

# City of Kalamazoo

## Minutes of the City Commission

### 2007

#### 46<sup>th</sup> City Commission

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

#### City Commission Appointees

Kenneth P. Collard, City Manager  
Scott A. Borling, City Clerk  
A. Lee Kirk, City Attorney  
Constance Darling, City Assessor  
Ann Videtich, Internal Auditor

# Kalamazoo City Commission 2007 Meeting Schedule

## Business Meetings

January 2\*  
January 16\*  
January 29

February 5  
February 19

March 5  
March 19

April 2  
April 16  
April 30

May 7  
May 21

June 4  
June 18

July 2  
July 16  
July 30

August 6  
August 20

September 4\*  
September 17

October 1  
October 15  
October 29

November 5  
November 19

December 3  
December 17

## Work Sessions

~~January 8~~  
~~February 12~~  
~~March 12~~  
~~April 9~~  
~~May 14~~  
June 11  
July 9  
~~August 13~~  
~~September 10~~  
~~October 8~~  
~~December 10~~

## Committee of the Whole Meetings

January 12  
January 26

February 2  
February 16

March 2  
March 16  
March 30

~~April 13~~  
April 27

~~May 4~~  
May 18

June 1  
~~June 15~~  
June 29

July 13  
~~July 27~~

August 3  
August 17  
~~August 31~~

September 14  
~~September 28~~

October 12  
~~October 26~~

November 2  
November 16  
November 30

December 14  
~~December 28~~

## Times and Locations

Regular Meetings

7:00 p.m. in the City Commission Chambers

Work Sessions

7:00 p.m. in the City Hall Community Room

Committee of the Whole

7:30 a.m. in the City Hall Community Room

Dates marked with an Asterisk (\*) indicate meetings scheduled for the day following a holiday.

A regular meeting of the Kalamazoo City Commission was held on Tuesday, January 2, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
David Anderson  
Mary Balkema  
Don Cooney\*  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Vice Mayor Bobby Hopewell

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Anderson, seconded by Commissioner Balkema, moved to excuse the absences of Vice Mayor Hopewell and Commissioner Cooney. With a voice vote, the motion passed.

Invocation

The invocation, given by Reverend Douglas Vernon, First United Methodist Church of Kalamazoo, was followed by the Pledge of Allegiance.

\*Commissioner Cooney arrived at 7:04 p.m.

Proclamation

**77272**

Mayor McKinney read a proclamation "Honoring Gerald R. Ford, 38<sup>th</sup> President of the United States of America: July 14, 1913 – December 26, 2006."

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

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

Citizen Comments

Next, an opportunity was given for citizen comments regarding non-agenda items, but no comments were offered

Consent Agenda

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

**77273**

- a recommendation to approve a one-year term contract for gasoline and diesel fuel with Knapp Energy, Inc. for use in City vehicles and equipment in an amount not to exceed \$660,600.

Resolution 07-01

**77274**

- a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to transfer a 2006 Class C-SDM liquor license with an official food permit from the M.L. Kreeger revocable trust to the successor trustee James V. Lunarde.

Resolution 07-02

**77275**

- a recommendation to adopt a **RESOLUTION** to set a public hearing on January 16, 2007 to consider the establishment of a PA 198 Industrial Development District around the perimeter of industrially-zoned property located at 3618 Gembrit Circle.

**77276**

- a recommendation to approve the minutes from the City Commission Committee of the Whole Meeting on December 15, 2006 and the Work Session on December 11, 2006.

**77277**

- a recommendation to offer for first reading an **ORDINANCE** to rezone the west 316 feet of 3308 S. Westnedge Avenue from Zone CO (Commercial, Office District) to Zone CC (Commercial, Community District) and schedule a public hearing for January 16, 2007.

**77278**

- hold until January 16, 2007 a recommendation to amend certain sections of Chapter 24 (24-1 D and E and 24-6 A, B and C) of the Kalamazoo Code of Ordinances so as to make it mandatory that pawnbrokers and second-hand dealers report transactions to Public Safety via the Internet rather than by paper forms.

Commissioner Balkema, seconded by Commissioner Miller, moved to approve the consent agenda requests.

With a roll call vote this motion passed.

AYES: Commissioners Anderson, Balkema, Cooney, McCann, Miller, Mayor McKinney

NAYS: None

Ordinance 1817  
Approving an  
Amendment to the  
Downtown TIF and  
Development Plan

**77279**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** amending the Restated Development Plan and Tax Increment Financing Plan (the "Plan") for the Downtown Development Authority of the City of Kalamazoo. The proposed ordinance will amend the Plan by extending its termination date to October 1, 2029.

Prior to a vote on the motion, Commissioner Cooney expressed support for the Downtown Development Authority (DDA).

Mayor McKinney stated approval of the TIF Plan Amendment signaled the City Commission's commitment to the DDA and downtown development.

With a roll call vote this motion passed.

AYES: Commissioners Anderson, Balkema, Cooney, McCann, Miller, Mayor McKinney

NAYS: None

City Clerk's Report  
**77280**

City Clerk Borling reported the following items:

- the lawsuit Kalamazoo Anesthesiology v Mark Reinhold, City of Kalamazoo & County of Kalamazoo was referred to the City Attorney's Office.
- the receipt of minutes from the following advisory boards and commissions:
  - Board of Review for Assessments
    - Tuesday, December 12, 2006
  - Community Relations Board
    - Tuesday, October 17, 2006
  - Dangerous Buildings Board
    - Thursday, October 5, 2006
  - Friends of Recreation Board
    - Tuesday, November 28, 2006
  - Housing Board of Appeals
    - Thursday, August 24, 2006
  - Kalamazoo Historic Preservation Commission
    - Tuesday, October 10, 2006
    - Tuesday, November 14, 2006
  - Parks and Recreation Advisory Board
    - Tuesday, December 05, 2006
  - Zoning Board of Appeals
    - Thursday, November 9, 2006

Citizen Comments

A final opportunity was given for citizen comments, but no comments were offered.

City Commissioner Comments

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

Commissioner Miller highlighted a recent article in the Kalamazoo Public Schools (KPS) newsletter *Excelsior* about murals painted in local schools by Deputy City Attorney Randy Schau. Commissioner Miller noted KPS was creating a task force on student discipline and stated applications for task force members were being received at the KPS Administration Building.

Commissioner Cooney reported he had taken part in a vigil to mark the death of the 3,000<sup>th</sup> American soldier in Iraq.

Adjournment

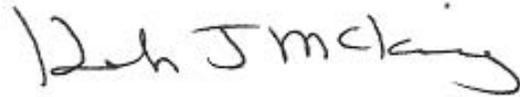
The meeting adjourned at 7:18 p.m.

