

6:00 p.m. Call to Order.

Moment of Silence.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Black History Month

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

A. Consent Agenda:

1. Approve the City Council Meeting Minutes of the:
  - a. Board & Commission Interviews of January 13, 2026
  - b. Regular Meeting of January 13, 2026
  - c. Special Meeting of January 20, 2026
2. Approve the Accounts Payable Register of January 27, 2026, as presented.
3. Take action to:
  - a. Award a construction contract to Brenner Excavating of Hopkins, Michigan, for the Portage Road Reconstruction project for an amount not to exceed \$4,477,268.10;
  - b. Amend a contract with Wightman in the amount of \$721,600 to provide construction engineering and right-of-way services for the Portage Road Reconstruction project;

and authorize the City Manager to execute all documents related to the contract on behalf of the city.

4. Award a construction contract to Michigan Paving and Materials Company of Kalamazoo, Michigan for the 2026 Local Streets Reconstruction Program in an amount not to exceed \$1,862,255 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
5. Approve Contract No. 25-5607 between the Michigan Department of Transportation and the City of Portage for the reconstruction of West Centre Avenue from Oakland Drive to Shaver Road and adopt a Resolution authorizing the City Manager to sign all documents related to the contract on behalf of the city.
6. Adopt the resolution setting the schedule for the 2026 Board of Review and approve the compensation rate for the Board of Review meetings and training.
7. Accept a temporary moratorium ordinance pertaining to data centers and battery energy storage systems for first reading and consider ordinance adoption on February 24, 2026.
8. Accept for first reading the amendment to Chapter 18, Cemeteries, of the Code of Ordinances, and set the second reading for February 10, 2026.
9. Adopt the Resolution confirming the ballot proposal language for the May 5, 2026 Special Election.
10. Minutes of Boards & Commissions:
  - a. Human Services Board of December 4, 2025

b. Environmental Board of December 10, 2025

11. Materials Transmitted.

12. Calendar of Meetings:

- Historic District Commission: Wednesday, February 4 at 8:30 a.m. in the Heritage Room, Portage District Library (300 Library Lane)
- Park Board: Wednesday, February 4 at 6:30 p.m. at the Portage Parks & Recreation Building (320 Library Lane)
- Human Services Board: Thursday, February 5 at 5:30 p.m. in Conference Room 1, Portage City Hall (7900 S Westnedge Ave)
- Planning Commission: Thursday, February 5 at 7:00 p.m. in the City Council Chambers, Portage City Hall (7900 S Westnedge Ave)
- Zoning Board of Appeals: Monday, February 9 at 5:30 p.m. in the City Council Chambers, Portage City Hall (7900 S Westnedge Ave)

B. Communications:

1. Presentation of the Government Finance Officers Association award.

C. Public Hearings:

D. Regular Business Agenda:

1. Confirm the appointment of Jereme Rowland as Director of Public Works.

E. Unfinished Business:

F. Council Committee Reports:

G. New Business:

H. Statements of City Council and City Manager.

Adjournment.



**QR Code to Access the Agenda & Agenda Packet**

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. Each comment is limited to 3 minutes. The Americans with Disabilities Act (ADA) requires reasonable accommodations for participation. Please contact the City Clerk regarding accommodations.



# CITY OF PORTAGE PROCLAMATION

## Black History Month 2026

- WHEREAS,** Black History Month is observed in February of each year and 2026 marks the 100th year; and
- WHEREAS,** Black History Month was originally set in February to coincide with the birthdays of Frederick Douglass and Abraham Lincoln, two key figures in the history of African Americans; and
- WHEREAS,** Dr. Carter G. Woodson, the son of former slaves who became the second African American to earn a Ph.D. from Harvard University, developed the idea for Negro History Week in 1926 to annually promote the history, culture and achievements of African Americans, to be celebrated on a national scale; and
- WHEREAS,** the theme for Black History Month 2026 focuses on “A Century of Black History Commemorations” – marking 100 years since the first national Black history celebrations began; and
- WHEREAS,** honoring a century of Black history highlights the journey of recognizing and celebrating Black life, history, and culture over the past century, with a focus on promoting accurate and inclusive history amidst current challenges to Black history education; and
- WHEREAS,** on February 10, 1976, during the United States Bicentennial, President Gerald R. Ford became the first president to issue a message recognizing Black History Month, followed by Congress passing Public Law 99-244 in 1986, designating February as Black History Month; and
- WHEREAS,** the City of Portage continues to work toward becoming a community in which all citizens - past, present, and future - are sustained, fortified, and respected for their contributions to our community and beyond; and
- WHEREAS,** to commemorate the birthdate of Dr. Martin Luther King, Jr. and Black History Month 2026, the City of Portage will host Candacy Taylor, leading Green Book expert and author of the best-selling book, *Overground Railroad: The Green Book and the Roots of Black Travel in America* - a New York Times most notable book of the year, as well as Oprah Magazine’s top 26 travel books. Ms. Taylor also curated the *Negro Motorist Green Book* exhibition for the Smithsonian Institute.

**NOW, THEREFORE, BE IT RESOLVED THAT** I, Patricia M. Randall, do hereby proclaim that this city honors and recognizes February as “Black History Month.”

Signed this 27<sup>th</sup> day of January 2026.

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Patricia M. Randall, Mayor

**BOARDS & COMMISSIONS INTERVIEW SESSION  
MINUTES FROM JANUARY 13, 2026**

Mayor Patricia Randall called the Citizen Advisory Board Interviews to order at 4:00 p.m. in Conference Room #1 at Portage City Hall.

**ROLL CALL:** Councilmembers Chris Burns, Vic Ledbetter, Nicole Miller, Kathleen Olmsted, Jihan Young, and Mayor Patricia Randall.

**ABSENT:** Mayor Pro Tem Jim Pearson, Councilmember Miller.

**ALSO PRESENT:** City Manager Pat McGinnis, City Clerk Erica Eklov, Environmental Board Staff Liaison Michael Smoter, and City Council & Records Coordinator Aaron Thiel.

**BOARD OF REVIEW (BOR):** Applicant Justin Gish and Board Member Carol Eddy were in attendance. Each was given the chance to introduce themselves. There was discussion about how the Council could better support the board. It was suggested that greater education about the purpose of the board, including potentially renaming, could help attract new members.

**ENVIRONMENTAL BOARD (EB):** Dr. Tapas Acharjee interviewed to fill one of the board vacancies. At the request of the Mayor, Dr. Acharjee provided information on his background. Michael Smoter, staff liaison for the board, answered questions related to duties and environmental efforts in Portage.

**HISTORIC DISTRICT COMMISSION (HDC):** At the invitation of the Mayor, returning member Carol Dunleavy Chandler discussed current efforts of the HDC and goals for the upcoming America 250 Celebration. She highlighted the local history museum in Sturgis as an exemplary living history exhibit that she hopes to bring the Celery Flats and other historic areas in Portage.

Councilmember Ledbetter asked if City would post public signage, similar to acknowledgements in the City of Kalamazoo marking historic treaty lines between settlers and indigenous people. Ms. Dunleavy Chandler elaborated on current efforts and future goals.

**ZONING BOARD OF APPEALS (ZBA):** Returning applicant Hillary Taylor, as well as new applicants Mark Martin and Charley Coss, attended. At the invitation of the Council, each introduced themselves.

Councilmember Burns confirmed there would be no issues with attendance, stressing that appellants needed a majority of the board to support them and missing a meeting could affect their appeal. Each applicant confirmed attendance would not pose an issue.

**APPOINTMENT DISCUSSION:** Clerk Eklov provided an outline of appointments the Council had considered up until that point. There was consensus among members regarding appointments to the BOR, EB, and HDC, but discrepancies within the agenda prompted discussion about accurate appointments and term lengths to the ZBA. There was also discussion if an appointment posed a conflict of interest, which Clerk Eklov relayed had already been addressed with the City Attorney.

At the Mayor's request, Councilmember Olmsted contacted Mr. Coss and asked if he would be interested in serving on a different board. Mr. Coss confirmed.

**ADJOURNMENT:** Mayor Randall adjourned the meeting at 5:18 p.m.

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Aaron Thiel  
City Council & Records Coordinator

## CITY COUNCIL MEETING MINUTES FROM JANUARY 13, 2026

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

**ROLL CALL:** Councilmembers Chris Burns, Victor Ledbetter, Kathleen Olmsted, Jihan Young, and Mayor Patricia Randall were present.

**ABSENT:** Councilmember Nicole Miller and Mayor Pro Tem Jim Pearson.

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

At the request of Mayor Randall, the audience observed a moment of silence to reflect on the new calendar year as a stronger, unified city. Following the moment of silence, the City Council recited the Pledge of Allegiance.

### **PROCLAMATIONS:**

**Winners of the 4th Annual Decked Out Homes Holiday Decorating Contest:** City Manager McGinnis introduced the winners, including First Place: 5807 Copperleaf Trail, Second Place: 414 Gabardine Avenue, Third Place: 6117 Rothbury Street, and the Judges' Choice: 1404 Woodview Drive.

**Betty Lee Ongley's 100th Birthday:** Former Councilmember Terry Urban read the proclamation with both Betty Lee and her daughter Jill Ongley, present. Following the presentation, Betty Lee acknowledged the members of the Council and thanked the city for recognizing her birthday.

**State of Michigan Resolution of Recognition of Terry R. Urban:** Representatives Julie Rogers, Matt Longjohn, and Senator Sean McCann presented the Resolution to former Councilmember Terry Urban.

### **PETITIONS AND STATEMENTS OF CITIZENS:**

- Doris Antonetti, manager of the incoming ZapZone XL, highlighted an opening day on February 9, 2026, and announced 150 job openings.
- Judy Salters (9240 Portage Road) spoke in favor of the single hauler ordinance and remaining with the current city contract.
- Tim Earl (6862 Shallowford Way) spoke against the Take Back the Trash efforts.
- Cindy Rayman (1102 Prosperity Drive) spoke against Waste Management as the selection for the single waste hauler vendor.
- Joy Gerow (609 Larkspur) spoke against the single waste hauler ordinance.
- Jerry Warnemuende (3143 Saint Anthony Drive) addressed Mr. Earl's comments directly and spoke against the single hauler waste ordinance.
- Leah Owens, State Streets, took an impromptu poll of the room regarding single hauler opinions. She expressed further concerns regarding the single waste hauler contract and those opposed who might not speak before the Council but would express their opinion through an election.
- Liz Mehta (6736 Evergreen Street) asked for the criteria used for waste hauling selection.

Councilmember Young motioned for a recess and urged decorum. There was no second.

- Mary Stillman (1830 Forest Drive) expressed concerns with single waste hauler and experiences with the Take Back the Trash initiative.
- Linda Fry (9244 Chapel Street) asked for clarification as to next steps now that the signature petitions had been verified.
- Jane Ghosh (3608 Cloverleaf) spoke in favor of single hauler and steps taken toward it. She expressed support for putting the initiative on the May ballot so that all Portage residents could vote on it.
- Brittany Hall (4409 Fireside) supported putting the initiative on the May ballot.
- Carolyn Pesheck (6745 Shoreham) spoke regarding the Landing Place family shelter would be opening in Spring and hoped the \$500,000 which the City of Portage withdrew from supporting the Landing Place would be spread to other services for the homeless.
- Eric Pschigoda (9510 Corduroy Street) voiced support for a single waste hauler program, while expressing concerns with the petition and Best Way Disposal.
- Larry Stillman (1830 Forest Drive) defended the Balkema family from prior comments, noting their involvement in area business.
- Richard Block (1902 Vickery Road) expressed concern with the single hauler waste proposal and the vendor comparison. He also noted the various industries the Balkema family are involved in and supported putting the matter before voters.
- Richard Santek (7537 Autumn Street) noted his long residential tenure in Portage and expressed support for allowing residents to vote for the waste matter.
- Kirk Mills (7250 Balfour) expressed support for a single waste hauler, noting his current trash bill had tripled recently.

(Due to technical difficulties that arose at 6:53 p.m. with the meeting broadcast and Free Conference Call, there were three citizens in the public phone line queue that were not audible.)

**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. Motion by Councilmember Ledbetter, seconded by Councilmember Young, to approve Consent Agenda as presented. Upon a roll call vote, motion carried 5 to 0.

**Approval of Minutes:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to approve the minutes of the Regular Meeting of December 16, 2025. Upon a roll call vote, motion carried 5 to 0.

**Accounts Payable Register:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to approve the Accounts Payable Register of January 13, 2026, as presented. Upon a roll call vote, motion carried 5 to 0.

**Microsoft Licensing Renewal - Cooperative Purchasing Pricing:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to approve the purchase of the annual Microsoft Exchange Online and Office 365 licensing in the amount of \$86,319.48 from Datalink Networks under the Sourcewell cooperative purchasing contract #020624-SYN 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 5 to 0.

**Oakview Drive Lift Station Maintenance:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to award a contract to JK of Michigan in an amount not to exceed \$71,360.02 for replacement of pump bases, discharge piping and appurtenances at the Oakview Drive Lift Station and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

**Special Legal Counsel Approval per City Charter - Section 6.6:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to approve the retention of various legal firms as specified in this agenda item as Special Legal Counsel per Section 6.6 of the City Charter. Upon a roll call vote, motion carried 5 to 0.

**Cemetery Marker Variance:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to approve a cemetery marker height restriction waiver for Dr. Charles Butler within Portage South Cemetery. Upon a roll call vote, motion carried 5 to 0.

**Charitable Gaming Resolution - Kalamazoo Maroons Youth Baseball:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to adopt the Resolution for a Charitable Gaming License recognizing Southwest Michigan Baseball Inc. (d.b.a. "Kalamazoo Maroons" youth baseball team), as a nonprofit organization in the City of Portage. Upon a roll call vote, motion carried 5 to 0.

**2026 City Council Committee Assignments:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to accept the 2026 calendar year appointments to City Council committees. Upon a roll call vote, motion carried 5 to 0.

**Minutes of Boards & Commissions:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to receive the minutes of the Environmental Board of November 12, 2025. Upon a roll call vote, motion carried 5 to 0.

**Materials Transmitted of December 19, 2025:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to receive the Materials Transmitted of December 19, 2025. Upon a roll call vote, motion carried 5 to 0.

**Calendar of Meetings:** Motion by Councilmember Ledbetter, seconded by Councilmember Young, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 5 to 0.

#### **COMMUNICATIONS:**

**Presentation of the 2025-2026 Environmental Board:** Environmental Board Chair David Lancaster presented. He noted the Board had achieved adopting procedural rules, completed multiple invasive species pulls, launched a plastic bag recycling initiative, and formed multiple subcommittees. Mr. Lancaster closed by stating the Board will continue to advise the City Council on matters of climate change, renewable energy, and efforts toward earning a Bee City Certification.

Motion by Councilmember Burns, seconded by Councilmember Ledbetter, to receive a presentation from the Environmental Board. Upon a voice vote, motion carried 5 to 0.

#### **REGULAR BUSINESS AGENDA:**

**Appointments to Citizen Advisory Boards:** At the request of the Mayor, Clerk Eklov read the appointments from the evening's earlier interview session into the record, noting the recommended action would be split into two motions. Clerk Eklov noted the appointment of Amanda Bengtson, Patrick Buckley, Carol Eddy, Charlie Eldred, Orville Smith, and Justin Gish with terms ending January 31, 2027, to the Board of Review; appoint Carol Dunleavy-Chandler with a term ending December 31, 2029, to the Historic District Commission; appoint current alternates David Bergher, Michael Stempihar to full terms, as well as Hillary Taylor and Mark Martin, with terms ending February 28, 2029, and appoint Dan Merkle as an alternate with a partial term ending February 28, 2028, to the Zoning Board of Appeals.

Motion by Councilmember Burns, seconded by Councilmember Young, to appoint the individuals to the Board of Review, Historic District Commission, and Zoning Board of Appeals as noted by the City Clerk. Upon a roll call vote, motion carried 5 to 0.

Clerk Eklov then read the appointments for the Environmental Board by appointing Charley Coss to a partial term ending October 1, 2026, and appointing Tapas Acharjee to a term ending October 1, 2028.

Motion by Councilmember Burns, seconded by Councilmember Young, to appoint the individuals to the Environmental Board as noted by the City Clerk. Upon a roll call vote, motion carried 4 to 0, with Councilmember Olmsted abstaining.

**Initiative Petition - Chapter 58 Ordinance Amendment:** Mayor Randall introduced the item. Councilmember Burns recused himself, citing a continuing indirect financial conflict of interest.

As there was no additional discussion, motion by Councilmember Ledbetter, seconded by Councilmember Young, to receive the initiative petition, as presented by the City Clerk, from the Take Back the Trash committee. Upon a roll call vote, motion carried 5 to 0.

Motion by Councilmember Ledbetter, seconded by Councilmember Olmsted, to submit the proposed ordinance to the electors of the City at a Special Election to be held on May 5, 2026. Upon a roll call vote, motion carried 5 to 0.

Mayor Randall stated that the election on May 5th would be a special election funded by the city and the City Administration would be performing additional legal review in the interim.

**COUNCIL COMMITTEE REPORTS:** None.

**STATEMENTS OF CITY COUNCIL AND CITY MANAGER:** Councilmember Young encouraged citizens to lead by example support each other through the coming year. She also acknowledged small businesses in the community and highlighted recent staff changes within the Public Safety Department. Councilmember Young closed by thanking the citizens who participated in the earlier Board and Commission interviews.

Councilmember Burns wished Betty Lee Ongley a happy 100th birthday and thanked Portage's representatives in Lansing for visiting.

Councilmember Olmsted acknowledged the upcoming America 250 celebration of the nation and noted initial plans for city preparations in recognition. She encouraged citizens to e-mail her with any suggestions for recognizing America's birthday in July.

Councilmember Ledbetter began by noting his background as a retired police officer and encouraged the public to familiarize themselves with self-defense, legal responsibilities, and civic rights considering recent national civil unrest. He then thanked everyone who interviewed for the city's Boards and Commissions, recommending others apply for board vacancies.

City Manager McGinnis presented a review of the city's projects and efforts from 2025.

Mayor Randall began by recognizing Representative Matt Longjohn and thanking him for his passion in supporting the Portage community. She then thanked Mr. Urban for his continued service to the city on the various Council Committees, as well as honored Betty Lee Ongley for her years in stewarding the city. Mayor Randall noted that City Hall would be closed on Martin Luther King, Jr. Day on January 19, and highlighted the annual Black History Month event scheduled for February 6th. She also pointed to the upcoming February *Portager* newsletter for information regarding the waste hauler transition. Mayor Randall closed by wishing everyone a happy and safe 2026.

**ADJOURNMENT:** Mayor Randall adjourned the meeting at 7:23 PM.

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Erica L. Eklov, City Clerk

## SPECIAL MEETING MINUTES FROM JANUARY 20, 2026

Mayor Patricia Randall called the Special Meeting to order at 04:05 PM in Conference Room #1 at Portage City Hall.

**ROLL CALL:** Councilmembers Victor Ledbetter, Nicole Miller, Kathleen Olmsted, Jihan Young, and Mayor Patricia Randall were present.

**ABSENT:** Councilmember Chris Burns and Mayor Pro Tem Jim Pearson.

**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. Additionally present, outside counselors Thomas Schultz and Jeremy Romer from the lawfirm Rosati, Schultz, Joppich, and Amtsbuechler.

**NEW BUSINESS:**

**Enter into closed session under the Michigan Open Meetings Act per MCL 15.268(1)(H) for consideration of a written legal opinion within Attorney-Client Privilege:**

Councilmember Young asked Attorney Kaufman if there was a written legal opinion regarding Councilmember Olmsted's involvement and affiliation with the Take Back the Trash campaign and her ability to partake in a closed session. Councilmember Olmsted referred to the City Council *Code of Ethics and Values*, which she had signed after her election. Discussion followed.

Councilmember Young made a motion to request a written legal opinion regarding Councilmember Olmsted's participation in a closed session regarding the Take Back the Trash campaign. Seconded by Councilmember Miller. Mayor Randall requested that the opinion come from the outside attorneys. Upon a roll call vote, motion carried 4 to 1, with Councilmember Olmsted voting no.

