

A regular meeting of the Kalamazoo City Commission was held on Monday, October 19, 2009 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

COMMISSIONERS PRESENT: Mayor Bobby J. Hopewell  
David Anderson  
Don Cooney  
Sean McCann  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT: Vice Mayor Hannah McKinney

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

## Commissioner Excused

Commissioner McCann, seconded by Commissioner Moore, moved to excuse the absence of Vice Mayor McKinney. With a voice vote, the motion passed.

## Invocation

The invocation, given by Reverend Ron L. Coleman, Emmanuel Church of God in Christ, was followed by the Pledge of Allegiance.

## Adoption of the Agenda

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

Commissioner Cooney requested Item F-4 (acceptance of funds for Apple Ridge housing development and various park upgrades) be moved to the regular agenda.

## 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:

**78510**

- approval of a second six-month contract extension to purchase Powdered Activated Carbon from Calgon Carbon Corporation in the amount of \$707,370.

**78511**

- approval of an increase to the City's 2009 Major Streets CIP Budget for the Oakland Drive/Parkview Avenue Intersection Improvement Project in the amount of \$30,000 from the City's Brownfield Redevelopment Authority to cover half the estimated costs associated with demolition of the former Superior Cleaners Building and \$80,000 from existing Bond Funds for a total project cost of \$110,000.

**78512**

- acceptance and authorization for the City Manager to sign the award package from the U.S. Department of Energy to receive \$762,200 for the City Hall Energy Optimization and Demonstration Project.

Consent Agenda  
(cont'd)

**78513**

- acceptance of the 2009 Bulletproof Vest Grant awards in the amount of \$7,973 from the Office of Justice Programs.

**78514**

- a recommendation to offer for first reading an ORDINANCE to revise Section 22-42 of the Kalamazoo Code of Ordinances which makes it unlawful for a minor to possess or consume alcohol and to bring the ordinance in compliance with the corresponding state statute and recent Court of Appeals decision.

**78515**

- approval of the City Commission minutes from the Neighborhood Meetings on August 17 and September 21, 2009, the Committee of the Whole Meeting on August 28, 2009, and the Business Meetings on August 3, August 17, August 31, and September 8, 2009.

**78516**

- a recommendation to hold until November 2, 2009 authorization for the City Manager to sign a "Purchase Agreement" that would allow the City to acquire a vacant lot at 1214 Bryant Street to allow for additional parking by Public Safety officers.

**78517**

- a recommendation to hold until November 2, 2009 adoption of a RESOLUTION dedicating and accepting Full Circle Drive as a public street, and authorizing the City Manager to execute a quit claim deed in conjunction with the Brownfield Redevelopment Authority conveying Full Circle Drive to the City.

Commissioner Anderson, seconded by Commissioner McCann, moved to approve the consent agenda requests.

With a roll call vote this motion passed.

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

NAYS: None

Regular Agenda

Regular Agenda Items were considered next.

Prepayment of  
Apple Ridge  
HOME Loan

**78518**

Commissioner Cooney asked City Manager Collard to clarify the following statement from the Agenda Report regarding the prepayment of a HOME loan for Apple Ridge affordable housing development: "A tentative agreement has been reached whereby the owners will pay to the City the full Net Present Value of the future value of the \$850,000 which would have been paid to City during the years 2024 through 2035."

City Manager explained that "net present value" was the amount that would need to be invested today in order to equal the value of the loan payments that would be due between 2024 and 2035.

Commissioner Anderson noted HOME loans were often forgiven, so this was an unusual but overall positive outcome given the situation. Commissioner Anderson stated the new owner had been making improvements to the property.

Prepayment of  
Apple Ridge  
HOME Loan  
(cont'd)

**78518**

An opportunity was given for citizens to comment on a recommendation to: a) accept \$331,075.77 as a HOME loan prepayment for the Apple Ridge affordable housing development at 2233 Flower Street; b) accept a \$7,500 donation to be used for upgrades to a park in the Edison or Milwood Neighborhoods; and, c) and authorize the City Manager to sign all necessary documents, but no comments were offered.

Commissioner Cooney, seconded by Commissioner Moore, moved to: a) accept \$331,075.77 as a HOME loan prepayment for the Apple Ridge affordable housing development at 2233 Flower Street; b) accept a \$7,500 donation to be used for upgrades to a park in the Edison or Milwood Neighborhoods; and, c) and authorize the City Manager to sign all necessary documents.

