the 2026 plan year based upon current enrollment.

Current State Insurance Premium Caps		2026 State Insurance Premium Caps	
Single Coverage	\$ 7,718.26	Single Coverage	\$ 7,942.09
2 Person Coverage	\$16,141.28	2 Person Coverage	\$16,609.38
Family Coverage	\$21,049.85	Family Coverage	\$21,660.30

The city recently went out to bid for the 2025 plan year and the carriers solicited either declined to quote, or did not respond. As a result of the increased BCBSM premiums received during this renewal process, the city took action to request additional healthcare options from BCBSM.

The City Administration decided to eliminate the BCN \$500/20% plan currently offered to the DH/NU employees, with exception of BCN65, due to significant premium cost to employees and replace it with a BCN HMO Plan which includes a higher \$1,000 deductible, \$2,500 embedded co-insurance maximum (ECM), and the addition of hearing coverage. The city continues to offer both the BCN HDHP POS and BCN HDHP HMO plans to all employee groups. Additionally, each of the union groups were offered additional lower premium cost options and hearing coverage. Except for the IAFF, all union groups elected to add hearing coverage while maintaining their existing plans.

It is recommended that City Council approve one-year contracts with Blue Cross Blue Shield of Michigan with an estimated contract cost of \$0.00 due to no current enrollment, and Blue Care Network for employee health insurance. Estimated contract costs for BCN are as follows: \$2,755,541.44, with \$2,950,354.74 paid by the city (including HSA contributions). The \$0.00 contract with Blue Cross Blue Shield of Michigan is for a plan that is offered to meet a contractual obligation with the IAFF. However, the plan currently has no participants.

In 2013, the state legislature amended Public Act 152 to expand the definition of “medical benefit plan cost” to include the amounts public employers pay directly or indirectly for taxes and fees associated with health insurance. Based on this action, the costs for taxes and fees would have had to be passed directly to employees. P.A.152 also provides that an exemption to the requirements of the act can be exercised for the next succeeding year by a two-thirds vote of the City Council. The Council took action in December 2013 to exempt the city from P.A.152 beginning with the 2014 plan year, permitting the city to continue to pay up to the caps for health insurance premiums and to pay the costs associated with taxes and fees. All P.A.152 requirements were met, except that healthcare-related tax costs were absorbed rather than passed on to employees. This same action has been repeated in successive years.

In 2025, health insurance premiums increased by an average of 25.31%, and for 2026, health insurance premiums will increase by an additional average of 15.4%, while State Caps increased only .2% for 2025, and 2.9% for 2026. It is recommended that City Council again take action to exempt the city from P.A.152 for the 2026 plan year and allow the city to calculate employee premium cost sharing up to the state caps, allow the city to continue to pay associated taxes and fees, and allow the city to provide HSA contributions of \$1,000 for single coverage, and \$2,000 for 2 Person and Family coverage levels for those employees enrolled in high deductible health plans in an effort to help offset the significant premium increase incurred by employees as well as aid in recruitment and retention efforts.

FUNDING: Funds have been budgeted and are available to support the cost of employee health insurance coverage for the balance of the current fiscal year and will be budgeted for Fiscal Year 2026-2027.

Attachments: None

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Delta Dental Plan

SUPPORTING PERSONNEL: Shannon Hertz, Director of Human Resources

ACTION RECOMMENDED: Approve a two-year contract with benefit change to the Department Head and Non-Union (DH/NU) group, with the option of an additional renewal for a period of up to two years, with Delta Dental Plan of Michigan for dental insurance and authorize the City Manager to execute all documents on behalf of the city.

The City of Portage provides dental insurance to all full-time employees as part of negotiated labor agreements and the non-union fringe benefit package. Dental benefits include basic (diagnostic, preventative, radiographs, oral surgery, endodontic, periodontic and restorative services), prosthodontic (services and appliances such as bridges, partial and complete dentures that replace missing natural teeth), and orthodontic (services, treatment and procedures required for the correction of malpositioned teeth) to age 19.

The city has contracted with Delta Dental Plan of Michigan for these benefits since 1977 and the current one-year contract will expire on December 31, 2025. The city received a two-year renewal quote from Delta Dental as well as a bid from Blue Cross Blue Shield of Michigan (BCBSM) for a one-year contract; however, BCBSM was not able to match all benefits for all employee groups. Delta Dental has provided a two-year rate guarantee with no increase in premium.

As a recruitment and retention tool, the city would like to increase the DH/NU coverage annual benefit from \$1,500 to \$2,000 per benefit year and also increase the orthodontia lifetime maximum for this group from \$3,000 to \$4,000 per person. The benefit for this group has not changed in over 23 years. Delta Dental has agreed to increase the benefit levels for the DH/NU group with a premium increase of 5.9% (\$7,900.20/year) and with no increase in premium for all other groups for a two-year period. Based upon current enrollment, the total cost of the two-year contract renewal is estimated to be \$253,970.12. Delta Dental has provided excellent customer service to city staff over the life of the contract.

Therefore, it is recommended that City Council approve a two-year contract with benefit change to the Department Head and Non-Union (DH/NU) group, with the option of an additional renewal for a period of up to two years, with Delta Dental Plan of Michigan for dental insurance and authorize the City Manager to execute all documents on behalf of the city.

FUNDING: Funds have been included in the 2025/2026 fiscal year budget to cover the cost of employee benefits. Funds will be budgeted for Fiscal Year 2026/2027.

Attachments: None

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Employee Retirement Plan Investments (401a, IRA, Retirement Health Savings Plan (RHS) and 457 plans) Servicing Contract

SUPPORTING PERSONNEL: Shannon Hertz, Director of Human Resources

ACTION RECOMMENDED: Award the Retirement Plan Investments [401a, IRA, Retirement Health Savings Plan (RHS) and 457 plans] Servicing contract to Municipal Employees' Retirement System (MERS) of Michigan for a five-year servicing agreement for the cost of \$195,600.00 to plan participants and authorize the City Manager to execute all documents related to this action on behalf of the city.

The City of Portage has partnered with MissionSquare, formerly ICMA-RC, for retirement plan investment services for more than twenty years. During this time, the city had not conducted a market review to compare available options for plan participants. Following the transition to MissionSquare, the platform was less user-friendly and required more manual processes than the previous system. Additionally, employees began expressing dissatisfaction with customer support and the functionality of the MissionSquare website. These issues prompted discussions with MissionSquare to identify potential improvements and an exploration of alternative providers.

Six quotes were obtained from various providers, with Daybright Financial BENCOR MidAmerica offering the lowest cost to participants at \$151,328 for a five-year servicing plan. However, Daybright is not recommended, as the company has no current presence in Michigan and outsources many of its functions. In contrast, the Municipal Employees' Retirement System of Michigan (MERS), the second-lowest bidder, manages all services internally, including document management and fiduciary responsibilities.

The City of Portage has partnered with MERS since 2005 on the city's Retiree Health Funding vehicle. There is a strong understanding of the support the MERS team provides, as well as experience with customer service. Should the city transition these retirement plans to MERS, it is expected that the high level of customer support will continue, ensuring the same quality of service for employees.

MERS offers to take on full fiduciary responsibility for the plans as well as creation and maintenance of the plan documents. By doing this, the firm takes on the legal liability for the plans, keeping the city's liability to a minimum. MissionSquare offered to obtain a third party to provide a fiduciary function on behalf of the city's plans, but the cost to do so raises its bid to \$251,945.04 for the five-year term and the city would have to find a third-party fiduciary to use.

As a Michigan-based company with a strong local team to provide support to both the administration and plan participants, MERS is extremely attractive. The City Administration is confident that the tools

MERS provides, combined with personalized support to be provided during the transition, will be essential as the team undertakes this new initiative. Based on service quality, fiduciary responsibility, and participant costs, MERS is recommended as the best option for the city's retirement plans.

It is recommended that City Council award the Retirement Plan Investments [401a, IRA, Retirement Health Savings Plan (RHS) and 457 plans] Servicing contract to Municipal Employees' Retirement System (MERS) of Michigan for a five-year servicing agreement for the cost of \$195,600.00 to plan participants and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: n/a

Attachments: 1. Bid Tab_2025 RFP Employee Retirement Plans

**2025 RFP Administration Services for Employee Retirement Plans
Fiduciary, Recordkeeping, Investment and Administration Services
PROPOSAL TABULATION
PROPOSAL OPENING ON OCTOBER 9, 2025 AT 2 PM**

Daybright Financial/BENCOR MidAmerica 3003 S. Florida Avenue Suite 202 Lakeland, Florida 33803	\$ 151,328.00
Municipal Employees' Retirement System of Michigan 1134 Municipal Way Lansing, Michigan 48917	\$ 195,600.00
Nationwide 10 W. Nationwide Blvd Columbus, Ohio 43215	\$ 207,546.50
MissionSquare Retirement 777 N. Capital St. NE Suite 600 Washington, DC 20002	\$ 251,945.04
Voya Financial One Orange Way Windsor, Connecticut 06095	\$ 292,650.00
CAPTRUST 4208 Six Forks Road Raleigh, North Carolina 27609	\$ 684,317.45

Opened by: Justin Williams
Justin Williams, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Fire Station #3 facility improvements

SUPPORTING PERSONNEL: Nicholas Arnold, Director of Public Safety - Police / Fire Chief

ACTION RECOMMENDED: Award a contract in the amount of \$401,499 to Miller-Davis Company, for Fire Station No. 3 facility improvements, approve a budget transfer of \$101,499 to reallocate appropriations from completed public safety projects with unspent appropriations, and authorize the City Manager to execute all documents related to this action on behalf of the city.

The 2025-2026 Capital Improvement Program budget includes funding for the renovations and improvements to the sleeping quarters, bathrooms, and living areas at Fire Station No. 3. These improvements will include individual bedroom facilities for male and female firefighters.

On October 9, 2025, three responsive bids were received for construction services for Fire Station No. 3 interior renovation. Based on the review of the bids along with the city architect's recommendations, city staff is recommending awarding the project to the higher bidder, Miller-Davis Company. Included in bid submission requirements, all contractors were required to submit a progress schedule as well as alternative pricing for Temporary Housing Facilities. The other bids received did not include temporary housing and the inclusion of temporary housing would push the total costs higher than the Miller-Davis Company bid. Miller-Davis Company was the only bid to include temporary housing for staff during the interior reconstruction process, and they submitted the earliest date for project completion. If awarded, the project's estimated completion is early March 2026.

The Request for Bid (RFB) was posted on MLive, the City of Portage Website, and BidNet where 1,379 contractors were matched and notified of the project. All bids received were from local contractors.

Bids came in higher than anticipated, which requires funding beyond the original budget. Originally, the project was budgeted for \$300,000 and all the bids received exceeded the amount allocated, which requires a budget amendment to complete the project. A budget amendment is necessary to transfer unspent appropriations from recently completed projects that came in under budget: Fire Vehicle Replacement (\$58,851) and the Police Mobile Vehicle Computer projects (\$89,466). This represents a combined unspent total savings of \$148,317. The transfer of these unspent appropriations results in no negative impact on the budget.

Therefore, it is recommended that City Council award a contract in the amount of \$401,499 to Miller-Davis Company for Fire Station No. 3 facility improvements, approve a budget transfer of \$101,499 to reallocate appropriations from completed public safety projects with unspent appropriations, and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: Funds are available in the Fiscal Year 2024-2025 and 2025-2026 Capital Improvement Projects Fund.

Attachments: 1. Fire Station #3 Bid Tab

**2025 RFB FIRE STATION #3 INTERIOR RENOVATION
CONSTRUCTION SERVICES
BID TABULATION
BID OPENING ON OCTOBER 9, 2025 AT 3 PM**

Kalleward Group 3548 Gembrit Circle Kalamazoo, Michigan 49001	\$	384,000.00
Phoenix Builds 5368 Bradley Court Kalamazoo, Michigan 49009	\$	395,000.00
Miller-Davis Company 1029 Portage Street Kalamazoo, Michigan 49001	\$	401,499.00

Opened by: Justin Williams
Justin Williams, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Old Centre Road Reconstruction Project

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a contract to perform engineering services for the Old Centre Road Reconstruction Project to Williams & Works, Grand Rapids, Michigan in the amount not to exceed \$202,123 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The Fiscal Year 2025 - 2026 Capital Improvement Program budget includes funding for the Major Street Reconstruction Program. Major street reconstruction projects are selected based on pavement condition, average daily traffic, federal aid eligibility, as well as potential development activities. Future work will focus on preserving and restoring pavement conditions on major streets, which will allow additional roadway mileage to be restored yearly. Old Centre Road from Moorsbridge Road to West Centre Avenue is included in the Major Street Reconstruction Program. The project's estimated cost is \$1,400,000 and will be financed through the Municipal Street Fund.

On October 23, 2025, five proposals were received for design and construction engineering services for the Old Centre Road Reconstruction Project. Based upon review of the proposals, staff has determined that the low proposal of Williams & Works best fits the needs of the project. Williams & Works has significant experience with the city's policies and procedures and is pre-qualified with the Michigan Department of Transportation.

It is recommended that City Council award a contract to Williams & Works, Grand Rapid, Michigan to perform engineering services for the Old Centre Road Reconstruction Project in the amount not to exceed \$202,123 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are available through the Capital Improvement Program.

Attachments: 1. 2025 RFP PES Old Centre Reconstruction - Tabulation of Proposals

**2025 RFP OLD CENTRE RECONSTRUCTION
PROFESSIONAL ENGINEERING SERVICES
PROPOSAL TABULATION**
PROPOSAL OPENING ON OCTOBER 23, 2025 AT 3 PM

Williams & Works 549 Ottawa Ave NW, Ste 310 Grand Rapids, Michigan 49503	\$	202,123.00
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Prein&Newhof 3355 Evergreen Drive NE Grand Rapids, Michigan 49525	\$	207,800.00
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Land & Resource Engineering 2121 3 Mile Walker, Michigan 49544	\$	229,470.00
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Fleis & VandenBrink Engineering Inc. 2960 Lucerne Dr., SE Grand Rapids, Michigan 49546	\$	237,300.00
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Wightman & Associates, Inc. 2303 Pipestone Road Benton Harbor, Michigan 49022	\$	259,505.00
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Opened by: Justin Williams
Justin Williams, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Contract for towing and impound lot services

SUPPORTING PERSONNEL: Nicholas Arnold, Director of Public Safety - Police / Fire Chief

ACTION RECOMMENDED: Approve a one-year contract with McDonald's Towing and Rescue of Kalamazoo, Michigan, for towing and impound lot services in the amount of \$177,375 for one year, with the option for four (4) one-year renewals, and authorize the City Manager to execute all documents related to this matter on behalf of the city.