**STATEMENTS OF CITIZENS:** Jason Mikkeltorg (6834 Manhattan Street) began by expressing that the city crews have been doing a great job with snow plowing and asked that his appreciation be passed along. He then noted that his earlier campaign for City Council was self-funded and closed by thanking everyone for their time.

**ADJOURNMENT:** Mayor Randall adjourned the meeting at 4:39 PM.

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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 January 27, 2026, 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, electronic payments and credit card payments. The attached Accounts Payable Register covers the period January 4, 2026, through January 17, 2026, and notes \$615,601.38 in automated clearing house payments, \$204,853.56 in paper checks, \$278,687.00 in auto-pay payments, \$6,866,446.08 in electronic payments and \$21,551.77 in credit card payments (December) for a grand total of \$7,987,139.79.

**FUNDING:** Not Applicable

**Attachments:** 1. Accounts Payable Register of January 27, 2026

ACCOUNTS PAYABLE REGISTER  
 Check Dates From: 1/04/2026 to 1/17/2026

Check Date	Check	Vendor Name	Description	Amount
Check Type: ACH Transaction				
01/09/2026	25759(A)	BAUCKHAM, THALL, SEEBER, KAUFMAN	ATTORNEY FEES JANUARY 2026	27,083.33
01/09/2026	25760(A)	MARTIN, MATTHEW	PER DIEM-STAFF & COMMAND SCHOOL	261.00
01/09/2026	25761(A)	UNITED WAY OF NORTHWEST MICHIGAN	TRI-SHARE	3,700.10
01/16/2026	25762(A)	ADP, INC.	PAYROLL, ETIME WORKFC NOW, TIMECLOCK	9,499.07
01/16/2026	25763(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	2,445.20
01/16/2026	25764(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	4,395.90
01/16/2026	25765(A)	AMAZON.COM SALES, INC.	STANWOOD CLEANING SUP-CD; OFC SUP-FN	727.23
01/16/2026	25766(A)	AMERICAN ARBOR LLC	TREE REMOVAL & LAND CLEARING	39,375.00
01/16/2026	25767(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	1,746.00
01/16/2026	25768(A)	ASCENSION BORGESS HOSPITAL	PHYSICAL EXAMS	4,690.00
01/16/2026	25769(A)	AVI SYSTEMS, INC.	NEWTEK RENEWAL 2026	1,302.00
01/16/2026	25770(A)	BALKEMA CONSTRUCTION, INC.	LEXINGTON-GREEN PARK ROAD PATCHING	6,271.54
01/16/2026	25771(A)	BAREITHER, CHAD	STRATEGIC PLANNING SVCS	1,250.00
01/16/2026	25772(A)	BARRON, DIANE E	PZSC TAP DANCE INSTRUCTOR	660.00
01/16/2026	25773(A)	BIO-CARE, INC.	FIREFIGHTER PHYSICALS	23,020.00
01/16/2026	25774(A)	BLUE CARE NETWORK-GREAT LAKES	HEALTH INSURANCE	232,961.03
01/16/2026	25775(A)	BOUND TREE MEDICAL LLC	FIRE EMS SUPPLIES	841.99
01/16/2026	25776(A)	C D W GOVERNMENT, INC.	PZSC-MONITOR	489.76
01/16/2026	25777(A)	CHARTER COMMUNICATIONS	CABLE TV	387.18
01/16/2026	25778(A)	CIVICPLUS, LLC	WEBSITE CONSULTING FEES	1,250.00
01/16/2026	25779(A)	CLEAN EARTH ENVIRONMENTAL SERV	KITCHEN TRAP CLEANOUT-PZSC	885.00
01/16/2026	25780(A)	COLTER, KEVIN	CDBG-REPLACE FURNACE	9,275.00
01/16/2026	25781(A)	CONSOLIDATED ELECTRICAL DIST INC	REPAIR & MAINTENANCE SUPPLIES	28.58
01/16/2026	25782(A)	COX, ELISA ROSE	PZSC SUPERVISED FITNESS INSTRUCTOR	390.00
01/16/2026	25783(A)	DEPATIE FLUID POWER COMPANY	REPAIR & MAINTENANCE SUPPLIES	698.16
01/16/2026	25784(A)	EMPLOYEE ISSUED	REFUND OF HSA MONEY	228.31
01/16/2026	25785(A)	ENGINEERED PROTECTION SYSTEMS, INC.	PRORATED CHARGES LEXINGTON GRN VIDEO	275.71
01/16/2026	25786(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	REPAIR & MAINTENANCE SUPPLIES	367.37
01/16/2026	25787(A)	ETEA LLC	PZSC TRIP VENDOR PAYMENT 12.30.25	2,542.45
01/16/2026	25788(A)	FERGUSON US HOLDINGS, INC	WATER TAPPING/DRILLING MACHINE	4,621.18
01/16/2026	25789(A)	FREDRICKSON SUPPLY, LLC	LEAF PICKUP - PACKER RENTAL	12,366.68
01/16/2026	25790(A)	GENUINE PARTS COMPANY INC	REPAIR & MAINTENANCE SUPPLIES	2,461.10

ACCOUNTS PAYABLE REGISTER  
Check Dates From: 1/04/2026 to 1/17/2026

Check Date	Check	Vendor Name	Description	Amount
01/16/2026	25791(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICES	338.00
01/16/2026	25792(A)	HI-TECH ELECTRIC CO.	CITY HALL POWER DRAW TEST	875.00
01/16/2026	25793(A)	HICKSON, ROBERT R.	KVCC POLICE ACADEMY CADET UNIFORMS	206.00
01/16/2026	25794(A)	INDUSCO SUPPLY CO., INC.	CITYWIDE FACILITY JANITORIAL SUPPLIES	1,523.49
01/16/2026	25795(A)	INTEGRAL PARTNERS LLC	ENGINEERING SVCS-MULT LOCS	17,418.62
01/16/2026	25796(A)	J & H OIL COMPANY	BULK FUEL DELIVERY	24,409.22
01/16/2026	25797(A)	JONS TO GO PORTABLE RESTROOM	PORTABLE RESTROOMS FOR WINTER USE	800.00
01/16/2026	25798(A)	KAHN, WILMA	PZSC WRITING INSTRUCTOR	348.00
01/16/2026	25799(A)	KEHOE, EDWARD J	PZSC TAI CHI & QIGONG INSTRUCTOR	265.00
01/16/2026	25800(A)	KENDALL ELECTRIC, INC.	REPLACEMENT LIGHT POLE FOR LIBERTY PARK	1,982.39
01/16/2026	25801(A)	KONICA MINOLTA BUSINESS SOLUTIONS	TREASURY PRINTERS MAINTENANCE AGREEMENT	180.00
01/16/2026	25802(A)	KSS ENTERPRISES	SHOP FLOOR CLEANER/SQUEEGEE MACHINE	110.00
01/16/2026	25803(A)	KURZAVA, MATTHEW STEPHEN	PZSC TAI CHI INSTRUCTOR	800.00
01/16/2026	25804(A)	KUSHNER & COMPANY, INC.	COBRA & FSA ADMINISTRATION	259.30
01/16/2026	25805(A)	LAWSON PRODUCTS, INC	REPAIR & MAINTENANCE SUPPLIES	869.84
01/16/2026	25806(A)	LEATHERMAN, ROBERT	REIMB-MI EMS LICENSE RENEWAL	25.00
01/16/2026	25807(A)	METRONET HOLDINGS LLC	CABLE ACCESS, INTERNET FIBER, PHONE SVC	4,557.88
01/16/2026	25808(A)	MICHIGAN OFFICE EQUIPMENT INC	OFFICE FURNITURE/PARTITIONS	4,626.22
01/16/2026	25809(A)	NYE UNIFORM CO	MISC UNIFORMS	1,530.48
01/16/2026	25810(A)	ONSTAFF GROUP SERVICES LLC	TEMPORARY EMPLOYEE SERVICES	2,615.01
01/16/2026	25811(A)	PRINTING SERVICES INC	PRINTING SERVICES	57.25
01/16/2026	25812(A)	PRO SERVICES, INC.	CITY HALL - ICE MELT REPAIR	3,883.36
01/16/2026	25813(A)	PROGRESSIVE AE, INC	AUSTIN LK CONSULTING/AQUATIC NUISANCE CON	4,375.00
01/16/2026	25814(A)	QUADRANT II MARKETING, LLC	PZSC JAN/FEB 2026 NEWSLETTER	2,784.00
01/16/2026	25815(A)	REPUBLIC SERVICES OF WEST MICHIGAN	WASTE SERVICES FOR CITY FACILITIES	1,407.67
01/16/2026	25816(A)	REYNHOUT, BRENT	REIMB-LESS LETHAL INSTRUCTOR PROGRAM REG	360.00
01/16/2026	25817(A)	ROE-COMM, INC.	MISC RADIO SERVICES	225.00
01/16/2026	25818(A)	ROSE, SANDRA K.	PZSC CARDIO DRUMMING INSTRUCTOR	400.00
01/16/2026	25819(A)	S B F ENTERPRISES, INC.	PRINT, PROCESS, MAIL WATER & SEWER BILLS	571.60
01/16/2026	25820(A)	SCHULTZ, KYLIE	PZSC BARRE INSTRUCTOR	240.00
01/16/2026	25821(A)	SHELDON, ASHLEY ELIZABETH	PZSC DANCE STUDIO	350.00
01/16/2026	25822(A)	SNELL, DEBRA	PZSC BODY REBOUND & LINE DANCING INSTRUC	180.00
01/16/2026	25823(A)	STOUT, MELISSA	PZSC CHAIR YOGA, BARRE & MAT YOGA INSTRUC	300.00

ACCOUNTS PAYABLE REGISTER  
Check Dates From: 1/04/2026 to 1/17/2026

Check Date	Check	Vendor Name	Description	Amount
01/16/2026	25824(A)	TMK WORLDWIDE, LLC	METER SERVICE	354.49
01/16/2026	25825(A)	TRUCK & TRAILER SPECIALTIES	REPAIR & MAINTENANCE SUPPLIES	2,391.92
01/16/2026	25826(A)	TYLER TECHNOLOGIES, INC.	TYLER ANNUAL MAINTENANCE/SUBSCRIPTION	12,593.16
01/16/2026	25827(A)	UNDERWOOD, TAMARA ANJANETTE	PZSC ENHANCED FITNESS INSTRUCTOR	325.00
01/16/2026	25828(A)	UNITED PARCEL SERVICE	UPS WEEKLY	59.23
01/16/2026	25829(A)	UNITED WAY OF NORTHWEST MICHIGAN	TRISHARE	3,726.10
01/16/2026	25830(A)	VEOLIA WATER CONTRACT OPERATIONS	WATER SYSTEM CHEMICALS & SVCS	9,629.12
01/16/2026	25831(A)	EMPLOYEE ISSUED	EMPLOYEE PAYROLL REFUND OF PRE TAX OPTION	10.98
01/16/2026	25832(A)	WARNER NORCROSS & JUDD LLP	LEGAL SERVICES	13,955.00
01/16/2026	25833(A)	WEST MICHIGAN INT'L LLC	REPAIR & MAINTENANCE SUPPLIES	344.75
01/16/2026	25834(A)	WEST MICHIGAN STAMP & SEAL, INC	SIGNATURE STAMPS	89.00
01/16/2026	25835(A)	WIGHTMAN	ENGINEERING SVCS-MULT LOCS	92,610.43
01/16/2026	25836(A)	WINDER POLICE EQUIPMENT, INC.	PATROL FLARES/FUSE	4,143.00
			<b>Total ACH</b>	<b>615,601.38</b>

Check Type: Paper

01/09/2026	332625	K2AVL INC	BLKHMO MOVIE PROJECTION & SOUND	537.50
01/09/2026	332626	SECURALARM SYSTEMS, INC.	SERVICE CALL FOR ACCESS CREDENTIALS	135.00
01/09/2026	332627	BARRON, ANDREA	DECKED-OUT HOL DECORATING CONTEST 3RD	150.00
01/09/2026	332628	MALASKI, DONNA	DECKED-OUT HOL DECORATING CONTEST 1ST	250.00
01/09/2026	332629	MORRIS, TERRY	DECKED-OUT HOL DECORE CONTEST JUDGES' CH	150.00
01/09/2026	332630	SPORTELL HENGST, JILL	DECKED-OUT HOL DECORATING CONTEST 2ND	200.00
01/16/2026	332631	61ST DISTRICT COURT	OUT OF COUNTY BOND PDPS	200.00
01/16/2026	332632	ACE-TEX ENTERPRISES, INC.	WIPING CLOTHS	771.87
01/16/2026	332633	ADP SCREENING & SELECTION SERVICES	ADP BACKGROUND SERVICES	35.99
01/16/2026	332634	ALLIED MECHANICAL SERVICE	HVAC SERVICE CALLS-MULT LOCS	2,706.32
01/16/2026	332635	ALTSCHUL, DUSTIN	STATION 3 RENOVATION	1,500.00
01/16/2026	332636	BAY AREA TOUCHLESS CARWASH LLC	CAR WASHES	853.00
01/16/2026	332637	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAWS	300.00
01/16/2026	332638	BURCH, CATHY	PZSC TRIP DEPT REFUND 08.20.26	45.00
01/16/2026	332639	CALIBER HOLDINGS LLC	FORD POLICE INTERCEPTOR VEH REPAIRS	5,306.89
01/16/2026	332640	CENTER MASS INC	BASIC POLICE SNIPER SCHOOL REG	1,019.00
01/16/2026	332641	CITY OF KALAMAZOO TREASURER	WATER SERVICES	37.15

ACCOUNTS PAYABLE REGISTER  
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Check Date	Check	Vendor Name	Description	Amount
01/16/2026	332642	CITY OF PORTAGE	WATER/SEWER CHARGES - LEX GREEN RESTROOM	256.21
01/16/2026	332643	CONSUMERS ENERGY	ENERGY BILLS-MULT LOCS	120.62
01/16/2026	332644	CUNNINGHAM, DAN	QIGONG PROGRAM REFUND	75.00
01/16/2026	332645	DEGRAFF, JULIE	STUART MANOR DEPOSIT REFUND	150.00
01/16/2026	332646	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	426.12
01/16/2026	332647	FIRE DEPARTMENT TRAINING NETWORK	FDTN ENGINE COMPANY OPS I REGISTRATION	1,200.00
01/16/2026	332648	GORDON FOOD SERVICE	MPIR CONCESSION SUPPLIES	442.21
01/16/2026	332649	GREEN EARTH ELECTRONICS RECYCLING	HARD DRIVE DESTRUCTION	125.00
01/16/2026	332650	HOME DEPOT CREDIT SERVICES	REPAIR & MAINTENANCE SUPPLIES	1,841.63
01/16/2026	332651	INT'L SOCIETY OF FIRE SERVICE INSTR	LIVE FIRE INSTRUCTOR REGISTRATION	1,500.00
01/16/2026	332652	J & J LOCKSMITHS	DOOR HANDLE REPAIR, REKEY LOCK	520.00
01/16/2026	332653	JERGENS PIPING CORPORATION	BACKFLOW LEAK REPAIR	1,335.00
01/16/2026	332654	JOHNSON, DOUG	MAILBOX REIMBURSEMENT	44.00
01/16/2026	332655	JONES, ANGELA	OVERPAYMENT FOR 2025 TAXES AFTER EXEMPT	339.18
01/16/2026	332656	KALAMAZOO COUNTY CLERK	NOVEMBER 2025 ELECTION COST	5,519.59
01/16/2026	332657	KALAMAZOO COUNTY TREASURER	COLONIAL ACRES DEC 2025 MOBILE HOME TXS	240.00
01/16/2026	332658	KALAMAZOO ROD AND GUN CLUB	MEMBERSHIP FEE	200.00
01/16/2026	332659	KALAMAZOO VALLEY COMMUNITY COL	PZSC VENDOR PAYMENT FOR CLASSES	770.00
01/16/2026	332660	KALAMAZOO X-RAY SALES/DATA GUARDIAN	BOX RETRIEVAL & STORAGE FEES	1,038.60
01/16/2026	332661	KENT COMMUNICATIONS INC.	POSTAGE 2026 ASSESSMENT CHANGE NOTICES	10,570.23
01/16/2026	332662	KZOO TIRE COMPANY	POLICE - VEHICLE REPAIR/MAINTENANCE	961.39
01/16/2026	332663	MANNIL, JAY	SCHRIER BUILDING DEPOSIT REFUND	150.00
01/16/2026	332664	MARCELL-MCMURRAY, LINDA	OVER PMT WINTER TAX DUE TO VETERAN EXEMP	667.77
01/16/2026	332665	MCDONALD'S TOWING & RESCUE, INC.	POLICE - TOWING SERVICES	226.00
01/16/2026	332666	MI ASSOC. OF CHIEFS OF POLICE	MACP ACCRED CONTINUATION FEE	700.00
01/16/2026	332667	MI ASSOC. OF CHIEFS OF POLICE	MACP BASIC ACCREDITATION MANAGER COURSE	50.00
01/16/2026	332668	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINTENANCE	1,235.80
01/16/2026	332669	MICHIGAN ASSOCIATION OF MAYORS, INC	MEMBERSHIP DUES	120.00
01/16/2026	332670	MICHIGAN FIRE INSPECTORS SOCIETY	MFIS WINTER CONFERENCE REGISTRATION	1,100.00
01/16/2026	332671	MICHIGAN STATE FIREMANS ASSOC.	TRAINING BOOKS	142.95
01/16/2026	332672	MIDWEST GUTTER SYSTEMS LLC	CITY HALL - INSTALL GUTTER & DOWNSPOUT	375.00
01/16/2026	332673	MISS DIG SYSTEM, INC.	MISS DIG 811 SERVICE - MEMBERSHIP FEE	37,183.70
01/16/2026	332674	MLIVE MEDIA GROUP	PORTAGE POCKET PAY ADVERTISING	125.00

ACCOUNTS PAYABLE REGISTER  
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Check Date	Check	Vendor Name	Description	Amount
01/16/2026	332675	MML UNEMPLOYMENT FUND	QUARTERLY UNEMPLOYMENT CONTRIBUTION	135.53
01/16/2026	332676	NATIONWIDE POWER SOLUTIONS, INC.	UPS BATTERIES DUE FOR REPLACEMENT	1,794.33
01/16/2026	332677	NIHADA LILIC, LERMA TREASURER	LERMA MEMBERSHIP	150.00
01/16/2026	332678	OFFICE DEPOT, INC.	OFFICE SUPPLIES	423.41
01/16/2026	332679	OVERHEAD DOOR CO. OF KALAMAZOO	BAY DOOR MAINTENANCE/REPAIR	690.00
01/16/2026	332680	OVERNEATH CREATIVE COLLECTIVE LLC	CABLECASTING & BROADCASTING SVCS	49,700.00
01/16/2026	332681	PERKINS TIRE SERVICE	TIRES FOR FLEET VEHICLES/EQUIPMENT	1,566.00
01/16/2026	332682	PETERSON, CHERYL	PZSC RENTAL SECURITY DEPOSIT 01.10.26	650.00
01/16/2026	332683	PETTY CASH-DANA FAIR	REPLENISHMENT CHECK	926.53
01/16/2026	332684	PLASKO, PATRICIA MARIE	PZSC BEMOVED & YOGA BONES INSTRUCTOR	620.00
01/16/2026	332685	SADOVSKAYA, VALENTINA	ART SAMPLER LINOCUT REFUND	20.00
01/16/2026	332686	SERVICE LINK NLS, LLC	OVER PAYMENT ON WINTER TAX 2025	1,620.59
01/16/2026	332687	SHERWIN WILLIAMS	PAINT FOR TRASH CANS	224.75
01/16/2026	332688	SNAP-ON INDUSTRIAL	TRITON-D10 SUBSCRIPTION RENEWAL	1,324.24
01/16/2026	332689	SNIPERCRAFT MID-ATLANTIC, INC.	TRAINING REGISTRATION	255.00
01/16/2026	332690	SPIRIT SHOPPE, INC.	FIRE UNIFORMS	474.00
01/16/2026	332691	STATE OF MICHIGAN	SEX OFFENDER REGISTRATION FEES	60.00
01/16/2026	332692	STATE SYSTEMS RADIO, INC	RADIO SERVICE FEES, PORTAGE REPEATER SVC	1,067.00
01/16/2026	332693	TADEPALLI, VAMSI	CONCERT WHOSE BAD JULY DEPOSIT	5,000.00
01/16/2026	332694	TAO, CHENG	PZSC TAI CHI INSTRUCTOR	1,705.00
01/16/2026	332695	TEXAS CHARTER TOWNSHIP	CONTRACTED SVC REIMB-AED-12TH ST LIFT ST	28,493.65
01/16/2026	332696	ULINE, INC.	PZSC OPERATING SUPPLIES	538.34
01/16/2026	332697	VANBELKUM COMPANIES, LLC.	RUN CABLE FOR COMPUTERS	1,684.00
01/16/2026	332698	VISTA PRIVATE EQUITY, INC.	NIMBLE SUPPORT RENEWAL	12,550.00
01/16/2026	332699	WASTE MANAGEMENT OF MICHIGAN	WTP IRON WASTE REMOVAL	458.50
01/16/2026	332700	WEBSTER, JOANN H	OVER PMT ON WINTER TAX 2025	50.00
01/16/2026	332701	WHISPER ROCK	OVER PAYMENT ON GROUP UTILITY BILLING	1,615.97
01/16/2026	332702	WHITE, CASSIE	GRAIN ELEVATOR DEPOSIT REFUND	150.00
01/16/2026	332703	WMU HOMER STRYKER MD SCHOOL OF MED	CPR CERTIFICATION CARDS	108.00
01/16/2026	332704	XAVUS SOLUTIONS, LLC	PZSC ANNUAL UPGRADES, MAINT & SUPPORT	1,850.00
01/16/2026	332705	YEO & YEO	2024-2025 AUDIT & ACFR PREPARATION	5,000.00
			<b>Total Paper Checks</b>	<b>204,853.56</b>

