



Agenda

Regular Meeting of the City Commission

City of Kalamazoo

Monday, June 29, 2009

7:00 p.m.

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: **Executive Servant Terry Thomas**
Kalamazoo Deacons Conference
2. Pledge of Allegiance
3. Introduction of Guests
4. Proclamations

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

1. The public is invited to attend the following meetings of boards and commissions:
 - a. The **Kalamazoo-Numazu Sister City Committee** will meet on Wednesday, July 1, 2009 at 5:30 p.m., in the Community Room at City Hall.
 - a. The **Dangerous Buildings Board** will meet on Thursday, July 2, 2009 at 2:00 p.m., in the City Commission Chambers at City Hall.
2. City Hall will be closed Friday, July 3, 2009 in observance of the Independence Day holiday. Offices will re-open Monday, July 6, 2009.
3. The City is accepting applications for appointment to various city Commission advisory boards and commissions. Interested citizens are encouraged to contact the City Clerk's Office at 337-8792 to request an application form or to obtain additional information on board vacancies.

E. PUBLIC HEARINGS

1. Receive public comments regarding a recommendation to adopt an ORDINANCE to amend Section 12.3 and to add Section 7.6 to the Zoning Ordinance pertaining to murals. **(Action: Motion to adopt the ordinance)**

F. CONSENT AGENDA

(Action: Motion to approve items “1-12” and hold items “13 & 14” until July 6, 2009)

1. Consideration of a recommendation to approve a one-year term contract with: 1) Etna Supply Company for \$262,626; and, 2) Underground Pipe & Valve for \$109,948 for annual supply of water maintenance and construction materials.
2. Consideration of a recommendation to approve a contract with DLZ Michigan, Inc., to provide architectural/engineering services for the expansion and the renovation of the Transportation Department Administrative and Maintenance facility in a maximum amount of \$129,237.23.
3. Consideration of a recommendation to approve a contract extension for up to six (6) months with Pride Ambulance Company (Pride Care) for the provision of Metro Transit’s ADA Metro Van paratransit bus service for a total, not to exceed cost for the 6-month extension, of \$442,369.84 or \$73,728.31 monthly.
4. Consideration of a recommendation to adopt a RESOLUTION approving an amendment to the City of Kalamazoo’s Brownfield Plan [Amended and Restated Brownfield Plan (Amendment No. 15)] implemented and recommended for approval by the City of Kalamazoo Brownfield Redevelopment Authority following the public hearing before the Brownfield Redevelopment Authority.
5. Consideration of a recommendation to adopt a RESOLUTION recognizing Constructive Community Builders, Inc. as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.
6. Consideration of a recommendation to accept the FY 2009 Recovery Act JAG award of \$553,309 from the U.S. Justice Department and authorize the City Manager to sign the Grant award and special conditions document.
7. Consideration of a recommendation to accept a grant from the Irving S. Gilmore Foundation to complete the 125th Anniversary film, “KALAMAZOO 1884.”
8. Consideration of a recommendation to accept the Kalamazoo Community Foundation/John E. Fetzer Institute Fund grant award in the amount of \$2,500 for the 2009 Kalamazoo Department of Public Safety Youth Leadership Academy and authorize the City Manager to sign the grant award documents.

9. Consideration of a recommendation to authorize the purchase of state-owned, tax-reverted land under the provisions of Public Act 123 of 1999, as amended.
10. Consideration of a recommendation to approve a request from the Kalamazoo Country Club for a permit to publicly display fireworks at 1609 Whites Road on Saturday, July 4, 2009 with a rain date of Saturday, July 11, 2009.
11. Consideration of a recommendation to approve the following appointments and re-appointments for members of advisory boards and commissions:
 - a. the re-appointment of **Grant Patrick Fletcher** to the Dangerous Buildings Board as Residential Homeowner representative for a term expiring on March 31, 2011.
 - b. the re-appointment of **Bobbe Orr** to the Dangerous Buildings Board as Historic Property Owner representative for a term expiring on March 31, 2011.
 - c. the appointment of **Donald C. Verbeke** to the Dangerous Buildings Board as Residential Builder representative for a term expiring on March 31, 2012.
 - d. the appointment of **Zadie Jackson** to the Friends of Recreation Board for a term expiring on March 1, 2012.
12. Consideration of a recommendation to approve the minutes from the following City Commission Meetings: The Business Meeting of May 4, 2009, the Committee of the Whole Meeting of May 15, 2009, and the Neighborhood Meeting of May 18, 2009.
13. Consideration of a recommendation to adopt a RESOLUTION to vacate the north portion of W. Michigan Avenue between Monroe and Stone Streets, with the following conditions:
 - a. An easement shall be provided to the city for any underground utilities in the road right-of-way to be vacated.
 - b. An adjusted fair market value for the vacated property shall be paid to the city in the amount of \$28,221.