Respectfully submitted,



Scott A. Borling  
City Clerk

For City Commission approval on January 16, 2007



Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: January 16, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, January 12, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Barbara Miller

COMMISSIONERS ABSENT: Mayor Hannah McKinney  
Sean McCann

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioners  
Excused

Commissioner Miller, seconded by Commissioner Anderson, moved to excuse the absences of Mayor McKinney and Commissioner McCann. With a voice vote, the motion passed.

Review of the  
January 16<sup>th</sup>  
Meeting Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Tuesday, January 16, 2007.

Item E-1

Regarding Item E-1, the establishment of an Industrial Development District at 3318 Gembrit Circle, Vice Mayor Hopewell inquired about the status of revisions to the City Commission's tax abatement policy.

City Manager Collard stated the proposed revisions to the tax abatement policy would be presented first to the Administrative Committee and then the entire Commission, although precise dates for these presentations had not been established.

Item G-2

Regarding Items G-2, G-3, and G-4, agreements with Indian Trails, Greyhound, and Amtrak for space and service at the Kalamazoo Transportation Center, Transportation Director Bill Schomisch presented background information regarding the agreements and reported the Michigan Department of Transportation (MDOT) would release \$1.9 million toward construction of the Center once the agreements were signed.

In response to a question from Vice Mayor Hopewell, Director Schomisch stated the City was not in danger of losing the \$1.9 million from MDOT if the busses discontinued service to and from the Transportation Center at some point in the future. Director Schomisch noted MDOT had reviewed and accepted the terms of the agreements.

By consensus, items G-2 and G-3 were moved from the Consent Agenda to the Regular Agenda.

Item G-6

Regarding Item G-6, authorization to proceed with the Public Safety Regional Training Center project, Commissioners asked questions about

funding for the project, other potential uses for the proposed site, and alternate locations that had been considered.

By consensus, Item G-6 was moved from the Consent Agenda to the Regular Agenda.

Discussion of  
Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues, but no issues were raised.

Citizen Comments

Finally, an opportunity was given for citizen comments, but no comments were offered.

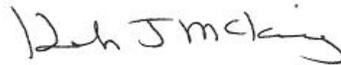
The meeting adjourned at 7:55 a.m.

Respectfully submitted,



Scott A. Borling  
City Clerk

For City Commission approval on January 29, 2007



Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: January 29, 2007

A regular meeting of the Kalamazoo City Commission was held on Tuesday, January 16, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Invocation

The invocation, given by Associate Minister Doreen Gardner, Mt. Zion Baptist Church, was followed by the Pledge of Allegiance.

Introduction of Guests

Mayor McKinney recognized the presence of former County Commissioner Eva Ozier.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

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

Public Hearing re:  
Establishment of  
an IDD at 3618  
Gembrit Circle

**77281**

At 7:05 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to establish a PA 198 Industrial Development District around the perimeter of industrially-zoned property located at 3618 Gembrit Circle.

At 7:06 p.m. Mayor McKinney closed the public hearing.

Resolution 07-03  
Establishing IDD  
District 121 at  
3618 Gembrit  
Circle

**77281**

Commissioner McCann, seconded by Commissioner Balkema, moved to adopt a **RESOLUTION** to establish a PA 198 Industrial Development District No. 121 around the perimeter of industrially-zoned property located at 3618 Gembrit Circle.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Public Hearing re:  
Rezoning of 3308  
South Westnedge  
Ave.

**77282**

At 7:07 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt an ORDINANCE to rezone the west 316 feet of 3308 S. Westnedge Avenue from Zone CO (Commercial, Office District) to Zone CC (Commercial, Community District).

Chuck Stott, non-resident, spoke in favor of the motion

At 7:08 p.m. Mayor McKinney closed the public hearing.

Ordinance 1818  
Rezoning 3308 S.  
Westnedge Ave.

**77282**

Commissioner Balkema, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** to rezone the west 316 feet of 3308 S. Westnedge Avenue from Zone CO (Commercial, Office District) to Zone CC (Commercial, Community District).

Prior to a vote on the motion, Commissioner Balkema and Mayor McKinney expressed support for the motion.

Citizen Comments

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

**77283**

Alan Loveridge, non-resident, spoke regarding the establishment of a non-profit Internet university. (Mr. Loveridge's written remarks were filed with the papers for this meeting.)

Eva Ozier, City resident, spoke regarding the 2007 Walk for Warmth.

Beth Lewis, City resident, spoke regarding her experience with identity theft.

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:

Resolution 07-04

**77284**

- a recommendation to adopt a **RESOLUTION** authorizing and directing the Historic Preservation Coordinator to file an application for a planning grant from the Michigan State Historic Preservation Office Certified Local Governments Grant Program in the amount of \$21,800 to be used to hire a consultant to prepare a Conditions Assessment Report for the State Hospital Water Tower; and, authorize the City Manager to sign all appropriate documents.

**77285**

- a recommendation to approve a Lease Agreement between the City of Kalamazoo and AMTRAK for space at the Kalamazoo Transportation Center, in accordance with a Deed Restriction for the property located at 459 North Burdick Street.

**77286**

- a recommendation to authorize the City Clerk to sign *Election Coordinating Committee Reports and Agreements* between the City of Kalamazoo, the Kalamazoo County Clerk, Kalamazoo Public Schools, Comstock Public Schools, Portage Public Schools, Parchment Public Schools, Kalamazoo Valley Community College, and Kalamazoo Regional Educational Service Agency to conduct elections for these school districts.

**77287**

- a recommendation to accept grants from the Kalamazoo Community Foundation (\$60,000) and the Bill and Jeannette Maxey Fund of the Kalamazoo Community Foundation (\$1,000) for the support of the Summer Youth Employment Program 2007, including authorization for the City Manager to sign all appropriate documents.

**77288**

- a recommendation to approve the City Commission minutes from the Regular Meetings on December 18, 2006 and January 2, 2007.

Commissioner Balkema, seconded by Vice Mayor Hopewell, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Regular Agenda

Regular Agenda

Agent Agreements with Indian Trails and Greyhound for Bus Service at the Kalamazoo Transportation Center

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to approve the following agreements:

**77289**

- an Agent Agreement between the City of Kalamazoo and Indian Trails, Incorporated, Owosso, Michigan, for both bus bay space and the use of Metro Transit staff as their ticket agent at the newly constructed Kalamazoo Transportation Center.

**77290**

- an Agent Agreement between the City of Kalamazoo and Greyhound Lines, Incorporated, Dallas, Texas, for both bus bay space and the use of Metro Transit staff as their ticket agent at the newly constructed Kalamazoo Transportation Center.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Presentation re: the Public Safety Regional Training Center Project

Public Safety Chief Dan Weston presented information regarding the construction of a Regional Public Safety Training Center. Discussion followed.