The city's contract for towing and impound lot services with McDonald's Towing and Rescue was awarded on June 23, 2020, and expired July 6, 2025. The optional six-month extension of the existing agreement will expire January 6, 2026. Over the life of the current contract, the city has averaged approximately 89.35 in-contract tows per month, or roughly 1,072 in-contract tows annually.

The Department of Public Safety closely monitors and reviews all in-contract tows to ensure compliance with the contract's fee structure. McDonald's Towing and Rescue has consistently provided reliable, cost-effective, and compliant services over the past five contract years.

This project was posted on MLive, the City of Portage website, and BidNet. Five known contractors and 133 contractors were matched and notified of this project. McDonald's Towing and Rescue was the only bid received.

Under the proposed contract, the following rates will apply:

Service Type	Previous Rate	Proposed Rate	Notes
General Service Call	\$15	\$20	\$5.00 increase
Tow (stuck/accident/non-accident)	\$45	\$65	\$20.00 increase
Mileage	\$1.50/mile	\$2.00/mile	\$0.50 increase/mile
Storage Fee	\$15/day	\$25/day	Increase reflects current market

For comparison, industry averages for towing services range from \$75 to \$125 per tow plus \$2.50 to \$7.00 per mile. The most recent prior competitive bid (2014) listed an in-contract price of \$64 (non-accident) or \$225 (accident) plus mileage, with an annual cost of \$243,724.50 — approximately 37% higher than the proposed 2025 bid.

Based on historical usage, it is recommended that City Council approve a one-year contract with McDonald's Towing and Rescue of Kalamazoo, Michigan, for towing and impound lot services in the amount of \$177,375 for one year, with the option for four (4) one-year renewals, and authorize the City Manager to execute all documents related to this matter on behalf of the city.

FUNDING: Funds are budgeted and available in the Fiscal Year 2025-2026 budget.

Attachments: 1. Bid Tab_2025 RFB Towing and Impound Services

2025 RFB TOWING AND IMPOUND LOT SERVICES
TOWING & IMPOUND SERVICES
BID TABULATION
BID OPENING ON OCTOBER 9, 2025 AT 4 PM

McDonalds Towing	\$	177,375.00
2975 Interstate Parkway		
Kalamazoo, Michigan 49048		

Opened by: Justin Williams
Justin Williams, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: East Shore Drive Lift Station Renovation Project

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a contract to Eng., Incorporated of Lansing, Michigan in the amount not to exceed \$106,465 to perform engineering services for the East Shore Drive Lift Station Renovation Project and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The Fiscal Year 2025-2026 Capital Improvement Program budget includes funding for the East Shore Drive Lift Station Renovation Project. Routine maintenance is performed each year on sanitary sewer lift stations. However, renovation is needed periodically to improve the efficiency, reliability and overall appearance of the lift stations. The project includes replacement of control panels, pumps, and rehabilitation of the wet well.

On October 23, 2025, six consultant proposals were received for engineering design and inspection services needed to implement the projects. After carefully reviewing the proposals submitted, staff determined that the low proposal from Eng., Incorporated, best fits the project requirements. Eng., Incorporated has satisfactorily designed several projects for the city in the past.

It is recommended that City Council award a contract to Eng., Incorporated of Lansing, Michigan, to perform engineering services for the East Shore Drive Lift Station Renovation Project in an amount not to exceed \$106,465 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funding is available in the 2025-2026 Capital Improvement Program.

Attachments: 1. 2025 RFP PES East Shore Drive Lift Station - Tabulation of Proposals

**2025 RFP EAST SHORE DRIVE LIFT STATION REHABILITATION
PROFESSIONAL ENGINEERING SERVICES
PROPOSALTABULATION
PROPOSAL OPENING ON OCTOBER 23, 2025 AT 3 PM**

Eng., Inc. 4063 Grand Oak Dr. Suite A 109 Lansing, Michigan 48911	\$	106,465.00
--	----	------------

Willams & Works 549 Ottawa Ave NW, Ste 310 Grand Rapids, Michigan 49503	\$	137,440.00
--	----	------------

The Mannik & Smith Group Inc. 2365 Haggerty Road South Canton, Michigan 48188	\$	165,361.00
--	----	------------

Wightman & Assoicaites 2303 Pipestone Road Benton Harbor, Michigan 49022	\$	177,145.00
---	----	------------

DLZ Michigan Inc. 1425 Keystone Lansing, Michigan 194600.00	\$	194,600.00
--	----	------------

Jones & Henry Engineers, Ltd. 4791 Campus Drive Kalamazoo, Michigan 49008	\$	227,000.00
--	----	------------

Opened by: Justin Williams
Justin Williams, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Sale of Stanwood Crossings Homes and Parcels

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Adopt the Resolution to authorize the City Manager or designee to sell real property at Stanwood Crossings (9617 Portage Road as divided or otherwise created), place the resolution on file for 28 days with the City Clerk, and take final action on December 2, 2025.

The City of Portage purchased 9617 Portage Road in 2021 for the purpose of expanding housing opportunities in the City of Portage for the price of \$265,000. Since that time, the City has undertaken the development of 42 single-family homes for sale as workforce housing. The development is known as Stanwood Crossings and stretches between Stanley and Woodbine just off Portage Road.

The city intends that the houses are made available to middle-income individuals or households and prices that people within the 80 to 120% of the Kalamazoo County Area Median Income can afford. The intent is to sell the homes at a discount of 25 percent below the cost of constructing the home. The difference in the sale price from what it cost the city to build would be offset by the \$3 million grant from the Kalamazoo County Homes for All millage, and from the Housing TIF approved for this project or other grants as may be needed. The first twelve houses authorized to be built by Council earlier this year would cost approximately \$225,000 to \$263,000, depending on the model of the homes. The whole development is expected to take 3 to 4 years to build.

The city has also created the Portage Community Land Trust (PCLT) to hold the land of the parcels under each of the 42 homes. At the time of the closing on the sale of each house, the plan is for the city to transfer the land parcel for that home into the PCLT. The PCLT will then enter into a long-term lease with the home purchaser with terms to ensure that the resale price remains affordable and that all future purchasers will also be within the 80 to 120 AMI range.

The City of Portage Code of Ordinances governs the disposition of property. Specifically, it states that "the city shall not have the power to sell, lease, or dispose of any real estate unless:

- (1) The resolution authorizing the sale, lease, or disposal thereof shall be completed in the manner in which it is to be finally passed and has remained on file with the Clerk for public inspection for twenty-eight days before the final adoption of passage thereof, with notice of intent to sell, lease, or dispose of such property published not less than twenty days before the Council finally acts thereon, and unless,

(2) Such action is approved by the affirmative roll call vote of five or more members of the Council, and unless,

(3) When the proposition is to sell any park, cemetery or any part thereof, except when such park is not required under an official master plan of the city, the proposition to sell, lease, or dispose of the same shall also be approved by a three-fifths vote of the electors of the city voting thereon at any general or special election."

Therefore, it is recommended that City Council adopt the Resolution to authorize the City Manager or designee to sell city real property and improvements known as Stanwood Crossings and located at 9617 Portage Road (as divided or otherwise created), place the resolution on file for 28 days with the City Clerk, and take final action on December 2, 2025.

FUNDING: Funds the City of Portage would receive would be returned to the Stanwood Crossings project account in the Capital Improvement Fund to pay for project expenditures.

Attachments: 1. Stanwood Crossings Resolution of Intent to Sell_AAF

**CITY OF PORTAGE, MICHIGAN
RESOLUTION OF INTENT TO SELL REAL ESTATE**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on _____, 2025, at 6:00 p.m. local time at City Hall in the City of Portage, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

COUNCIL MEMBER: _____ and supported by

COUNCIL MEMBER: _____.

WHEREAS, the City of Portage ("City") owns real property situated in the City of Portage, County of Kalamazoo, and State of Michigan, located at 9617 Portage Road, which property may be divided, ("Subject Property"); and

WHEREAS, the Subject Property is more particularly described as the City of Portage housing development named Stanwood Crossings (see Exhibit A); and

WHEREAS, the Subject Property was acquired by the City in 2021 in a vacant state for the purpose of developing housing units for purchase; and

WHEREAS, the Subject Property has been and is being improved with infrastructure and housing units as intended by the City; and

WHEREAS, the City created the Portage Community Land Trust to control parcels of land divided or otherwise created from the Subject Property for ensuring long-term affordability of the homes built on the Subject Property; and

WHEREAS, the City intends to sell the homes built on parcels divided or otherwise created from the Subject Property to qualified individuals or households; and

WHEREAS, the City intends for the homes to be affordable for those within the range of eighty to one hundred and twenty percent of Kalamazoo County Area Median Income.

NOW THEREFORE BE IT RESOLVED that the City of Portage City Manager or designee is authorized to sell individual homes on parcels divided or otherwise created from the Subject

Property to qualified and approved purchasers at seventy five percent of the cost of construction of each home, to the nearest hundred; and

BE IT FURTHER RESOLVED that at the time of the closing of the sale of a house within Stanwood Crossings, the City Manager or designee is authorized to transfer the parcel as divided or otherwise created from the Subject Property into the possession of the Portage Community Land Trust for the price of \$10 per parcel; and

BE IT FURTHER RESOLVED that in order to authorize the City's intent to sell improved parcels divided or otherwise created from the Subject Property, the terms of these sales have remained on file with the City Clerk for at least twenty-eight (28) days; and

BE IT FURTHER RESOLVED that notice in substantially the form attached as Exhibit B be published in a newspaper of general circulation not less than twenty (20) days before the final action of the City Council.

ADOPTED:

AYES: _____

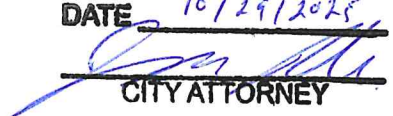
NAYS: _____

ABSENT: _____

Erica Eklov, City Clerk

APPROVED AS TO FORM

DATE 10/29/2025



CITY ATTORNEY

CERTIFICATION

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the ____ day of _____, 2025, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____, 2025.

