

A regular meeting of the Kalamazoo City Commission was held on Monday, August 17, 2009 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

Mayor Bobby J. Hopewell  
Vice Mayor Hannah McKinney  
David Anderson  
Don Cooney  
Sean McCann  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT:

None

Also present were City Manager Ken Collard, City Attorney Clyde Robinson, and City Clerk Scott A. Borling.

Invocation

The invocation, given by Reverend Vic Downing, Hospice Care of Southwest Michigan, was followed by the Pledge of Allegiance.

Introduction of  
Guests

Mayor Hopewell recognized the presence of local government officials from Krygistan.

Adoption of the  
Agenda

By unanimous consent the City Commission adopted its meeting agenda with the following changes:

Commissioner Miller requested that Item F-8 (acceptance of the deed for the Arboretum Parkway) be moved from the Consent Agenda to the Regular Agenda for discussion.

A citizen requested that Item F-4 (resolution approving ballot language for referendum of Ordinance 1856) be moved from the Consent Agenda to the Regular Agenda for discussion.

Communications

City Manager Collard invited the public to attend meetings of various boards and commissions.

Consent Agenda

Consent Agenda items were presented as follows with a recommendation to approve the items with authorization for the City Manager to sign on behalf of the city:

**78434**

- 1) approval of an agreement with the Michigan Department of Transportation for the upgrade of traffic signals at eleven intersections along the Paterson Street and Drake Road Corridors in the amount of \$296,894; and, 2) acceptance of a Federal Congestion Mitigation Air Quality grant in the amount of \$832,706.

**78435**

- approval of a contract with West Shore Services to upgrade the existing early warning system in the amount of \$126,244, funded by American Recovery and Reinvestment Act Grant award.

- 78436**
- approval of a purchase order with the Michigan Department of Transportation for the City's share of costs for street resurfacing on Reed Street from Burdick Street to Portage Street, Cork Street from Westnedge Avenue to Lovers Lane, Lovers Lane from Kilgore Road to approximately 170 feet south of Cork Street (including some water main replacement), and South Burdick Street from Cork Street to Crescent Drive using federal stimulus funding, in the amount of \$112,700.
- Resolution 09-58  
**78437**
- adoption of a **RESOLUTION** to set a public hearing on August 31, 2009 to consider an application from Pharmacia & Upjohn Company, LLC for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$18,900,000 and six + six years for real property valued at \$9,039,600 in existing Industrial Development District No. 76 located in Building 300 at 300 Portage Street, with a first year estimated abatement value of approximately \$145,400 in city-only property taxes.
- Resolution 09-59  
**78438**
- adoption of a **RESOLUTION** to approve the application from Farmers Alley Theatre, Inc. for a Redevelopment Liquor License under PA 501 of 2006 for property located at 221 Farmers Alley.
- Resolution 09-60  
**78439**
- adoption of a **RESOLUTION** recognizing The West Michigan Glass Society as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.
- Commissioner McCann, seconded by Commissioner Moore, moved to approve the consent agenda requests.
- With a roll call vote this motion passed unanimously.
- AYES: Commissioners Anderson, Cooney, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell
- NAYS: None
- Addition of Policy Item
- Mayor Hopewell announced the addition of a policy item (healthcare reform) to the meeting agenda as Item J-1.
- Regular Agenda
- Regular Agenda Items were considered next.
- Resolution 09-61  
Approving Ballot Language re: the Referendum on Ordinance 1856  
**78440**
- An opportunity was given for citizens to comment on a **RESOLUTION** setting November 3, 2009, as the election date and authorizing the language to appear on the ballot regarding the referendum of Ordinance No. 1856, but no comments were offered.
- Commissioner Cooney, seconded by Commissioner Anderson moved to adopt a **RESOLUTION** setting November 3, 2009, as the election date and authorizing the language to appear on the ballot regarding the referendum of Ordinance No. 1856.

Acceptance of  
Deed for  
Arboretum  
Parkway Held

**78441**

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

An opportunity was given for citizens to comment on the acceptance of a quit claim deed from the Western Michigan University Foundation conveying property to the city and dedicate the property as a public roadway to be known as the Arboretum Parkway, but no comments were offered.

Commissioner McCann seconded by Vice Mayor McKinney moved to hold until August 31, 2009 consideration of a recommendation to accept a quit claim deed from the Western Michigan University Foundation conveying property to the city and dedicate the property as a public roadway to be known as the Arboretum Parkway.