In response to questions from City Commissioners, Chief Weston presented the following information:

**77291**

- the City of Portage helped fund the feasibility study for a Public Safety training center in 2001 but preferred to pay for use of the facility on an on-going basis rather than contribute directly to the construction of the facility.

- currently Public Safety Officers received fire training at a fire simulator in Wyoming (MI), but this facility did not provide a live fire experience.
- the Training Center was intended to be a regional facility, and the ultimate goal was for the Center to be self-sustaining through the collection of user fees.
- the Training Center would be available to a number of different groups, including jurisdictions with on-call responders, students receiving initial fire training through Kalamazoo Valley Community College (KVCC), and Emergency Medical Service (EMS) providers.
- operating costs for the facility were not included in the FY2007 Budget or the Five Year Fiscal Plan, but it was anticipated the operating costs would be minimal and would be covered by users fees.
- Phase I of the project (fire training tower, agility course) would be complete and usable by late fall/early winter. Completion of additional phases would take place as funds became available.

Authorization for  
Public Safety to  
Proceed with the  
Regional Training  
Center Project

**77291**

Vice Mayor Hopewell, seconded by Commissioner Balkema, moved to authorize Public Safety to proceed with the Public Safety Regional Training Center project, accept all current and future donations for the project and authorize the City Manager or the Chief to sign all purchasing documents and agreements associated with the Public Safety Regional Training Center.

Prior to a vote on the motion, Roger Erikson, City resident, suggested an alternate site plan be developed that would allow the frontage on Nazareth Road to remain available for industrial uses and for access to the rest of the Schippers Crossing property. (A map submitted by Mr. Erikson was filed with the papers for this meeting.)

At the request of Commissioner McCann, Chief Weston responded to Mr. Erikson's suggestion and stated staff in the City's Economic Development and Business Assistance Office had been trying to market the property to developers and businesses for many years without success. Chief Weston speculated the property would have sold during this time if it were truly a desirable parcel for commercial, residential, or industrial uses.

Mayor McKinney commended Fire Chief Marty Myers for his enthusiasm and hard work to bring this project to fruition.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Ordinance 1819  
re: Pawnbrokers  
and Secondhand  
Dealers

**77292**

Commissioner Balkema, seconded by Commissioner McCann, moved to adopt an **ORDINANCE** to amend certain sections of Chapter 24 (24-1 D and E and 24-6 A, B and C) of the Kalamazoo Code of Ordinances so as to make it mandatory that pawnbrokers and second-hand dealers report transactions to Public Safety via the Internet rather than by paper forms.

Prior to a vote on this motion, Beth Lewis, City resident, questioned the practicality and purpose of having Pawnbrokers and Secondhand Dealers report sales transactions.

City Attorney Kirk clarified that the transactions to be reported were purchases by Pawnbrokers and Secondhand dealers, not sales.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Approval of the  
FY2007 Budget

Commissioner McCann, seconded by Vice Mayor Hopewell, moved to take the following actions to approve and adopt the City's Proposed FY2007 Budget, various fee schedules and component unit budgets:

Resolution 07-05

**77293**

- adopt a **RESOLUTION** for the annual appropriation for the year 2007, to set forth the number of mills to be levied, to approve an interim appropriation for the year 2008 and to establish policies for the administration of the budget.

**77294**

- approve the FY 2007 Proposed Brownfield Redevelopment Authority Budget.

**77295**

- approve the FY 2007 Proposed Economic Development Corporation Budget.

**77296**

- approve the FY 2007 Proposed Local Development Finance Authority Budget.

**77297**

- approve the FY 2007 Proposed Downtown Development Authority Budget and two-mill tax levy.

**77298**

- approve the FY 2007 Proposed Kalamazoo Historic Preservation Commission Budget.

**77299**

- approve the FY 2007 Proposed Kalamazoo Municipal Golf Association Budget and fees.

Resolution 07-06  
**77300**

- adopt a **RESOLUTION** to set the FY 2007 Parks and Recreation Fees.

Resolution 07-07  
**77301**

- adopt a **RESOLUTION** to set the FY 2007 Proposed Community Planning and Development Fees.

Resolution 07-08  
**77302**

- adopt a **RESOLUTION** to set the FY 2007 Special Event Fees.

Prior to a vote on the motion, Commissioner Balkema commended City staff for their excellent work on the FY2007 budget, and she noted the budget reduced the City's millage rate by two-tenths (0.2) of a mill.

Mayor McKinney noted few local governments prepared long-range budget plans, and she stated the FY2007 Budget was a breath of fresh air after several years of budget reductions and crisis budgeting.

With a roll call vote, the motion passed unanimously.

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

NAYS: None

City Manager Collard expressed appreciation to City staff and City Commissioners for their collaboration and hard work on the FY2007 Budget.

City Manager's Report

**77303**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated November/December 2006
- Year-end Legislative Update
- December 2006 Purchasing Report

City Manager Collard stated January 2, 2007 marked the 40<sup>th</sup> anniversary of the Metro Transit System.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Beth Lewis, City resident, spoke regarding her experience with identity theft.

Linda Wiley, City resident, thanked the City Commission for approving items on the Regular Agenda.

City Commissioner Comments

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

Commissioner Balkema noted it was Commissioner Cooney's wedding anniversary.

Commissioner Cooney remarked on the many celebrations of Martin Luther King, Jr. Day in the community and highlighted Dr. King's focus on economic justice in the last five years of his life.

Vice Mayor Hopewell noted the recent celebrations of Dr. King's life and offered remarks on the hard work necessary to realize Dr. King's dream.

Mayor McKinney reported she had accepted on behalf of Kalamazoo the Entrepreneurial City Award from Partners for Livable Communities. Mayor McKinney explained the City was honored with this award because of the Kalamazoo Promise.

Adjournment

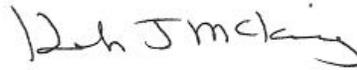
The meeting adjourned at 8:13 p.m.

Respectfully submitted,



Scott A. Borling  
City Clerk

For City Commission approval on January 29, 2007



Approved by: \_\_\_\_\_

Hannah J. McKinney, Mayor  
Dated: January 29, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, January 26, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
David Anderson\*  
Don Cooney  
Mary Balkema  
Sean McCann\*\*  
Barbara Miller

COMMISSIONERS ABSENT: Vice Mayor Bobby Hopewell

Also present were Deputy City Manager Jerri Barnett-Moore, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Miller, seconded by Commissioner Balkema, moved to excuse the absences of Vice Mayor Hopewell and Commissioners Anderson and McCann. With a voice vote, the motion passed.

Review of the January 29<sup>th</sup> Meeting Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, January 29, 2007.