ACCOUNTS PAYABLE REGISTER  
Check Dates From: 1/04/2026 to 1/17/2026

Check Date	Check	Vendor Name	Description	Amount
Check Type: Auto-Pay Payments				
01/05/2026		CONSUMERS ENERGY	GAS-ELECTRIC	13,271.30
01/05/2026		CARD CONNECT	PROCESSING FEES	2,590.79
01/07/2026		CONSUMERS ENERGY	GAS-ELECTRIC	53,779.22
01/08/2026		CONSUMERS ENERGY	GAS-ELECTRIC	13,675.36
01/08/2026		INVOICE CLOUD	PROCESSING FEES	1,191.00
01/09/2026		MISSIONSQUARE	EMPLOYEE RETIREMENT WITHHOLDINGS	48,165.83
01/09/2026		CONSUMERS ENERGY	GAS-ELECTRIC	32,476.05
01/12/2026		CONSUMERS ENERGY	GAS-ELECTRIC	5,048.59
01/13/2026		CONSUMERS ENERGY	GAS-ELECTRIC	1,419.50
01/14/2026		CONSUMERS ENERGY	GAS-ELECTRIC	10,088.05
01/15/2026		CONSUMERS ENERGY	GAS-ELECTRIC	6,964.34
01/15/2026		PRINCIPAL LIFE	UNION PENSIONS	48,773.65
01/16/2026		CONSUMERS ENERGY	GAS-ELECTRIC	436.44
01/16/2026		MISSIONSQUARE	EMPLOYER RETIREMENT CONTRIBUTIONS	40,806.88
			<b>Total Auto-Pay Payments</b>	<b>278,687.00</b>
Check Type: Electronic Payments				
12/30/2026		ARGENT	DEBT SERVICES	1,115,548.75
01/09/2026		MULTIPLE	WEEKLY TAX DISBURSEMENT 1/2/26	4,628,084.07
01/14/2026		RAYMOND JAMES	INVESTMENT PURCHASE	519,315.00
01/15/2026		MULTIPLE	PPCOA, PPOA PENSION PAYMENTS	75,957.52
01/16/2026		MULTIPLE	WEEKLY TAX DISBURSEMENT 1/9/26	527,540.74
			<b>Total Electronic Payments</b>	<b>6,866,446.08</b>
Check Type: Credit Card Payments				
12/01/2025		AMAZON MKTPL BB2TLOMT1	FIREARMS TRAINING EQUIPMENT-PD	248.41
12/01/2025		AMAZON MKTPL B28ZL2Y60	CHRISTMAS LIGHT SUPPLIES-DPW	181.93
12/02/2025		ADOBE INC	STOCK PHOTO/VIDEO/AUDIO MONTHLY FEE	29.99
12/02/2025		BUZZSPROUT INV8275951	PODCAST MONTHLY HOSTING FEE	24.00
12/02/2025		PY MIFMA	MICHIGAN FARMERS MKT ASSOC MEMBERSHIP	103.66
12/02/2025		MICHIGAN MUNICIPAL LEAGU	MML ANNUAL DUES	425.00
12/02/2025		AMAZON MKTPL BB09W3IS2	OFFICE SUPPLIES-HR	33.02

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Check Date	Check	Vendor Name	Description	Amount
12/02/2025		MICHIGAN E INV-6905	MI ECONOMIC DEVELOPERS ASSOC MEMBERSHIP	350.00
12/03/2025		THE HOME DEPOT 2728	STEPLADDERS TO INSTALL SMOKE DETECTORS-FD	228.00
12/03/2025		FRESH THYME #607	MIND OVER MATTER SUPPLIES	19.87
12/03/2025		WWW.THEDRONEU.COM	DRONE U ANNUAL SUBSCRIPTION	397.00
12/03/2025		THEIACP	IACP MEMBERSHIP	220.00
12/03/2025		CORNWELL TOOLS	REPLACEMENT SHOP TOOLS	53.74
12/03/2025		CONSUMERS ENERGY CO	STANWOOD CROSSINGS RETENTION POND	1,309.99
12/04/2025		AMAZON MKTPLCE PMTS	EXTINGUISHER RM SUPPLIES RETURN-FD	(15.89)
12/04/2025		AMAZON MKTPL BI1EE5GI2	OPERATING AND PROGRAM SUPPLIES	131.18
12/04/2025		MICHIGAN MUNICIPAL LEAGU	CAPCON REGISTRATION	450.00
12/04/2025		FSP KALAMAZOO HUMAN RESOU	KHRMA MEMBERSHIP RENEWAL-HR DIRECTOR	100.00
12/04/2025		AMAZON MKTPL BI66R8CD1	OFFICE SUPPLIES-HR	31.37
12/04/2025		PELRA INV-21356	PELRA MEMBERSHIP-HR DIRECTOR	190.00
12/04/2025		ICMA ONLINE	ICMA MEMBERSHIP RENEWAL-HR DIRECTOR	200.00
12/05/2025		AMAZON RETA BI93K1A01	OFFICE SUPPLIES-FD	22.58
12/05/2025		AMAZON MKTPL BI71F7TD1	STATION 2 MAINTENANCE-FD	20.47
12/05/2025		AMAZON MKTPL BI42S8T11	EXTINGUISHER ROOM SUPPLIES-FD	15.89
12/05/2025		SAMSCLUB.COM	COOKIES FOR TRADITIONAL HOLIDAY EVENT	254.60
12/05/2025		SOUTHWEST MICHIGAN FIRST	SOUTHWEST MICH FIRST EVENT REG	10.00
12/05/2025		AMAZON MKTPL BI2RN2DF2	OFFICE SUPPLIES-CMO	13.81
12/05/2025		PSHRA PUBLIC SECTOR HR	FIRE WRITTEN EXAMS FOR FIRE RECRUITING	413.30
12/05/2025		SOCIETYFORHUMANRESOURCE	SHRM MEMBERSHIP RENEWAL-HR DIRECTOR	254.15
12/08/2025		CROWN TROPHY #104	EMPLOYEE OF THE MONTH PLATES	18.00
12/08/2025		AMAZON MKTPL BW9DA1FS2	BINDERS FOR OFFICER TRAINING BOOKS	25.62
12/08/2025		AMAZON MKTPL BI0QF9P20	HAND TOWEL DISPENSERS-STATION 1	69.64
12/08/2025		AMAZON MKTPL R82V83V63	PAPER ROLL FOR SCENARIO TR-FD	33.99
12/08/2025		AMAZON MKTPL 3V60S2Z23	POPCORN BAGS FOR BLK HIS MO MOVIE	36.94
12/08/2025		AMAZON MKTPL BW4H92CL2	OFFICE SUPPLIES-CMO	34.01
12/08/2025		AMAZON MARK BI9OF33U0	OFFICE SUPPLIES-HR	59.08
12/08/2025		AMAZON MARK 814CQ6473	OFFICE SUPPLIES-HR	32.73
12/08/2025		AMAZON MKTPL BI98A5IK1	GLOSSY CARD STOCK FOR MPIR MENUS-PK	32.95
12/09/2025		AMAZON MKTPL EF4OK3IB3	TRADHO REPLACEMENT ARTIFICIAL TREE STAND	20.79
12/09/2025		TARGET.COM	YAC 2025 YEAR-END MEETING SUPPLIES	34.43

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Check Date	Check	Vendor Name	Description	Amount
12/09/2025		PSHRA PUBLIC SECTOR HR	ONLINE FIRE TEST FOR FIREFIGHTER CANDIDATE	119.70
12/09/2025		AMERICAN PLANNING ASSOCI	AICP/APA MEMBERSHIP	557.00
12/10/2025		AMAZON MKTPL P84XA6L53	OFFICE SUPPLIES-PIO	98.79
12/10/2025		BEST BUY 00004135	TRAINING SUPPLIES	604.16
12/10/2025		BEST BUY 00004135	TRAINING SUPPLIES-REFUND TAXES	(34.20)
12/10/2025		THE WEBSTAUANT STORE INC	COFFEE BAR SUPPLIES	178.09
12/10/2025		MICHIGAN ASSOCIATION OF C	MACP WINTER CONFERENCE	280.00
12/11/2025		AMAZON MKTPL 3X4A245T3	FIREARMS TRAINING: SNAP DUMMY ROUNDS-PD	61.16
12/11/2025		GALLS	RETURNED ITEMS	(256.01)
12/11/2025		WEB MLIVE.COM	MLIVE/KALAMAZOO GAZETTE ANNUAL SUB	170.00
12/11/2025		SAMS CLUB.COM	SUPPLIES-HOLIDAY DANCE, HOL LUNCHEON	225.46
12/11/2025		TST FRANCOS	HOLIDAY DANCE REFRESHMENTS	225.98
12/11/2025		SPEEDWAY 44344	PATROL VEHICLE GASOLINE	57.84
12/11/2025		SPEEDWAY 44325	PATROL VEHICLE GASOLINE	98.82
12/11/2025		SPEEDWAY 44344	PATROL VEHICLE GASOLINE	18.34
12/11/2025		MICHIGAN WATER ENVIRONMEN	TRAINING/CONFERENCE-JOINT EXPO	600.00
12/11/2025		ICMA ONLINE	ICMA MEMBERSHIP DUES	200.00
12/11/2025		AMAZON.COM AN1NX2FJ3	OFFICE SUPPLIES-IT	34.08
12/11/2025		PATC TRAINING	TACTICAL STREET ENFORCEMENT	375.00
12/11/2025		SAFARILAND TRAINING GR	LESS LETHAL REGISTRATION	995.00
12/11/2025		SPOTIFY USA	SPOTIFY SUBSCRIPTION FOR EVENTS	11.99
12/12/2025		MICHIGANFI MICHIGAN A	MFIS MEMBERSHIP	42.89
12/12/2025		AMAZON RETA 678F926L3	AIR FRESHENERS FOR ADMIN BATHROOMS	9.72
12/12/2025		AMAZON MKTPL H29VD6GW3	ADMIN OPERATING SUPPLIES	49.94
12/12/2025		AMAZON MKTPL QH51Q0B03	TRAINING MATERIALS	12.65
12/12/2025		AMAZON MKTPL 158P86KQ3	ADMIN OPERATING SUPPLIES	41.99
12/12/2025		AMAZON MKTPL 4C0TP3MA3	PROGRAM SUPPLIES	218.00
12/12/2025		AMAZON MKTPL GX6ET5TX3	ACTIVITY SUPPLIES-BINGO & MOVIE SCREENING	66.99
12/12/2025		MICHAELS #9490	HOLIDAY LUNCHEON SUPPLIES	38.10
12/12/2025		AMERICAN WATER WORKS ASSO	AWWA 2026 MEMBERSHIP	285.00
12/12/2025		AMERICAN WATER WORKS ASSO	AWWA 2026 MEMBERSHIP	285.00
12/12/2025		MARATHON 229435	GAS FOR CAR 501 WHILE CITY PUMPS WERE DOWN	39.75
12/15/2025		WALMART.COM	HOLIDAY LUNCHEON SUPPLIES	118.42

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Check Date	Check	Vendor Name	Description	Amount
12/15/2025		QDOBA 2045 ONLINE	FITNESS INSTRUCTOR MEETING & TRAINING	243.53
12/15/2025		AMAZON MKTPL B292O65P3	OFFICE SUPPLIES-PZSC	80.89
12/15/2025		AMAZON MKTPL BQ7CP7YY3	OPERATING & PROGRAM SUP-PZSC	122.45
12/15/2025		AMAZON MKTPL 1C1237RG3	PRIVACY SCREENS-PD	118.96
12/15/2025		MARATHON 229435	GAS FOR CAR 14 WHILE CITY PUMPS WERE DOWN	33.87
12/15/2025		SEMBOIA INC	MI BLDG OFFICIALS & INSPECTORS ASSOC MEM	50.00
12/16/2025		ISTOCKPHOTO	STOCK PHOTO/VIDEO/AUDIO CREDITS	520.00
12/16/2025		CORPORATE CASUALS - 2	EMPLOYEE APPAREL	183.07
12/16/2025		THE COVE PORTAGE	TRIP VOLUNTEER COMMITTEE LUNCHEON	679.95
12/17/2025		CALIBRE PRESS	WOMEN IN COMMAND REGISTRATION	986.96
12/17/2025		GRAND TRAVERSE RESORT	HOTEL EXP-MME WINTER CONF	155.00
12/17/2025		MICHIGAN MUNICIPAL LEAGU	MME WINTER CONFERENCE REG	450.00
12/17/2025		WWW.FPA.ORG O #181000	GREAT DECISIONS 2026 CURRICULUM	1,245.66
12/17/2025		AMAZON MKTPL VL6009H13	OFFICE SUPPLIES-DPW	37.50
12/18/2025		USPS PO 2576500035	POSTAGE STAMPS	278.00
12/18/2025		AMAZON MKTPL V271E1KJ3	SUPPLIES FOR CULINARY ACADEMY-PK	169.09
12/18/2025		GRAND TRAVERSE RESORT	HOTEL EXP-MME WINTER CONF	155.00
12/18/2025		FRESH THYME #607	MIND OVER MATTER PROGRAM SUPPLIES	22.46
12/18/2025		AMAZON MKTPL X66VS7QQ3	FIRE EXTINGUISHER SAFETY TIES/MISC-DPW	31.79
12/18/2025		AMAZON RETA 1U0GD1S63	OFFICE SUPPLIES-DPW	9.99
12/19/2025		MEIJER STORE #196	SNOW BRUSH & UMBRELLA-PIO VEH	33.37
12/19/2025		AMAZON MKTPL BN82E1CP0	DATA TRANSFER CABLES-PD	19.98
12/19/2025		AMAZON MKTPL 4K8PT9L63	CAN OPENER-CULINARY ACADEMY-PK	6.99
12/19/2025		MAILCHIMP MISC	EMAIL SERVICE FEES	78.20
12/19/2025		ZOOM.COM 888-799-9666	MONTHLY ZOOM FEES	129.97
12/19/2025		FSP KALAMAZOO HUMAN RESOU	SR HR GENERALIST KHRMA MEMBERSHIP	100.00
12/19/2025		FSP KALAMAZOO HUMAN RESOU	HR GENERALIST KHRMA MEMBERSHIP	100.00
12/19/2025		SOCIETYFORHUMANRESOURCE	SR HR GENERALIST SHRM MEMBERSHIP	254.15
12/22/2025		AMAZON MKTPL 780DU8XE3	PATROL LITHIUM BATTERIES-PD	139.65
12/22/2025		AMAZON MKTPL 714ZT55Z3	TOOL RECONDITIONING SUPPLIES	44.90
12/22/2025		STATE OF MI MIDEAL	PURCHASING ANNUAL MEMBERSHIP	230.00
12/22/2025		AMAZON MKTPL A380N45R3	PAPER SHREDDER-TU	269.99
12/22/2025		AMAZON MKTPL N292J53L3	KEURIG FILTERS-TU	9.49

ACCOUNTS PAYABLE REGISTER  
 Check Dates From: 1/04/2026 to 1/17/2026

Check Date	Check	Vendor Name	Description	Amount
12/22/2025		AMAZON MKTPL F750X6OL3	CAN OPENERS-CULINARY ACADEMY-PK	27.96
12/22/2025		AMAZON MKTPL 5M0RL9SO3	MEASURING CUPS-CULINARY ACADEMY-PK	17.30
12/22/2025		FREE CONFERENCE CALL GLOB	CABLE ACCESS FREE CONFERENCE CALL SVC	14.87
12/22/2025		OFFICEMAX/OFFICEDEPT#3382	OFFICE SUPPLIES	42.59
12/22/2025		AMAZON MKTPL US5HT0JK3	SKATE RENTAL SUPPLIES-PK	22.78
12/23/2025		AMAZON MKTPL Y35YV98B3	BUILDING REPAIR/MAINTENANCE SUPPLIES	122.10
12/23/2025		WEST MICHIGAN ASSOCIAT	WMACP MEMBERSHIP	30.00
12/23/2025		MICHIGAN ASSOCIATION OF C	MACP MEMBERSHIP FEE	100.00
12/24/2025		O'REILLY 3432	WIPERS FOR VEHICLE	45.98
12/29/2025		SMK SURVEYMONKEY.COM	ANNUAL SUBSCRIPTION FEE	675.00
12/29/2025		AMAZON MKTPL 7Z8A43LQ3	PLANNER, CHAINSAW BAGS, UAW UNIFORM-DPW	208.90
12/30/2025		BUZZSPROUT INV8382783	PODCAST HOSTING MONTHLY FEE	24.00
12/30/2025		SQ NATIONAL TACTICAL OFF	NTOA SW REGISTRATION	626.00
12/31/2025		ADOBE INC	STOCK PHOTO/VIDEO/AUDIO MO SUB	29.99
12/31/2025		O'REILLY 3432	NEW REAR WIPER FOR VEH	13.59
12/31/2025		GOVERNMENT FINANCE OFFICE	FINANCE ACFR AWARD APPLICATION	590.00
12/31/2025		FRESH THYME #607	MATTER OF BALANCE PROGRAM SUPPLIES	25.95
			<b>Total Credit Card Payments</b>	<b>21,551.77</b>
			<b>Grand Total</b>	<b>7,987,139.79</b>

**TO:** Honorable Mayor and City Council

**FROM:** Pat McGinnis, City Manager

**SUBJECT:** Portage Road Lake Center Corridor Reconstruction Project – Phase 1

**SUPPORTING PERSONNEL:** Peter Dame, Chief Development Officer  
Kendra Gwin, Director of Transportation & Utilities

**ACTION RECOMMENDED:** Take action to:

- a. Award a construction contract to Brenner Excavating of Hopkins, Michigan, for the Portage Road Reconstruction project for an amount not to exceed \$4,477,268.10;
- b. Amend a contract with Wightman in the amount of \$721,600 to provide construction engineering and right-of-way services for the Portage Road Reconstruction 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 Portage Road Lake Center Corridor Project Phase 1 reconstruction from Bacon Avenue to Lakeview Drive. The Portage Road Lake Center Corridor is an important area within the City of Portage. Portage Road is a major arterial street that serves as a connection between residential, industrial and commercial areas. The vision that was approved by City Council on July 13, 2021, of a more attractive, multimodal Portage Road anchored by the Lake Center Corridor was the starting point of the design. The previous corridor level planning effort was expanded and reinforced by a nearly year-long public engagement and design process during 2025 called Portage Road 360. This proactive design for the future of the Portage Road Lake Center Corridor will benefit the community, property owners and area businesses and promote a more vibrant district. This project is intended as the first phase of a multi-year improvement effort to create a safer, more attractive, and promotes multiple modes of transportation.

