



Agenda

Regular Meeting of the City Commission

City of Kalamazoo

Tuesday, September 7, 2010

7:00 p.m.

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: **Scott McCloughan**, Youth for Christ
2. Pledge of Allegiance
3. Introduction of Guests
4. Proclamation
 - a. **Kalamazoo River Valley Trail Resolution of Support**
 - b. **A Resolution Honoring Terry Kuseske for Dedication and Service to the City of Kalamazoo**

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

1. The public is invited to attend the following meetings of boards and commissions:
 - a. The **Traffic Board** will meet on Thursday, September 9, 2010 at 2:00 p.m., in the Public Services' Conference Room, located at 415 Stockbridge Avenue.
 - b. The **Community Development Act Advisory Committee** will meet on Thursday, September 9, 2010 at 6:30 p.m., in the Community Room at City Hall.
 - c. The **Zoning Board of Appeals** will meet on Thursday, September 9, 2010 at 7:00 p.m., in the City Commission Chambers at City Hall.
 - d. The **Kalamazoo Historic Preservation Commission** will meet on Tuesday, September 14, 2010 at 7:00 p.m., in the Third Floor Conference Room at City Hall.
 - e. The **Environmental Concerns Committee** will meet on Wednesday, September 15, 2010 at 4:30 p.m., in the Community Room at City Hall.

- f. The **Economic Development Corporation** will meet on Thursday, September 16, 2010 at 7:30 a.m., in the Community Room at City Hall. The **Brownfield Redevelopment Authority** will meet immediately following.
 - g. The **Downtown Development Authority** will meet on Monday, September 20, 2010 at 3:00 p.m., in the Community Room at City Hall.
2. 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 proposed expanded Neighborhood Enterprise Zone in the Vine Neighborhood. **(Action: Open public hearing and receive public comments)**

F. CONSENT AGENDA

(Action: Motion to approve items "1-12")

1. Consideration of a recommendation to: a) approve the purchase of a street sweeper from Bell Equipment Company for a total amount of \$155,000; b) approve the purchase of a tink leaf loading claw from AIS Equipment Company for a total amount of \$15,245; and c) approve an increase in the Solid Waste Fund Budget of \$170,245 for these capital purchases.
2. Consideration of a recommendation to offer for first reading an ORDINANCE to rezone 2142 Logan Avenue from Zone RS-5 (Residential, Single-Dwelling District) to Zone CN-1 (Commercial, Local Neighborhood District), and schedule a public hearing for September 20, 2010.
3. Consideration of a recommendation to offer for first reading an ORDINANCE to amend Sections 4.1, 4.2 and 12.3 of the Zoning Ordinance for Wind energy regulations and schedule a public hearing September 20, 2010.
4. Consideration of a recommendation to adopt a RESOLUTION approving the transfer of \$100,000 from the Economic Initiative Fund to the City of Kalamazoo Brownfield Redevelopment Authority to assist The Peoples Food Co-operative of Kalamazoo in the redevelopment of brownfield property at 507 Harrison Street.

5. Consideration of a recommendation to adopt a RESOLUTION to set a public hearing on September 20, 2010 to consider the application from Parker-Hannifin Corporation for a PA 198 Industrial Facilities Exemption Certificate for three years (with a three-year extension) for personal property valued at \$4,700,000 in existing Industrial Development District No. 8 located at 2220 Palmer Avenue.
6. Consideration of a recommendation to adopt a RESOLUTION to set a public hearing on September 20, 2010 to consider the application from Parker-Hannifin Corporation for a PA 198 Industrial Facilities Exemption Certificate for three years (with a three-year extension) for personal property valued at \$1,700,000 in existing Industrial Development District No. 8 located at 2220 Palmer Avenue.
7. Consideration of a recommendation to adopt a RESOLUTION to set a public hearing on September 20, 2010 to consider the application from Mossberg Precision Diagnostics, LLC for a PA 198 Industrial Facilities Exemption Certificate for three years (with a three-year extension) for personal property valued at \$486,043 and six years (with a six-year extension) for real property valued at \$374,975 (\$861,018 total) in existing Industrial Development District No. 3 located at 3308 Covington Road.
8. Consideration of a recommendation to adopt a RESOLUTION to set a public hearing on September 20, 2010 to consider the application from Fabri-Kal Corporation for a PA 198 Industrial Facilities Exemption Certificate for four years (with a four-year extension) for personal property valued at \$10,750,000 in existing Industrial Development District (IDD) No. 57 located at 4141 Manchester Road.
9. Consideration of a recommendation to adopt a RESOLUTION approving the issuance, sale, and delivery of bonds by the Hospital Finance Authority in the aggregate principal amount not to exceed \$275,000,000 on behalf of Bronson Methodist Hospital.
10. Consideration of a recommendation to accept the Southwest Commercial Auto Recovery matching grant award of \$49,577 for the purpose of continuing funding for an auto theft investigator for one year from the Automobile Theft Prevention Authority at the Michigan State Police.
11. Consideration of a recommendation to approve a labor agreement with the Amalgamated Transit Union for the duration of one year, February 2010-February 2011.
12. Consideration of a recommendation to approve the settlement of a sewer back-up damage claim in the amount of \$15,403.80.

G. REGULAR AGENDA

1. Consideration of a recommendation to offer for first reading an ORDINANCE to amend text amendments to the Home Occupations section of the Zoning Ordinance for Medical Marihuana and schedule a public hearing for September 20, 2010. **(Action: Offer the ordinance for first reading and schedule a public hearing for September 20, 2010)**
2. Consideration of a recommendation to adopt a RESOLUTION recommending that the State Tax Commission revoke Industrial Facilities Exemption Certificate 2002-073 issued to The Herald Company, Inc. dba The Kalamazoo Gazette (Gazette). **(Action: Motion to adopt the resolution)**
3. Consideration of a recommendation to accept a JAG award of \$113,266 from the U.S. Justice Department and authorize the City Manager to sign the Grant award and special conditions document. **(Action: Motion to approve)**
4. Consideration of a recommendation to authorize Public Safety to continue a partnership with Kalamazoo Regional Education Service Agency for the Education for Employment Law Enforcement Program for the 2010-11 school year and to authorize the City Manager to sign the Contract for Independent Contractor Services to operate the KRESA EFE Law Enforcement Program. **(Action: Motion to approve)**

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**

1. Consideration of a recommendation to authorize the City Attorney to settle the claim of Richard Sesco (*attorney/client confidential communication*). **(Action: Motion to go into 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 and Saturday morning at 9:00 a.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