Deputy City Manager Barnett-Moore noted Items G-3 (a resolution approving the Irish Festival as a late night event at the Arcadia Festival Site) and G-4 (an ordinance to increase the penalties for violations of the trash ordinance) would be removed from the agenda.

\*Commissioner Anderson arrived at 7:32.

\*\*Commissioner McCann arrived at 7:34.

In response to a question from Commissioner McCann, City Attorney Kirk stated the amendment to the trash ordinance was being removed from the agenda to allow his staff time to evaluate potential unintended consequences of the amendment.

Discussion of Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Mayor McKinney noted the successful installation of Reverend Dr. Zawdie Abiade as the new President of the Kalamazoo Metropolitan Branch of the National Association for the Advancement of Colored People (NAACP).

Citizen Comments

When given the opportunity to make comments, the following citizens addressed the City Commission regarding the Kalamazoo County Public Housing Commission's process for issuing housing vouchers:

Anna Smith, City resident  
Name not known, City resident  
Lon Shearer, non-resident  
Jonathan Braun, non-resident  
Max Conrad, City resident  
Michael Evans, City resident

In response to citizen concerns about the slow process for issuance of housing assistance vouchers, Commissioner Anderson, who was also the Chair of the Kalamazoo County Public Housing Commission, noted that the use of public dollars required accountability, and he explained that future funding for affordable housing programs in Kalamazoo County depended on the Public Housing Commission's ability to demonstrate the effectiveness of existing programs.

In response to a question from Commissioner Cooney, Commissioner Anderson stated the Public Housing Commission was negotiating agreements with the City and Kalamazoo County for the transfer of monies to the Local Housing Assistance Fund.

In response to citizen comments regarding the restrictive rules at the Kalamazoo Gospel Mission, Commissioner Balkema stated she would obtain copies of the Gospel Mission's rules and distribute them to City Commissioners.

Commissioner Anderson recognized the need for temporary shelter during the cold winter months but noted the purpose of the Public Housing Commission was to provide housing, not temporary shelter.

Adjournment

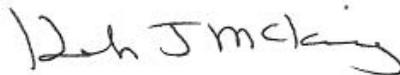
The meeting adjourned at 8:03 a.m.

Respectfully submitted,



Scott A. Borling  
City Clerk

For City Commission approval on February 19, 2007



Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: February 19, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, January 29, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Invocation

The invocation, given by Mr. Bill Smith Director of Juvenile, Justice Ministries, Kalamazoo Youth for Christ, was followed by the Pledge of Allegiance.

Proclamations

**77304**

Mayor McKinney proclaimed January 2007 "National Mentoring Month." Ms. Jodi Victor, Director of Marketing and Public Relations for Big Brothers Big Sisters, and Patrick Sweeney, a volunteer with Big Brothers Big Sisters, were present to receive the proclamation.

Adoption of the Agenda

By unanimous consent the City Commission adopted their meeting agenda as presented.

Communications

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

Citizen Comments

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

Matt Bartz, City resident, spoke regarding loud music coming from car stereos.

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:

**77305**

- a recommendation to approve a contract with Keystone Construction Management, Inc. for the construction of an additional pumping station building and installation of mechanical and electrical equipment to increase the water pressure entering the water system from existing Water Pumping Station #11, located at the intersection of Howard Street, Solon Street and Kendall Avenue in the amount of \$221,000.

**77306**

- a recommendation to approve a one-year contract for property and casualty insurance coverage from the Michigan Municipal Risk Management Authority at an annual premium of \$628,957.

**77307**

- a recommendation to approve the following appointments and re-appointments to advisory boards and commissions:
  - the reappointment of James Jackson, III to the Board of Review for Assessments for a three-year term expiring on March 31, 2010.
  - the reappointment of Ann Schwendener to the Board of Review for Assessments for a three-year term expiring on March 31, 2010.
  - the reappointment of Robert Totten to the Civil Service Board for a six-year term expiring on February 1, 2013.
  - the reappointment of Sidney Helmus to the Construction Board of Appeals for a three-year term expiring on March 31, 2010.
  - the appointment of Michael Mair to the Economic Development Corporation and the Brownfield Redevelopment Authority Board of Directors for a partial term expiring on March 31, 2008.
  - the appointment of Frederick Brown to the Economic Development Corporation and the Brownfield Redevelopment Authority Board of Directors for a partial term expiring on March 31, 2010.
  - the appointment of John Mackenzie to the Economic Development Corporation and the Brownfield Redevelopment Authority Board of Directors for a partial term expiring on March 31, 2011.
  - the reappointment of Myron Richardson to the Housing Board of Appeals for a three-year term expiring on January 1, 2010.
  - the reappointment of Andy Havice to the Kalamazoo Transit Authority Board of Directors for a three-year term expiring on December 31, 2010.
  - the reappointment of Garrylee McCormick to the Kalamazoo Transit Authority Board of Directors for a three-year term expiring on December 31, 2010.
  - the reappointment of Donna Treloar to the Kalamazoo Transit Authority Board of Directors for a three-year term expiring on December 31, 2010.

**77308**

- a recommendation to approve the minutes from the following City Commission meetings: the Committee of the Whole Meeting of January 12, 2007; the Special Meeting of December 18, 2006; and the Regular Meeting of January 16, 2007.

- 77309** - a recommendation to hold until February 5, 2007 a recommendation to authorize the City Manager to sign a contract of Purchase and Sale with the Norfolk Southern Railroad for the acquisition of the abandoned South Haven Branch of the Michigan Central Railroad.
- 77310** - a recommendation to hold until February 5, 2007 a recommendation to approve the sale of a city-owned home located at 1323 Jackson Street for \$64,000.
- Vice Mayor Hopewell, seconded by Commissioner McCann, moved to approve the consent agenda requests.
- With a roll call vote this motion passed unanimously.
- AYES: Commissioners Anderson, Balkema, Cooney, McCann, Miller, Vice Mayor Hopewell, Mayor McKinney
- NAYS: None
- Citizen Comments A final opportunity was given for citizen comments, but no comments were offered.
- City Commissioner Comments Next, an opportunity was given for miscellaneous comments and concerns of City Commissioners.
- Commissioner McCann commended Commissioner Miller for her hard work on an application to the national organization America's Promise that resulted in Kalamazoo being named among the "100 Best Communities for Young People."
- Commissioner Miller recognized various individuals and community organizations that contributed to the "100 Best Communities for Young People" application.
- 77311** Commissioner Balkema noted January 22<sup>nd</sup> marked the anniversary of the United State's Supreme Court's decision in the case Roe v Wade. Commissioner Balkema distributed copies of the rules and regulations governing the operation of the Kalamazoo Gospel Mission.
- Commissioner Cooney reported he was one of 170 people who traveled to Washington D.C. over the weekend to protest the war in Iraq. Commissioner Cooney referenced an article in the New York Times by Bob Herbert regarding the protest and the survival of the democratic process.
- Vice Mayor Hopewell reported he had attended the National League of Cities Leadership Institute in Santa Monica, California where the topic was public/private partnerships. Vice Mayor Hopewell noted participants in the Institute had remarked on Kalamazoo's successes, including the "100 Best Communities for Young People" designation and the Kalamazoo Promise.