On September 10, 2024, City Council approved a contract with Wightman for the design engineering of the Portage Road Lake Center Corridor Project from East Osterhout Avenue to East Centre Avenue, which will be reconstructed in phases. After extensive public outreach, the design for Phase 1 was finalized for bidding. During the design process, it was determined that starting the construction of Phase 1 at Lancelot Court south of Bacon Avenue would make a smoother transition point. On December 18, 2025, three bids were received with the low bid being submitted by Brenner Excavating in the amount of \$5,638,702.40, which was higher than the engineer's estimate and budget. City staff and Wightman met with Brenner Excavating and were able to scale the project back to the original budgeted location just south of the Bacon Avenue intersection.

As their original contract was only for design engineering services, Wightman has submitted a proposal

for construction engineering and right-of-way services for Phase 1 in the amount not to exceed \$721,600. Staff has reviewed the proposal and found it to be appropriate for the work to be completed. Phase 1 of the project includes installation of a three-lane road section with curb and gutter, complete storm sewer system, a 10-foot trail on the east side of the road, a 5-foot sidewalk on the west side, sewer leads to unserved properties, and traffic signals at the intersections of Woodbine Avenue and South Shore Drive. If awarded the project, construction is planned to begin in April 2026 and is expected to be completed by November 2026.

It is recommended that City Council award a construction contract to Brenner Excavating of Hopkins, Michigan for the Portage Road Reconstruction project in an amount not to exceed \$4,477,268.10, amend the contract with Wightman by an amount not to exceed \$721,600 for construction engineering and right-of-way services, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

**FUNDING:** Sufficient funds are available in the 2025-2026 Capital Improvement Program.

- Attachments:**
1. Portage Road Reconstruction Bid Tabulation
  2. Wightman Construction Engineering and Right-of-Way Services Proposal

**2025 RFB PORTAGE ROAD RECONSTRUCTION - LANCELOT COURT TO LAKEVIEW  
DRIVE  
CONSTRUCTION SERVICES  
BID TABULATION**

BID OPENING ON DECEMBER 18, 2025 AT 3 PM

<b>Brenner Excavating</b> 3321 28th St. Hopkins, Michigan 49328	\$ 5,638,702.40
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<b>Hoffman Brothers Inc.</b> 8574 Verona Road Battle Creek, Michigan 49014	\$ 5,999,396.50
--	-----------------

<b>Michigan Paving and Materials Company</b> 1600 Elm Avenue Jackson, Michigan 49204	\$ 6,083,264.80
--	-----------------

Opened by: Justin Williams  
Justin Williams, Purchasing Manager



December 12, 2025

City of Portage  
Transportation & Utilities  
7719 S. Westnedge Avenue  
Portage, MI 49002

Attention: Ms. Jamie Harmon, P.E., Deputy Director of Transportation & Utilities

**RE: PROPOSAL FOR PORTAGE ROAD PHASE I CONSTRUCTION SERVICES AND ROW ACQUISITION**

Dear Jamie:

Thank you for the opportunity to provide Professional Engineering Services for Construction and ROW Acquisition for Phase 1 of the above project. We are aware that the City of Portage issued the final plans to bid on November 19, 2025 with bids to be opened December 18, 2025. We understand that the contract will be submitted to City Council for award at the next scheduled council meeting. This project will be locally funded and will be administered in accordance with City of Portage requirements.

**Section I – Project Goals**

As the design progressed for the segment of Portage Road between Lancelot Court and South Shore Drive, the City of Portage determined that it would be beneficial to the long term goals of the corridor to have permanent easements for the proposed non-motorized pathways as noted below before construction commences:

- Acquire a 10 foot wide easement on each parcel on the east side of Portage Road within the Phase I project limits to allow for a 10 foot wide asphalt trail to meander around existing utility poles. This will allow the trail to develop unique characteristics when paired with trees and landscaping elements and will also minimize potential utility relocation coordination efforts.
- Acquire grading permits on parcels as necessary on the east side of Portage Road within the Phase I project limits to allow construction of a 10 foot wide asphalt trail as described above.
- Acquire grading permits on each parcel on the west side of Portage Road within the Phase I project limits to allow for a 10 foot wide asphalt trail. Communicate to property owners that a 5' wide concrete sidewalk will be built as part of Phase I unless they are interested in granting an easement for a 10' wide asphalt trail to be constructed instead. Communicate that the City is responsible for clearing snow on trails while the property owner is responsible for clearing snow on sidewalks. If the property owner is interested in granting an easement, pursue said easement.
- It is estimated that 44 permanent easements and 54 temporary grading permits will be obtained from the 54 impacted properties.
- Complete Phase I construction by November 2026

**Section II – Scope of Services**

Please see Appendices A & B for a detailed description of the proposed scope of services for Construction Services and ROW Acquisition.

**Section III - Fees**

Construction Services:

*Serving the Great Lakes Region with offices in Michigan and Indiana*

All Construction Services described herein will be performed on a **Fixed Fee** basis as noted below, which includes reimbursable expenses.

Contract Administration:	\$ 155,250.00
Construction Inspection:	\$ 250,600.00
Materials Testing:	\$ 27,350.00
Construction Staking:	<u>\$ 64,800.00</u>
<b>Total Contract Fee:</b>	<b>\$ 498,000.00</b>

*This fee is based on the services and durations noted herein and within the Appendices. If the Contract is extended, or additional Inspection time is required beyond the specified times, Wightman will request that the budget be amended accordingly to accommodate any additional services. If liquidated damages are assessed for extending the contract completion date, the City has the opportunity to recover these additional costs from the Contractor.*

ROW Acquisition:

We propose to complete ROW Acquisition services for Phase I for an **Estimated Fee of \$223,600** with the following breakdown.

<u>Task</u>	<u>Fee</u>
MCA Landowner Meetings and Agreements	\$193,600
Easement Sketches and Descriptions	20,000
PM/Admin	<u>10,000</u>
<b>Total</b>	<b>\$223,600</b>

We will invoice on an hourly basis and provide backup information and reports detailing progress towards completing each necessary acquisition.

**Section IV – Level of Effort**

The estimated Construction Services hours for this project are as follows:

	<u>Construction Phase</u>
Owner/Partner:	<u>30 hours</u>
Professionals:	<u>972 hours</u>
Technicians:	<u>2,488 hours</u>
Clericals:	<u>10 hours</u>
Survey Crew (2-man)	<u>264 hours</u>
<b>Total Hours:</b>	<b>3,764 hours</b>

Ms. Jamie Harmon, P.E., Deputy Director of Transportation & Utilities

12/8/2025

Page 3

### Section V – Terms and Conditions

The City of Portage terms and conditions included as part of the original design contract, dated September 23, 2024, would govern.

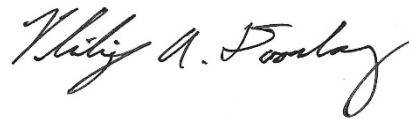
We are excited by the opportunity to continue our partnership with you on this project. If our proposal is acceptable to you, please issue a purchase order to authorize us to begin work.

If you have any questions, please feel free to contact me.

Respectfully,



Aaron Neitling, P.E., Project Engineer  
aneitling@gowightman.com  
(269) 692-9627



Philip A. Doorlag, P.E., Principal  
pdoorlag@gowightman.com  
(269) 779-6923

**TO:** Honorable Mayor and City Council

**FROM:** Pat McGinnis, City Manager

**SUBJECT:** 2026 Local Streets Reconstruction Program Bid Tabulation

**SUPPORTING PERSONNEL:** Kendra Gwin, Director of Transportation & Utilities

**ACTION RECOMMENDED:** Award a construction contract to Michigan Paving and Materials Company of Kalamazoo, Michigan for the 2026 Local Streets Reconstruction Program in an amount not to exceed \$1,862,255 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The 2024-2025 Capital Improvement Program provides funding for the reconstruction of the 2026 Local Street Reconstruction Program. The project entails milling and resurfacing of the streets, concrete curb and gutter at intersections, installation of new sidewalks to fill-in gaps, storm sewer system improvements, removal of encroached parking areas within the public right-of-way, and restoration.

In the State of Michigan, street conditions are rated using the PASER (Pavement Surface Evaluation Rating) system. The standard breakdown for the PASER ratings with a general description is as follows:

**Rating Description**

- 9-10 Excellent (new pavement)
- 8 Very Good (little to no maintenance required)
- 6-7 Good (sound structural condition with crack seal maintenance)
- 4-5 Fair (candidates for pavement overlay)
- 3 Poor (needs patching and repair to remove failed areas prior to an overlay)
- 2 Very Poor (severe deterioration, needs reconstruction with total base repair)
- 1 Failed (requires total reconstruction)

On a scale of 1-10, the streets in the 2026 Local Street Reconstruction Program have a PASER rating of 2-3, which is poor condition. The resurfacing of this section of roadway will improve the structural strength of the pavement, add longevity to the pavement life and provide a smooth driving surface. This project meets standard asset management strategies for this rating and will bring this roadway to a 9 PASER rating for resurfaced streets when the project is complete.

On January 15, 2026, four bids were received with the low bid being submitted by Michigan Paving and Materials Company in the amount of \$1,862,255. If awarded, the project construction will begin in June 2026 and be completed by fall 2026.

It is recommended that City Council award a construction contract to Michigan Paving and Materials

Company of Kalamazoo, Michigan for the reconstruction of the 2026 Local Streets Reconstruction project, in an amount not to exceed \$1,862,255 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

**FUNDING:** Sufficient funding exists in the Local Street Reconstruction Capital Improvement Program budget.

**Attachments:**

1. 2026 Local Street Reconstruction - Bid Tabulation
2. 2026 Local Streets Project Area Map

**2026 RFB LOCAL STREETS RECONSTRUCTION (CHERRYWOOD, ROBINSWOOD, AND COACHLITE PLATS)  
RECONSTRUCTIONS SERVICES  
BID TABULATION**

BID OPENING ON JANUARY 15, 2026 AT 3:30 PM

<b>Michigan Paving &amp; Materials Co.</b> 4880 36th St. SE Grand Rapids, Michigan, 49512	\$	1,862,255.00
<b>Hoffman Brothers, Inc.</b> 8574 Verona Road Battle Creek, Michigan 49014	\$	1,899,921.75
<b>Rieth-Riley Construction Co., Inc.</b> 911 Hatfield Avenue Kalamazoo, Michigan, 49001	\$	1,963,480.75
<b>Northern Construction Services, Corp.</b> PO Box 1299 Niles, Michigan, 49120	\$	2,384,795.50

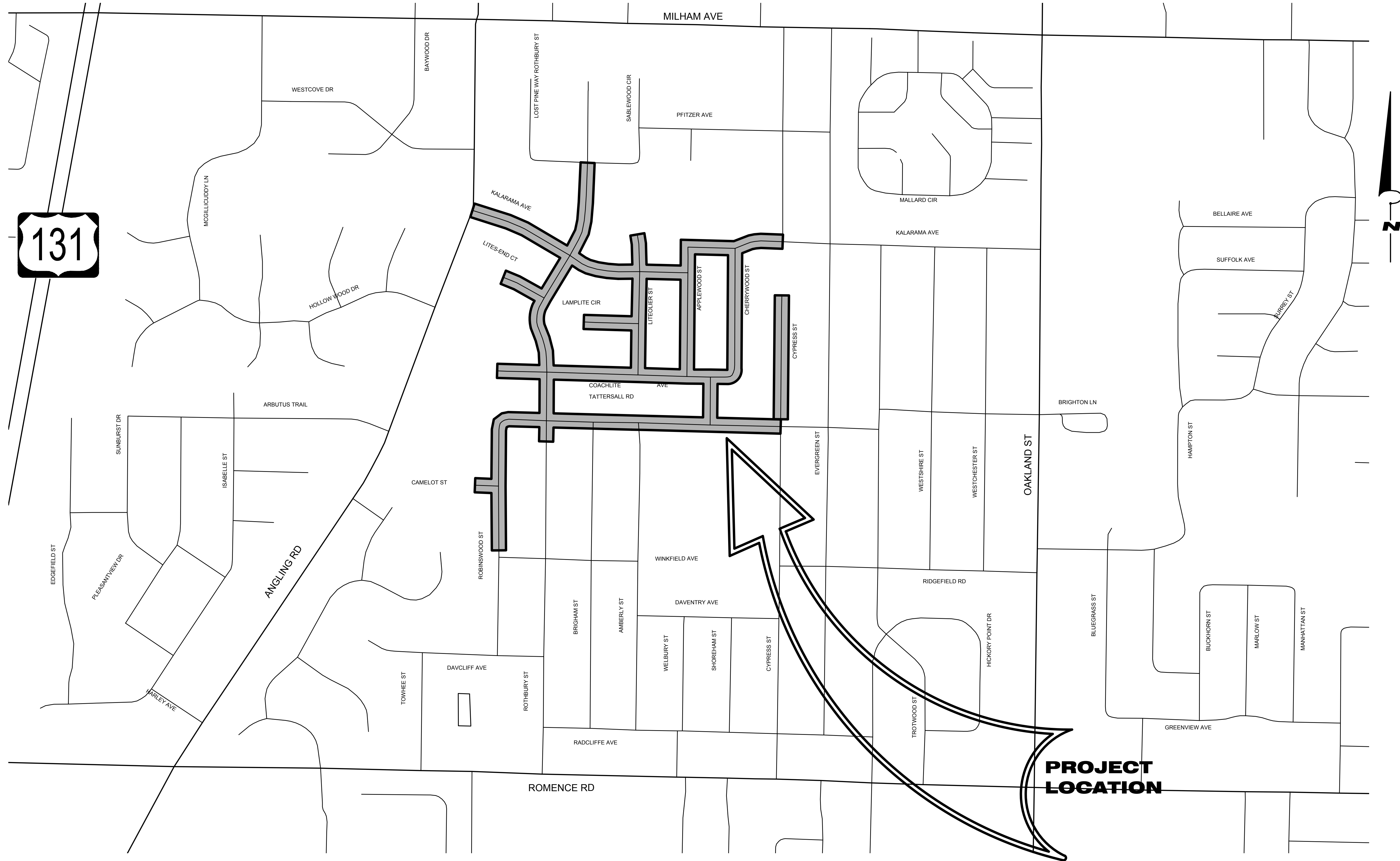
Opened by: Justin Williams  
Justin Williams, Purchasing Manager

# CITY OF PORTAGE

## 2026 LOCAL STREET RECONSTRUCTION PROGRAM

PROJECT NAME:
   
**2026 LOCAL STREET RECONSTRUCTION PROGRAM**

**CITY OF PORTAGE**
  
 7719 SOUTH WESTEDGE AVENUE
   
 PORTAGE, MI 49002



PROJECT LOCATION MAP
   
 SCALE: 1" = 600'

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 DATE: DECEMBER 2025
   
 SCALE: AS NOTED

**TO:** Honorable Mayor and City Council

**FROM:** Pat McGinnis, City Manager

**SUBJECT:** MDOT Contract No. 25-5607 (West Centre Avenue - Oakland Drive to Shaver Road)

**SUPPORTING PERSONNEL:** Kendra Gwin, Director of Transportation & Utilities

**ACTION RECOMMENDED:** Approve Contract No. 25-5607 between the Michigan Department of Transportation and the City of Portage for the reconstruction of West Centre Avenue from Oakland Drive to Shaver Road and adopt a Resolution authorizing the City Manager to sign all documents related to the contract on behalf of the city.

Major street reconstruction projects are selected based on pavement condition, average daily traffic, federal aid eligibility, as well as potential development activities. The FY 2025–2026 Capital Improvement Program budget includes funding for the West Centre Avenue Reconstruction Project. The West Centre Avenue Reconstruction Project includes resurfacing of the existing roadway from Oakland Drive to Shaver Road, installation of a sidewalk for the entire length on the south side of the road and to ensure that all sidewalk ramps on the north side of the road conform to the Americans with Disabilities Act.

On November 14, 2023, Wightman was awarded an engineering service contract for design and construction engineering for this project. Because the project is partially funded by Federal Surface Transportation funds, the Michigan Department of Transportation (MDOT) is involved as a facilitator. The construction bid opening by MDOT was held on January 9, 2026. MDOT requires that an agreement with the local government agency be executed prior to construction award. The estimated cost for project construction is \$2,888,785 with \$2,169,677 in Federal Surface Transportation Funds and the remaining \$719,108 to be financed by the Capital Improvement Program Funds.

It is recommended that City Council approve Contract No. 25-5607 between the Michigan Department of Transportation and the City of Portage for the reconstruction of West Centre Avenue from Oakland Drive to Shaver Road and adopt a Resolution authorizing the City Manager to sign all documents related to the contract on behalf of the city.

**FUNDING:** Sufficient funds are available in the 2025-2026 Capital Improvement Program budget.

**Attachments:** 1. Resolution MDOT Contract 25-5607

**CITY OF PORTAGE  
RESOLUTION**

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 at 6:00 p.m., local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_.

RESOLVED, that the City Council for the City of Portage does hereby authorize the City Manager, Patrick McGinnis, to sign all documents related to Contract No. 25-5607 between the City of Portage and the Michigan Department of Transportation. This contract is for the road construction improvements on West Centre Avenue from Oakland Drive to Shaver Road.

ADOPTED: YEAS:

NAYS:

ABSENT:

\_\_\_\_\_  
Erica L. Eklov, City Clerk

CERTIFICATION

I hereby certify this \_\_\_\_\_ day of \_\_\_\_\_, 2026 that the foregoing is a true and complete copy of the original on file in my office.

\_\_\_\_\_  
Erica L. Eklov, City Clerk

**TO:** Honorable Mayor and City Council

**FROM:** Pat McGinnis, City Manager

**SUBJECT:** 2026 Board of Review Recommendations

**SUPPORTING PERSONNEL:** Aaron Powers, City Assessor

**ACTION RECOMMENDED:** Adopt the resolution setting the schedule for the 2026 Board of Review and approve the compensation rate for the Board of Review meetings and training.

The Board of Review meets annually in March to hear the current year's property assessment appeals. The attached resolution has been prepared to set the meeting schedule per the City Charter. To ensure property owners receive timely information, the 2026 assessment notices are expected to be mailed during the week of February 16 and the February edition of the Portager newsletter will feature an article detailing the Board of Review dates. Property owners are also encouraged to meet with assessing staff ahead of the Board of Review meeting. After the 2026 assessment roll has been certified by the City Assessor, all changes must be approved by the Board of Review.

Based on the above information, it is recommended that the City Council adopt the resolution setting the schedule for the 2026 Board of Review and approve the compensation rate for the Board members for meetings and training.

**FUNDING:** Funding included in FY 25-26 Budget

**Attachments:** 1. 2026 Board of Review Resolution

**CITY OF PORTAGE**

**2026 BOARD OF REVIEW RESOLUTION**

Moved by Council Member

Supported by Council Member

**WHEREAS**, the City Charter of the City of Portage, Section 8.6, requires that the City Council set the date, time of day, and place for the meeting of the first and second sessions of the Board of Review.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Review shall convene its organizational meeting on Tuesday, March 3, 2026, at 9:00 AM in Conference Room 1 located at City Hall, Portage, Michigan and shall convene its first session on Monday, March 9, 2026, in Conference Room 1 at the same location, commencing at 9:00 AM to 12:00 PM and 1:30 PM to 4:30 PM and shall continue in session on Tuesday, March 10, 2026, from 9:00 AM to 12:00 PM and 1:30 PM to 4:30 PM and shall continue in session on Wednesday, March 11, 2026, from 1:30 PM to 4:30 PM and 6:00 PM to 9:00 PM and shall continue in session on Thursday, March 12, 2026, from 9:00 AM to 12:00 PM and 1:30 PM to 4:30 PM, and on such additional days as may be required to hear all persons who have given notice of a desire to be heard.