Erica Eklov, City Clerk

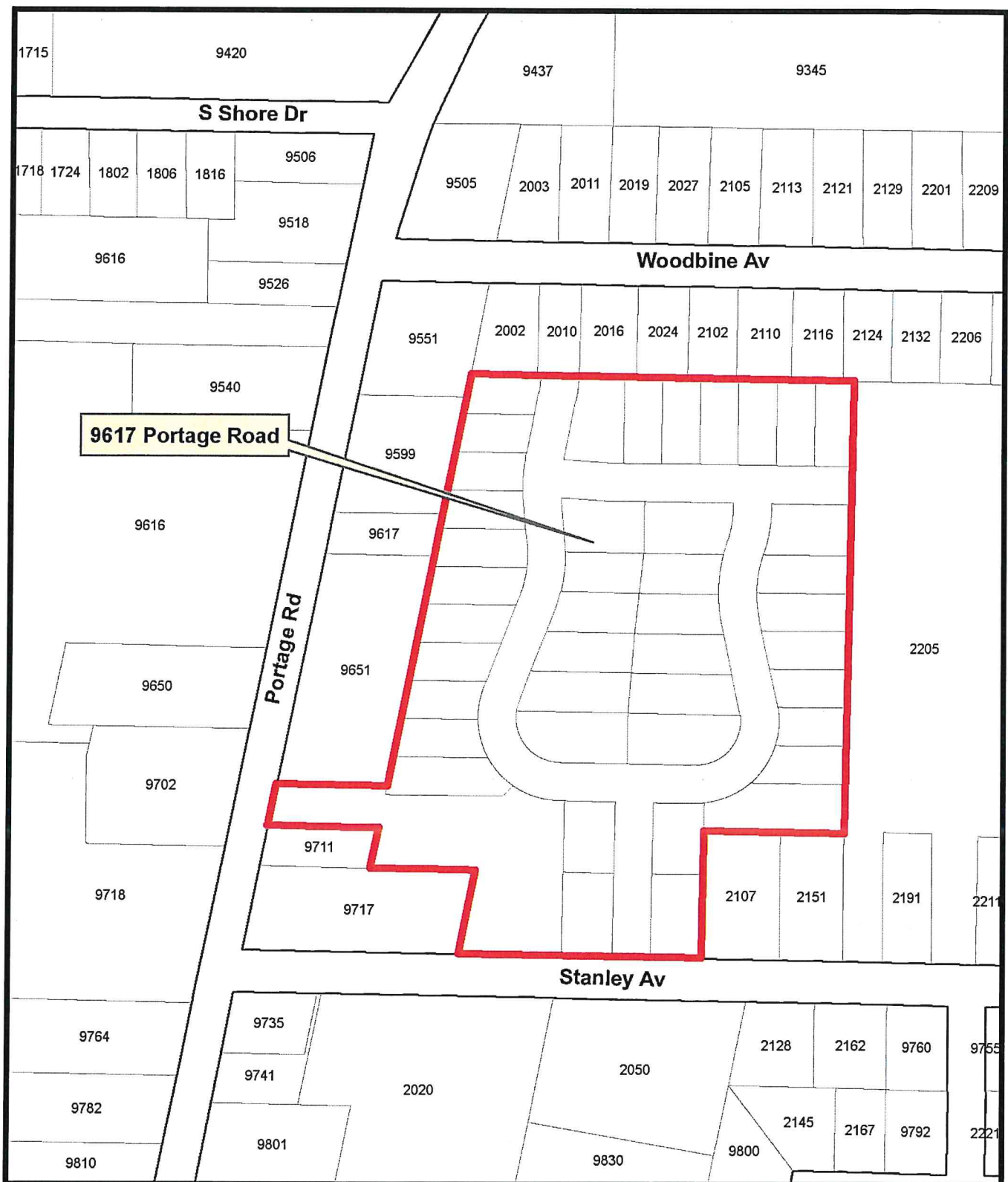
EXHIBIT A

Legal Description & Vicinity Map

Land situated in the City of Portage, County of Kalamazoo, State of Michigan, described as follows:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 46, SUPERVISOR'S PLAT OF MCCAMLEY BEACH AS RECORDED IN LIBER 13 OF PLATS, PAGE 5, KALAMAZOO COUNTY RECORDS; THENCE NORTH 88° 55' 53" WEST (RECORDED AS WEST) ON THE NORTH RIGHT OF WAY LINE OF STANLEY DRIVE 1944.85 FEET (RECORDED AS 1945.00 FEET) TO A CAPPED IRON ID #16935 AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED: THENCE CONTINUING NORTH 88° 55' 53" WEST (RECORDED AS WEST) ON SAID NORTH RIGHT OF WAY LINE 383.05 FEET (RECORDED AS 382.08 FEET MORE OR LESS) TO A CAPPED IRON ID #16935 AND A POINT THAT IS 329.88 FEET (RECORDED AS 330 FEET) EAST OF THE EAST RIGHT OF WAY LINE OF PORTAGE ROAD; THENCE NORTH 11° 15' 06" EAST ON A LINE PREVIOUSLY DESCRIBED AS BEING PARALLEL WITH SAID EAST RIGHT OF WAY LINE 134.18 FEET (RECORDED AS 134.13 FEET) TO A CAPPED IRON #16935; THENCE NORTH 88° 57' 58" WEST (RECORDED AS WEST) ON A LINE PREVIOUSLY DESCRIBED AS BEING PARALLEL WITH THE NORTH LINE OF SAID STANLEY DRIVE 164.99 FEET (RECORDED AS 165.15 FEET) TO A CAPPED IRON; THENCE NORTH 11° 21' 52" EAST ON A LINE PREVIOUSLY DESCRIBED AS BEING PARALLEL WITH SAID EAST RIGHT OF WAY LINE 64.88 FEET (RECORDED AS 64.94 FEET) TO A RECTANGULAR IRON ROD; THENCE NORTH 89° 08' 55" WEST (RECORDED AS WEST) ON A LINE PREVIOUSLY DESCRIBED AS BEING PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID STANLEY DRIVE 164.91 FEET (RECORDED AS 165 FEET) TO A CAPPED IRON ID #38116 ON THE EAST RIGHT OF WAY LINE OF SAID PORTAGE ROAD; THENCE NORTH 11° 19' 08" EAST ON SAID EAST RIGHT OF WAY LINE 67.00 FEET (RECORDED AS 67.13 FEET) TO A ½" REBAR WITH BROKEN CAP; THENCE SOUTH 89° 08' 55" EAST (RECORDED AS EAST) ON A LINE PREVIOUSLY DESCRIBED AS BEING PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF STANLEY DRIVE 164.90 FEET (RECORDED AS 165 FEET) TO A CAPPED IRON ID #38116; THENCE NORTH 11° 19' 08" EAST PARALLEL WITH SAID EAST RIGHT OF WAY LINE 369.20 FEET TO A CAPPED IRON ID #38116; THENCE NORTH 11° 01' 52" EAST 67.20 FEET TO A ½" SQUARE IRON; THENCE NORTH 11° 19' 52" EAST 221.63 FEET (RECORDED AS 221.72 FEET) TO A CONCRETE MONUMENT AT THE SOUTHWEST CORNER OF LOT 32 OF THE RECORDED PLAT OF MCCAMLEY MANOR AS RECORDED IN LIBER 25 OF PLATS, PAGE 42 KALAMAZOO COUNTY RECORDS; THENCE SOUTH 89° 13' 17" EAST (RECORDED AS EAST) ON THE SOUTH LINE OF SAID LOT 32 A DISTANCE OF 106.86 FEET (RECORDED AS 106.92 FEET) TO A CONCRETE MONUMENT AT THE SOUTHWEST CORNER OF OUTLOT "B", SAID MCCAMLEY MANOR; THENCE NORTH 00° 50' 02" EAST (RECORDED AS NORTH) ON THE WEST LINE OF SAID OUTLOT "B" 144.91 FEET (RECORDED AS 145 FEET) TO A ½" REBAR ON THE NORTH LINE OF SAID OUTLOT "B"; THENCE SOUTH 89° 12' 16" EAST (RECORDED AS EAST) ON SAID NORTH LINE 66.00 FEET TO A CAPPED IRON ID #16935 AT THE NORTHEAST CORNER OF SAID OUTLOT "B"; THENCE SOUTH 00° 49' 40" WEST (RECORDED AS SOUTH) ON THE EAST LINE OF SAID OUTLOT "B" 144.89 FEET (RECORDED AS 145 FEET) TO A CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID OUTLOT "B"; THENCE SOUTH 89° 13' 17" EAST

(RECORDED AS EAST) ON THE SOUTH LINE OF SAID MCCAMLEY MANOR 431.01 FEET TO A CAPPED IRON ID #16935 AT A POINT THAT IS 968 FEET WEST OF THE SOUTHEAST CORNER OF LOT 50, SAID MCCAMLEY MANOR; THENCE SOUTH $01^{\circ} 02' 52''$ WEST (RECORDED AS SOUTH) ON A LINE PREVIOUSLY DESCRIBED AS BEING PERPENDICULAR TO THE NORTH RIGHT OF WAY LINE OF SAID STANLEY DRIVE 712.20 FEET (RECORDED AS 712.60 FEET) TO A CAPPED IRON ID #16935; THENCE NORTH $88^{\circ} 55' 15''$ WEST (RECORDED AS WEST) ON A LINE PREVIOUSLY DESCRIBED AS BEING PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID STANLEY DRIVE 220.11 FEET (RECORDED AS 220 FEET) TO A CAPPED IRON ID #16935; THENCE SOUTH $01^{\circ} 04' 25''$ WEST (RECORDED AS SOUTH) ON A LINE PREVIOUSLY DESCRIBED AS BEING PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE 200.20 FEET (RECORDED AS 200 FEET) TO THE POINT OF BEGINNING. CONTAINING 13.30 ACRES MORE OR LESS. BEARINGS ARE RELATED TO THE MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.



 9617 Portage Road

Vicinity Map Stanwood Crossings 9617 Portage Road



1 inch = 200 feet

EXHIBIT B

**CITY OF PORTAGE, MICHIGAN
NOTICE OF INTENTION TO SELL REAL ESTATE
IN THE CITY OF PORTAGE, MICHIGAN**

PLEASE TAKE NOTICE, that on the ____ day of ____, 2025, the City Council of the City of Portage adopted a Resolution of Intent to Sell Real Estate stating the City's intent to sell certain real estate to _____ for the sum of _____ DOLLARS (\$_____.00).

PLEASE TAKE FURTHER NOTICE that the resolution authorizing this action and the Purchase and Sale Agreement to be executed are on file with the City Clerk and open for public inspection. Said documents will be so held by the City Clerk for twenty-eight (28) days from the above date and may be inspected at the Clerk's office during regular business hours. Any person(s) objecting to this sale should make their objection known to the City Council within twenty-eight (28) days of the publication of this notice. After said twenty-eight (28) day period, the Council may take final action and sell said Property.

Dated: _____, 2025

Erica Eklov, City Clerk

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Resolution to Accept the Terms of the Project Agreement From the MDNR

SUPPORTING PERSONNEL: Kathleen Hoyle, Director of Parks & Recreation

ACTION RECOMMENDED: Approve the Resolution to accept the terms of the Project Agreement from the Michigan Department of Natural Resources to receive a grant of \$400,000 from the Natural Resources Trust Fund toward construction of the Austin Lake Trail Project and authorize the City Manager to execute all documents related to this action on behalf of the city.

The Austin Lake Trail Project includes the construction of a three-mile asphalt paved, non-motorized 10' wide trail that will run from the roundabout at Zylman and Cox's Avenue to the south city limits to intersect with the Vicksburg Trail. The trail route will primarily follow a former railbed along the east side of Austin Lake to safely accommodate pedestrians and cyclists. The project will also include a lighted parking lot on city-owned lift station property on Wells Street, benches, trash receptacles and wayfinding signage.

To offset the anticipated cost for this project, Parks & Recreation submitted a grant application in March 2024 to the Michigan Department of Natural Resources (MDNR), and it was approved for \$400,000 from the Natural Resources Trust Fund. The MDNR funding will be used to offset costs for the northern section of the trail from Zylman Avenue to Nash Street. A grant request was also successfully submitted to the Kalamazoo Area Transportation Study (KATS) and to the Michigan Department of Transportation (MDOT) Transportation Alternatives Program (TAP) grant for additional project funding. These funds will be used to comply with the 82% match provision of the MDNR Project Agreement.

It is recommended that City Council authorize acceptance of the terms of the Agreement received from the MDNR Natural Resources Trust Fund for \$400,000, toward construction of the Austin Lake Trail Project and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING:

Attachments:

1. Council Resolution MDNR Grant Austin Lake Trail Project
2. MDNR Project Agreement - MNRTF_61883_5000010

**RESOLUTION TO ACCEPT TERMS OF
MDNR NATURAL RESOURCES TRUST FUND GRANT (#TF24-0081)
FOR THE AUSTIN LAKE TRAIL PROJECT
BY THE PORTAGE CITY COUNCIL**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on _____, at 6:00 p.m. at the City Hall in the City of Portage, Michigan.

Upon motion made by _____, seconded by _____, the following Resolution was adopted:

"RESOLVED, that _____ City of Portage _____, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the _____ City of Portage _____ does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide
Four Hundred Thousand dollars (\$ 400,000.00) dollars to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times in perpetuity.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution."

The following aye votes were recorded: _____

The following nay votes were recorded: _____

STATE OF MICHIGAN)

) ss

COUNTY OF _____)

I, _____, Clerk of the _____, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources , which Resolution was adopted by the _____ at a meeting held _____.

Signature

Title



Michigan Natural Resources Trust Fund Development Project Agreement

This information is required by authority of Part 5 of Act 451, P.A. 1994 as amended, to receive funds.

This Agreement is between **City of Portage** in the county of **Kalamazoo County**, hereinafter referred to as the "GRANTEE," and the MICHIGAN DEPARTMENT OF NATURAL RESOURCES, an agency of the State of Michigan, hereinafter referred to as the "DEPARTMENT." The DEPARTMENT has authority to issue grants to local units of government for the development of public outdoor recreation facilities under Part 19 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended and under Article IX, Section 35 of the Michigan Constitution. The GRANTEE has been approved by the Michigan Natural Resources Trust Fund (MNRTF) Board of Trustees (BOARD) to receive a grant. In Public Act **21 of 2025**, the Legislature appropriated funds from the MNRTF to the DEPARTMENT for a grant-in-aid to the GRANTEE.

The purpose of this Agreement is to provide funding in exchange for completion of the project named below. This Agreement is subject to the terms and conditions specified herein.

Project Title: Austin Lake Trail Project Project #: TF24-0081

Grant Amount: \$400,000.00 18% PROJECT TOTAL: \$2,345,700.00

Match Amount: \$1,945,700.00 82%

Start Date: Date of Execution by DEPARTMENT End Date: 10/31/2027

As a precondition to the effectiveness of the Agreement, the GRANTEE is required to sign the Agreement and return it to the DEPARTMENT with the required attachments by 12/19/2025 or the Agreement may be cancelled by the DEPARTMENT. **This Agreement is not effective until the GRANTEE has signed it, returned it, and the DEPARTMENT has signed it.** The Agreement is considered executed when signed by the DEPARTMENT.

The individuals signing below certify by their signatures that they are authorized to sign this Agreement on behalf of their agencies, and that the parties will fulfill the terms of this Agreement, including any attached appendices, as set forth herein.

GRANTEE

SIGNED _____

By [Print Name]: _____

Title: _____

Organization: _____

CMF7WU1X2H54
Unique Entity Identifier

CV0048238 010
SIGMA Vendor Number SIGMA Address ID

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

SIGNED _____

By: _____

Grants Section Manager

Date of Execution by DEPARTMENT

1. This Agreement shall be administered on behalf of the DEPARTMENT by the Grants Management Section within the Finance and Operations Division. All notices, reports, documents, requests, actions or other communications required between the DEPARTMENT and the GRANTEE shall be submitted through the department's online grant management system, MiGrants, which is accessed through www.michigan.gov/dnr-grants, unless otherwise instructed by the DEPARTMENT. Primary points of contact pertaining to this agreement shall be:

GRANTEE CONTACT

Name/Title

Organization

Address

Address

Telephone Number

E-mail Address

DEPARTMENT CONTACT

MNRTF Grant Program Manager

Name/Title

Grants Management/DNR Finance & Operations

Organization

525 W. Allegan Street, Lansing, MI 48933

Address

P.O. Box 30425, Lansing, MI 48909

Address

517-284-7268

Telephone Number

DNR-Grants@michigan.gov

E-mail Address

2. The legal description of the project area, boundary map of the project area, and the development grant application bearing the number **TF24-0081** uploaded to MiGrants are by this reference made part of this Agreement. The Agreement together with the referenced documents in MiGrants constitute the entire Agreement between the parties and may be modified only in writing and executed in the same manner as the Agreement is executed.
3. The time period allowed for project completion is from **10/20/2025** through **10/31/2027**, hereinafter referred to as the "project period." Requests by the GRANTEE to extend the project period shall be submitted in MiGrants before the expiration of the project period. Extensions to the project period are at the discretion of the DEPARTMENT and may only be extended by an amendment to this Agreement.
4. The words "project area" shall mean the land and area described in the uploaded legal description and shown on the uploaded boundary map.
5. The words "project facilities" shall mean the following individual components, as further described in the application.

Bench(es)
Bike Repair Station
Fence
Landscaping
Lighting
Paved Parking Lot
Signage
Trail 8' wide or more
Trash Bin(s)

6. The DEPARTMENT will:

- a. grant to the GRANTEE a sum of money equal to **Eighteen percent (18%) of Two Million Three Hundred and Forty-Five Thousand Seven Hundred dollars (\$2,345,700.00)**, which is the total eligible cost of construction of

the project facilities including engineering costs, but in any event not to exceed **Four Hundred Thousand dollars (\$400,000.00)**.

- b. grant these funds in the form of reimbursements to the GRANTEE for eligible costs and expenses incurred as follows:
 - i. Payments will be made on a reimbursement basis at **Eighteen percent (18%)** of the eligible expenses incurred by the GRANTEE up to 90% of the maximum reimbursement allowable under the grant.
 - ii. Reimbursement will be made only upon DEPARTMENT review and approval of a complete reimbursement request submitted by the GRANTEE through the MiGrants website, including but not limited to copies of invoices, cancelled checks, EFTs, list of volunteer and/or force account time and attendance records.
 - iii. The DEPARTMENT shall conduct an audit of the project's financial records upon approval of the final reimbursement request by DEPARTMENT staff. The DEPARTMENT may issue an audit report with no deductions or may find some costs ineligible for reimbursement.
 - iv. The final 10% of the grant amount will be released upon completion of a satisfactory audit by the DEPARTMENT and documentation that the GRANTEE has erected an MNRTF sign in compliance with Section 7(j) of this Agreement.