Mayor McKinney congratulated Commissioner Miller for the success of the "100 Best Communities for Young People" application and remarked on the hard work necessary to compile information from multiple sources in order to complete the application.

Adjournment

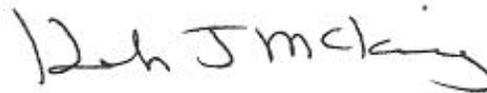
The meeting adjourned at 7:23 p.m.

Respectfully submitted,



Scott A. Borling  
City Clerk

For City Commission approval on February 19, 2007



Approved by:

Hannah J. McKinney, Mayor  
Dated: February 19, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, February 2, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT:

Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell\*\*\*  
David Anderson  
Don Cooney\*  
Mary Balkema  
Sean McCann\*\*  
Barbara Miller

COMMISSIONERS ABSENT:

None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Balkema, seconded by Commissioner Anderson, moved to excuse the absences of Vice Mayor Hopewell and Commissioners Cooney and McCann. With a voice vote, the motion passed.

Review of the February 5<sup>th</sup> Meeting Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, February 5, 2007.

\*Commissioner Cooney arrived at 7:31 a.m.  
\*\*Commissioner McCann arrived at 7:32 a.m.  
\*\*\*Vice Mayor Hopewell arrived at 7:33 a.m.

Discussion of Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Mayor McKinney noted the traditional State of the City Address would be delivered to the Kalamazoo Rotary on Monday, February 12<sup>th</sup> at 12:00 p.m. Mayor McKinney reported both she and City Manager Collard would deliver this Address, which would focus on the Five-Year Fiscal Plan. Mayor McKinney also noted she would deliver a State of the City Address for the community on February 12<sup>th</sup> at 6:00 p.m. in the Commission Chamber at City Hall.

By consensus the Committee of the Whole requested that an announcement be added to the February 5<sup>th</sup> meeting agenda regarding the State of the City Addresses.

Citizen Comments

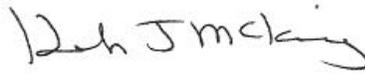
An opportunity was given for citizen comments, but no comments were offered.

The meeting adjourned at 7:45 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on February 19, 2007



Approved by: \_\_\_\_\_

Hannah J. McKinney, Mayor

Dated: February 19, 2007



Consent Agenda  
(cont'd)

- 77315** - a recommendation to approve a two-year contract extension with Republic Waste Services of Western Michigan for weekly curbside, multi-unit residential, drop-off recycling collection, and Packer truck rental in the amount of \$1,169,627.09.
- 77316** - a recommendation to approve a two-year contract extension with Best Way Disposal for the monthly collection of residential bulk trash in the amount of \$702,540.
- 77317** - a recommendation to approve a contract with Hoffman Brothers Construction Company for the paving of Fairfield from Portage to the east end and the reconstruction of the intersection of Portage and Fairfield in the amount of \$762,132.29.
- Resolution 07-10  
**77318** - a recommendation to adopt a **RESOLUTION** recognizing Ministry with Community as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.
- Resolution 07-09  
**77319** - a recommendation to adopt a **RESOLUTION** of Intent to apply for annual financial operating assistance from the State of Michigan Department of Transportation for FY2008.
- 77320** - a recommendation to offer for first reading an ORDINANCE to rezone 214 South Sage Street from Zone RS-5 (Residential, Single-Dwelling District) to Zone CO (Commercial, Office District), and schedule a public hearing on the request for February 19, 2007.
- 77321** - a recommendation to accept funding from Kalamazoo Communities in Schools for programming at Spring Valley Center for Exploration in the amount of \$5,570 to fund enrichment activities after school.
- 77322** - a recommendation to accept a grant from Kalamazoo County Health and Human Services Department for the 2007 Kalamazoo Steps Up Project to fund additional improvements at Southside Park in the amount of \$9,000.
- 77323** - a recommendation to authorize the City Manager to sign a contract of Purchase and Sale with the Norfolk Southern Railroad for the acquisition of the abandoned South Haven Branch of the Michigan Central Railroad.
- 77324** - a recommendation to approve the sale of a city-owned home located at 1323 Jackson Street for \$64,000.

Commissioner Miller, seconded by Commissioner Balkema, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

City Clerk's Report  
**77325**

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

NAYS: None

City Clerk Borling reported the following items:

- the receipt of minutes from the following advisory boards and commissions:
  - Community Development Act Advisory Committee
    - Thursday, October 12, 2006
    - Thursday, November 09, 2006
  - Community Relations Board
    - Thursday, November 09, 2006
  - Employee Retirement System Board of Trustees
    - Wednesday, November 29, 2006
  - Environmental Concerns Committee
    - Wednesday, November 15, 2006
    - Wednesday, December 20, 2006
  - Friends of Recreation Board
    - Tuesday, December 12, 2006
  - Housing Board of Appeals
    - Thursday, October 26, 2006
  - Kalamazoo Historic District Commission
    - Tuesday, September 19, 2006
    - Tuesday, October 17, 2006
    - Tuesday, November 21, 2006
  - Planning Commission
    - Thursday, October 05, 2006
    - Thursday, November 02, 2006

Citizen Comments

A final opportunity was given for citizen comments, but no comments were offered.

City Commissioner  
Comments

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

Commissioner McCann congratulated Parks and Recreation Director France Jewell on being named the "Woman of the Year" by the Western Michigan University Alumni's "W" Club. Commissioner McCann reported Phyllis Marsh would be stepping down as the West Main Hill Neighborhood Watch Coordinator.

Commissioner Balkema thanked Phyllis Marsh for her years of service to the community and the West Main Hill Neighborhood.

Commissioner Cooney commended Kalamazoo Public Schools Superintendent Janice Brown for representing the Kalamazoo community well on a recent CBS Evening News story about the Kalamazoo Promise. Commissioner Cooney thanked Bob Rowe for serving the community and congratulated him on receiving the Mother Teresa Award. Commissioner Cooney expressed disappointment at the ruling of the Michigan Court of Appeals regarding the provision of benefits for same-sex partners of public employees.