**BE IT FURTHER RESOLVED** that the Board of Review shall convene in its second session on Tuesday, March 24, 2026, in Conference Room 1 from 9:00 AM until all interested parties have been heard.

**BE IT FURTHER RESOLVED** that members of the Board of Review shall be compensated each at the rate of \$50.00 for each half day (up to 3 hours) as they may be legally in session pursuant to the discharge of their duties and for each day spent in training required under PA 660 of 2018.

**BE IT FURTHER RESOLVED** that notice of the times and place of the sessions of the Board of Review shall be published in a newspaper of general circulation in the City no less than ten (10) days prior to the first meeting of the Board of Review in three (3) successive issues of the newspaper.

Appointments are available by calling the City Assessor's Office.

ADOPTED:        YEAS:  
  
                      NAYS:  
  
                      ABSENT:

\_\_\_\_\_  
Erica Eklov, City Clerk

**CERTIFICATE**

I certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan held on the 27<sup>th</sup> day of January 2026, the original of which resolution is on file in my office.

\_\_\_\_\_  
Erica Eklov, City Clerk

*Previously Approved to Form  
By Attorney Catherine P. Kaufman  
January 15, 2025*

**TO:** Honorable Mayor and City Council

**FROM:** Pat McGinnis, City Manager

**SUBJECT:** Moratorium Ordinance for Data Centers and BESS Projects

**SUPPORTING PERSONNEL:** Peter Dame, Chief Development Officer

**ACTION RECOMMENDED:** Accept a temporary moratorium ordinance pertaining to data centers and battery energy storage systems for first reading and consider ordinance adoption on February 24, 2026.

It has recently come to the attention of the City Council that the City should study and review whether data centers require additional local regulation within the City of Portage, and whether, absent such additional local regulation, data centers may interfere with other land uses. Data centers have been reported as having substantial impacts on the environment, public health, safety, and welfare. City Administration recommends a review of our regulations in order to implement an appropriate regulatory approach for addressing potential impacts of data centers while ensuring the productive and healthy development of data centers within the City, which, depending upon the results of the review, may include designated areas where such centers may be located.

Additionally, in light of a recent litigation initiated against the Michigan Public Service Commission (MPSC) regarding the MPSC's proposed implementation of PA 233 of 2023, the City Administration believes it is also appropriate to consider the city's authority and ability to regulate large-scale renewable energy projects/facilities known as battery energy storage systems. The adoption of a moratorium will allow the City of Portage adequate time to study and possibly implement revisions to the city's ordinances and regulations, including attention to and consideration of citizen input and involvement, public debate, and full consideration of all issues and points of view.

Based on the aforementioned, the need to review the regulation of these growing industries to ensure the health and safety of Portage citizens is clear. Establishing a temporary moratorium on the establishment and use of data centers and battery energy storage systems within the City for twelve (12) months or until the City has enacted a regulatory ordinance setting forth certain regulations would be prudent. Therefore, it is recommended that City Council accept a temporary moratorium ordinance pertaining to data centers and battery energy storage systems for first reading and consider ordinance adoption on February 24, 2026.

**FUNDING:** Not Applicable

**Attachments:** 1. 2026.1.21 Moratorium Regulatory Ordinance - Proposed

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF PORTAGE, MICHIGAN  
BY AMENDING CHAPTER 42  
LAND DEVELOPMENT REGULATIONS**

**THE CITY OF PORTAGE ORDAINS:**

**Section 1. Article 13 Moratorium**

That Chapter 42 shall be amended to add Article 13 to read as follows:

**Article 13. MORATORIUM**

**Sec.42-1301. - Moratoriums**

In accordance with Act 279 of 1909, as amended, the City Council determines that in some cases, it is appropriate for the City to temporarily pause consideration and/or review of certain applications or requests or to not accept or process certain applications in order to allow the City adequate time to research an issue and adopt and/or amend, if applicable, any City ordinances related thereto. The City Council determines that it has the authority to enter into a temporary moratorium.

**Sec.42-1302. – Data Center Moratorium**

A. Findings.

1. The City Council determines that the approval of data centers may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety and general welfare of property owners and residents of the City of Portage.
2. Recently, the City has received comments and information from the public raising public health, safety, and welfare concerns about the impacts of data centers on the residents and property owners of the City of Portage.
3. The City has a legitimate public purpose in assessing the regulation of the establishment and use of data centers within the City to ensure that data centers do not interfere with other land uses, or have substantial negative impacts on the environment, public, health and safety.
4. The City Council finds that adopting a limited moratorium is reasonable and necessary for, among other reasons, the following reasons:
  - a. Michigan courts have recognized that a moratorium is a common and legitimate tool to preserve the status quo while formulating a development strategy.
  - b. The City Council wants to review and study the public health, safety, and welfare concerns regarding data centers and any township regulations that may impact and/or regulate such projects.
  - c. The adoption of a moratorium will allow the City Council adequate time to study and possibly implement revisions to the City's ordinances and regulations, including attention

to and consideration of citizen input and involvement, public debate, and full consideration of all issues and points of view.

5. The City Council accordingly determines that it is desirable and in the public interest for the reasons set forth above that the City Council adopt a limited moratorium on the acceptance and/or processing of any applications for data centers.
- B. Moratorium/Term of Moratorium. The City Council adopts a limited moratorium on the acceptance and/or processing of any applications for a data center. The limited moratorium is until December 31, 2026, or until the effective date of any amended or new City ordinances or regulations addressing data centers are effective, whichever date occurs first.
- C. Extension of Moratorium. Before the moratorium on data centers expires, the City Council may extend the moratorium by resolution as appropriate to allow sufficient time to complete amendments or additions to its ordinances and regulations.

#### **Sec.42-1303. – Battery Energy Storage System (BESS) Moratorium**

- A. Findings.
  1. The City Council determines that the approval of Battery Energy Storage Systems (BESS) may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety and general welfare of property owners and residents of the City of Portage.
  2. Recently, the City has received comments and information from the public raising public health, safety, and welfare concerns about the impacts of BESS on the residents and property owners of the City of Portage.
  3. The City has a legitimate public purpose in assessing the regulation of the establishment and use of BESS within the City to ensure that BESS do not interfere with other land uses, or have substantial negative impacts on the environment, public, health and safety.
  4. The City Council finds that adopting a limited moratorium is reasonable and necessary for, among other reasons, the following reasons:
    - a. Michigan courts have recognized that a moratorium is a common and legitimate tool to preserve the status quo while formulating a development strategy.
    - b. The City Council wants to review and study the public health, safety, and welfare concerns regarding BESS and any City regulations that may impact and/or regulate such projects.
    - c. The adoption of a moratorium will allow the City Council adequate time to study and possibly implement revisions to the City's ordinances and regulations, including attention to and consideration of citizen input and involvement, public debate, and full consideration of all issues and points of view.
  6. The City Council accordingly determines that it is desirable and in the public interest for the

reasons set forth above that the City Council adopt a limited moratorium on the acceptance and/or processing of any applications for BESS.

- D. Moratorium/Term of Moratorium. The City Council adopts a limited moratorium on the acceptance and/or processing of any applications for a BESS. The limited moratorium is until December 31, 2026, or until the effective date of any amended or new City ordinances or regulations addressing data centers are effective, whichever date occurs first.
- E. Extension of Moratorium. Before the moratorium on BESS expires, the City Council may extend the moratorium by resolution as appropriate to allow sufficient time to complete amendments or additions to its ordinances and regulations.

**Section 2. Severability**

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

**Section 3. Repeal**

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

**Section 4. Effective Date**

This ordinance shall take effect 15 days following publication of a summary thereof, following adoption.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Patricia M. Randall, Mayor

FIRST READING:

SECOND READING:

ORDINANCE #:

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 \_\_\_\_\_, 2026.

\_\_\_\_\_  
Erica Eklov, City Clerk

PREPARED BY:

Catherine Kaufman (P65412)  
Portage City Attorney  
Bauckham Thall  
470 W. Centre, Suite A  
Portage, MI 49024

I approve to form via email on January 22, 2026.

Catherine P. Kaufman  
Bauckham, Thall, Seeber, Kaufman & Koches PC  
470 W Centre Ave, Ste A  
Portage, MI 49024  
269-382-4500 x013  
[kaufman@michigantownshiplaw.com](mailto:kaufman@michigantownshiplaw.com)

**TO:** Honorable Mayor and City Council

**FROM:** Pat McGinnis, City Manager

**SUBJECT:** Chapter 18 Cemetery Ordinance Update

**SUPPORTING PERSONNEL:** Erica Eklov, City Clerk  
Rodney Russell, Director of Public Works

**ACTION RECOMMENDED:** Accept for first reading the amendment to Chapter 18, Cemeteries, of the Code of Ordinances, and set the second reading for February 10, 2026.

During a recent review of Chapter 18, staff found several sections of the Code of Ordinances guiding the city's four municipal cemeteries had not been updated since the 1980s, maintaining outdated references, including oversight of the city's cemeteries to the Director of Parks and Recreation which changed in 2015. A comprehensive inspection by staff illustrated multiple instances of necessary updates and corrections following daily cemetery business transactions with citizens.

The city's cemeteries are collaboratively managed by both the Office of the City Clerk and the Department of Public Works. Staff from the Clerk's Office handle coordination with citizens, funeral homes, and marker vendors, while the Public Works staff oversee routine on-site maintenance, grave openings, marker foundations, and site showings. The ordinance updates and revisions are jointly proposed by both departments to ensure the continued desirability of the cemeteries, ease of communication with the public, and long-term, streamlined management.

As such, it is recommended that the City Council accept for first reading the amendment to Chapter 18, Cemeteries, of the Code of Ordinances, and set the second reading for the regular meeting on February 10, 2026.

**FUNDING:** N/A

**Attachments:**

1. Chapter\_18 CEMETERIES (2025 update) redline strikeout
2. Chapter\_18 CEMETERIES (2025 update) clean

## Chapter 18 CEMETERIES<sup>1</sup>

### Sec. 18-1. Generally; authority of council.

All cemeteries established in the city, whether publicly or privately owned, shall continue as such and shall be subject to this chapter. All cemeteries established in the city after the effective date of the legislation found in 1964 Minute Book ([Minute Book vol. 1](#)), page 122, adopted November 10, 1964, shall be established and conducted subject to applicable statutes and this chapter. As the board of health of the city, the council shall establish and conduct cemeteries in the city.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-1; Code 1983, § 1064.01)

### Sec. 18-2. Applicability of chapter to private cemeteries.

All provisions of this chapter and of any rule established under its authority which relate to the public health and the safety of persons and property shall apply equally to private cemeteries in the city and may be enforced against such cemeteries and the proprietors thereof, either by appropriate action in the circuit court for the county or by action by the city.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-2; Code 1983, § 1064.02)

### Sec. 18-3. Authority of city manager.

The cemeteries of the city shall be under the general management and control of the city manager, subject to the authority of the council under section 18-1.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-3; Code 1983, § 1064.03)

### Sec. 18-4. Adoption of rules and regulations.

The city manager shall make such rules and regulations as will promote the general purposes of this chapter, and for the general improvement of the public burying grounds, subject to the approval of the council.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-4; Code 1983, § 1064.04)

### Sec. 18-5. Burial of animals.

No person shall bury a body other than a human body in a burial ground in the city, unless such burial ground is one designed and operated with the approval of the council for the burial of animals s or pets.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-11; Code 1983, § 1064.10)

Cross reference(s)—Animals, ch. 10.

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<sup>1</sup>Charter reference(s)—Authority to provide, maintain, etc., cemeteries, § 2.5(5)(ii), (7).

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

State law reference(s)—Authority to acquire and maintain cemeteries, MCL 128.1, MSA 5.3165.

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## Sec. 18-6. Records.

All records concerning burials, owners of right of burial permits within a city cemetery and the perpetual care funds shall be maintained in a separate record by the city clerk and shall be open to inspection at the office of the clerk. In this capacity, the city clerk or their designee shall function as the cemetery sexton. For record purposes, should permission from the city be required, it must be granted in writing in all instances to be kept on file in the office of the city clerk.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-5; Code 1983, § 1064.05)

## Sec. 18-7. Purchase of burial right; burial right certificate.

- (a) No person shall bury a body in a city burial ground without having purchased a burial right and paid in full therefor.
- (b) A burial right certificate shall be issued in such form as the council shall prescribe.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, §§ 4-7, 4-8; Code 1983, § 1064.06)

## Sec. 18-8. Burial right fees; transfer of burial rights.

- (a) Fees for right of burial in the cemeteries owned and operated by the city and for transfer of such rights shall be set by council resolution. The contents of such a resolution shall be on file and available for public inspection in the office of the city clerk and the ~~parks and recreation~~public works department. Upon payment of the fee set forth in such resolution, permission shall be granted for a right of burial, with the ~~title~~ certificate of burial right and fee of the burial lot or grave remaining in the city.

1. For fee purposes, a "resident" is defined as someone who

- i. Resides in the City of Portage or who died while residing in Portage;
- ii. Died not residing in the City of Portage but who resided in the City of Portage at least 15 consecutive years;
- iii. Died while not residing in Portage but who has a mother, father, husband, wife, brother, or sister who has been buried in Portage and wishes to be buried next to said relative.

- (b) No right of burial shall be disposed of or assigned by the owner without the permission of the city clerk, who may approve the transfer of such burial right by the owner to the owner's spouse, parents, or children.
- (c) If a burial right owner dies and is buried elsewhere, the city may reclaim the burial lot for the initial purchase price. The owner's parents, spouse or children shall be notified and awarded the first opportunity to repurchase the burial right at the current fees.

(Min. Bk. 1980, p. 131, Vol. 8, 1-22-1980; Code 1983, § 1064.07; Ord. No. 087-01, 2-17-1987)

## Sec. 18-9. Multiple burials in single grave.

No person shall bury more than one body in a single grave, except:

- (1) A parent and an ~~infant~~child buried at the same time, if the ~~infant~~child is under the age of seven years;
- (2) Up to three cremated bodies in individual urns may be placed on a grave site in which a previous interment has been made; or

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- (3) Up to four cremated bodies in individual urns per traditional site if no traditional interment is to be made if done under the supervision of the parks-grounds superintendent; and
  - (4) Up to two cremated bodies in individual urns per grave site in cremains only sections.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-12; Code 1983, § 1064.11; Ord. No. 092-19, 4-28-1992; Ord. No. 99-16, § 1064.11, 12-21-1999)

### **Sec. 18-10. Burial standards.**

- (a) No person shall bury a body in a city burial ground except in accordance with state law and the regulations of the state and city boards of health. No person shall bury a body in a city burial ground except in a vault or grave liner.
- (b) All burials shall be considered earthly and a body or an urn/container holding cremains shall be buried in the ground or sealed in a columbarium niche.
- (c) All cremains shall be placed in a rigid, sealed urn/container. Urn/container size shall not exceed 14 inches in any dimension; length, height, or width. Total size of the urn/container shall not exceed one cubic foot.

(Code 1983, § 1064.12; Min. Bk. 1984, p. 262, Vol. 10, 12-18-1984; Ord. No. 14-01, 2-11-2014; Ord. No. 22-01, 3-22-2022)

### **Sec. 18-11. Notice required before funerals; restrictions on time of funerals.**

~~Twenty-four~~**Forty-eight**-hour notice shall be given before a funeral to allow for proper grave opening, ~~except that notice for a Saturday funeral must be received by noon on Friday.~~ No funerals will be scheduled before 1:00 p.m. the first day of a workweek or the first workday following a city holiday. There will be no Sunday or holiday funerals.

(Code 1983, § 1064.13; Ord. No. 087-01, 2-17-1987; Ord. No. 095-12, 7-25-1995)

### **Sec. 18-12. Supervision of grave preparation.**

A grave in a city cemetery shall be prepared under the supervision of the director of parks and recreation~~public works~~. In this capacity, the director of public works or their designee shall function as the cemetery sexton

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-15; Code 1983, § 1064.14; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-13. Control of funerals held within cemetery.**

Funerals held within the grounds of a cemetery shall be under the control of the director of parks and recreation~~public works~~.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-16; Code 1983, § 1064.15; Ord. No. 092-19, 4-28-1992)

State law reference(s)—Permit for disposition of body, MCL 333.2850, MSA 14.15(2850).

### **Sec. 18-14. Change in location of grave.**

No change in the location of a grave shall be made after a designation of the place of interment by the undertaker in charge, except on request of the owner or undertaker and at the expense of the one making the

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request. The city shall not be responsible for a mistake in location occasioned by anyone except an employee of the city.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-17; Code 1983, § 1064.16)

### **Sec. 18-15. Reopening graves.**

Graves shall not be reopened, except in case of necessity for the proper removal of a body to another location or upon an order for an investigation provided or permitted by law. Before a permit is authorized for the reopening of a grave, except in case of reopening for an investigation, the one making the request shall exhibit evidence of the right to remove the body for transfer.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-18; Code 1983, § 1064.17)

### **Sec. 18-16. Grades.**

The director of ~~parks and recreation~~ public works shall establish grade levels at which all graves in a given area of a cemetery shall be kept.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-19; Code 1983, § 1064.18; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-17. Approval of monuments and improvements.**

The material and manner of erecting monuments, headstones and markers, and the pre-need placement of monuments, headstones and markers, in any sections of all cemeteries shall be subject to approval of the director of ~~parks and recreation~~ public works. Such approval shall be given for items that do not endanger public safety and which are not out of character with the cemetery.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-20; Code 1983, § 1064.19; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-18. Fences, hedges and curbing prohibited on individual lots.**

#### (a) Definitions.

1. Fence. A barrier, railing, or other upright structure enclosing an area of ground to mark a boundary, control access, or prevent escape.
2. Hedge. A fence or boundary formed by a dense row of shrubs or low trees.
3. Curbing. A raised edge or margin to strengthen or confine; an enclosing frame, border, or edging.

(b) No person shall erect an enclosure in the nature of a fence, hedge or curbing upon a cemetery lot or plot.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-21; Code 1983, § 1064.20)

### **Sec. 18-19. Planting of trees and shrubs.**

#### (a) Definitions.

1. Tree. A woody perennial plant having a single usually elongated main stem generally with few or no branches on its lower part.

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2. *Shrub.* Unless the context clearly indicates otherwise “shrub” includes bushes, and all other woody vegetation. See also Sec. 18-18 (a) 2.

(b) No trees or shrubs shall be planted or placed on a burial lot in a cemetery. Trees for living memorials may be planted only at locations designated and of a species approved by the director of ~~parks and recreation~~public works. Such approval shall be given when the location and species will not endanger public safety and will not be out of character with the cemetery.

(Code 1983, § 1064.21; Ord. No. 087-01, 2-17-1987; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-20. Damaging or removing cemetery property; driving or riding off of designated ways; recreational activities.**

No ~~person~~member of the public shall cut, remove, injure or carry away a tree, flower or other decorative planting; deface, injure, remove or displace any monument, marker or ornamental equipment; carry away, remove, destroy or injure any flower pot, vase, flower or other ornamentation; or traverse by mechanical means, or upon an animal, any portion of a cemetery except upon ways provided for such purpose. Recreational activities in cemeteries are prohibited.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-23; Code 1983, § 1064.22; Ord. No. 095-12, 7-25-1995)

### **Sec. 18-21. Removal of dangerous or dilapidated trees, plants or ornamentation.**

Whenever, in the judgment of the director of ~~parks and recreation~~public works, any tree, plant, shrub or ornamentation has become unsightly, dangerous or detrimental to the adjacent lot owners, or the public use of the cemetery, the director may remove such tree, plant, shrub or ornamentation.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-24; Code 1983, § 1064.23; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-22. Grave opening and closing charges.**

The opening and closing of graves for adults, children, ashes, and infants shall be at a cost set by council resolution. The contents of the resolution shall be on file and available for public inspection in the office of the city clerk and the ~~parks and recreation~~public works department.