With a roll call vote this motion passed.

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

NAYS: None

Ordinance 1859  
re: Private  
Installation of  
Water Service

**78519**

An opportunity was given for citizens to comment on an ORDINANCE to amend Section 38-14 of the Kalamazoo City Code of Ordinances to allow customers to contract with private contractors to install City water services, but no comments were offered.

Commissioner McCann, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** to amend Section 38-14 of the Kalamazoo City Code of Ordinances to allow customers to contract with private contractors to install City water services.

With a roll call vote this motion passed.

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

NAYS: None

First Reading of  
Social Gathering  
Ordinance

**78520**

An opportunity was given for citizens to comment on the first reading of an ORDINANCE to amend Chapter 22 of the Kalamazoo City Code of Ordinances to add Section 22-64 addressing the regulation of, and responsibility for, under-age drinking and use of controlled substances at social gatherings, but no comments were offered.

Commissioner Cooney, seconded by Commissioner Moore, moved to offer for first reading an ORDINANCE to amend Chapter 22 of the Kalamazoo City Code of Ordinances to add Section 22-64 addressing the regulation of, and responsibility for, under-age drinking and use of controlled substances at social gatherings.

Prior to a vote on the motion, Commissioner Miller stated the City Attorney had circulated a memo indicating this issue was already addressed in state law, and she expressed concern about the

First Reading of  
Social Gathering  
Ordinance  
(cont'd)

**78520**

unnecessary duplication of these laws in City ordinance. Commissioner Miller expressed support for the sunset clause in the proposed ordinance.

With a roll call vote this motion passed.

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

NAYS: None

City Manager's  
Report

**78521**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated September 2009
- September 2009 Purchasing Report

Citizen Comments

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

Claus Globig, City resident, stated he did not receive a public notice for the Zoning Board of Appeals hearing on October 8<sup>th</sup> regarding the installation of lights at Kalamazoo Christian High School. Mr. Globig also remarked on reports and articles he had submitted to the Mayor and Vice Mayor in 2007 regarding PCB's.

Jan Stowe, City resident, spoke regarding Exodus International, an organization that assisted people who had unwanted homosexual desires.

Nick Boyd, City resident, spoke regarding resource sharing with neighboring local governments and other initiatives he supported as a City Commission candidate.

Jimmy Ayers, City resident, expressed opposition to the investment of public funds in a sports complex and stated the money would be better used to provide housing and utility assistance for low-income and homeless people.

**78522**

Patricia Aldering, City resident, expressed support for an ordinance limiting the amount of time dogs could be tethered. An information packet submitted by Ms. Aldering was filed with the papers for this meeting.

Melissa Montagne, City resident, expressed support for an ordinance limiting the amount of time dogs could be tethered.

Ginger Miller, City resident, expressed support for an ordinance limiting the amount of time dogs could be tethered.

City Commissioner  
Comments

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

Commissioner Moore offered remarks on the following topics: free dental health clinics available through the Kalamazoo County Department of

City Commissioner  
Comments (cont'd)

Health and Community Services; a service celebrating Superintendent CG Charles's 25 years in ministry at Tabernacle Church of God in Christ; the Northside Ministerial Alliance Annual Prayer Breakfast on October 20<sup>th</sup>; an upcoming meeting of Healthy Babies-Healthy Start; the Onyx Society Alumni Reception at WMU; a workshop on financial literacy sponsored by the Northside Association for Community Development (NACD); the new Emergency Services Guide available at Kalamazoo Public Library; parent-teacher conferences for Kalamazoo Public Schools; a successful season for Rocket Football players and their families; the business Things of Steel at 432 E. Paterson Street; and new businesses started through the Kingdom Business 2009 program at Mt. Zion Baptist Church.

Commissioner Miller welcomed students from Western Michigan University (WMU) to the meeting and expressed appreciation to Jeff Hadley for a memo regarding the Public Safety Department's accomplishments during his first year as Public Safety Chief.

Commissioner Anderson highlighted items on the Consent Agenda regarding energy efficiency and environmental remediation.

Commissioner Cooney discussed the recent Kalamazoo Gazette series on homelessness and discussed Peace Week events that would take place at WMU.

Mayor Hopewell remarked on the *Light the Night* and *Zombie Walk* events that took place over the weekend, and he remarked on the community open house at Linden Grove Middle School.

Adjournment

The meeting adjourned at 7:51 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on November 2, 2009

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: November 2, 2009