Prior to a vote on the motion, Commissioner Miller asked the following questions: What are the remaining obligations for the WMU Foundation under their agreement with the City? What is the timeline for completion of the project? Will the City Commission need to take further action? Has the City Attorney reviewed the documents associated with the project? Will there be a resolution for the City Commission to consider on August 31<sup>st</sup>, and would the agreement with the WMU Foundation be available for review? Commissioner Miller expressed concern that this item has not been thoroughly reviewed by the City Attorney, and she expressed frustration that the City Commission was being asked to accept the property without knowing whether the WMU Foundation was agreeing to the final elements of the project.

In response to Commissioner Miller, City Manager Collard stated there he did not see the need for would be no new agreement and explained the City's acceptance of the road was the extension of an agreement to support the development of the new Middle School, and he did not see the need for a supplemental agreement or resolution to accept the property as a public right-of-way. City Manager Collard reported there was a punch list of nominal improvements to be completed, and the project timeline called for the completion of project and transfer to the City by the beginning of the school year. City Manager Collard offered to provide the items on the punch list.

With a roll call vote this motion passed by a vote of 5-0 with two (2) abstentions.

AYES: Commissioners Anderson, Cooney, McCann, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

ABSTAIN: Commissioners Miller and Moore

City Manager's  
Report

**78442**

Recommendations  
re: Metro Transit  
Fare Increases

**78442**

Presentation of  
the FY2008  
Comprehensive  
Annual Financial  
Report (CAFR)

**78443**

Creation of a  
Healthcare Reform  
Subcommittee

**78444**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated July 2009
- 2<sup>nd</sup> Quarter 2009 Employment Activity Report
- July 2009 Purchasing Report

City Manager Collard distributed and discussed a memo which communicated his recommendation to increase the Metro Transit fare for general adult riders from \$1.35 to \$1.50. City Manager Collard stated he had directed Transportation Director Bill Schomisch to develop affordable fare options for elderly, disabled, and low-income riders, and he indicated it was unlikely the City Commission would vote on the fare adjustments prior to the November 3<sup>rd</sup> election. A copy of the City Manager's memo was filed with the papers for this meeting.

Commissioner McCann expressed support for the City Manager's recommendation.

Vice Mayor McKinney thanked the City Manager for letting the Transit Authority Board do its work regarding the fare increase.

Management Services Director and CFO Tom Skrobola reported on the Comprehensive Annual Financial Report (CAFR) for fiscal year 2008.

Nathan Balderman from Rehman Robson reported the City had received an unqualified opinion from the auditors, and he indicated management had responded to all of the auditor's findings.

Mayor Hopewell recommended the appointment of Vice Mayor McKinney, Commissioner Cooney, and Commissioner McCann to a Healthcare Reform Subcommittee to consider a position resolution on the topic of healthcare reform. Mayor Hopewell asked that the Subcommittee do its work and report back to the City Commission according to a regular time line. Mayor Hopewell noted the Subcommittee's meetings would be public meetings, with notices being posted by the City Clerk.

An opportunity was given for citizens to comment on the creation of a Healthcare Reform Subcommittee and appointment of Commissioners to the Subcommittee.

Chris Killian, City resident, spoke on behalf of Kalamazoo Single Payer Across the Nation (KSPAN) described recent events regarding healthcare reform and urged the City Commission to adopt a resolution supporting healthcare reform.

Joann Johnson, City resident, asked the City Commission to adopt a resolution supporting universal healthcare.

Edward James, City resident, urged the City Commission to adopt a resolution supporting healthcare reform and offered five general objectives for healthcare reform: universal healthcare; significant cost reductions; maximum freedom to choose physicians; no health insurance rejections during healthcare crises; and no

Creation of a  
Healthcare Reform  
Subcommittee  
(cont'd)

**78444**

significant reductions for Medicare, Medicaid, and medical care for veterans.

Terry Kuseske, City resident and Executive Director of the Northside Association for Community Development, remarked on the recent public discussions about healthcare reform in Kalamazoo and encouraged the City Commission to support a healthcare reform resolution.

Kai Phillips, City resident, stated it was not necessary or appropriate to form a subcommittee to consider healthcare reform, although the City may want to take actions on this issue in the future.