(Min. Bk. 1980, p. 131, Vol. 8, 1-22-1980; Code 1983, § 1064.24)

### **Sec. 18-23. Standards for markers and memorials.**

- (a) *Material.* A marker, memorial, headstone or monument (all shall have the same meaning under this chapter) shall be of approved durable composition.
- (b) *Foundation.* A suitable ~~solid~~concrete foundation, poured by the city, shall be provided for a marker or memorial by the owner of the burial right.
- (c) *Payment of cost of repairs.* All expenses incurred in the repairing of a marker or memorial shall be borne by the owner of the burial right.
- (d) *Design.* A monument or marker shall conform to the general plan of the cemetery, ~~and the council shall have final determination as to whether or not the monument or marker is in proper taste.~~
- (e) *Removal of dangerous or dilapidated monuments and markers.* If a monument or marker falls into disrepair or becomes unsightly, dangerous or detrimental to adjacent lot owners or the public, it may be removed by order of the city manager after giving 30 days' written notice to the owner of the burial right of the lot at the

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address given at the time of purchase or a new address subsequently furnished to or available in the office of the city clerk or the assessor.

- (f) *Number.* Only one marker or memorial is permitted per grave except as noted in subsections (g) and (h) of this section.
- (g) *Location.* A monument or marker shall be located as shown on the official cemetery maps on file in the office of the city clerk for all graves with up to two interments on a line and in a location as determined by the ~~parcs superintendent~~director of public works. Graves with three or more interments may have a second flush monument or marker placed at the foot of the grave, or on a line and in a location as determined by the ~~parcs superintendent~~director of public works.
- (h) *Dimensions.* A monument or marker may not exceed the following size limitations:
  - ~~There is no right of appeal of these standards.~~
  - (1) ~~For a single lot,~~ thirty-eight inches in height as measured from the concrete foundation, 14 inches in width, and 38 inches in length for all graves with up to two interments.
  - (2) In a grouping of two or more lots, 38 inches in height as measured from the concrete foundation, 14 inches in width, and 60 inches in length.~~;~~and
  - (3) Flush marker at the foot of graves with three or more interments, or in cremains only sections, shall be 14 inches wide and 38 inches in length. Flush markers shall be flat, lying at grade level.
  - (4) Concrete foundations provided by the city shall not exceed found level by more than two inches, unless otherwise deemed necessary by the director of public works.
- (i) *Cremains.* Cremains and urns/containers shall not be attached to, incorporated into or made part of a monument or marker.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-26; Code 1983, § 1064.25; Ord. No. 087-01, 2-17-1987; Ord. No. 092-19, 4-28-1992; Ord. No. 99-16, § 1064.25, 12-21-1999; Ord. No. 14-01, 2-11-2014)

### **Sec. 18-24. Hours.**

A cemetery of the city shall be open to the general public between 8:00 a.m. and sunset, and no person shall be permitted in the city cemetery at other times, except by permission of the director of ~~parcs and recreation~~public works.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-27; Code 1983, § 1064.26; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-25. Gifts for cemetery purposes.**

Whenever a person, by the terms of a deed or will or otherwise, makes a gift, bequest or devise to the city in trust for the perpetual maintenance and care of, or for the general upkeep and improvement of, a city cemetery, the city clerk shall review such gift, bequest or devise and forthwith issue to the donor or his representative a certificate of acknowledgment of receipt of the gift, bequest or devise, signed by the mayor and the clerk and bearing the corporate seal of the city, showing the purpose for which the gift was made. Funds paid to the clerk shall be immediately delivered to the city treasurer to await the resolution of the council providing for the deposit or investment thereof. Action of the council on receipt of such funds shall be taken at its next regular meeting and all such funds shall remain permanently under the control of the city.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-28; Code 1983, § 1064.27)

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### **Sec. 18-26. Perpetual care of lots.**

- (a) Perpetual care of a cemetery lot is included in the cost of the right of burial and shall include only watering, cutting and trimming the grass, top dressing and resodding, when necessary, and the general upkeep of the lot.
- (b) In the case of a lot enclosed with concrete or masonry walls, or otherwise, so as to cause extra labor in clipping the grass, an additional fee to be determined by the city manager shall be required by the city in order to guarantee perpetual care.
- (c) The city clerk shall keep a record showing the names of all persons contributing funds for cemetery purposes, the amounts received and the dates of receipts and deposits, or investments, and the clerk shall show the condition and amount of such funds in regular annual reports to the council.
- (d) All moneys received by the city in trust under this section shall be placed in the perpetual care fund and credited to that account, or to the cemetery improvement account, depending upon the purpose for which such moneys are given.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-29; Code 1983, § 1064.28)

### **Sec. 18-27. Burial of indigent persons and strangers.**

A part of at least one city cemetery shall be set apart for single graves and shall be used as a burial place for indigent persons and strangers. Each grave therein shall be numbered, head boards made of durable wood or other material shall be placed thereon, and a record shall be kept thereof.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-30; Code 1983, § 1064.29)

### **Sec. 18-28. Design of new areas; lot dimensions.**

As additional burial space is required in city cemeteries, official maps designating block, section and lot design shall be developed by the director of ~~parks and recreation~~public works. An equal number of lots for flush and upright memorials shall be provided. Lots for adults and infants shall be developed as follows:

- (1) *Flush memorial lots.* Flush memorial lots shall be four feet in width by ten feet in length, and all memorials, monuments or markers shall be flush with the ground.
- (2) *Upright memorial lots.* Upright memorial lots shall be four feet in width by ten feet in length, and upright memorials are permitted.
- (3) *Infant-Youth lots.* Lots for stillborns and those not exceeding ~~three months~~ seven years of age shall be four feet in width by five feet in length in a designated portion of the cemetery known as "Babyland." Additional Babyland sections shall be developed as demand requires.
- (4) *Cremains only lot.* Lots in the cremains only section shall be four feet by four feet with flush memorials only.

(Code 1983, § 1064.30; Ord. No. 092-19, 4-28-1992; Ord. No. 99-16, § 1064.30, 12-21-1999)

### **Sec. 18-29. Pets in city cemeteries.**

Pets in all city cemeteries must be restrained on a six-foot or retractable leash. Persons in charge of or in control of pets on cemetery property shall be responsible for clean up and removal of excrement deposited by such pet.

(Ord. No. 14-01, 2-11-2014)

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## Sec. 18-30. Columbarium.

(a) *Definitions.*

1. *Columbarium (columbaria)* means an above ground repository composed of niches designed for the purpose of interring the cremains of the deceased.
2. *Columbarium individual niche(s)* shall mean an individual recess within a columbarium, designated to contain the cremains of one deceased within a single cremation urn or container; or the cremains of two deceased within two cremation urns or containers.
3. *Columbarium niche front* means the granite piece covering the niche.
4. *Columbarium niche name inscription* means the front of the columbarium niche engraved with the name of the deceased and other pertinent information.
5. *Cremains* means the ashes of a cremated human body.

(b) *General.*

1. ~~Ownership Rights~~ of burial space in a freestanding columbarium shall be considered the same as ~~ownership burial rights~~ of other cemetery property and shall descend according to state law.
2. Occupied niches must be marked by an inscription on the niche front, as best determined by the cemetery ~~custodian~~sexton. No other additional ornamentation will be allowed on or in front of the niche.
3. Inscription shall be uniform in style on each niche front, as determined by the cemetery ~~custodian~~sexton. The city clerk's office is responsible for arranging this service.
4. The city is not responsible for unauthorized cremains deposited on the cemetery.
5. Flower holders, vases or other fixtures shall not be allowed to be attached to the niche front, nor placed on or around the columbarium.
6. With the exception of the interment of a second urn within a niche, any opening of a sealed niche shall be considered a disinterment and applicable fees will be charged.

(Ord. No. 22-01, 3-22-2022)

State law reference(s)—Cemetery Regulation Act, Act 251 of 1968, MCL 456.522

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF PORTAGE, MICHIGAN  
BY AMENDING CHAPTER 18 CEMETERIES**

**THE CITY OF PORTAGE ORDAINS:**

That Chapter 18 shall be amended to read as follows:

**Chapter 18 CEMETERIES<sup>1</sup>**

**Sec. 18-1. Generally; authority of council.**

All cemeteries established in the city, whether publicly or privately owned, shall continue as such and shall be subject to this chapter. All cemeteries established in the city after the effective date of the legislation found in 1964 Minute Book (Minute Book vol. 1), page 122, adopted November 10, 1964, shall be established and conducted subject to applicable statutes and this chapter. As the board of health of the city, the council shall establish and conduct cemeteries in the city.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-1; Code 1983, § 1064.01)

**Sec. 18-2. Applicability of chapter to private cemeteries.**

All provisions of this chapter and of any rule established under its authority which relate to the public health and the safety of persons and property shall apply equally to private cemeteries in the city and may be enforced against such cemeteries and the proprietors thereof, either by appropriate action in the circuit court for the county or by action by the city.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-2; Code 1983, § 1064.02)

**Sec. 18-3. Authority of city manager.**

The cemeteries of the city shall be under the general management and control of the city manager, subject to the authority of the council under section 18-1.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-3; Code 1983, § 1064.03)

**Sec. 18-4. Adoption of rules and regulations.**

The city manager shall make such rules and regulations as will promote the general purposes of this chapter, and for the general improvement of the public burying grounds, subject to the approval of the council.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-4; Code 1983, § 1064.04)

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<sup>1</sup>Charter reference(s)—Authority to provide, maintain, etc., cemeteries, § 2.5(5)(ii), (7).

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

State law reference(s)—Authority to acquire and maintain cemeteries, MCL 128.1, MSA 5.3165.

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**Sec. 18-5. Burial of animals.**

No person shall bury a body other than a human body in a burial ground in the city unless such burial ground is one designed and operated with the approval of the council for the burial of animals or pets.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-11; Code 1983, § 1064.10)

Cross reference(s)—Animals, ch. 10.

**Sec. 18-6. Records.**

All records concerning burials, owners of right of burial permits within a city cemetery and the perpetual care funds shall be maintained in a separate record by the city clerk and shall be open to inspection at the office of the clerk. In this capacity, the city clerk or their designee shall function as the cemetery sexton. For record purposes, should permission from the city be required, it must be granted in writing in all instances to be kept on file in the office of the city clerk.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-5; Code 1983, § 1064.05)

**Sec. 18-7. Purchase of burial right; burial right certificate.**

- (a) No person shall bury a body in a city burial ground without having purchased a burial right and paid in full therefor.
- (b) A burial right certificate shall be issued in such form as the council shall prescribe.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, §§ 4-7, 4-8; Code 1983, § 1064.06)

**Sec. 18-8. Burial right fees; transfer of burial rights.**

- (a) Fees for right of burial in the cemeteries owned and operated by the city and for transfer of such rights shall be set by council resolution. The contents of such a resolution shall be on file and available for public inspection in the office of the city clerk and the public works department. Upon payment of the fee set forth in such resolution, permission shall be granted for a right of burial, with the certificate of burial right and fee of the burial lot or grave remaining in the city.

1. For fee purposes, a “resident” is defined as someone who

- i. Resides in the City of Portage or who died while residing in Portage;
- ii. Died not residing in the City of Portage but who resided in the City of Portage at least 15 consecutive years;
- iii. Died while not residing in Portage but who has a mother, father, husband, wife, brother, or sister who has been buried in Portage and wishes to be buried next to said relative.

- (b) No right of burial shall be disposed of or assigned by the owner without the permission of the city clerk, who may approve the transfer of such burial right by the owner to the owner's spouse, parents, or children.
- (c) If a burial right owner dies and is buried elsewhere, the city may reclaim the burial lot for the initial purchase price. The owner's parents, spouse or children shall be notified and awarded the first opportunity to repurchase the burial right at the current fees.

(Min. Bk. 1980, p. 131, Vol. 8, 1-22-1980; Code 1983, § 1064.07; Ord. No. 087-01, 2-17-1987)

**Sec. 18-9. Multiple burials in single grave.**

No person shall bury more than one body in a single grave, except:

- (1) A parent and a child buried at the same time, if the child is under the age of seven years;
- (2) Up to three cremated bodies in individual urns may be placed on a grave site in which a previous interment has been made; or
- (3) Up to four cremated bodies in individual urns per traditional site if no traditional interment is to be made if done under the supervision of the grounds superintendent; and
- (4) Up to two cremated bodies in individual urns per grave site in cremains only sections.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-12; Code 1983, § 1064.11; Ord. No. 092-19, 4-28-1992; Ord. No. 99-16, § 1064.11, 12-21-1999)

**Sec. 18-10. Burial standards.**

- (a) No person shall bury a body in a city burial ground except in accordance with state law and the regulations of the state and city boards of health. No person shall bury a body in a city burial ground except in a vault or grave liner.
- (b) All burials shall be considered earthly and a body or an urn/container holding cremains shall be buried in the ground or sealed in a columbarium niche. (c) All cremains shall be placed in a rigid, sealed urn/container. Urn/container size shall not exceed 14 inches in any dimension; length, height, or width. Total size of the urn/container shall not exceed one cubic foot.

(Code 1983, § 1064.12; Min. Bk. 1984, p. 262, Vol. 10, 12-18-1984; Ord. No. 14-01, 2-11-2014; Ord. No. 22-01, 3-22-2022)

**Sec. 18-11. Notice required before funerals; restrictions on time of funerals.**

Forty-eight-hour notice shall be given before a funeral to allow for proper grave opening. No funerals will be scheduled before 1:00 p.m. on the first day of a workweek or the first workday following a city holiday. There will be no Sunday or holiday funerals.

(Code 1983, § 1064.13; Ord. No. 087-01, 2-17-1987; Ord. No. 095-12, 7-25-1995)

**Sec. 18-12. Supervision of grave preparation.**

A grave in a city cemetery shall be prepared under the supervision of the director of public works. In this capacity, the director of public works or their designee shall function as the cemetery sexton

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-15; Code 1983, § 1064.14; Ord. No. 092-19, 4-28-1992)

**Sec. 18-13. Control of funerals held within cemetery.**

Funerals held within the grounds of a cemetery shall be under the control of the director of public works.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-16; Code 1983, § 1064.15; Ord. No. 092-19, 4-28-1992)

State law reference(s)—Permit for disposition of body, MCL 333.2850, MSA 14.15(2850).

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### **Sec. 18-14. Change in location of grave.**

No change in the location of a grave shall be made after a designation of the place of interment by the undertaker in charge, except on request of the owner or undertaker and at the expense of the one making the request. The city shall not be responsible for a mistake in location occasioned by anyone except an employee of the city.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-17; Code 1983, § 1064.16)

### **Sec. 18-15. Reopening graves.**

Graves shall not be reopened, except in case of necessity for the proper removal of a body to another location or upon an order for an investigation provided or permitted by law. Before a permit is authorized for the reopening of a grave, except in case of reopening for an investigation, the one making the request shall exhibit evidence of the right to remove the body for transfer.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-18; Code 1983, § 1064.17)

### **Sec. 18-16. Grades.**

The director of public works shall establish grade levels at which all graves in a given area of a cemetery shall be kept.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-19; Code 1983, § 1064.18; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-17. Approval of monuments and improvements.**

The material and manner of erecting monuments, headstones and markers, and the pre-need placement of monuments, headstones and markers, in any sections of all cemeteries shall be subject to approval of the director of public works. Such approval shall be given for items that do not endanger public safety and which are not out of character with the cemetery.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-20; Code 1983, § 1064.19; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-18. Fences, hedges and curbing prohibited on individual lots.**

(a) *Definitions.*

1. *Fence.* A barrier, railing, or other upright structure enclosing an area of ground to mark a boundary, control access, or prevent escape.
2. *Hedge.* A fence or boundary formed by a dense row of shrubs or low trees.
3. *Curbing.* A raised edge or margin to strengthen or confine; an enclosing frame, border, or edging.

(b) No person shall erect an enclosure in the nature of a fence, hedge or curbing upon a cemetery lot or plot.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-21; Code 1983, § 1064.20)

### **Sec. 18-19. Planting of trees and shrubs.**

(a) *Definitions.*

- 
1. *Tree*. A woody perennial plant having a single usually elongated main stem generally with few or no branches on its lower part.
  2. *Shrub*. Unless the context clearly indicates otherwise “shrub” includes bushes, and all other woody vegetation. See also Sec. 18-18 (a) 2.

(b) No trees or shrubs shall be planted or placed on a burial lot in a cemetery. Trees for living memorials may be planted only at locations designated and of a species approved by the director of public works. Such approval shall be given when the location and species will not endanger public safety and will not be out of character with the cemetery.

(Code 1983, § 1064.21; Ord. No. 087-01, 2-17-1987; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-20. Damaging or removing cemetery property; driving or riding off of designated ways; recreational activities.**

No member of the public shall cut, remove, injure or carry away a tree, flower or other decorative planting; deface, injure, remove or displace any monument, marker or ornamental equipment; carry away, remove, destroy or injure any flower pot, vase, flower or other ornamentation; or traverse by mechanical means, or upon an animal, any portion of a cemetery except upon ways provided for such purpose. Recreational activities in cemeteries are prohibited.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-23; Code 1983, § 1064.22; Ord. No. 095-12, 7-25-1995)

### **Sec. 18-21. Removal of dangerous or dilapidated trees, plants or ornamentation.**

Whenever, in the judgment of the director of public works, any tree, plant, shrub or ornamentation has become unsightly, dangerous or detrimental to the adjacent lot owners, or the public use of the cemetery, the director may remove such tree, plant, shrub or ornamentation.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-24; Code 1983, § 1064.23; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-22. Grave opening and closing charges.**

The opening and closing of graves for adults, children, ashes, and infants shall be at a cost set by council resolution. The contents of the resolution shall be on file and available for public inspection in the office of the city clerk and the public works department.

(Min. Bk. 1980, p. 131, Vol. 8, 1-22-1980; Code 1983, § 1064.24)

### **Sec. 18-23. Standards for markers and memorials.**

- (a) *Material*. A marker, memorial, headstone or monument (all shall have the same meaning under this chapter) shall be of approved durable composition.
- (b) *Foundation*. A suitable concrete foundation, poured by the city, shall be provided for a marker or memorial by the owner of the burial right.
- (c) *Payment of cost of repairs*. All expenses incurred in the repairing of a marker or memorial shall be borne by the owner of the burial right.
- (d) *Design*. A monument or marker shall conform to the general plan of the cemetery.
- (e) *Removal of dangerous or dilapidated monuments and markers*. If a monument or marker falls into disrepair or becomes unsightly, dangerous or detrimental to adjacent lot owners or the public, it may be removed by

order of the city manager after giving 30 days' written notice to the owner of the burial right of the lot at the address given at the time of purchase or a new address subsequently furnished to or available in the office of the city clerk or the assessor.