7. The GRANTEE will:

- a. immediately make available all funds needed to incur all necessary costs required to complete the project and to provide **One Million Nine Hundred and Forty-Five Thousand Seven Hundred dollars (\$1,945,700.00)** in local match. This sum represents **Eighty-Two percent (82%)** of the total eligible cost of construction including engineering costs. Any cost overruns incurred to complete the project facilities called for by this Agreement shall be the sole responsibility of the GRANTEE.
- b. with the exception of engineering costs as provided for in Section 8, incur no costs toward completion of the project facilities before execution of this Agreement and before DEPARTMENT approval of plans, specifications and bid documents.
- c. complete construction of the project facilities to the satisfaction of the DEPARTMENT and to comply with the development project procedures set forth by the DEPARTMENT in completion of the project, including but not limited to the following:
 - i. Retain the services of a professional architect, landscape architect, or engineer, registered in the State of Michigan to serve as the GRANTEE'S Prime Professional. The Prime Professional shall prepare the plans, specifications and bid documents for the project and oversee project construction.
 - ii. **Within 180 days** following execution of this Agreement by the GRANTEE and the DEPARTMENT and before soliciting bids or quotes or incurring costs other than costs associated with the development of plans, specifications, or bid documents, provide the DEPARTMENT with plans, specifications, and bid documents for the project facilities, sealed by the GRANTEE'S Prime Professional.
 - iii. Upon DEPARTMENT approval of plans, specifications and bid documents, openly advertise and seek written bids for contracts for purchases or services with a value equal to or greater than \$50,000 and accept the lowest qualified bid as determined by the GRANTEE'S Prime Professional.
 - iv. Upon DEPARTMENT approval of plans, specifications and bid documents, solicit three (3) written quotes for contracts for purchases or services between \$5,000 and \$50,000 and accept the lowest qualified bid as determined by the GRANTEE'S Prime Professional.
 - v. Maintain detailed written records of the contracting processes used and submit these records to the DEPARTMENT upon request.
 - vi. Complete construction to all applicable local, state and federal codes, as amended; including but not limited to the federal Americans with Disabilities Act (ADA) of 2010, as amended; the Persons with Disabilities Civil Rights Act, Act 220 of 1976, as amended; the Playground Equipment Safety Act, P.A. 16 of 1997, as amended; the Utilization of Public Facilities by Physically Limited Act, P.A. 1 of 1966, as amended; the Elliott-Larsen Civil Rights Act, Act 453 of 1976, as amended; and the 2013 Access Board's Final Guidelines for Outdoor Developed Areas.
 - vii. Bury all new utilities within the project area.
 - viii. Correct any deficiencies discovered at the final inspection within 90 days of written notification by the DEPARTMENT. These corrections shall be made at the GRANTEE'S expense and are eligible for reimbursement at the discretion of the DEPARTMENT and only to the degree that the GRANTEE'S prior expenditures made toward completion of the project are less than the grant amount allowed under this

Agreement.

- d. operate the project facilities for a minimum of their useful life as determined by the DEPARTMENT , to regulate the use thereof to the satisfaction of the DEPARTMENT , and to appropriate such monies and/or provide such services as shall be necessary to provide such adequate maintenance.
 - e. provide to the DEPARTMENT for approval, a complete tariff schedule containing all charges to be assessed against the public utilizing the project area and/or any of the facilities constructed thereon, and to provide to the DEPARTMENT for approval, all amendments thereto before the effective date of such amendments. Preferential membership or annual permit systems are prohibited on grant-assisted sites, except to the extent that differences in admission and other fees may be instituted on the basis of residence. Nonresident fees shall not exceed twice that charged residents. If no resident fees are charged, nonresident fees may not exceed the rate charged residents at other comparable state and local public recreation facilities.
 - f. adopt such ordinances and/or resolutions necessary to effectuate the provisions of this Agreement ; certified copies of all such ordinances and/or resolutions adopted for such purposes shall be forwarded to the DEPARTMENT before the effective date thereof.
 - g. separately account for any revenues received from the project area which exceed the demonstrated operating costs and to reserve such surplus revenues for the future maintenance and/or expansion of the GRANTEE'S park and outdoor recreation program.
 - h. furnish the DEPARTMENT, upon request, detailed statements covering the annual operation of the project area and/or project facilities, including income and expenses and such other information the DEPARTMENT might reasonably require.
 - i. maintain the premises in such condition as to comply with all federal, state, and local laws which may be applicable, and to make any and all payments required for all taxes, fees, or assessments legally imposed against the project area.
 - j. erect and maintain a sign on the property which designates this project as one having been constructed with the assistance of the MNRTF. The size, color and design of this sign shall be in accordance with DEPARTMENT specifications.
 - k. conduct a dedication/ribbon-cutting ceremony as soon as possible after the project is completed and the MNRTF sign is erected within the project area. At least 30 days prior to the dedication/ribbon-cutting ceremony, the DEPARTMENT must be notified in writing of the date, time, and location of the dedication/ribbon-cutting ceremony. GRANTEE shall provide notice of ceremony in the local media. Use of the grant program logo and a brief description of the program are strongly encouraged in public recreation brochures produced by the GRANTEE. At the discretion of the DEPARTMENT, the requirement to conduct a dedication/ribbon-cutting ceremony may be waived.
8. Only eligible costs and expenses incurred toward completion of the project facilities after execution of the Project Agreement shall be considered for reimbursement under the terms of this Agreement. Eligible engineering costs incurred toward completion of the project facilities beginning **January 1, 2025** and throughout the project period are also eligible for reimbursement. Any costs and expenses incurred after the project period shall be the sole responsibility of the GRANTEE.
9. To be eligible for reimbursement, the GRANTEE shall comply with DEPARTMENT requirements. At a minimum, the GRANTEE shall:
- a. Submit a progress report every 180 days during the project period.
 - b. Submit complete requests for partial reimbursement when the GRANTEE is eligible to request at least 25 percent of the grant amount and construction contracts have been executed or construction by force account labor has begun.
 - c. Submit a complete request for final reimbursement **within 90 days of project completion and no later than 01/31/2028**. If the GRANTEE fails to submit a complete final request for reimbursement by **01/31/2028**, the DEPARTMENT may audit the project costs and expenses and make final payment based on documentation on file as of that date or may terminate this Agreement and require full repayment of grant funds by the GRANTEE .
10. During the project period, the GRANTEE shall obtain prior written authorization from the DEPARTMENT before adding, deleting or making a significant change to any of the project facilities as proposed. Approval of changes is solely at the discretion of the DEPARTMENT. Furthermore, following project completion, the GRANTEE shall obtain prior written authorization from the DEPARTMENT before implementing a change that significantly alters the project facilities as constructed and/or the project area, including but not limited to discontinuing use of a project facility or making a significant change in the recreational use of the project area. Changes approved by the DEPARTMENT pursuant to this Section may also require prior approval of the BOARD, as determined by the DEPARTMENT.

11. All project facilities constructed or purchased by the GRANTEE under this Agreement shall be placed and used at the project area and solely for the purposes specified in the application and this Agreement .
12. The project area and all facilities provided thereon, as well as the land and water access ways to them, shall be open to the general public at all times on equal and reasonable terms. No individual shall be denied ingress or egress thereto or the use thereof because of sex, race, color, religion, national origin, residence, age, height, weight, familial status, marital status, or disability.
13. Unless an exemption has been authorized by the DEPARTMENT pursuant to this Section , the GRANTEE hereby represents that it possesses fee simple title, free of all liens and encumbrances, to the project area. The fee simple title shall not be subject to: 1) any possibility of reversion or right of entry for condition broken or any other executory limitation which may result in defeasance of title or 2) to any reservation or prior conveyance of coal, oil, gas, sand, gravel or other mineral interests. For any portion of the project area that the GRANTEE does not possess in fee simple title, the GRANTEE hereby represents that it has:
 - a. Received an exemption from the DEPARTMENT before the execution of this Agreement , and
 - b. Received prior approval from the DEPARTMENT of a lease and/or easement for any portion of the property not held in fee simple title as indicated in written correspondence from the DEPARTMENT dated _____, and
 - c. Supplied the DEPARTMENT with an executed copy of the approved lease or easement, and
 - d. Confirmed through appropriate legal review that the terms of the lease or easement are consistent with GRANTEE'S obligations under this Agreement and will not hinder the GRANTEE'S ability to comply with all requirements of this Agreement. In no case shall the lease or easement tenure be less than 20 years from the date of execution of this Agreement.
14. The GRANTEE shall not allow any encumbrance, lien, security interest, mortgage or any evidence of indebtedness to attach to or be perfected against the project area or project facilities included in this Agreement .
15. None of the project area, nor any of the project facilities constructed under this Agreement , shall be wholly or partially conveyed in perpetuity, either in fee, easement or otherwise, or leased for a term of years or for any other period, nor shall there be any whole or partial transfer of the lease title, ownership, or right of maintenance or control by the GRANTEE except with the written approval and consent of the DEPARTMENT . The GRANTEE shall regulate the use of the project area to the satisfaction of the DEPARTMENT .
16. The assistance provided to the GRANTEE as a result of this Agreement is intended to have a lasting effect on the supply of outdoor recreation, scenic beauty sites, and recreation facilities beyond the financial contribution alone and permanently commits the project area to Michigan's outdoor recreation estate , therefore:
 - a. The GRANTEE agrees that the project area or any portion thereof will not be converted to a use other than public outdoor recreation use without prior written approval of the DEPARTMENT and the BOARD . Any such action will require mitigation approved by the DEPARTMENT and the BOARD , including but not limited to replacement with land of similar recreation usefulness and equal or greater market value.
 - b. Approval of a conversion shall be at the sole discretion of the DEPARTMENT .
 - c. Before completion of the project, the GRANTEE and the DEPARTMENT may mutually agree to alter the project area through an amendment to this Agreement to provide the most satisfactory public outdoor recreation area .
17. Should title to the lands in the project area or any portion thereof be acquired from the GRANTEE by any other entity through exercise of the power of eminent domain, the GRANTEE agrees that the proceeds awarded to the GRANTEE shall be used to replace the lands and project facilities affected with outdoor recreation lands and project facilities of equal or greater market value, and of equal or greater usefulness and location. The DEPARTMENT and BOARD shall approve such replacement only upon such conditions as it deems necessary to assure the replacement by GRANTEE of other outdoor recreation properties and project facilities of equal or greater market value and of equal or greater usefulness and location. Such replacement land shall be subject to all the provisions of this Agreement .
18. The GRANTEE acknowledges that:
 - a. The GRANTEE has examined the project area and has found the property safe for public use or actions will be taken by the GRANTEE before beginning the project to assure safe use of the property by the public, and

- b. The GRANTEE is solely responsible for development, operation, and maintenance of the project area and project facilities, and that responsibility for actions taken to develop, operate, or maintain the property is solely that of the GRANTEE, and
 - c. The DEPARTMENT'S involvement in the premises is limited solely to the making of a grant to assist the GRANTEE in developing the project site.
19. The GRANTEE assures the DEPARTMENT that the proposed State-assisted action will not have a negative effect on the environment and, therefore, an Environmental Impact Statement is not required.
20. The GRANTEE hereby acknowledges that this Agreement does not require the State of Michigan to issue any permit required by law to construct the outdoor recreational project that is the subject of this Agreement. Such permits include, but are not limited to, permits to fill or otherwise occupy a floodplain, and permits required under Parts 301 and 303 of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, as amended. It is the sole responsibility of the GRANTEE to determine what permits are required for the project, secure the needed permits and remain in compliance with such permits.
21. Before the DEPARTMENT will approve plans, specifications, or bid documents; or give approval to the GRANTEE to advertise, seek quotes, or incur costs for this project, the GRANTEE must provide documentation to the DEPARTMENT that indicates either:
- a. It is reasonable for the GRANTEE to conclude, based on the advice of an environmental consultant, as appropriate, that no portion of the project area is a facility as defined in Part 201 of the Michigan Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, as amended;
 - or
 - b. If any portion of the project area is a facility, documentation that Department of Environment, Great Lakes and Energy-approved response actions have been or will be taken to make the site safe for its intended use within the project period, and that implementation and long-term maintenance of response actions will not hinder public outdoor recreation use and/or the resource protection values of the project area.
22. If the DEPARTMENT determines that, based on contamination, the project area will not be made safe for the planned recreation use within the project period, or another date established by the DEPARTMENT in writing, or if the DEPARTMENT determines that the presence of contamination will reduce the overall usefulness of the property for public recreation and resource protection, the grant may be cancelled by the DEPARTMENT with no reimbursement made to the GRANTEE.
23. The GRANTEE shall acquire and maintain insurance which will protect the GRANTEE from claims which may arise out of or result from the GRANTEE'S operations under this Agreement, whether performed by the GRANTEE, a subcontractor or anyone directly or indirectly employed by the GRANTEE, or anyone for whose acts may hold them liable. Such insurance shall be with companies authorized to do business in the State of Michigan in such amounts and against such risks as are ordinarily carried by similar entities, including but not limited to public liability insurance, worker's compensation insurance or a program of self-insurance complying with the requirements of Michigan law. The GRANTEE shall provide evidence of such insurance to the DEPARTMENT at its request.
24. Nothing in this Agreement shall be construed to impose any obligation upon the DEPARTMENT to operate, maintain or provide funding for the operation and/or maintenance of any recreational facilities in the project area.
25. The GRANTEE hereby represents that it will defend any suit brought against either party which involves title, ownership, or any other rights, whether specific or general rights, including appurtenant riparian rights, to and in the project area of any lands connected with or affected by this project.
26. The GRANTEE is responsible for the use and occupancy of the premises, the project area and the facilities thereon. The GRANTEE is responsible for the safety of all individuals who are invitees or licensees of the premises. The GRANTEE will defend all claims resulting from the use and occupancy of the premises, the project area and the facilities thereon. The DEPARTMENT is not responsible for the use and occupancy of the premises, the project area and the facilities thereon.
27. Failure by the GRANTEE to comply with any of the provisions of this Agreement shall constitute a material breach of this Agreement.
28. Upon breach of the Agreement by the GRANTEE, the DEPARTMENT, in addition to any other remedy provided by law, may:

- a. Terminate this Agreement; and/or
 - b. Withhold and/or cancel future payments to the GRANTEE on any or all current recreation grant projects until the violation is resolved to the satisfaction of the DEPARTMENT; and/or
 - c. Withhold action on all pending and future grant applications submitted by the GRANTEE under the Michigan Natural Resources Trust Fund, Land and Water Conservation Fund and Recreation Passport Grant Program; and/or
 - d. Require repayment of grant funds already paid to GRANTEE; and/or
 - e. Require specific performance of the Agreement.
29. This Agreement may be canceled by the DEPARTMENT, upon 30 days written notice, due to Executive Order, budgetary reduction, other lack of funding, upon request by the GRANTEE, or upon mutual agreement by the DEPARTMENT and GRANTEE. The DEPARTMENT may honor requests for just and equitable compensation to the GRANTEE for all satisfactory and eligible work completed under this Agreement up until 30 days after written notice, upon which time all outstanding reports and documents are due to the DEPARTMENT and the DEPARTMENT will no longer be liable to pay the GRANTEE for any further charges to the grant.
30. The GRANTEE agrees that the benefit to be derived by the State of Michigan from the full compliance by the GRANTEE with the terms of this Agreement is the preservation, protection and net increase in the quality of public outdoor recreation facilities and resources which are available to the people of the State and of the United States and such benefit exceeds to an immeasurable and unascertainable extent the amount of money furnished by the State of Michigan by way of assistance under the terms of this Agreement. The GRANTEE agrees that after final reimbursement has been made to the GRANTEE, repayment by the GRANTEE of grant funds received would be inadequate compensation to the State for any breach of this Agreement. The GRANTEE further agrees therefore, that the appropriate remedy in the event of a breach by the GRANTEE of this Agreement after final reimbursement has been made shall be the specific performance of this Agreement.
31. The GRANTEE shall return all grant money if the project area or project facilities are not constructed, operated or used in accordance with this Agreement.
32. The GRANTEE agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of religion, race, color, national origin, age, sex, sexual orientation, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position. The GRANTEE further agrees that any subcontract shall contain non-discrimination provisions which are not less stringent than this provision and binding upon any and all subcontractors. A breach of this covenant shall be regarded as a material breach of this Agreement.
33. The DEPARTMENT shall terminate this Agreement and recover grant funds paid if the GRANTEE or any subcontractor, manufacturer, or supplier of the GRANTEE appears in the register compiled by the Michigan Department of Licensing and Regulatory Affairs pursuant to Public Act No. 278 of 1980.
34. The GRANTEE may not assign or transfer any interest in this Agreement without prior written authorization of the DEPARTMENT.
35. The rights of the DEPARTMENT under this Agreement shall continue in perpetuity.