Hold until July 6, 2009.
14. Consideration of a recommendation to approve the sale of 2720 Wellington to Kalamazoo Neighborhood Housing Services for \$12,035.78, and authorize the City Manager to sign all documents related to the sale. *Hold Until July 6, 2009.*

G. REGULAR AGENDA

1. Consideration of a recommendation to adopt an ORDINANCE, which amends Section 2-224E and repeals Section 2-227B-5, both of which are found in the Pension Ordinance. **(Action: Motion to adopt the ordinance)**
2. Consideration of a recommendation to adopt an ORDINANCE to amend Sections 18-17 through 18-25 and add Sections 18-26 through 18-30, and rename Article II from "Discrimination in Real Estate Transactions" to "Discrimination Prohibited" of Chapter 18 of the Kalamazoo City Code of Ordinances. **(Action: Motion to adopt the ordinance)**

H. REPORTS AND LEGISLATION

1. City Manager's Report

I. UNFINISHED BUSINESS**J. POLICY ITEMS****K. NEW BUSINESS****L. CITIZEN COMMENTS****M. MISCELLANEOUS COMMENTS AND CONCERNS BY COMMISSIONERS****N. CLOSED SESSION****O. ADJOURNMENT**

ADDITIONAL INFORMATION:

Questions regarding agenda items may be answered prior to the meeting by contacting the City Manager's Office at 269.337.8047.

Persons with disabilities who need accommodations to effectively participate in City Commission meetings should contact the City Clerk's Office at 337-8792 a week in advance to request mobility, visual, hearing or other assistance.

Agendas for the regular meetings of the Kalamazoo City Commission are available on the Internet at: **www.kalamazoocity.org**

Kalamazoo City Commission meetings are held the first, third and fifth Mondays at 7:00 p.m. and are shown live on Public Media Network Channel 21. The meetings are rebroadcast on Tuesday afternoon at 2:00 p.m. on Channel 21, Saturday morning at 9:00 a.m. and Sunday evening at 8:00 p.m.

GUIDELINES FOR PUBLIC PARTICIPATION AT CITY COMMISSION MEETINGS

Welcome to the Kalamazoo City Commission meeting, and thank you for your participation in Kalamazoo local government. The City Commission recognizes that citizens who make the effort to attend a Commission meeting often feel passionately about an issue. The following guidelines are not meant to discourage individual expression; rather, they exist to facilitate the orderly conduct of business and to ensure that all citizens who wish to address the City Commission are able to do so in an atmosphere of civility and respect, without fear or intimidation.

1. Out of respect for business being conducted during the meeting, please turn off all cell phones and pagers prior to the start of the meeting.
2. In an effort to maintain order and to allow a respectful discussion, please do not make comments from the audience area. Audience members should also refrain from applause or other audible noise at times not formally recognized as appropriate by the meeting chair.
3. Citizens have opportunities to address the Commission at the following times during a meeting:
 - a. Consideration of Regular Agenda items. Citizens are permitted to speak to the Commission on Regular Agenda and Unfinished Business prior to the City Commission voting, except those votes setting a public hearing. (Note: The Consent Agenda is a list of items proposed for City Commission approval to be voted upon all at one time. This is a time-saving procedure as most Consent Agenda items are housekeeping measures. A citizen may request an item be removed from the Consent Agenda for individual consideration or discussion.) Comments must be germane to the specific item under consideration.
 - b. The Citizen Comment period near the end of the meeting is for comment on Agenda or Non-Agenda items.
4. To address the City Commission, please sign in at the podium near the Clerk's station and then proceed to the podium directly in front of the dais when invited by the meeting chair. Before beginning your comments, please clearly state your name for the record and whether you reside within the city limits. Comments are limited to four minutes.
5. Citizen comment periods are a time for citizens to make comments; they are not intended as a forum for debate or to engage in question-answer dialogues with the Commission or staff. Commissioners are encouraged not to directly respond to speakers during citizen comment periods. At the conclusion of a speaker's remarks, the Mayor or individual Commissioners may refer a question to City staff, if appropriate. Also, individual Commissioners may choose to respond to speakers during "Miscellaneous Comments and Concerns of Commissioners."
6. Signs, placards and banners are permitted in Chambers during open meetings but only along the perimeter of the room (side and back walls) and only if they do not obstruct the vision of others.

If you have any questions, please feel free to contact the City Clerk's Office at 269.337.8792