Vice Mayor Hopewell offered remarks about the Kalamazoo Promise and expressed disappointment at the ruling of the Michigan Court of Appeals regarding the provision of benefits for same-sex partners of public employees. Vice Mayor Hopewell congratulated City Manager Collard for acquiring the land to extend the Non-motorized Trailway from Downtown Kalamazoo to the Kal-Haven Trail.

Mayor McKinney offered congratulations and well wishes to Phyllis Marsh on her retirement as the West Main Hill Neighborhood Watch Coordinator.

Adjournment

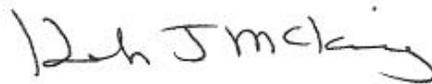
The meeting adjourned at 7:40 p.m.

Respectfully submitted,



Scott A. Borling  
City Clerk

For City Commission approval on February 19, 2007



Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: February 19, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, February 16, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney\*  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Mary Balkema

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Miller, seconded by Commissioner Anderson, moved to excuse the absences of Commissioner Balkema and Commissioner Cooney. With a voice vote, the motion passed.

City Manager Collard offered remarks on the State of the City Addresses given on Monday, February 12<sup>th</sup>.

\*Commissioner Cooney arrived at 7:32 a.m.

Review of the February 17<sup>th</sup> Meeting Agenda

The City Commission reviewed the agenda for its Special Joint Meeting with the Portage City Council on Saturday, February 17, 2007.

Mayor McKinney requested that City staff review the City Charter and City Commission Rules to determine whether the City Manager, City Clerk and City Attorney could be excused from attending City Commission meetings such as the Special Meeting on February 19<sup>th</sup>, where a quorum of the Commission would be present but no business would be conducted.

Review of the February 19<sup>th</sup> Meeting Agendas

The City Commission reviewed the agenda for its Special Meeting on Monday, February 19, 2007

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, February 19, 2007.

Item G-4

Regarding Item G-4, Project Safe Neighborhoods Grant, City Manager Collard distributed a new Agenda Report.

Item G-4

Regarding Item G-5, Amendments Section to the Garbage and Trash Ordinance, the Committee of the Whole requested this item be moved to the Regular Agenda for discussion.

In response to a request from Vice Mayor Hopewell, Chief Weston provided details about the Project Safe Neighborhoods Grant (Item G-2) and the Support Emergency Operations Plan (Item G-3).

Discussion of  
Community Issues

Discussion took place regarding public awareness of the City's disaster preparedness plan and the communication of this plan to citizens.

City Manager Collard reported the City Commission would receive a communication regarding Eastern Hills Golf Course within the following week.

Next, an opportunity was given for City Commissioners to discuss community issues.

Mayor McKinney reported the StoryCorps mobile recording unit would be in Kalamazoo from April 5-28 to record oral histories from citizens.

Deputy Public Services Director Bob Wass more fully described the StoryCorps Project and stated the project directors were working with City staff to identify a suitable City park in which to place the mobile recording studio.

Commissioner Miller requested that Deputy Public Services Director Wass give a brief presentation on the StoryCorps project at the February 19<sup>th</sup> Regular Meeting.

Commissioner Miller noted the City had received its America's Promise Award, and stated the award would be placed in the City Manager's Conference Room.

Citizen Comments

An opportunity was given for citizen comments, but no comments were offered.

Adjournment

The meeting adjourned at 8:05 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on March 19, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
March 19, 2007

A special joint meeting of the Kalamazoo City Commission and Portage City Council was held on Saturday, February 17, 2007 at 10:35 a.m. at the Portage District Library, 300 Library Lane in the City of Portage.

Attendance

Commissioners present and absent for the Kalamazoo City Commission:

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby J. Hopewell  
Mary Balkema  
Don Cooney  
Barbara Miller

COMMISSIONERS ABSENT: David Anderson  
Sean McCann

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

Council Members present and absent for the Portage City Council:

COUNCIL MEMBERS PRESENT: Mayor Peter J. Strazdas  
Margaret E. O'Brien  
Claudette S. Reid  
Edward J. Sackley  
Terry R. Urban

COUNCIL MEMBERS ABSENT: Mayor Pro Tem Ted W. Vlieg  
Larry B. DeShazor

Also present was City Clerk James R. Hudson.

Introductory Remarks

Babbette Smith, Vice Chair of the Portage District Library Board, Kalamazoo Public Library Director Ann Rohrbaugh, and Marsha Meyer, Adult Services Librarian at the Portage District Library, gave introductory remarks on the 2007 Reading Together program.

Discussion of the 2007 Reading Together Book

Council Members and Commissioners participated in a discussion of the 2007 Reading Together book The Curious Incident of the Dog in the Night-Time by Mark Haddon. Dr. Bruce Mills, Professor of English at Kalamazoo College, facilitated the discussion.

The meeting recessed at 11:35 a.m.

When the meeting resumed at 11:50 a.m., citizens were invited to join Commissioners and Council Members in continued discussion of The Curious Incident of the Dog in the Night-Time.

(Commissioner Miller and Council Member O'Brien did not return after the recess.)

Adjournment

The meeting adjourned at 12:05 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on March 19, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney  
Dated: March 19, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, February 19, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Student Organization Communications

Communications from student organization were received next.

Representatives of the following student organizations were present:

Kalamazoo College Student Commission

Erin Mazzoni, President  
Kyle Sletke, Campus Community

Western Michigan University (WMU) Student Association

Amanda Groves, President  
Chris Praedel, Spirit & Allocations Committees

Kalamazoo College Student Association.

The Kalamazoo College Student Commission representatives:

- reported the Student Commission recently sponsored a campus forum, at which the following issues were discussed: the renovation of Hicks Student Center; the results of a student survey regarding campus life; athletics programs and facilities; security on campus; Campus Commissioner reports; and ways to get students off-campus and involved in the community.
- described the "Hot Spot Shuttles" program, which took students to popular shopping and entertainment venues in the community.
- reported Dr. Sarah Westfall was the new Vice President for Student Development and Dean of Students and stated K-College was looking for a new Director of Student Activities.
- described renovation plans for the Hicks Student Center.
- stated graduation would take place on Sunday, June 10<sup>th</sup>, rather than Saturday, June 9<sup>th</sup>.

In response to Commissioner Anderson, Ms. Mazzoni stated the Hicks renovation would meet the standards for the silver level of LEED certification.

In response to Commissioner Anderson, Mr. Sletke explained most senior students lived off campus after having spent their junior year studying abroad.

In response to a question from Vice Mayor Hopewell, Mr. Sletke indicated a recent survey identified lack of parking as a significant issue for students. As an example of how parking issues affected students, Ms. Mazzoni explained there was a physical conditioning class that met at 5:00 a.m., and students in the class received parking tickets on a regular basis because their cars were on the street before 6:00 a.m.