If this Agreement is approved by Resolution, a true copy must be attached to this Agreement. A sample Resolution is on the next page.

SAMPLE RESOLUTION
(Development)

Upon motion made by _____, seconded by _____, the following Resolution was adopted:

“RESOLVED, that the _____, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the _____ does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide _____ (\$ _____) dollars to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.”

The following aye votes were recorded: _____

The following nay votes were recorded: _____

STATE OF MICHIGAN)

) ss

COUNTY OF _____)

I, _____, Clerk of the _____, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which Resolution was adopted by the _____ at a meeting held _____.

Signature

Title

Date

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Annual City Council Goal Setting Retreat

SUPPORTING PERSONNEL: Adam Herringa, Chief Operating Officer
Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Set a special meeting on Thursday, November 20, 2025, at 8:30 a.m. at the Department of Parks and Recreation (320 Library Lane) to conduct the annual City Council Goal Setting Session (Retreat).

It is recommended that City Council set a special meeting on Thursday, November 20, 2025, at 8:30 a.m. at the Department of Parks and Recreation (320 Library Lane) to conduct the annual City Council Goal Setting Session (Retreat). Further details will be provided to the Council in the near future.

FUNDING: N/A

Attachments: None

Minutes of Boards & Commissions

CITY OF PORTAGE PLANNING COMMISSION

Thursday, August 21, 2025

7:00 PM

Portage City Hall Council Chambers

The City of Portage Planning Commission meeting of August 21, 2025, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

- Biqi Zhao, Deputy Director of Planning and Zoning
- Eric Feldt, Senior City Planner
- Peter Dame, Chief Development Officer
- Jonathon Hallberg, Deputy Director of Economic Development
- Alex Johnson, City Planner/ Project Manager

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Baldwin (yes); Secretary Freiman (yes), Adams (yes); Copp (yes); Orwig (yes); Fries (yes); Youngs (yes); and Crowell (yes).

9-Present; 0-Absent.

APPROVAL OF MINUTES

1. Minutes dated July 17, 2025

Motion by Commissioner Youngs seconded by Vice Chair Baldwin to approve July 17, 2025, minutes as submitted. Upon a voice vote, motion carried 9-0.

PUBLIC HEARINGS

None.

SITE/FINAL PLANS

None.

OLD BUSINESS

None.

NEW BUSINESS

1. Neighborhood Enterprise Zone (NEZ) Presentation

Mr. Dame provided a brief explanation of the NEZ, told the Planning Commission that no action is required on this topic but wanted to keep the Commission aware of it, and introduced Mr. Hallberg to provide a detailed presentation on the topic. Mr. Hallberg described the purpose of the NEZ State program used to incentivize new housing, rehabilitation of housing, and mixed-use buildings. He proposed parts of the City Centre and Lake Center for future NEZ to incentivize future development consistent with the Master Plan's vision of mixed-use, walkable areas.

Commissioners asked a variety of questions consisting of existing NEZs in Kalamazoo, the timing of filing for developers, impacts on Portage taxes, limits on the number of NEZ, owner-occupancy of mixed-use multi-story building qualified as, future housing inspections, and public notification of a new NEZ.

Mr. Hallberg indicated that he did not know detailed experiences in Kalamazoo. Portage staff would determine impacts to taxes prior to approved NEZ projects. He also stated that there are overall city-wide limits of total NEZs. Further, an owner-occupied unit in a mixed-use multi-story building would qualify. The inspection process will follow our current building code. And, that the public will be informed through the normal public hearing and noticing processes.

2. Planning Commission FY24-25 Work Program and proposed FY25-26 Work Program

Mr. Feldt presented current Council goals, Master Plan and subarea implementation, and a review of City and private projects and rezones from last fiscal year, including housing new developments. He concluded the presentation with the proposed Planning Commission work program goals.

Commissioners asked a variety of questions pertaining to rental housing, inspections, and safety. Mr. Feldt stated that city compliance officers address external issues including rental properties if a complaint is received. Further, the city may explore rental registration as some rental properties show deferred maintenance. He also indicated that a building/trade inspector would enter the premises if there is a building code related issue. He stated that smoke alarms are a common rental registration component.

Mr. Dame addressed some of the questions by indicating that the City has adopted the International Property Maintenance Code requiring smoke detectors in rental properties which is not currently enforced through inspection program.

Commissioner Fries added that building inspectors enter homes usually only when a permit is pulled, and that inspections should be for safety of residents, or environmental hazards such as light/sound.

3. 2025 Kalamazoo County Housing Plan Update Presentation

Commission Adams, the Director of Community Development for the W.E. Upjohn Institute, presented an update on the Kalamazoo County Housing Plan consisting of summarizing housing affordability ranges, explaining lasting impacts from the housing recession, and various reasons for lower new home builds. He further indicated that most permitted dwelling units in the past few years occurred in the City of Kalamazoo, Portage, and Texas Township but, additional housing is needed to reach County-wide housing goals.

Commissioners discussed variety of topics including tracking home values, increases in unhoused people, homeownership vs. renting, growth of housing in urbanized area, lack of home affordability, increase of students to schools, and ensuring adequate infrastructure for population growth.

Chair Corridini asked staff about the Stanwood Crossings waitlist.

Mr. Dame stated that there are 170 people, and that the city will hold informational meetings. Some people might drop off, and others might not qualify for a house for a variety of reasons.

STATEMENT OF CITIZENS

None.

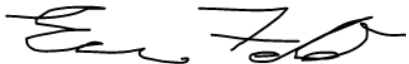
STATEMENT OF COMMISSIONERS/ STAFF

Mr. Feldt stated that the next Planning Commission meetings are scheduled for September 4 and 18.

ADJOURNMENT

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 8:25p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric Feldt". The signature is fluid and cursive, with the first name "Eric" and last name "Feldt" clearly distinguishable.

Eric Feldt
Senior City Planner

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Designation of Neighborhood Enterprise Zones in the City Centre and the Lake Center Subarea

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer
Jonathon Hallberg, Deputy Director of Economic Development

ACTION RECOMMENDED: Hold a public hearing for both the City Centre and Lake Center Subarea Neighborhood Enterprise Zones (NEZ) and confirm December 16, 2025, as the date for consideration of NEZ resolutions.

The City Council approved an ordinance on September 23, 2025, enabling the creation of Neighborhood Enterprise Zones (NEZ) to create additional housing development opportunities in the City of Portage. In order to designate a specific area in which an NEZ project may be considered, a public hearing must be held on each proposed zone. The city proposes to establish a zone in the commercial areas of the Lake Center Subarea that are zoned as Mixed Use Edge and Mixed Use Core (see Exhibit A). The city also proposes to establish a zone in the commercial areas of the City Centre Subarea that are not single-family (see Exhibit B).

The city is required by statute to hold a public hearing not later than 45 days after the date that it sends notice to the City Assessor and affected taxing jurisdictions of its intent to establish an NEZ. As a result, the city set the hearing date for the Wednesday, November 5, 2025, City Council meeting. The City Clerk has notified by letter the City Assessor and affected taxing bodies of the hearing on November 5. After that, the city anticipates that consideration of resolutions of approval will take place on Tuesday, December 16, 2025, which would be more than the required minimum period of 60 days from date of notification.

Establishing this incentive in these two areas will help encourage housing development and mixed-use development that would not have occurred without this designation. This objective is consistent with the goals of the Master Plan. The two proposed areas were shared with the Planning Commission in August and members expressed either support or no objection to this initiative, and general agreement that the designations were consistent with the Master Plan. Adopting an NEZ in both of these locations will be consistent with the requirement under state law that no more than 15% of the area of a municipality can be included in an NEZ.

If these zones are approved after the public hearing, any particular project within a designated zone would need to apply for an NEZ certificate, with a requested length of abatement, detailing the type of project proposed in the application. Any qualified certificate would undergo staff review and be subject to approval by the City Council.

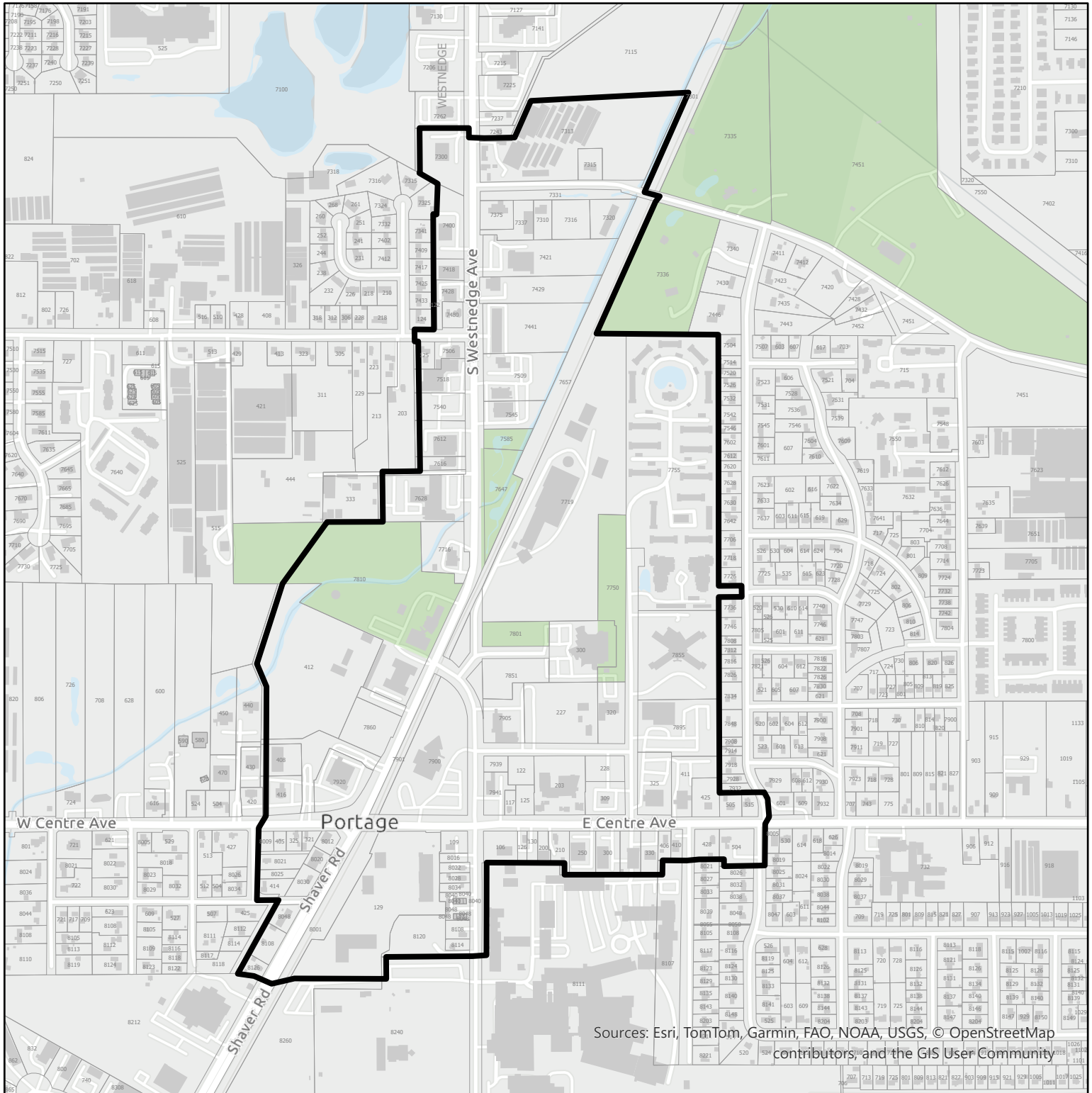
It is therefore recommended that the City Council hold a public hearing for both the City Centre and Lake Center Subarea Neighborhood Enterprise Zones (NEZ) and confirm December 16, 2025, as the date for consideration of NEZ resolutions.