- (f) *Number.* Only one marker or memorial is permitted per grave except as noted in subsections (g) and (h) of this section.
- (g) *Location.* A monument or marker shall be located as shown on the official cemetery maps on file in the office of the city clerk for all graves with up to two interments on a line and in a location as determined by the director of public works. Graves with three or more interments may have a second flush monument or marker placed at the foot of the grave, or on a line and in a location as determined by the director of public works.
- (h) *Dimensions.* A monument or marker may not exceed the following size limitations. There is no right of appeal of these standards.
  - (1) For a single lot, thirty-eight inches in height as measured from the concrete foundation, 14 inches in width, and 38 inches in length for all graves with up to two interments.
  - (2) In a grouping of two or more lots, 38 inches in height as measured from the concrete foundation, 14 inches in width, and 60 inches in length.
  - (3) Flush marker at the foot of graves with three or more interments, or in cremains only sections, shall be 14 inches wide and 38 inches in length. Flush markers shall be flat, lying at grade level.
  - (4) Concrete foundations provided by the city shall not exceed found level by more than two inches, unless otherwise deemed necessary by the director of public works.
- (i) *Cremains.* Cremains and urns/containers shall not be attached to, incorporated into or made part of a monument or marker.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-26; Code 1983, § 1064.25; Ord. No. 087-01, 2-17-1987; Ord. No. 092-19, 4-28-1992; Ord. No. 99-16, § 1064.25, 12-21-1999; Ord. No. 14-01, 2-11-2014)

### **Sec. 18-24. Hours.**

A cemetery of the city shall be open to the general public between 8:00 a.m. and sunset, and no person shall be permitted in the city cemetery at other times, except by permission of the director of public works.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-27; Code 1983, § 1064.26; Ord. No. 092-19, 4-28-1992)

### **Sec. 18-25. Gifts for cemetery purposes.**

Whenever a person, by the terms of a deed or will or otherwise, makes a gift, bequest or devise to the city in trust for the perpetual maintenance and care of, or for the general upkeep and improvement of, a city cemetery, the city clerk shall review such gift, bequest or devise and forthwith issue to the donor or his representative a certificate of acknowledgment of receipt of the gift, bequest or devise, signed by the mayor and the clerk and bearing the corporate seal of the city, showing the purpose for which the gift was made. Funds paid to the clerk shall be immediately delivered to the city treasurer to await the resolution of the council providing for the deposit or investment thereof. Action of the council on receipt of such funds shall be taken at its next regular meeting and all such funds shall remain permanently under the control of the city.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-28; Code 1983, § 1064.27)

### **Sec. 18-26. Perpetual care of lots.**

- (a) Perpetual care of a cemetery lot is included in the cost of the right of burial and shall include only watering, cutting and trimming the grass, top dressing and resodding, when necessary, and the general upkeep of the lot.
- (b) In the case of a lot enclosed with concrete or masonry walls, or otherwise, so as to cause extra labor in clipping the grass, an additional fee to be determined by the city manager shall be required by the city in order to guarantee perpetual care.
- (c) The city clerk shall keep a record showing the names of all persons contributing funds for cemetery purposes, the amounts received and the dates of receipts and deposits, or investments, and the clerk shall show the condition and amount of such funds in regular annual reports to the council.
- (d) All moneys received by the city in trust under this section shall be placed in the perpetual care fund and credited to that account, or to the cemetery improvement account, depending upon the purpose for which such moneys are given.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-29; Code 1983, § 1064.28)

### **Sec. 18-27. Burial of indigent persons and strangers.**

A part of at least one city cemetery shall be set apart for single graves and shall be used as a burial place for indigent persons and strangers. Each grave therein shall be numbered, head boards made of durable wood or other material shall be placed thereon, and a record shall be kept thereof.

(Min. Bk. 1964, p. 122, 11-10-1964; Code 1967, § 4-30; Code 1983, § 1064.29)

### **Sec. 18-28. Design of new areas; lot dimensions.**

As additional burial space is required in city cemeteries, official maps designating block, section and lot design shall be developed by the director of public works. An equal number of lots for flush and upright memorials shall be provided. Lots for adults and infants shall be developed as follows:

- (1) *Flush memorial lots.* Flush memorial lots shall be four feet in width by ten feet in length, and all memorials, monuments or markers shall be flush with the ground.
- (2) *Upright memorial lots.* Upright memorial lots shall be four feet in width by ten feet in length, and upright memorials are permitted.
- (3) *Youth lots.* Lots for stillborn and those not exceeding seven years of age shall be four feet in width by five feet in length in a designated portion of the cemetery known as "Babyland." Additional Babyland sections shall be developed as demand requires. (4) *Cremains only lot.* Lots in the cremains only section shall be four feet by four feet with flush memorials only.

(Code 1983, § 1064.30; Ord. No. 092-19, 4-28-1992; Ord. No. 99-16, § 1064.30, 12-21-1999)

### **Sec. 18-29. Pets in city cemeteries.**

Pets in all city cemeteries must be restrained on a six-foot or retractable leash. Persons in charge of or in control of pets on cemetery property shall be responsible for clean up and removal of excrement deposited by such pet.

(Ord. No. 14-01, 2-11-2014)

**Sec. 18-30. Columbarium.**

(a) *Definitions.*

1. *Columbarium (columbaria)* means an above ground repository composed of niches designed for the purpose of interring the cremains of the deceased.
2. *Columbarium individual niche(s)* shall mean an individual recess within a columbarium, designated to contain the cremains of one deceased within a single cremation urn or container; or the cremains of two deceased within two cremation urns or containers.
3. *Columbarium niche front* means the granite piece covering the niche.
4. *Columbarium niche name inscription* means the front of the columbarium niche engraved with the name of the deceased and other pertinent information.
5. *Cremains* means the ashes of a cremated human body.

(b) *General.*

1. Rights of burial space in a freestanding columbarium shall be considered the same as burial rights of other cemetery property and shall descend according to state law.
2. Occupied niches must be marked by an inscription on the niche front, as best determined by the cemetery sexton. No other additional ornamentation will be allowed on or in front of the niche.
3. Inscription shall be uniform in style on each niche front, as determined by the cemetery sexton. The city clerk's office is responsible for arranging this service.
4. The city is not responsible for unauthorized cremains deposited in the cemetery.
5. Flower holders, vases or other fixtures shall not be allowed to be attached to the niche front, nor placed on or around the columbarium.
6. With the exception of the interment of a second urn within a niche, any opening of a sealed niche shall be considered a disinterment and applicable fees will be charged.

(Ord. No. 22-01, 3-22-2022)

State law reference(s)—Cemetery Regulation Act, Act 251 of 1968, MCL 456.522

Dated: \_\_\_\_\_

\_\_\_\_\_  
Patricia M. Randall, Mayor

**FIRST READING:**  
**SECOND READING:**  
**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 \_\_\_\_\_, 2026.

\_\_\_\_\_  
Erica L. Eklov, City Clerk

PREPARED BY:  
Erica L. Eklov, City Clerk  
7900 S. Westnedge Avenue  
Portage, MI 49002

**TO:** Honorable Mayor and City Council

**FROM:** Pat McGinnis, City Manager

**SUBJECT:** May Special Election Proposal Resolution

**SUPPORTING PERSONNEL:** Erica Eklov, City Clerk  
Catherine Kaufman, City Attorney

**ACTION RECOMMENDED:** Adopt the Resolution confirming the ballot proposal language for the May 5, 2026 Special Election.

The Office of the City Clerk received an initiative petition on December 29, 2025, from a local committee registered as "Take Back the Trash." In accordance with the City Charter, this petition was formally presented to the City Council at its January 13, 2026 Regular Meeting after the canvass of signatures was completed by the Clerk's Office. Following the options presented under the Charter, the Council voted 5-0 to submit the question of adopting the proposed ordinance to the electors of the city at the Special Election scheduled on May 5, 2026.

Per MCL 168.646a, to place a local ballot question on the May ballot, the wording of the proposal must be certified to the local or county clerk by 4:00 p.m. on Tuesday, February 10, 2026. Local clerks receiving ballot wording must forward this to the County Clerk on or before February 12, 2026. Kalamazoo County Clerk Meredith Place has confirmed that the preferred and customary method to relay a proposal to her office is via a formally adopted City Council resolution that contains the exact, quoted ballot proposal language as it is to appear on the ballot. This provides her office with the language for ballot production as well as the Notice of Election and the Notice of Registration.

Each petition page created and circulated by the "Take Back the Trash" committee included a summary paragraph for voters to understand the topic to which they were affixing their signature. That language has been carried over into the attached Resolution as the ballot proposal language. With the above Michigan election deadlines approaching, it is recommended that the Council adopt the Resolution confirming the ballot proposal language for the May 5, 2026 Special Election.

**FUNDING:** There is no present cost with submitting a resolution to the Kalamazoo County Clerk.

**Attachments:** 1. Resolution

**RESOLUTION**  
**CITY OF PORTAGE**  
**COUNTY OF KALAMAZOO, MICHIGAN**

Minutes of a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in the City Hall, in said city, on the 27<sup>th</sup> day of January 2026, at 6:00 p.m., local time.

PRESENT: Members: \_\_\_\_\_

ABSENT: Members: \_\_\_\_\_

The following was offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_:

WHEREAS, an Initiative Petition was presented to the City Clerk on December 29, 2025, pursuant to City Charter Section 5.8, et. seq., proposing to amend Chapter 58 of City of Portage Code of Ordinances; and

WHEREAS, the City Clerk canvassed the Petition thereon and certified that the Petition is sufficient and proper; and

WHEREAS, the City Clerk has certified that the Petition has been signed by not less than ten percent (10%) of the registered electors of the City who voted at the last regular City election, which was November 4, 2025; and

WHEREAS, the Initiative Petition was presented to the City Council by the City Clerk at the Regular Meeting on January 13, 2026; and

WHEREAS, the City Council had thirty (30) days after the receipt of such Petition by the City Clerk to determine whether to adopt the proposed Ordinance or to submit the question of proposed Ordinance to which the Petition pertains to the electors of the City; and

WHEREAS, the Initiative Petition so filed with the City Clerk is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the City Council of the City of Portage voted five to zero on January 13, 2026, to receive the initiative petition, as presented by the City Clerk from Take Back the Trash; and

WHEREAS, the City Council of the City of Portage voted five to zero on January 13, 2026, to submit the proposed ordinance to the electors of the City at a Special Election to be held on May 5, 2026.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

1. The question to be submitted to the electors of the City at the special election to be held in the City of Portage on Tuesday, the 5<sup>th</sup> day of May 2026, shall be in the following form:

“Initiation of an ordinance pursuant to the City Charter of the City of Portage to amend Chapter 58 of the Code of Ordinances to require the registration of persons who collect and dispose or process garbage, municipal solid waste, rubbish, bulk waste, recyclable waste and/or yard waste in the city; to require that persons offering collection services publish a fee schedule; to prevent the City from entering into an exclusive contract for collection services; and to prevent the City from taking any actions which would interfere with the right of residents to choose which person to use for collection services.”

Shall Chapter 58 of the Code of Ordinances be amended, as explained above?

YES:

NO:

YEAS:           Members: \_\_\_\_\_

NAYS:           Members: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

---

Erica L. Eklov, City Clerk

STATE OF MICHIGAN            )  
  ) ss  
COUNTY OF KALAMAZOO        )

I, the undersigned, the duly qualified and acting Clerk of the City of Portage, Kalamazoo County, Michigan (the “City”), do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City of Portage City Council at a regular meeting held on the 27<sup>th</sup> day of January 2026, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 27<sup>th</sup> day of January 2026.

---

Erica L. Eklov, City Clerk

I approve to form via email on January 22, 2026.

Catherine P. Kaufman  
Bauckham, Thall, Seeber, Kaufman & Koches PC  
470 W Centre Ave, Ste A  
Portage, MI 49024  
269-382-4500 x013  
[kaufman@michigantownshiplaw.com](mailto:kaufman@michigantownshiplaw.com)

# EXHIBIT A

The circulator of this petition is (check one):  A paid signature gatherer  A volunteer signature gatherer  
 If the petition circulator does not comply with all of the requirements of the Michigan election law for petition circulators, any signature obtained by that petition circulator on that petition is invalid and will not be counted.

## LOCAL PROPOSAL PETITION

We, the undersigned qualified and registered electors, residents in the 4th congressional district in the state of Michigan, respectively petition for initiation of an ordinance pursuant to the City Charter of the City of Portage to amend Chapter 58 of the Code of Ordinances to require the registration of persons who collect and dispose or process garbage, municipal solid waste, rubbish, bulk waste, recyclable waste and/or yard waste in the city, to require that persons offering collection services publish a fee schedule to prevent the City from entering into an exclusive contract for collection services; and to prevent the City from taking any actions which would interfere with the right of residents to choose which person to use for collection services. This petition is addressed to the City Clerk and the full text of the proposal is on the reverse.

**WARNING A person who knowingly signs this petition more than once, signs a name other than his or her own, signs when not a qualified and registered elector, or sets opposite his or her signature on a petition, a date other than the actual date the signature was affixed, is violating the provisions of the Michigan election law.**

	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
					MO.	DAY	YEAR
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							

### CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the city or township listed in the heading of the petition, and the elector was qualified to sign the petition.

Circulator Do not sign or checkmark on the original petition. The original shall make a cross or check mark on the line provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark on the line provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purpose of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the secretary of state or a designated agent of the secretary of state has the same effect as if personally served on the circulator.

(Printed Name of Circulator) \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (Date)  
 (Signature of Circulator) \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
 (Complete Residence Address (Street and Number or Rural Route)): Do not enter a post office box \_\_\_\_\_  
 (City or Township, State, Zip Code) \_\_\_\_\_

(County of Registration, if Registered to Vote, of a Circulator who is not a Resident of Michigan)  
 Warning—A circulator knowingly making a false statement in the above certificate, a person not a circulator who signs as a circulator, or a person who signs a name other than his or her own as circulator is guilty of a misdemeanor.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING CHAPTER 58 SOLID WASTE TO REQUIRE THE REGISTRATION OF PERSONS WHO COLLECT AND DISPOSE OR PROCESS GARBAGE, MUNICIPAL SOLID WASTE, RUBBISH, BULK WASTE, RECYCLABLE WASTE AND/OR YARD WASTE IN THE CITY; TO REQUIRE THAT PERSONS OFFERING COLLECTION SERVICES PUBLISH A FEE SCHEDULE; TO PREVENT THE CITY FROM ENTERING INTO AN EXCLUSIVE CONTRACT FOR COLLECTION SERVICES; AND TO PREVENT THE CITY FROM TAKING ANY ACTIONS WHICH WOULD INTERFERE WITH THE RIGHT OF RESIDENTS TO CHOOSE WHICH PERSON TO USE FOR COLLECTION SERVICES.

**THE CITY OF PORTAGE ORDAINS:**

**Section 1.**

That Chapter 58, Article 2, COLLECTION AND DISPOSAL shall be amended by revising Section 58-33, Residential collection schedule; registration of collectors.

CHAPTER 58. SOLID WASTE.

Article 2, Collection and Disposal,

Section 58-33, Residential collection schedule; registration of collectors; is revised to read as follows:

**Sec. 58-33 Residential collection schedule; registration of collectors**

(a) *Definitions.* As used in this section:

*Administrator* shall mean city manager or designee.

*Bulk or bulk waste* shall include oversize household goods, such as, but not limited to; discarded furniture, mattresses, box springs, storm doors, windows, metal furniture, toilets, bathtubs, sinks, carpets and pads, stoves, washers, dryers, refrigerators (certified Freon-free), air conditioners (certified Freon-free), and other similar household items and appliances that can be reasonably loaded by hand into a collection vehicle by the hauler without assistance.

*Collection services* means the collection and disposal/processing of garbage, MSW, rubbish, bulk waste, recyclable waste and/or yard waste in the city.

*Collector* means a person registered with the city to perform collection services.

*Curbside recycling program* shall mean that term as defined in Sec. 58-34.

*Fee schedule* shall mean a uniform schedule of charges assessed by a collector for services to all customers.

*Garbage* means rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruits or vegetables, and all other putrescible wastes, excluding grass.

*Hazardous waste means:*

- (1) Any material or substance which, by reason of its composition or characteristics, is:
  - a. Toxic or hazardous waste as defined in:
    1. Either the Solid Waste Disposal Act, 42 USC 6901 et seq., or section 6(e) of the Toxic Substances Control Act, 15 USC 2605(e), or any laws of similar purposes or effect, and any rules, regulations or policies promulgated thereunder; or
    2. Any laws of similar purpose or effect, and any rules, regulations or policies promulgated thereunder; or special nuclear or byproducts materials within the meaning of the Atomic Energy Act of 1954;
- (2) Any waste managed or referenced as toxic or hazardous under Act 451;
- (3) Any other materials which the state department of natural resources or any governmental agency or unit having appropriate jurisdiction shall determine from time to time is ineligible for disposal in the landfill, whether by reasons of being harmful, toxic or dangerous or otherwise.

*MSW or municipal solid waste* means garbage, refuse and rubbish discarded by residents. It does not include hazardous material or other prohibited materials as defined in rules promulgated by the administrator. Municipal solid waste includes construction and demolition waste only in quantities able to be disposed of in containers provided for removal by the city or collector.

*Recyclable waste* means waste matter which is approved and collected in the city curbside recycling program, as designated by the administrator.

*Refuse* means all non-putrescible waste, excluding recyclable waste, hazardous material or other prohibited materials.

*Rubbish* means miscellaneous putrescible or non-putrescible waste material resulting from housekeeping, including paper, cardboard, metal containers, crockery, plastic, rubber, building materials, and bulk items. It does not include hazardous waste or other prohibited materials.

*Prohibited materials* means all items which may damage equipment or pose a safety threat to collectors or the environment, or items defined as prohibited in the solid waste rules or regulations promulgated by the administrator. These materials will not be collected by the city or a collector.

*Yard waste* means leaves, grass clippings, vegetables or other garden debris, shrubbery, or brush or tree trimming, less than four feet in length and two inches in diameter, that can be converted to compost. Yard waste does not include stumps, agricultural waste, animal waste, roots, sewage sludge, Christmas trees or wreaths, food waste, or screened finished compost made from yard waste.

(b) *Purpose.* The purposes of this section are to make neighborhood pickup as convenient, efficient, and cost-effective as possible, to provide city residents and property owners with choice in collection services, to promote transparency, consistency and equity in fees charged by collectors, and to beautify the city by designating one day a week for neighborhood pickup of garbage, MSW, rubbish, bulk waste, recyclable waste and yard waste.

(c) *Collection schedule.*

- (1) The city shall divide the city into five geographic collection districts for the purpose of weekly garbage, MSW, rubbish, bulk waste, yard waste, and recyclable waste collection.
- (2) The city shall designate one day of the week for collection of garbage, MSW, rubbish, bulk waste, yard waste, and recyclable waste for each collection district. All such materials shall be collected on the same day in each collection district.
- (3) The city shall make available to the public and all collectors, no later than June 1, 2026, the collection districts and collection day schedule for each collection district.
- (4) All collectors shall begin collection services according to the published schedule on July 1, 2026.
- (5) The city may revise the collection districts and/or schedules once a year, by publishing those revisions no later than the first Monday in May each year. Changes so made will be effective on following July 1.
- (6) Nothing in this section shall be construed to apply to the collection of garbage, MSW, rubbish, bulk waste, yard waste or recyclable waste from apartments, commercial or business establishments, or to the city leaf pickup or spring cleanup programs.
- (7) Fee schedules as required under Sec. (d)(4)(f) below shall be published by the administrator in July of each year. Deviations from schedule as published may only be implemented on July 1 of the following year or 30 days following submission of price adjustments to the administrator, unless such deviations result in a decrease in fees.
- (8) Each calendar day during which a collector violates this section shall constitute a separate and distinct violation.
- (d) *Registration of Collectors.* In order for the city to monitor compliance with subsection (c) of this section, all collectors providing collection services in the city shall register with the city once a year, as follows:
  - (1) Each collector that provided collection services in the city on any date between June 1, 2024 and December 31, 2025 shall register with the city no later than June 30, 2026.
  - (2) Any collector that intends to start collection services in the city shall register with the city no later than one month prior to initiating collection services.
  - (3) Each registered collector shall update its registration with the city no later than June 30, 2027, and the last calendar day of June in each subsequent year.
  - (4) Each collector shall provide the following information to the city upon registration:
    - a. The company's legal name;
    - b. The company's owner;
    - c. The company's business telephone number;
    - d. The company's business address;

- e. The estimated number of households in the city the company serves or will serve;
  - f. Rates charged for services including fees for collection of residential waste, yard waste, bulk waste, and any other special services, surcharges or any other fee to be charged to any residential customer in the city; and
  - g. Copy of complaint log referenced in section (f)(5) below.
- (5) Each collector shall promptly notify the administrator of any changes in the information provided under subsection (d)(4) of this section. Changes to subsection (d)(4) that result in an increase in fees may only be implemented the following July 1 or following 30 days advance notice to the city.
- (6) Each calendar day during which a collector violates this section shall constitute a separate and distinct violation.
- (e) **Fees.** To assure consumer protection and avoid discrimination in the assessment of fees for service:
- (1) Registered collectors shall only charge fees as reported and published as provided herein.
  - (2) Each instance of improper, non-reported or unpublished fees charged to customers shall constitute a separate and distinct violation of this section.
  - (3) Should collectors remedy violations within one week of receiving notice from the city, violations of this section shall not result in the issuance of fines.
- (f) **Performance requirements.** Registered collectors shall:
- (1) Maintain a communications system that includes email and telephone access and respond to all complaints and requests for service within 24 hours of receipt.
  - (2) Provide written notification to customers of instances of non-collection, stating the reasons for not picking up materials on the scheduled day and clear information about the next scheduled pickup.
  - (3) Automatically credit bills for missed pickup of 25 percent of total monthly fee for each missed pickup, such credit to be applied to future bills or refunded to customers.
  - (4) Clean up any spilled or scattered rubbish, garbage, yard waste or other materials resulting from collection operations immediately.
  - (5) Maintain a written log of customer complaints and provide the same to the city clerk each year when registering as a collector.
  - (6) Each instance of violation of these performance requirements shall constitute a separate and distinct violation of this section.