Commissioner Cooney, seconded by Commissioner Moore, moved to form a Subcommittee to examine a resolution on universal healthcare

Mayor Hopewell stated there would be public hearings on this issue

Prior to a vote on the motion, Commissioner Cooney expressed support for creation of the subcommittee. Commissioner Cooney expressed hope that the Subcommittee would have a resolution to present to the City Commission on August 31<sup>st</sup>, as Congress was recessed and would take up the healthcare issue by the second week in September.

Commissioner Moore stated the City Commission needed to take a position on healthcare reform and supported the creation of a subcommittee to consider citizens' opinions.

Vice Mayor McKinney expressed support for the motion. Vice Mayor McKinney noted the timeline for developing a resolution was tight, and she suggested the Subcommittee have its first meeting by the end of the week.

Mayor Hopewell stated KSPAN presented its proposed healthcare reform resolution on August 3<sup>rd</sup> and noted the current meeting was the first opportunity for the City Commission to take action on the resolution since it was presented. Mayor Hopewell requested that wellness be a component of the City Commission's healthcare reform resolution.

With a roll call vote the motion to create a Healthcare Reform Subcommittee passed unanimously.

AYES: Commissioners Anderson, Cooney, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Citizen Comments

Next, the following citizens addressed the City Commission regarding non-agenda items:

Rose McKinney, City resident, spoke regarding problems with her neighbors.

Citizen Comments  
(cont'd)

Angela Anderson, City resident, spoke regarding Healthy Babies-Healthy Start, a program that aimed to reduce infant mortality. Ms. Anderson invited City Commissioners, City Commission candidates, and County Commissioners to a "Chat with the Commissioners Forum" at 5:30 p.m. on September 11, 2009 at Stockbridge United Methodist Church.

Mattie Jordan-Woods, City resident, thanked the Public Safety Department for removing the "No Parking" signs on North Church Street and recommended further dialogue between residents and Public Safety staff on this issue.

Willie Menta, City resident, expressed support for the Healthcare Reform Subcommittee and asked that the Subcommittee submit a resolution to the City Commission for adoption on August 31<sup>st</sup>.

Robert J. Piellusch, City resident, spoke in opposition to development of the Old Colony Orchard property in Oshtemo Township. Mr. Piellusch asked the City Commission to adopt a resolution opposing this development.

Maggie Piellusch, City resident, spoke in opposition to development of the Old Colony Orchard property in Oshtemo Township.

City Commissioner  
Comments

Next, an opportunity was given for miscellaneous comments and concerns of City Commissioners.

Commissioner Moore spoke regarding the Farmers' Market; Kai Jackson and her work to take citizens to Lansing to address legislators; the Family Health Center's Back to School Bash on August 21<sup>st</sup>; the Safehouse's cookout/march on August 22<sup>nd</sup>; the Sistas on the Move event on August 8<sup>th</sup>; and the first day of school on September 8<sup>th</sup>.

Commissioner Cooney asked that someone from the Public Safety Department help Ms. McKinney.

Commissioner McCann remarked on his attendance at the Interfaith Strategy for Action and Advocacy in the Community (ISAAC) Fall Conference. Commissioner McCann noted the following events in Kalamazoo: the AME Church conference at the Radisson Hotel; the - Rock the Kids Festival; and the Dogs' Day event at Kik Pool.

Mayor Hopewell remarked on the World Softball Championship, the dedication of Upjohn Park, and the upcoming Michigan Municipal League (MML) Convention in Kalamazoo. Mayor Hopewell volunteered to be the City's official voting representative at the MML Convention, and there were no objections.

Closed Session

**78445**

Commissioner Miller, seconded by Commissioner Moore, moved to go into closed session to discuss pending litigation. With a voice vote the motion passed.

At 8:28 p.m. the City Commission went into closed session

Settlement of the  
Lawsuit Karen  
Duckworth v City  
of Kalamazoo

**78446**

Adjournment

At 8:40 p.m. the City Commission came out of closed session.

Commissioner Anderson, seconded by Vice Mayor McKinney, moved to authorize the City Attorney to accept or reject the case evaluation award in the "Karen Duckworth v City of Kalamazoo" lawsuit, pursuant to the direction given in the closed session.

With a roll call vote this motion passed by a vote of 6-0 with one (1) abstention.

AYES: Commissioners Anderson, Cooney, McCann, Miller, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Abstain: Commissioner Moore

The meeting adjourned at 8:42 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on October 19, 2009

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: October 19, 2009