FUNDING: n/a

Attachments:

1. Potential NEZ City Centre Mixed-Use Subarea (1)
2. Potential NEZ Lake Centre Mixed-Use Subarea

Proposed Neighborhood Enterprise Zone (NEZ) Eligible Areas Map City Centre Area



N

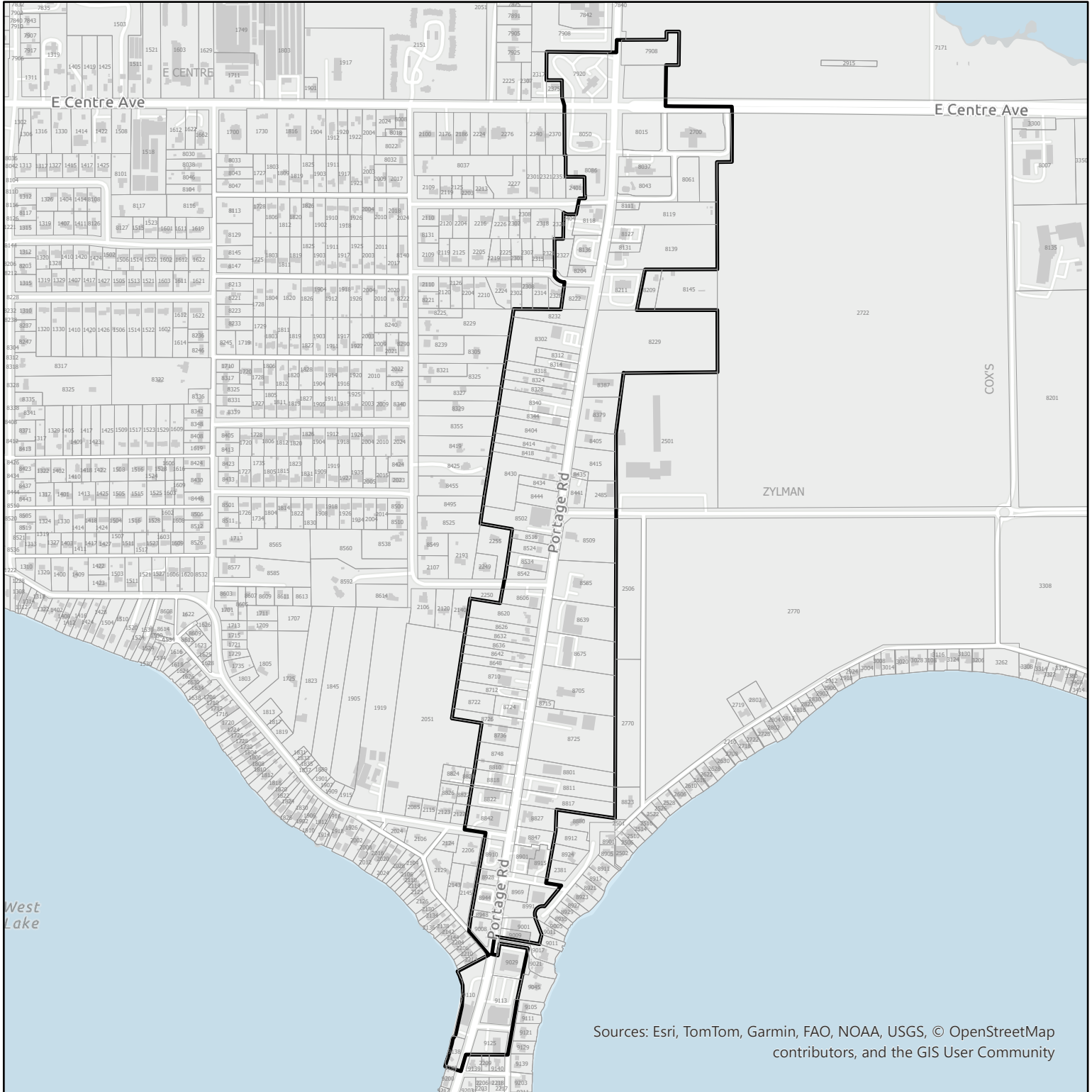


1 inch equals 1,000 feet

City Centre Area

Proposed Neighborhood Enterprise Zone (NEZ) Eligible Areas Map

Lake Centre Edge, Core Areas Mixed Use Zoning



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Lake Centre Mixed Use Zoning (Edge, Core areas)



N



1 inch equals 1,200 feet
(70)

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Solicitor and Canvassers Ordinance Update

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Receive the amended Chapter 14 Businesses, Article 4 Solicitor and Canvassers ordinance for first reading and set a second reading for November 5, 2025.

Earlier in 2025, the City Council underwent the first appeal review within recent record of a staff denial for a permit to solicit and canvass door-to-door in the City of Portage. Chapter 14 (Businesses) of the Code of Ordinances includes Article 4 "Solicitors and Canvassers," which guides how a person interested in soliciting or canvassing in the City of Portage must first obtain a permit by application to the City Clerk and the Police Division. As outlined in the ordinance, an application is required to allow for a review of an applicant's background for the "protection of the public good."

Per the current ordinance provisions (Sec. 14-143 through 147), the appeal was directed to the Council for "a hearing" during a regular public meeting and decided by a vote of the Council. Following the hearing, it was the consensus of the Council that the ordinance be revised to allow subsequent reviews of appeal denials to be under the purview of the City Manager. According to the minutes of the February 25, 2025, City Council Meeting, one Councilmember "expressed displeasure with the current framework of the ordinance and his desire to revise the procedure going forward." At the meeting of March 11, 2025, another Councilmember requested "an amendment to the ordinance by taking the decision from the Council and deferring it to the City Manager."

The matters that can contribute to a denial of a solicitor's permit have the potential to be personal and/or candid in nature, and the current ordinance route, which includes a public hearing before the Council, is not in the best interest of the applicant(s). During the initial reading at the October 7, 2025 City Council meeting, members of Council expressed concern about a singular level appeals process solely at the discretion of the City Manager and requested a supplementary appeal before the City Council should an applicant desire. This additional revision has since been included. Furthermore, Councilmember Urban noted several discrepancies within the initial revisions that required greater attention before the Council could consider a first reading and tabled the item for the October 21 Regular City Council meeting. These issues have been corrected by staff. There were additional inquiries regarding the need to update the title of "chief of police" to the "director of public safety." However, the "chief of police" title was maintained in the ordinance in order to adhere to Chapter 6 of the City Charter.

The first reading of the ordinance was completed during the October 21, 2025 meeting of the City Council. Therefore, it is recommended that the City Council adopt the updated Solicitor and Canvassers Ordinance.

FUNDING: Not Applicable

Attachments:

1. ARTICLE_4.____SOLICITORS_AND_CANVASSERS -- Ordinance re-draft 10.2025
2. Red-line/Strikeout Version

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING CHAPTER 14 – BUSINESSES**

ARTICLE 4. SOLICITORS AND CANVASSERS¹

The City of Portage Ordains:

That Chapter 14 *Businesses*, Article 4 *Solicitors and Canvassers*, be amended as follows:

DIVISION 1. GENERALLY

Sec. 14-121. Definitions.

No Change.

Secs. 14-122—14-140. Reserved.

DIVISION 2. PERMIT

Sec. 14-141. Required.

No Change.

Sec. 14-142. Application and fee.

No Change.

Sec. 14-143. Investigation; issuance or denial; contents; operations.

- (a) Upon receipt of the application provided for in section 14-142, the application shall be referred to the chief of police, who shall cause such investigation of the applicant's background to be made as he deems necessary for the protection of the public good.
- (b) A permit issued under this article may be denied by the city clerk for any of the following reasons:
 - (1) Fraud, misrepresentation or a false statement contained in the application for the permit; or
 - (2) A conviction of a crime or misdemeanor as it pertains to the nature of soliciting or canvassing.
- (c) If a permit is approved, the city clerk shall execute a permit addressed to the applicant and deliver such permit to the applicant. Such permit shall contain the signature and seal of the clerk, the date of issuance and the length of time the permit is to be operative, as well as the permit number and other identifying

¹Cross reference(s)—Streets, sidewalks and other public places, ch. 66.

State law reference(s)—Home solicitation sales, MCL 445.111 et seq., MSA 19.416(201) et seq.; transient merchants, MCL 445.371 et seq., MSA 19.691 et seq.

description of a vehicle used in the soliciting or canvassing. The clerk shall keep a permanent record of all permits issued.

- (d) Soliciting and canvassing are not permitted within the City of Portage between 8:00 p.m. and 8:00 a.m.

(Min. Bk. 1979, p. 424, Vol. 8, 5-15-1979; Code 1983, § 860.04; Ord. No. O-2-2023, 1-9-2024)

Sec. 14-144. Records of violations.

- (a) Any public safety officer may require any person seen soliciting or canvassing and who is not known by such officer to be duly licensed, to show proof of a license issued by the city clerk, and to enforce the provisions of this article against any person found to be violating them.
- (b) The chief of police shall report to the city clerk all convictions for violations of the provisions of this article, and the clerk shall maintain a record for each permit issued and record the reports of violation therein.

(Min. Bk. 1979, p. 424, Vol. 8, 5-15-1979; Code 1983, § 860.05; Ord. No. O-2-2023, 1-9-2024)

Sec. 14-145. Appeals.

Any applicant or permittee aggrieved by the action of the chief of police or the city clerk in the denial or revocation of a permit, as set forth in section 14-143 or section 14-147, may first seek an appeal before the city manager. Such appeal shall be taken by filing with the city clerk, within 14 days after notice of the action complained of has been mailed to the applicant's/permittee's last known address, a written statement setting forth fully the grounds for the appeal. The city manager shall make a written determination, after an investigation, regarding the grounds of the denial or revocation by the city clerk and chief of police. Should the grounds for the denial or revocation be deemed sufficient, the permit shall be denied or revoked, and should the grounds for the denial or revocation be determined to be insufficient, the permit shall be granted or reinstated.

In the event the applicant or permittee is aggrieved by the decision of the city manager, he/she may subsequently appeal to the city council. Such appeal shall be taken by filing with the city clerk, within 14 days after written notice of the initial appeal determination by the city manager has been mailed to the applicant's/permittee's last known address. The council shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant at his/her last known address by mail at least five days prior to the date set for the hearing. Following the hearing, the council shall make a determination regarding the applicant/permittee's appeal. Should the grounds for the denial or revocation be deemed sufficient, the permit shall be denied or revoked, and should the grounds for the denial or revocation be determined to be insufficient, the permit shall be granted or reinstated. Action taken by the council shall be final.

(Min. Bk. 1979, p. 424, Vol. 8, 5-15-1979; Code 1983, § 860.07; Ord. No. O-2-2023, 1-9-2024)

Sec. 14-146. Expiration.

No Change.

Sec. 14-147. Revocation.

A permit issued under this article may be revoked by the chief of police for any of the following reasons:

- (1) Fraud, misrepresentation or a false statement contained in the application for the permit;
- (2) Fraud, misrepresentation or a false statement made in the course of carrying on one's business as a solicitor or a canvasser;
- (3) A violation of any of the provisions of this article;

- (4) A conviction of a crime or misdemeanor that exemplified conduct contrary to ensuring the public good during soliciting or canvassing; or
- (5) Conducting the business of soliciting or canvassing in an unlawful manner or in such a manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

(Min. Bk. 1979, p. 424, Vol. 8, 5-15-1979; Code 1983, § 860.06; Ord. No. O-2-2023, 1-9-2024)

Sec. 14-148. Exceptions.

No Change.

Secs. 14-149—14-170. Reserved.

No Change.

Dated: October 21, 2025

Patrica M. Randall, Mayor

FIRST READING: 10/21/2025

SECOND READING:

ORDINANCE #: O-9-2025

EFFECTIVE DATE:

CERTIFICATION

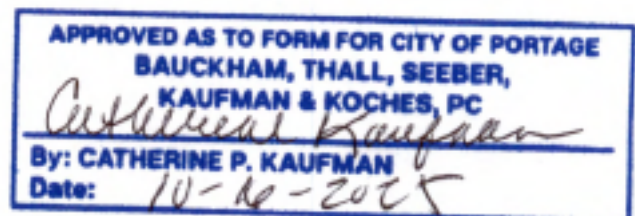
I, Erica Eklov, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage, and that the foregoing ordinance was adopted by the City of Portage on the ____ day of _____ 2025.

Erica Eklov, City Clerk

Approved as to Form:

Dated:

PREPARED BY:
Erica L. Eklov
City Clerk
7900 South Westnedge Ave.
City of Portage, MI 49002



**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING CHAPTER 14 – BUSINESSES**

ARTICLE 4. SOLICITORS AND CANVASSERS¹

The City of Portage Ordains:

That Chapter 14 *Businesses*, Article 4 *Solicitors and Canvassers*, be amended as follows:

DIVISION 1. GENERALLY

Sec. 14-121. Definitions.

No Change.

Secs. 14-122—14-140. Reserved.

DIVISION 2. PERMIT

Sec. 14-141. Required.

No Change.

Sec. 14-142. Application and fee.

No Change.

Sec. 14-143. Investigation; issuance or denial; contents; operations.

- (a) Upon receipt of the application provided for in section 14-142, the application shall be referred to the chief of police, who shall cause such investigation of the applicant's background to be made as he deems necessary for the protection of the public good.
- (b) A permit issued under this article may be denied by the city clerk for any of the following reasons:
 - (1) Fraud, misrepresentation or a false statement contained in the application for the permit; or
 - (2) A conviction of a crime or misdemeanor involving moral turpitude as it pertains to the nature of soliciting or canvassing.
- (c) If a permit is approved, the city clerk shall execute a permit addressed to the applicant and deliver such permit to the applicant. Such permit shall contain the signature and seal of the clerk, the date of issuance

¹Cross reference(s)—Streets, sidewalks and other public places, ch. 66.

State law reference(s)—Home solicitation sales, MCL 445.111 et seq., MSA 19.416(201) et seq.; transient merchants, MCL 445.371 et seq., MSA 19.691 et seq.

and the length of time the permit is to be operative, as well as the permit number and other identifying description of a vehicle used in the soliciting or canvassing. The clerk shall keep a permanent record of all permits issued.

- (d) Soliciting and canvassing are not permitted within the City of Portage between 8:00 p.m. and 8:00 a.m.
(Min. Bk. 1979, p. 424, Vol. 8, 5-15-1979; Code 1983, § 860.04; Ord. No. O-2-2023, 1-9-2024)

Sec. 14-144. Records of violations.

- (a) Any public safety officer may require any person seen soliciting or canvassing and who is not known by such officer to be duly licensed, to show proof of a license issued by the city clerk, and to enforce the provisions of this article against any person found to be violating them.
- (b) The chief of police shall report to the city clerk all convictions for violations of the provisions of this article, and the clerk shall maintain a record for each permit issued and record the reports of violation therein.

(Min. Bk. 1979, p. 424, Vol. 8, 5-15-1979; Code 1983, § 860.05; Ord. No. O-2-2023, 1-9-2024)

Sec. 14-145. Appeals.

~~A person~~Any applicant or permittee aggrieved by the action of the chief of police or the city clerk in the denial or revocation of a permit, as set forth in section 14-143 or section 14-147, may first seek an appeal ~~to before~~ the ~~council~~city manager. Such appeal shall be taken by filing with the ~~council~~city clerk, within 14 days after notice of the action complained of has been mailed to ~~such person~~the applicant's/permittee's last known address, a written statement setting forth fully the grounds for the appeal. The city manager shall make a written determination, after an investigation, regarding the grounds of the denial or revocation by the city clerk and chief of police. Should the grounds for the denial or revocation be deemed sufficient, the permit shall be denied or revoked, and should the grounds for the denial or revocation be determined to be insufficient, the permit shall be granted or reinstated.

In the event the applicant or permittee is aggrieved by the decision of the city manager, he/she may subsequently appeal to the city council. Such appeal shall be taken by filing with the city clerk, within 14 days after written notice of the initial appeal determination by the city manager has been mailed to the applicant's/permittee's last known address. The council shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant at his/~~her~~ last known address by mail (~~postage prepaid~~) at least five days prior to the date set for the hearing. Following the hearing, the council shall make a determination regarding the applicant/permittee's appeal. Should the grounds for the denial or revocation be deemed sufficient, the permit shall be denied or revoked, and should the grounds for the denial or revocation be determined to be insufficient, the permit shall be granted or reinstated. Action taken by the council shall be final.