In response to a question from Vice Mayor Hopewell about enticing students to stay in Kalamazoo after graduation, Ms. Mazzoni suggested WMU recruit students at K-College for graduate programs and indicated linkages to the Kalamazoo community were being created between students and local alumni through externships and shadowing programs.

In response to Commissioner McCann, Ms. Mazzoni stated the Building Blocks program was well known on campus and stated there was a high level of student interest and involvement in the program.

Vice Mayor Hopewell expressed appreciation for K-College students who volunteered at Woodward School.

WMU Student  
Association

The WMU Student Association representatives:

- described a current project designed to increase school spirit and pride in the University.
- reported open hours at the Waldo Library had been extended to 3:00 a.m., and the Bernhard Center was now open 24 hours per day.
- stated the Association had sponsored forums for state representative candidates from 60<sup>th</sup> and 61<sup>st</sup> Districts prior to the gubernatorial election in November
- reported the Association had recently sponsored a forum with the Kalamazoo Department of Public Safety regarding community relations and campus safety.
- reported the Association had begun a “come and see your Bronco” marketing campaign to encourage parents of students to visit Kalamazoo.
- thanked the City for hanging WMU flags on utility poles throughout the community.

- noted over 700 local businesses provided student discounts but indicated most students didn't know which businesses offered the discounts or where those businesses were located.
- stated many students did not venture downtown because they did not know where to park.
- suggested that downtown businesses validate student parking at parking ramps.
- remarked that the City needed to do a better job of advertising the downtown as a hub or hot spot for college students and suggested that the City use websites such as facebook.com and myspace.com to communicate with students, especially about downtown attractions and events.
- stated a trolley system or tram that traveled between campus and the downtown area into the early morning hours would encourage student patronage of downtown businesses.
- stated more events were needed to introduce new students to downtown Kalamazoo and suggested an event similar to Bronco Bash be held at Bronson Park or the Arcadia Festival Site.
- indicated relationships between landlords and student tenants were not good and stated students did not feel respected by landlords.
- expressed concern about reports that the Public Safety Department was targeting Drive Safe Kalamazoo (DSK) cars to issue tickets for alcohol related violations to students. Mr. Praedel stated this practice was discouraging students from using DSK.
- reported there was a perception among students in fraternities and sororities that the Public Safety Department was targeting them for enforcement activities.

Commissioner Cooney suggested WMU students become involved with organizations like Communities in Schools and Big Brothers, Big Sisters to help promote the Kalamazoo Promise.

Mr. Praedel suggested that community organization contact with campus service groups and service-oriented residents halls to communicate volunteer opportunities.

In response to question from Commissioner Balkema, Public Safety Chief Dan Weston stated the Public Safety Department understood the value of safe ride programs and did not target them for alcohol related violations, but he noted other law enforcement agencies did not share his view of such programs.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

Vice Mayor Hopewell thanked City staff for inviting student organizations to meet with the Commission.

The meeting adjourned at 6:42 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on March 19, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: March 19, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, February 19, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema\*  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Vice Mayor Hopewell, seconded by Commissioner Anderson, moved to excuse the absence of Commissioner Balkema.

Invocation

The invocation, given by Reverend Rick Branaman, Christian Church in Kalamazoo, was followed by the Pledge of Allegiance.

\*Commissioner Balkema arrived at 7:02 p.m.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

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

Public Hearing re:  
the Rezoning of  
214 S. Sage Street

At 7:06 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt an ordinance to rezone 214 South Sage Street from Zone RS-5 (Residential, Single-Dwelling District) to Zone CO (Commercial, Office District).

**77326**

Pete Mohazzabi, City resident, expressed concern about traffic issues and the potential development of student housing on the property.

Chris Joswiak, City resident, expressed concern about increased traffic as a result of the proposed rezoning. Mr. Joswiak requested that a traffic study be completed prior to approving the rezoning request.

At 7:11 p.m. Mayor McKinney closed the public hearing.

Ordinance 1820  
Rezoning 214 S.  
Sage St.

Commissioner Anderson, seconded by Commissioner McCann, moved to adopt an **ORDINANCE** to rezone 214 South Sage Street from Zone RS-5 (Residential, Single-Dwelling District) to Zone CO (Commercial, Office District).

**77327**

Prior to a vote on the motion, Commissioner Cooney requested that City staff address the traffic issues related to the rezoning request.

City Planner Keith Hernandez indicated the Traffic Engineer would address traffic issues associated with specific uses of the property during the site plan review process. City Planner Hernandez stated the property owner had not submitted a site plan or development plan as part of the rezoning request, but the Commercial, Office District Zone would require the land to be used primarily for office space.

Vice Mayor Hopewell questioned why there was no light at the intersection of West Main Street and Sage Street, and he asked if there were recommendations for this intersection in the West Side Plan.

Jeff Chamberlain provided an overview of the traffic issues on Stonebrook Avenue and Sage Street and stated the Michigan Department of Transportation (MDOT) would not allow a traffic light to be installed at the Sage Street/West Main Street intersection due to the proximity of an existing traffic signal at the Picadilly Road/West Main Street intersection.

In response to a question from Commissioner Balkema, Community Planning and Development Director Chamberlain stated traffic volume at the West Main/Drake intersection would not be reduced with the construction of a through street between Drake Road and Kendall Avenue.

City Manager Collard noted it had not yet been determined whether a through street would be constructed between Drake Road and Kendall Avenue.

Commissioner Miller requested that the public hearing be reopened as she had told a citizen the wrong time for the hearing, and the citizen was now present.

Public Hearing  
Reopened

At 7:21 p.m. Mayor McKinney reopened the public hearing.

Tony Good, City resident, offered remarks on the high traffic volume and vehicle speeds on Stonebrook Avenue and Sage Street.

At 7:24 p.m. Mayor McKinney closed the public hearing.

With a roll call vote the motion to adopt the rezoning ordinance passed unanimously.

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

NAYS: None

Citizen Comments

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

**77328**

Sister Betsy Meagher, Non-resident, distributed information regarding the International Women’s Day events sponsored by the Sisters of Saint Joseph and noted Mayor McKinney would be the keynote speaker at one of the events.

Rotouel McCurtis, City resident, spoke regarding concerns with Kalamazoo Public Schools transportation system and requested that an ordinance be adopted to prohibit bus drivers from leaving students at bus stops when a parent was not present.

## 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:

## Resolution 07-11

77329

- a recommendation to adopt a **RESOLUTION** setting the Program Year 2007 Community Development Block Grant and HOME fund public hearing for March 5, 2007.

77330

- a recommendation to approve the Support Emergency Operations Plan for the City of Kalamazoo and authorize the City Manager or his designee to sign the operations plan.