**Section 2.**

That Chapter 58, Article 2, COLLECTION AND DISPOSAL shall be amended by revising Section 58-34, Collection of recyclable waste.

CHAPTER 58. SOLID WASTE.

Article 2, Collection and Disposal.

Section 58-34, Collection of recyclable waste; is revised to read as follows:

- (a) **Definitions.** As used in this section:

*Collection services* shall mean that term as defined in Sec. 58-33.

*Collector* shall mean that term as defined in Sec. 58-33.

*Curbside recycling program* means the program to collect recyclable waste from all households in the city on a weekly basis, as authorized by the city voters on November 6, 1990.

*Designated recycling area* means:

- (1) The area within six feet of the edge of the street pavement in the case of individual residences, duplexes and quadplexes located on public streets; and
- (2) Other areas approved by the city for placement of designated recycling containers and collection of recyclable waste in case of apartment complexes and private residential property.

*Designated recycling container* means a container approved by the city for the placement and collection of recyclable waste.

*Recyclable waste* shall mean that term as defined in Sec. 58-33.

(b) **Ownership of recyclable waste.**

(1) After recyclable waste has been placed in a designated recycling container, including overflow containers such as bags and boxes, for collection under the curbside recycling program, and while the recyclable waste is situated in a designated recycling container, including overflow containers such as bags and boxes, such recyclable waste shall be the property of the city.

(2) After a collector collects the recyclable waste from a designated recycling container, including overflow containers such as bags and boxes placed in a designated recycling area, the recyclable waste shall become the property of the collector who collects the recyclable waste.

(c) **Unauthorized collection.** No person other than a city employee or a collector shall remove recyclable waste from a designated recycling container, including overflow containers such as bags and boxes, placed in a designated recycling area. Each collection in violation of this subsection from each designated recycling container, including overflow containers such as bags and boxes, shall constitute a separate and distinct violation.

(d) **Unauthorized removal of containers.** No person other than a city employee, a collector, or the actual property owner or resident shall remove a designated recycling container, including overflow containers such as bags and boxes, from a designated recycling area. Each such removal in violation of this subsection shall constitute a separate and distinct violation.

(e) **Right of individual to dispose of recycling material.** Nothing in this section is intended to prevent any person from donating or selling recyclable waste material to any person, club, business, civic organization, charitable organization or other organization, if such action does not violate any applicable statute, regulation or ordinance.

(f) **Authority to establish additional rules and regulations.** The city manager, with the approval of the city council, may establish rules and regulations to effectuate the purposes of this section. Such rules and regulations shall not include either of the following:

- (1) Any rule or regulation that would show preference to or advantage any collector.
- (2) Any rule or regulation that would interfere with the ability of a resident or property owner in the city to contract with any collector for collection services.

**Section 3.**

That Chapter 58, Article 2, COLLECTION AND DISPOSAL shall be amended by revising Section 58-35, Exclusive contractor for residential collection and disposal/processing services.

CHAPTER 58. SOLID WASTE

Article 2, Collection and Disposal.

Section 58-35, Exclusive contractor for residential collection and disposal/processing services; is revised to read as follows:

**Sec. 58-35 Exclusive contractor for residential collection and disposal/processing services.**

- (a) **Definitions.** As used in this section:

*Administrator* shall mean that term as defined in Sec. 58-33.

*Bulk or bulk waste* shall mean that term as defined in Sec. 58-33.

*Cart, curb cart, or bin* means a container that is approved by the administrator and is required by the city to be used and has been provided to residential locations which is equipped with wheels to allow it to be easily rolled to the curb, is secure and used for collection of refuse, recyclables and yard waste and is able to be mechanically lifted and emptied into a collection truck.

*Collection services* shall mean that term as defined in Sec. 58-33.

*Collector* shall mean that term as defined in Sec. 58-33.

*Construction and demolition waste or C&D* means nonhazardous waste such as, but not limited to; building material, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on houses, commercial or industrial buildings, and other structures.

*Curbside recycling program* means the city program to collect recyclables from households in the city on a weekly basis.

*Garbage* means rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruits or vegetables, and all other putrescible wastes, excluding grass.

*Hazardous waste* shall mean that term as defined in Sec. 58-33.

*MSW or municipal solid waste* shall mean that term as defined in Sec. 58-33.

*Owner or property owner* means the person whose name is on record with the city assessor for taxation purposes.

*Prohibited materials* shall mean that term as defined in Sec. 58-33.

*Recyclable waste* shall mean that term as defined in Sec. 58-33.

*Refuse* shall mean that term as defined in Sec. 58-33.

*Residential* means single family dwelling unit, which includes all structures, buildings, premises and/or realty utilized for single-family residential dwelling purposes. For purposes of this chapter, a single family dwelling unit includes single family dwelling units, two-family dwelling units or three-family dwelling units. Residential unit shall not include apartment buildings, mobile home parks or multiple family dwelling units greater than three in number on one parcel or lot.

*Rubbish* shall mean that term as defined in Sec. 58-33.

*Yard waste* shall mean that term as defined in Sec. 58-33.

(b) *Purpose.* The purposes of this section are to make neighborhood pickup as convenient, efficient and cost-effective as possible, to provide city residents and property owners with choice in collection services, and to promote accountability, transparency, and consistency in neighborhood pickup.

(c) *Exclusive contract.* The city council shall not enter into an exclusive contract for collection services for residential dwelling units. A collector shall be the only person, company, firm or organization authorized to provide residential collection services within the legal jurisdiction of the city. The city shall not take any actions to show preference to any collector and the city shall ensure that each resident and property owner in the city has the opportunity to contract with any collector for collection services. Each collector shall collect, and dispose/process any materials collected from these premises in the city in full compliance with this chapter, applicable local, state and federal laws, rules, and regulations.

(d) *Collection services.* Beginning June 1, 2026, all residential property owners and non-residential properties (including, but not limited to, apartment buildings, mobile home parks or multiple family attached dwelling units greater than three in number) may make independent arrangements with a collector for collection services.

(e) *Fee schedule and billing procedures.* Collectors shall only charge fees for collection services rendered in accordance with the collector's fee schedule under Sec. 58-33 and shall bill for such services in accordance with the following.

(1) Except for services related to the collection of recyclable waste under the city curbside recycling program, collectors shall send a quarterly invoice by regular mail or other means as approved by residential property owners to each residential site for which services are rendered in the city.

a. Collectors shall be solely responsible for the residential invoicing, payment and collections relationship with the residential sites in which services are rendered. This includes, but not limited to, invoicing, payments, collections and other actions.

(2) Collectors shall send a monthly invoice to the city by regular mail or other means as for any services provided to the city in the previous month, including, but not limited to, any services related to the collection of recyclable waste under the city curbside recycling program.

(f) *Collector provided carts.* Each collector shall provide and adequately maintain administrator approved carts to satisfy the services under this section.

(g) *Promulgation of rules.* In order to clarify and implement the provisions of this section, the administrator shall be authorized to promulgate all necessary and reasonable rules and regulations consistent with this section in the best interests of the public health and safety of the city and residents. Such rules and regulations shall not include either of the following:

(1) Any rule or regulation that would show preference to or advantage any collector.

(2) Any rule or regulation that would interfere with the ability of a resident or property owner in the city to contract with any collector for collection services.

**Section 4 Severability**

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

**Section 5 Repeal of Conflicting Ordinances**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**Section 6 Effective Date**

This ordinance shall take effect on the date the results of the election at which this ordinance is adopted by the electorate are certified or fifteen (15) days after the election at which this ordinance is adopted, whichever is later.

**AFFIDAVIT OF PETITION CIRCULATOR**

I, \_\_\_\_\_, being first duly sworn, depose and say as follows:

1. I personally circulated the attached petition sheet.
2. The attached petition sheet contains \_\_\_\_\_ signatures.
3. To the best of my knowledge, each signature on the petition sheet is the genuine signature of the person whose name it purports to be.
4. Every signature contained on the attached petition sheet was made in my presence.
5. To the best of my knowledge, each signer of this petition sheet was at the time of signing a duly qualified elector of the City.

Further Affiant sayeth not.

\_\_\_\_\_  
PETITION CIRCULATOR

STATE OF MICHIGAN )

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2025, before me personally appeared \_\_\_\_\_, who signed the foregoing Affidavit.

\_\_\_\_\_  
Notary's Name:  
Notary Public, State of \_\_\_\_\_, County of \_\_\_\_\_  
My Commission expires: \_\_\_\_\_  
Acting in the County of \_\_\_\_\_

**Minutes  
of  
Boards &  
Commissions**

**CITY OF PORTAGE HUMAN SERVICES BOARD**

Minutes of the Meeting –December 4, 2025

Conference Room 1

**CALL TO ORDER:** The City of Portage Human Services Board meeting of December 4, 2025, was called to order by Candace Wise at 5:30 p.m. in Conference Room 1, Portage City Hall, 7900 S. Westnedge Avenue, Portage MI.

**MEMBERS PRESENT:** Candace Wise, Julie Pryor, Martha Perry, Pamela Kanouse, Dominic DiCesare, Chelsea Huber, Dan Damaska, and Nicole Najjar

**MEMBERS ABSENT:** Chairperson Brooke Kolodzieczyk

**STAFF PRESENT:** Tina Perry

**APPROVAL OF MINUTES:** The Minutes of October 2, 2025, were approved by a motion made by Julie Pryor and supported by Chelsea Huber. The motion passed 8-0.

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

- **HUD Consolidated Plan Public Hearing**

A motion was made by Dan Damaska and seconded by Pamela Kanouse to open the Public Hearing to receive public comments on the Draft Consolidated Plan at 5:41 p.m. The motion was approved 8-0. There were no public comments.

A motion was made by Nicole Najjar seconded by Martha Perry to close the Public Hearing to receive public comments on the Draft Consolidated Plan. The motion was approved 8-0.

- **FY2026-2027 General Fund Applications**

Perry provided General Fund Applications to the HSB along with a ranking worksheet and a tally of the requests. Perry indicated that one application was turned in two hours late in person and one application arrived in the mail Monday, December 1, when the due date was Tuesday, November 25. The director of this organization understood the application should be postmarked by November 25, not due then. There was a prior email to all applicants that provided a due date reminder on November 14. The HSB discussion resulted in a motion made by Julie Pryor and seconded by Chelsea Huber to consider the applications for inclusion separately. Chelsea Huber made a motion supported by Nicole Najjar to approve inclusion and scoring of the application that was turned in on the day of the deadline, but after the deadline. This motion passed 7-1, with Dan Damaska voting against. Dominick DiCesare made a motion supported by Chelsea Huber to include the application that was postmarked November 25<sup>th</sup>. The motion tied 4-4. The group decided to table the decision to the next meeting. Other discussions included directions on the application review and ranking process.

• **FY2026-2027 Opioid Awareness/Prevention Funding Applications**

Perry presented three opioid awareness prevention applications all received from Portage Public Schools for programs currently receiving opioid assistance this fiscal year. Another agency acknowledged receipt of the application, however, didn't submit. Perry provided a recap of last year's funding where the HSB provided a portion of the total funding anticipating the need to support ongoing programming. The three applications submitted are at or below the current allocations. Full funding as requested will leave a balance to carry over to next year to again assist with a substantial amount of programming. Perry reminded this funding becomes less each year.

**OTHER BUSINESS: HSB January special meeting.**

Motion to cancel the January 1 HSB meeting and reschedule to Thursday January 8, 2026 @ 5:30pm was made by Dan Damaska, second by Julie Pryor. It passed unanimously 8-0.

**STATEMENT OF CITIZENS & ANNOUNCEMENTS:**

Chris Buckley of the Portage Community Center gave a brief update on the current strain on community resources that the PCC has observed through various community initiatives.

**ADJOURNMENT:** Motion to adjourn was made 6.18pm. by Pamela Kanouse supported by Dan Damaska. It unanimously passed, 8-0.

Respectfully Submitted,



Dan Damaska

Secretary, Human Services Board

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**City of Portage  
Environmental Advisory Board  
Meeting Minutes – December 10, 2025**

**Meeting was called to order at 7:01pm**

Chair David L. called the meeting to order.

**Welcome & Introductions: Attendance – 7:01 p.m.**

**Present:** David L. (Chair), Wendy (Secretary), Chase, Michael S. (City Liaison), Justin Williams ( City ) and Dallen Ekola-Labra (YAC Student Rep.).

**Absent: (Excused):** Lauren (Vice-Chair), David M.

**Guest:** None.

**Public Comment Period – 7:02 p.m.**

No comments. No one present.

**Call to Order & Approval of November Meeting Minutes -7:03 p.m.**

Chair David L. requested motion and approval. Discussion on November meeting minutes. No discussion needed and consent to approve. All agreed and meeting minutes approved.

**Board Updates and Old Business – 7:05 p.m.**

**Annual Letter to City Council**

Tuesday January 13<sup>th</sup>, 2026, is date for presenting letter to City Council for our Environmental Advisory Board annual update. Discussion on 2025 years goals and new updates added into draft letter. Will continue to work on and send any updates to David.

**Parliamentary Training 12/9/2025**

– David L. attended great training.

Chair updated the board on alternatives to mosquito control rather than spraying – January meeting– with Mary Ann Laurell presenting.

**Subcommittee Reports – 7:10 p.m.**

**Events & Activities:**

No new events & activities at this time. Begin monthly updates and an annual calendar for sign-ups and information – possibly Lauren & Wendy to provide.

Bee City – see outline from Events, Lauren, David M., Wendy.

Add Green - a-thon to events and begin work.

Review & discussion of Draft Letter. Send letter as a recommendation to City Council. Also discussed as new business.

**Survey committee: David L and Justin W.**

No new information – to be sorted by .....date and added to goals for 2026. Michael will reach out to Justin to confirm.

51 responses are gathered from the QR code YTD. We will sort and decide on topics to address in future meetings/tasks. Subcommittee will review and sort.

Follow-up on email and phone call for potential new members.

### **Website committee:**

Chase, David and Lauren compiled several updates and Lauren provided document prior to meeting via email. Lauren to complete update to Michael. To be implemented as needed by City Web Page Staff.

### **Youth Advisory Committee (YAC) updates – 7:35 p.m.**

Brief update on current or planned events. Jan 12 next YAC meeting.

See if Lauren is available and Dallen will reach out to PC environmental club.

Discussion on another Nex-Trex challenge(s) for future. Dallen is willing to bring back to YAC and discuss further. Forward more information to Dallen to pursue additional challenge(s) by the YAC this year.

Green a thon date is: May 3<sup>rd</sup>, first Sunday in May 2026. Potential opening date is May 22, 2026 for new Farmers Market.

### **New Business – 7:18 p.m.**

#### **Year Goals for 2026**

Draft letter discussion and include Plastic Bag recycling – collaboration with YAC.

Added Bee City recommendation to the Goals.

Dark Sky International – motion -support and carried to January meeting.

Review see e-mail from Lauren.

Mosquito control without Pesticides use / alternatives (Mary Ann Laurell).1/14/2026.

Food waste continues into next year = Hammond Farms, Grand Ledge: tour with Justin.

Potential Tour for April 2026.

### **Set Agenda – 7:30 p.m.**

New Business: provide information regarding Dark Sky international.

Mary Ann Laurell – presentation on Mosquito control without pesticides - outcomes.

Updates all committees

Note for Justin on Hammond Farms tour for April 2026.

New members possibly.

Motion to adjourn by Chase, second Wendy, **meeting adjourned at 7:37 p.m.**

**TO:** Honorable Mayor and City Council

**FROM:** Pat McGinnis, City Manager

**SUBJECT:** Appointment of Director of Public Works

**SUPPORTING PERSONNEL:** Shannon Hertz, Director of Human Resources

**ACTION RECOMMENDED:** Confirm the appointment of Jereme Rowland as Director of Public Works

Pursuant to Section 6.2(b) of the City Charter, administrative officers are appointed by the City Manager, subject to confirmation by the City Council.

In accordance with this authority, I am pleased to appoint Jereme Rowland as the City of Portage Director of Public Works, subject to City Council approval. He will succeed Rod Russell, and, if confirmed, will officially assume his new role on February 14, 2026.

Mr. Rowland currently serves as our Deputy Director of Fleet and Facilities, overseeing the management and repair of the city fleet, maintenance and upgrades to city-owned buildings and facilities and leads a team of 13 staff members. He began his career with the city in 1999 as a Laborer, joining the department after serving as a seasonal employee. Mr. Rowland has a bachelor's degree in business management and organizational development and is a 2022 graduate of the Leadership Kalamazoo program. He has served the City of Portage in a variety of roles, including Laborer, Equipment Operator, Mechanic, Assistant Streets/Parks Superintendent and Project Manager. Mr. Rowland also holds a State of Michigan Builder's License and multiple State of Michigan Mechanics Licenses.

I respectfully recommend that the City Council approve the appointment of Jereme Rowland as our next Director of Public Works.

**FUNDING:** N/A

**Attachments:** 1. COP DPW Director Resume 2025\_Redacted



# Jereme J. Rowland

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12/1/2006-7/15/2011

City of Portage

Portage, MI

## Assistant Streets/Parks Superintendent

- Managed Asphalt Trail and Bikeway Improvement Projects
- Responsible for managing city staff engaged in day-to-day city street and park maintenance operations
- After hours emergency response coordinator
- Responsible for tracking winter salt, sand, and contractor hour usage
- Oversight of Contractual Quarterly Brush Pickup and Fall Leaf Pickup Programs
- Developed and aided in the implementation of Bio-diesel alternative fuel program
- Qualified Trainer and Operator for snow removal and leaf pickup operations
- Assisted in the hiring and training of new employees
- 2009 Customer Service Award

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11/30/1999-11/30/2006

City of Portage

Portage, MI

## Laborer/ Equipment Operator

- Competent heavy equipment operator (Loader, Backhoe, Skidsteer, and Excavator)
- Response to abundant after hour emergency situations
- Assist in the design and installation of storm drainage systems and structures
- Performed numerous road repairs and construction project assistance
- Performed snow removal activities for seven years
- Designed and assisted in implementation of liquid salt brine production system
- Named in City's Key Concepts publication three times for Innovation and Motivation.
- Involved in the providing maintenance of City streets, right of ways, parks and athletic fields
- Several letters of Commendation in personnel file

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## Education

### Bachelor of Arts

#### 2010, Spring Arbor University, Spring Arbor, MI

- Major: Business Management and Organizational Development

### Associate of Applied Science

#### 2006, Kalamazoo Valley Community College, Kalamazoo, MI

- Major I: Business Administration
- Major II: Automotive Technology
- Named on Academic Honors List for six semesters

### Certificates of Achievement

- State of Michigan Residential Builders License
- Building Operator Certification (BOC) Level 1 Training Certification of Completion, 2017
- Building Operator Certification (BOC) Level II Training Certification of Completion, 2019

## **Jereme J. Rowland**

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- Supervisory Leadership, 2004, KVCC
- MDEQ SESC Comprehensive Certification
- MDEQ Storm Water Management – Construction Site
- Federal Emergency Management Agency
  - IS-00100 Introduction to the Incident Command System
  - IS-00700 National Incident Management System

### **Computer Skills**

- Pictometry GIS software
- Proficient use of Microsoft Office Word, PowerPoint, Excel
- Proficient knowledge and training on City of Portages' Work Order, Fleet Management, and EOC Sick Leave programs
- Basic CAD design

### **Other Qualifications**

- Leadership Kalamazoo Class of 2022
- Kalamazoo County Sheriff's Office Citizens Academy 2022
- Valid Michigan Class "B" Commercial Driver's License
- State of Michigan Mechanics Certifications in:
  1. Automotive Engine Repair
  2. Heavy Duty Truck Gasoline Engine Repair
  3. Auto Electrical Systems (requiring renewal)
- Valid Michigan Forklift and Vehicle Mounted Aerial Work Platform Permit

### **References available upon request**

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