(Min. Bk. 1979, p. 424, Vol. 8, 5-15-1979; Code 1983, § 860.07; Ord. No. O-2-2023, 1-9-2024)

Sec. 14-146. Expiration.

No Change.

Sec. 14-147. Revocation.

A permit issued under this article may be revoked by the chief of police for any of the following reasons:

- (1) Fraud, misrepresentation or a false statement contained in the application for the permit;
- (2) Fraud, misrepresentation or a false statement made in the course of carrying on one's business as a solicitor or a canvasser;

- (3) A violation of any of the provisions of this article;
- (4) A conviction of a crime or misdemeanor ~~involving moral turpitude~~ that exemplified conduct contrary to ensuring the public good during soliciting or canvassing; or
- (5) Conducting the business of soliciting or canvassing in an unlawful manner or in such a manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

(Min. Bk. 1979, p. 424, Vol. 8, 5-15-1979; Code 1983, § 860.06; Ord. No. O-2-2023, 1-9-2024)

Sec. 14-148. Exceptions.

No Change.

Secs. 14-149—14-170. Reserved.

No Change.

Dated: October 21, 2025

Patrica M. Randall, Mayor

FIRST READING: 10/21/2025

SECOND READING:

ORDINANCE #: O-9-2025

EFFECTIVE DATE:

CERTIFICATION

I, Erica Eklov, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage, and that the foregoing ordinance was adopted by the City of Portage on the ____ day of _____ 2025.

Erica Eklov, City Clerk

Approved as to Form:

Dated:

PREPARED BY:

Erica L. Eklov

City Clerk

7900 South Westnedge Ave.

City of Portage, MI 49002

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Secondhand Dealers Ordinance Update

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Adopt the amended Chapter 14 Businesses, Article 8 Secondhand Dealers ordinance.

Similar to the update of the Solicitors and Canvassers ordinance, the ordinance guiding the licensing of Secondhand Dealers in the city dictates that applicants who have been denied a license by the City Administration may request a hearing before the City Council at a public meeting in an effort to receive a final decision on their application by a vote of the Council.

Following the City Council's request to review the Solicitors and Canvassers ordinance, staff also reviewed the Secondhand Dealers ordinance for similar concerns. The matters that can contribute to a denial of a Secondhand Dealer's license are also likely to be personal and/or candid in nature, and the current ordinance route, which includes a public hearing before the Council, may not in the best interest of the applicant(s). As such, staff drafted proposed revisions to the Secondhand Dealers ordinance to allow subsequent reviews of appeal denials to be under the purview of the City Manager.

As part of the revision process, staff also took the opportunity to make several updates to reflect recent changes in the review process. Modernizations to digital platforms negate the requirement for triplicate submissions, and state-level changes to individual background investigations have modified the required documentation. Similar to the Solicitor and Canvassers Ordinance update, during the initial reading at the October 7, 2025 City Council meeting, members of Council expressed concern about a singular level appeals process solely at the discretion of the City Manager and requested a supplementary appeal before the City Council should an applicant desire.

This ordinance was also tabled for the October 21 Regular City Council meeting to allow for updates to the appeals process and review inquires regarding the need to update the title of "chief of police" to the "director of public safety." However, as with the Solicitors and Canvassers Ordinance, the "chief of police" title was maintained in order to adhere to Chapter 6 of the City Charter.

The first reading of the ordinance was completed during the October 21, 2025 meeting of the City Council. Therefore, it is recommended that the City Council adopt the revised Secondhand Dealers Ordinance.

FUNDING: Not Applicable

Attachments: 1. ARTICLE_4.____Secondhand Dealers -- Ordinance re-draft 10.2025

2. Red-line/Strikeout Version

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING CHAPTER 14 – BUSINESSES**

ARTICLE 8. SECONDHAND DEALERS

The City of Portage Ordains:

That Chapter 14 *Businesses*, Article 8 *Secondhand Dealers*, be amended as follows:

Sec. 14-202. Definitions.

No Change.

Sec. 14-203. Secondhand dealer license.

No Change.

Sec. 14-204. Same - Required for pawnbrokers.

No Change.

Sec. 14-205. Same - Required for precious metals and gem dealers.

No Change.

Sec. 14-206. Application for license.

- (a) Any person, partnership or corporation desiring to secure a license shall make application to the city clerk. The application shall be dated by the city clerk. A copy of the completed application shall be distributed by the city clerk to the department of public safety, department of community development and to the applicant.
- (b) The application for a license shall be upon a form provided by the city clerk. An applicant for a license, which shall include all partners or limited partners of a partnership applicant, all members of an LLC applicant, all officers and directors of a corporate applicant, all stockholders owning more than five percent of the stock of a corporate applicant, and any other person who is interested directly in the ownership or operation of the business, shall furnish the following information under oath:
 - (1) Name and address, including all aliases.
 - (2) Date of birth.
 - (3) Social security number.
 - (4) Written proof that the individual is at least 18 years of age.
 - (5) All residential addresses of the applicant for the past three years.
 - (6) The applicant's height, weight, color of eyes and hair.
 - (7) The business, occupation or employment of the applicant for five years immediately preceding the date of application.

- (8) Whether the applicant previously operated in this or any other county, city, or state under a secondhand dealer license or similar business license; whether the applicant has ever had such a license revoked or suspended, the reason therefore and the business entity or trade name under which the applicant operated that was subject to the suspension or revocation.
 - (9) All criminal convictions, whether under federal or state statute or city ordinance (minor traffic violations are excepted); or any forfeiture of bond.
 - (10) The address of the secondhand dealership to be operated by the applicant.
 - (11) If the applicant is a corporation, the application shall specify the name of the corporation, the date and state of incorporation, the name and address of the registered agent and the name and address of all shareholders owning more than five percent of the stock in said corporation and all officers and directors of the corporation.
 - (12) The address which applicant desires to receive notification under the article.
- (c) An applicant for a license shall additionally submit to the city clerk with the application a copy of a Michigan Criminal History Access Tool (ICHAT) search report, dated no more than seven day[s] before the date the application is submitted to the city clerk, for applicant, including all partners or limited partners of a partnership applicant, all members of an LLC applicant, all officers and directors of a corporate applicant, all stockholders owning more than five percent of the stock of a corporate applicant, and any other person who is interested directly in the ownership or operation of the business.
 - (d) Failure or refusal of the applicant to give any information relevant to the investigation of the application or his or her refusal or failure to appear at any reasonable time and place for examination under oath regarding said application or his or her refusal to submit to or cooperate with any investigation required by this article shall constitute an admission by the applicant that he or she is ineligible for such license and shall be grounds for denial thereof by the city clerk.
 - (e) Within 30 days of receiving an application for a license the city clerk shall notify the applicant whether the application is granted or denied.
 - (f) Whenever an application is denied, the city clerk shall advise the applicant in writing of the reasons for such action. If the applicant requests a hearing in writing to the city clerk within ten days of receipt of notification of denial, a hearing shall be held within 30 days thereafter before the city council, as hereinafter provided.
 - (g) Any applicant aggrieved by the denial of an application may seek an appeal with the city manager. Such appeal shall be taken by filing with the city clerk, within 14 days after notice of the action has been mailed to the applicant's listed address.
 - (1) Following receipt of a written appeal by the applicant, the city manager shall make a written determination, after an investigation, regarding the grounds of the denial. Should the grounds for the denial be deemed sufficient, the application denial shall be upheld. Should the grounds for the denial be determined to be insufficient, the license shall be granted.
 - (h) In the event the applicant is aggrieved by the decision of the city manager, he/she may subsequently appeal to the city council. Such appeal shall be taken by filing with the city clerk, within 14 days after written notice of the initial appeal determination by the city manager has been mailed to the applicant's last known address. The council shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant at his/her last known address by mail at least five days prior to the date set for the hearing.
 - (1) Following the hearing, the council shall make a determination regarding the applicant's appeal. Should the grounds for the denial be deemed sufficient, the application shall be denied. Should the grounds for the denial be determined insufficient, the license shall be granted. Action taken by the council shall be final.

(Ord. No. 12-01, 1-10-2012)

Sec. 14-207. Standards for issuance of license.

No Change.

Sec. 14-208. Fees.

No Change.

Sec. 14-209. Display of license or permit.

No Change.

Sec. 14-210. Renewal of license or permit.

- (a) Every license issued pursuant to this article will terminate December 31 of the year, unless sooner revoked, and must be renewed before operation is allowed in the following year. Any secondhand dealer desiring to renew a license shall make application to the city clerk. The application for renewal must be filed not later than 60 days before the license expires. The application for renewal shall be filed with and dated by the city clerk. A copy of the application for renewal shall be distributed promptly by the city clerk to the public safety department and to the secondhand business dealer. The application for renewal shall be upon a form provided by the city clerk and shall contain such information and data, given under oath or affirmation, as is required for an application for a new license, and shall be reviewed and approved in the same manner.
- (b) A license renewal fee set by resolution of city council shall be submitted with the application for renewal.

(Ord. No. 12-01, 1-10-2012)

Sec. 14-211. Revocation or suspension of license.

- (a) The city manager can revoke or suspend a license for any of the following reasons:
 - (1) Discovery that false or misleading information or data was given on any application or material facts were omitted from any application.
 - (2) The secondhand dealer or any employee of the secondhand dealer has violated any provision of this article or any rule or regulation adopted by the city council pursuant to this article; provided, however, that in the case of a first offense by an secondhand dealer where the conduct was solely that of an employee, the penalty shall not exceed a suspension of 30 days if the manager or council shall find that the secondhand dealer had no actual or constructive knowledge of such violation and could not by the exercise of due diligence have had such actual or constructive knowledge.
 - (3) The secondhand dealer becomes ineligible to obtain a license or permit or the secondhand dealer is convicted of or pleads nolo contendere to any felony or any crime involving theft, dishonesty, receipt of stolen property or embezzlement.
 - (4) Any cost or fee required to be paid by this article is not paid.
- (b) The city manager, before revoking or suspending any license shall give the secondhand dealer at least ten days written notice of the charges against the secondhand dealer, and the opportunity to appeal, as hereinafter provided:
 - (1) Before the city manager revokes or suspends a license issued herein the city manager shall cause written notice to be sent by the city clerk via certified mail to the licensee affected, at the address stated in the license informing such person of the right to an appeal upon request.

- (2) If the licensee does not request an appeal within 14 days of the date the notice was sent, the license may be forthwith revoked or suspended. If the licensee requests an appeal before the city manager regarding said proposed revocation or suspension, the city clerk shall instruct the licensee to submit said appeal in writing for review by the city manager within 10 business days upon receipt of the written appeal.
- (c) Any licensee aggrieved by the decision of the city manager regarding a license suspension or revocation has one final opportunity to seek appeal, as hereinafter provided:
 - (1) Before the city manager completes revocation or suspension if a license issued herein, the city manager shall cause written notice to be sent by the city clerk via certified mail to the licensee affected, at the address stated in the license, informing such person of the right to a hearing before the city council upon request. Such appeal shall be taken by filing with the city clerk within 14 days of the date the notice was sent
 - (2) If the licensee does not request a hearing within 14 days of the date the notice was sent, the license may be forthwith revoked or suspended. If the licensee requests a hearing before the city council regarding said proposed revocation or suspension, said hearing shall be held within 21 days after the date of the written request.
- (d) Any license issued by the city may be immediately suspended by the city manager or his or her duly appointed designee if it is determined that the licensee has violated or someone at or upon the licensed location has violated the city ordinance or state law and that continued operation under the license is contrary to the public health, safety, and welfare. A licensee shall have the right to a hearing before the city council on any license suspension by the city manager and notice thereof shall be given in accordance with subsections (b)(1) through (c)(2).
- (e) The council shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant at his/her last known address by mail at least five days prior to the date set for the hearing. Both the city and the licensee shall be afforded a reasonable opportunity to present evidence on the issue at the city council hearing. Action taken by the city council shall be final and any fees hereunder shall not be refunded to the applicant or licensee.
 - (1) Following the hearing, the council shall make a determination regarding the applicant's appeal. Should the grounds for the denial be deemed sufficient, the application shall be denied. Should the grounds for the denial be determined insufficient, the license shall be granted. Action taken by the council shall be final.
- (f) The transfer of a license or any interest in a license shall automatically and immediately revoke the license.
- (g) Any secondhand dealer whose license is revoked shall not be eligible to receive a license for one year from the date of revocation. No location or premises for which a license has been issued shall be used as business dealing in secondhand goods for six months from the date of revocation of the license.

(Ord. No. 12-01, 1-10-2012)

Sec. 14-212. Responsibilities of the secondhand dealer; records of goods received; reporting requirements.

- (a) A secondhand dealer shall keep a record in English at the time the secondhand dealer receives any secondhand goods. The record shall include a description of the goods, a photograph of the goods received, the serial number and model number if available, a sequential transaction number, the amount of money or other consideration received for said goods, the name, residence, general description and driver's license number, official state personal identification card number, or government identification number of the person from whom the secondhand goods were received, the right thumb print of the person from whom the goods were received, and the day and hour when the goods were received. Such records, the place

where the secondhand dealer's business is carried on and all secondhand goods in that place of business or in control of the secondhand dealer are subject to examination at any time by the public safety department. The required information shall be maintained consistent with subsection (b) below.

- (b) The secondhand dealer shall retain a record of each transaction for a minimum of one year or as directed by the public safety department. Within 90 days of the effective date of this ordinance, the information in the record of transaction shall be transmitted to the public safety department by computer over the Internet to the website established by the city for this purpose. Information and assistance concerning the website shall be provided by the city. So long as the required information is transmitted by computer, a handwritten form need not be completed, but a short form with the right thumb print of the individual trading in the item shall be maintained, with an appropriate reference to the transaction. If it is not possible for the person to provide his or her right thumb print on the full handwritten form or the short form, then another specifically designated fingerprint shall be provided. Upon request, the short form shall be immediately provided to the public safety department.
- (c) The secondhand dealer, other than a secondhand dealer who is also a precious metals and gem dealer, shall retain any secondhand goods received for at least 15 days before disposing of them, in an accessible place in the building where the secondhand goods are purchased and received. A tag shall be attached to the secondhand goods in some visible and convenient place, with the number written thereupon, to correspond with the transaction number in the records required to be kept by this article. A secondhand dealer who is also a precious metals and gem dealer shall retain any secondhand goods received for at least nine days before disposing of them in the same manner.
- (d) The secondhand dealer shall maintain a register of all employees, showing the name and aliases used by the employee, home address, age, date of birth, sex, height, weight, color of hair and eyes, phone numbers, date of employment and termination, and duties of each employee. The above information on each employee shall be maintained in the register on the premises for a period of three years following termination.
- (e) The secondhand dealer shall make the register of employees available immediately for inspection by public safety personnel upon demand of the chief of the police or his or her duly appointed designee at all reasonable times.
- (f) Every act or omission by an employee constituting a violation of the provisions of this article shall be deemed the act or omission of the secondhand dealer if such act or omission occurs either with the authorization, knowledge, or approval of the secondhand dealer, or as a result of the secondhand dealer's negligent failure to supervise the employee's conduct, and the secondhand dealer shall be punishable for such act or omission in the same manner as if the secondhand dealer committed the act or caused the omission.

(Ord. No. 12-01, 1-10-2012)

Sec. 14-213. Penalty and remedies.

No Change.

Dated: October 21, 2025

Patrica M. Randall, Mayor

FIRST READING: 10/21/2025

SECOND READING:

ORDINANCE #: O-10-2025

EFFECTIVE DATE:

CERTIFICATION

I, Erica Eklov, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage, and that the foregoing ordinance was adopted by the City of Portage on the ____ day of _____ 2025.

Erica Eklov, City Clerk

Approved as to Form:

Dated: _____

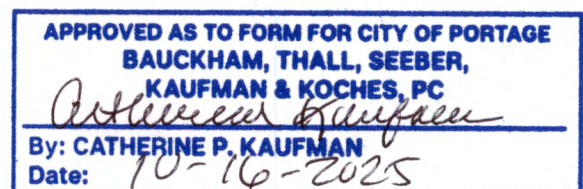
PREPARED BY:

Erica L. Eklov

City Clerk

7900 South Westnedge Ave.

City of Portage, MI 49002



**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING CHAPTER 14 – BUSINESSES**

ARTICLE 8. SECONDHAND DEALERS

The City of Portage Ordains:

That Chapter 14 *Businesses*, Article 8 *Secondhand Dealers*, be amended as follows:

Sec. 14-202. Definitions.

No Change.

Sec. 14-203. Secondhand dealer license.

No Change.

Sec. 14-204. Same - Required for pawnbrokers.

No Change.

Sec. 14-205. Same - Required for precious metals and gem dealers.

No Change.

Sec. 14-206. Application for license.

- (a) Any person, partnership or corporation desiring to secure a license shall make application to the city clerk. The application shall be dated by the city clerk. A copy of the completed application shall be distributed by the city clerk to the ~~office of the city manager,~~ department of public safety, department of community development and to the applicant.
- (b) The application for a license shall be upon a form provided by the city clerk. An applicant for a license, which shall include all partners or limited partners of a partnership applicant, all members of an LLC applicant, all officers and directors of a corporate applicant, all stockholders owning more than five percent of the stock of a corporate applicant, and any other person who is interested directly in the ownership or operation of the business, shall furnish the following information under oath:
 - (1) Name and address, including all aliases.
 - (2) Date of birth.
 - (3) Social security number.
 - (4) Written proof that the individual is at least 18 years of age.
 - (5) All residential addresses of the applicant for the past three years.
 - (6) The applicant's height, weight, color of eyes and hair.
 - (7) The business, occupation or employment of the applicant for five years immediately preceding the date of application.

- (8) Whether the applicant previously operated in this or any other county, city, or state under a secondhand dealer license or similar business license; whether the applicant has ever had such a license revoked or suspended, the reason therefore and the business entity or trade name under which the applicant operated that was subject to the suspension or revocation.
- (9) All criminal convictions, whether under federal or state statute or city ordinance (minor traffic violations are excepted); or any forfeiture of bond.
- ~~(10) Fingerprints and two portrait photographs at least two inches by two inches of the applicant.~~
- ~~(11)~~ (10) The address of the secondhand dealership to be operated by the applicant.
- ~~(12)~~ (11) If the applicant is a corporation, the application shall specify the name of the corporation, the date and state of incorporation, the name and address of the registered agent and the name and address of all shareholders owning more than five percent of the stock in said corporation and all officers and directors of the corporation.
- ~~(13)~~ (12) The address which applicant desires to receive notification under the article.
- (c) An applicant for a license shall additionally submit to the city clerk with the application a copy of a Michigan Criminal History Access Tool (ICHAT) search report, dated no more than seven day[s] before the date the application is submitted to the city clerk, for applicant, including all partners or limited partners of a partnership applicant, all members of an LLC applicant, all officers and directors of a corporate applicant, all stockholders owning more than five percent of the stock of a corporate applicant, and any other person who is interested directly in the ownership or operation of the business.
- (d) Failure or refusal of the applicant to give any information relevant to the investigation of the application or his or her refusal or failure to appear at any reasonable time and place for examination under oath regarding said application or his or her refusal to submit to or cooperate with any investigation required by this article shall constitute an admission by the applicant that he or she is ineligible for such license and shall be grounds for denial thereof by the city clerk.
- (e) Within 30 days of receiving an application for a license the city clerk shall notify the applicant whether the application is granted or denied.
- (f) Whenever an application is denied, the city clerk shall advise the applicant in writing of the reasons for such action. If the applicant requests a hearing in writing to the city clerk within ten days of receipt of notification of denial, a hearing shall be held within 30 days thereafter before the city council, as hereinafter provided.
- ~~(f) Failure or refusal of the applicant to give any information relevant to the investigation of the application or his or her refusal or failure to appear at any reasonable time and place for examination under oath regarding said application or his or her refusal to submit to or cooperate with any investigation required by this article shall constitute an admission by the applicant that he or she is ineligible for such license and shall be grounds for denial thereof by the city clerk.~~
- (g) Any applicant aggrieved by the denial of an application may seek an appeal with the city manager. Such appeal shall be taken by filing with the city clerk, within 14 days after notice of the action has been mailed to the applicant's listed address.
- (1) Following receipt of a written appeal by the applicant, the city manager shall make a written determination, after an investigation, regarding the grounds of the denial. Should the grounds for the denial be deemed sufficient, the application denial shall be upheld. Should the grounds for the denial be determined to be insufficient, the license shall be granted.
- (h) In the event the applicant is aggrieved by the decision of the city manager, he/she may subsequently appeal to the city council. Such appeal shall be taken by filing with the city clerk, within 14 days after written notice of the initial appeal determination by the city manager has been mailed to the applicant's last known address. The council shall set a time and place for a hearing on such appeal and notice of such hearing shall

be given to the appellant at his/her last known address by mail at least five days prior to the date set for the hearing.

(1) Following the hearing, the council shall make a determination regarding the applicant's appeal. Should the grounds for the denial be deemed sufficient, the application shall be denied. Should the grounds for the denial be determined insufficient, the license shall be granted. Action taken by the council shall be final.

(Ord. No. 12-01, 1-10-2012)

Sec. 14-207. Standards for issuance of license.

No Change.

Sec. 14-208. Fees.

No Change.

Sec. 14-209. Display of license or permit.

No Change.

Sec. 14-210. Renewal of license or permit.

- (a) Every license issued pursuant to this article will terminate ~~at the expiration of one year from the date of issuance~~December 31 of the year, unless sooner revoked, and must be renewed before operation is allowed in the following year. Any secondhand dealer desiring to renew a license shall make application to the city clerk. The application for renewal must be filed not later than 60 days before the license expires. The application for renewal shall be filed ~~in triplicate~~ with and dated by the city clerk. A copy of the application for renewal shall be distributed promptly by the city clerk to the ~~city police~~public safety department and to the secondhand business dealer. The application for renewal shall be upon a form provided by the city clerk and shall contain such information and data, given under oath or affirmation, as is required for an application for a new license, and shall be reviewed and approved in the same manner.
- (b) A license renewal fee set by resolution of city council shall be submitted with the application for renewal.

(Ord. No. 12-01, 1-10-2012)

Sec. 14-211. Revocation or suspension of license.

- (a) The ~~city council~~city manager can revoke or suspend a license for any of the following reasons:
- (1) Discovery that false or misleading information or data was given on any application or material facts were omitted from any application.
 - (2) The secondhand dealer or any employee of the secondhand dealer has violated any provision of this article or any rule or regulation adopted by the city council pursuant to this article; provided, however, that in the case of a first offense by an secondhand dealer where the conduct was solely that of an employee, the penalty shall not exceed a suspension of 30 days if the manager or council shall find that the secondhand dealer had no actual or constructive knowledge of such violation and could not by the exercise of due diligence have had such actual or constructive knowledge.
 - (3) The secondhand dealer becomes ineligible to obtain a license or permit or the secondhand dealer is convicted of or pleads nolo contendere to any felony or any crime involving theft, dishonesty, receipt of stolen property or embezzlement.

- (4) Any cost or fee required to be paid by this article is not paid.
- (b) The ~~city council~~city manager, before revoking or suspending any license shall give the secondhand dealer at least ten days written notice of the charges against the secondhand dealer, and the opportunity ~~for a hearing before the city council~~to appeal, as hereinafter provided:
- (1) Before the ~~city council~~city manager revokes or suspends a license issued herein the ~~city council~~city manager shall cause written notice to be sent ~~by the city clerk~~by via certified mail to the licensee affected, at the address stated in the license informing such person of the right to an ~~appeal hearing~~ appeal upon request.
 - (2) If the licensee does not request an ~~hearing~~ appeal within 14 days of the date the notice was sent, the license may be forthwith revoked or suspended. If the licensee requests a ~~hearing~~an appeal before the ~~city council~~city manager regarding said proposed revocation or suspension, ~~the city clerk shall instruct the licensee to submit said appeal in writing for review by the city manager within said hearing shall be held within 21~~10 business days ~~after the date~~upon receipt of the written ~~request~~appeal.
- (c) Any licensee aggrieved by the decision of the city manager regarding a license suspension or revocation has one final opportunity to seek appeal, as hereinafter provided:
- (1) Before the city manager completes revocation or suspension if a license issued herein, the city manager shall cause written notice to be sent by the city clerk via certified mail to the licensee affected, at the address stated in the license, informing such person of the right to a hearing before the city council upon request. Such appeal shall be taken by filing with the city clerk within 14 days of the date the notice was sent
 - (2) If the licensee does not request a hearing within 14 days of the date the notice was sent, the license may be forthwith revoked or suspended. If the licensee requests a hearing before the city council regarding said proposed revocation or suspension, said hearing shall be held within 21 days after the date of the written request.
- (~~d~~e) Any license issued by the city may be immediately suspended by the city manager or his or her duly appointed designee if it is determined that the licensee has violated or someone at or upon the licensed location has violated the city ordinance or state law and that continued operation under the license is contrary to the public health, safety, and welfare. A licensee shall have the right to a hearing before the city council on any license suspension by the city manager and notice thereof shall be given in accordance with subsections ~~(b)(1) and through (c)(2)~~.
- (~~e~~f) The council shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant at his/her last known address by mail at least five days prior to the date set for the hearing. Both the city and the licensee shall be afforded a reasonable opportunity to present evidence on the issue at the ~~city council~~hearing. Action taken by the city council shall be final and any fees hereunder shall not be refunded to the applicant or licensee.
- (1) Following the hearing, the council shall make a determination regarding the applicant's appeal. Should the grounds for the denial be deemed sufficient, the application shall be denied. Should the grounds for the denial be determined insufficient, the license shall be granted. Action taken by the council shall be final.
- (~~e~~f) The transfer of a license or any interest in a license shall automatically and immediately revoke the license.
- (~~f~~g) Any secondhand dealer whose license is revoked shall not be eligible to receive a license for one year from the date of revocation. No location or premises for which a license has been issued shall be used as business dealing in secondhand goods for six months from the date of revocation of the license.

(Ord. No. 12-01, 1-10-2012)

Sec. 14-212. Responsibilities of the secondhand dealer; records of goods received; reporting requirements.

- (a) A secondhand dealer shall keep a record in English at the time the secondhand dealer receives any secondhand goods. The record shall include a description of the goods, a photograph of the goods received, the serial number and model number if available, a sequential transaction number, the amount of money or other consideration received for said goods, the name, residence, general description and driver's license number, official state personal identification card number, or government identification number of the person from whom the secondhand goods were received, the right thumb print of the person from whom the goods were received, and the day and hour when the goods were received. Such records, the place where the secondhand dealer's business is carried on and all secondhand goods in that place of business or in control of the secondhand dealer are subject to examination at any time by the ~~police~~ public safety department. The required information shall be maintained consistent with subsection (b) below.
- (b) The secondhand dealer shall retain a record of each transaction for a minimum of one year or as directed by the ~~police~~ public safety department. Within 90 days of the effective date of this ordinance, the information in the record of transaction shall be transmitted to the ~~police~~ public safety department by computer over the Internet to the website established by the city for this purpose. Information and assistance concerning the website shall be provided by the city. So long as the required information is transmitted by computer, a handwritten form need not be completed, but a short form with the right thumb print of the individual trading in the item shall be maintained, with an appropriate reference to the transaction. If it is not possible for the person to provide his or her right thumb print on the full handwritten form or the short form, then another specifically designated fingerprint shall be provided. Upon request, the short form shall be immediately provided to the ~~police~~ public safety department.
- (c) The secondhand dealer, other than a secondhand dealer who is also a precious metals and gem dealer, shall retain any secondhand goods received for at least 15 days before disposing of them, in an accessible place in the building where the secondhand goods are purchased and received. A tag shall be attached to the secondhand goods in some visible and convenient place, with the number written thereupon, to correspond with the transaction number in the records required to be kept by this article. A secondhand dealer who is also a precious metals and gem dealer shall retain any secondhand goods received for at least nine days before disposing of them in the same manner.
- (d) The secondhand dealer shall maintain a register of all employees, showing the name and aliases used by the employee, home address, age, date of birth, sex, height, weight, color of hair and eyes, phone numbers, date of employment and termination, and duties of each employee. The above information on each employee shall be maintained in the register on the premises for a period of three years following termination.
- (e) The secondhand dealer shall make the register of employees available immediately for inspection by ~~police~~ public safety personnel upon demand of the chief of the police ~~department~~ or his or her duly appointed designee at all reasonable times.
- (f) Every act or omission by an employee constituting a violation of the provisions of this article shall be deemed the act or omission of the secondhand dealer if such act or omission occurs either with the authorization, knowledge, or approval of the secondhand dealer, or as a result of the secondhand dealer's negligent failure to supervise the employee's conduct, and the secondhand dealer shall be punishable for such act or omission in the same manner as if the secondhand dealer committed the act or caused the omission.

(Ord. No. 12-01, 1-10-2012)

Sec. 14-213. Penalty and remedies.

No Change.

Dated: October 21, 2025

Patrica M. Randall, Mayor

FIRST READING: 10/21/2025

SECOND READING:

ORDINANCE #: O-10-2025

EFFECTIVE DATE:

CERTIFICATION

I, Erica Eklov, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage, and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____ 2025.

Erica Eklov, City Clerk

Approved as to Form:

Dated: _____

PREPARED BY:

Erica L. Eklov

City Clerk

7900 South Westnedge Ave.

City of Portage, MI 49002