## Resolution 07-12

77331

- a recommendation to adopt a **RESOLUTION** appointing Patsy Moore, Acting Management & Budget Services Director and Chief Financial Officer, as Hearing Officer and authorizing the City Clerk to send hearing notices to establishments in the City of Kalamazoo holding liquor licenses who have past due real and/or personal property taxes.

77332

- a recommendation to accept the Project Safe Neighborhoods grant award of \$29,000 for the purpose of educating youth on gun violence and targeted enforcement in neighborhoods with high incidences of gun violence.

77333

- a recommendation to approve the following re-appointments to advisory boards and commissions:

- re-appointment of **Chuck Elliott** as a member of the Employees' Retirement System Investment Committee and the Perpetual Care Investment Committee for a term expiring on March 31, 2010.

- re-appointment of **Jan Van Der Kley** as a member of the Employees' Retirement System Investment Committee and the Perpetual Care Investment Committee for a term expiring on March 31, 2010.

77334

- a recommendation to approve the minutes from the following City Commission meetings: the Committee of the Whole Meetings of January 26 and February 2, 2007; and the Regular Meetings of January 29 and February 5, 2007.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

Regular Agenda

Regular Agenda Items were considered next.

First Reading of an Ordinance re: Trash Collection

Commissioner McCann offered for first reading an ORDINANCE to amend certain sections within Chapter 15A of the Kalamazoo City Code, primarily to re-number Section 15A-3 to 15A-20A to re-designate that section, which governs rubbish collection companies, from Article 1 to Article II, thereby making violations a criminal misdemeanor rather than subject to the lesser fines found in Section 15A-6 (first offense \$25, second offense \$50, etc.).

**77335**

Commissioner Balkema questioned why the proposed ordinance was brought forward when the number of violations per year was relatively small, and she objected to the large increase in fines for violations.

City Attorney Kirk explained the number of violations prosecuted did not represent the significant number of complaints received about trash haulers who were picking up before 6:00 a.m. City Attorney Kirk noted the ordinance would not impose a \$500 fine for violators but a fine of "up to \$500."

Deputy City Attorney Randy Schau stated the increase in fines would bring Chapter 15A in line with provisions of other chapters in the Code of Ordinances, which treated violations as criminal misdemeanors.

Commissioner Balkema expressed opposition to the proposed ordinance and stated the City needed to maintain good relationships with trash hauling companies, which provided bulk trash and recycling services for residents.

Commissioner McCann expressed support for the proposed ordinance and stated early morning trash pick-up was a quality of life issue, and the City needed to have a tool at its disposal for dealing with companies that violated the law.

City Manager's Report

City Manager Collard provided the following reports and updates:

**77336**

- Departmental Reports and Project Updates
- CITYLink newsletter dated January 2007
- 4<sup>th</sup> Quarter 2006 Citizens' Public Safety Concerns Report
- Interim Financial Report for period ending November 30, 2006
- January 2007 Purchasing Report

Kalamazoo County Transportation Authority 2006 Annual Report

Richard Atwell, Chair of the Kalamazoo County Transportation Authority (KCTA) and Linda Teeter, Vice Chair of the Authority, delivered the 2006 KCTA Annual Report. Mr. Atwell reported the KCTA board had voted to return \$13,500 in unused support to the City and Kalamazoo County. Mr. Atwell stated the passage of a countywide public transit millage in November resulted in a revenue stream and a \$3.2 million budget, which would allow KCTA to contract with the City for Metro Transit services.

Ms. Teeter reported the KCTA would be adding two new bus routes in Portage with a targeted start date of April 1<sup>st</sup>. Ms. Teeter described the series of surveys, listening sessions and meetings that were used to determine the needs of citizens, businesses and community organizations relative to the new bus routes. Ms. Teeter thanked City Manager Collard for bringing various interest groups together to talk about the community's transportation needs.

In response to questions from Commissioner Miller, Mr. Atwell explained a diagram showing the areas of Portage to be serviced by the new bus routes.

Commissioner Balkema thanked Mr. Atwell and the KCTA board members for their hard work.

Mayor McKinney stated the KCTA's efforts represented serious intergovernmental cooperation that would benefit the community at large.

Presentation on  
the StoryCorps  
Project

**77337**

Deputy Public Service Director Bob Wass and Gordon Bolar, Development Director for WMUK, delivered a presentation regarding the StoryCorps oral history project, which would visit the City of Kalamazoo from April 5-29, 2007. Deputy Public Services Director Wass explained that interviews recorded by StoryCorps would be deposited in the American Folklore Center at the Library of Congress. Mr. Bolar played an excerpt from a StoryCorps interview. Information on the StoryCorps project was filed with the papers for this meeting.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Robert Totten, City resident, expressed concern that City snowplows were not clearing the new bike lanes on West Michigan Avenue. Mr. Totten also noted that the widening of this road and the corresponding narrowing of the curb lawns was causing snow from the plows to be thrown directly onto the sidewalks.

City Commissioner  
Comments

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

Commissioner Balkema wished the Chinese Association of Greater Kalamazoo, "Happy New Year," and noted the successful Walk for Warmth event and State of the Downtown Address.

Commissioner Cooney remarked on the recent discussion of the book *The Curious Incident of the Dog in the Night* between members of the Portage City Council and Kalamazoo City Commission.

Vice Mayor Hopewell invited citizens to attend a Black History program on February 25<sup>th</sup> at Second Baptist Church and noted that Commissioner Miller would be a panelist at the Fifth Annual West Michigan Alliance Program for the International Council of Shopping Centers.

Mayor McKinney reported the US Conference of Mayors had developed a local climate protection accord, which had been signed by 402 cities. Mayor McKinney stated she would like the City to sign the accord and asked Commissioner Anderson and the Environmental Concerns Committee (ECC) to review the accord and answer the following questions: What is the City doing today that is in harmony with the accord? Are there reasonable steps to take to strengthen what we are doing in the area of climate protection? Mayor McKinney requested that the ECC answer these questions and submit a recommendation regarding the City's participation in the local climate protection agreement within two months.

Adjournment

The meeting adjourned at 8:34 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on March 19, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: March 19, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, March 2, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Review of the  
March 5<sup>th</sup> Meeting  
Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, March 5, 2007.

Item G-2

Regarding Item G-2, Personal Property Audit Program, Commissioners questioned City Assessor Connie Darling about the program and the audit process.

Mayor McKinney and Commissioner Balkema expressed concern that the audit program was creating an adversarial relationship between the City and local businesses. Discussion followed.

Commissioner Cooney requested this item be moved the Regular Agenda.

Item G-10

Regarding Item G-10, amendments to the historic district ordinance, Vice Mayor Hopewell requested that this item be moved to the Regular Agenda. Commissioner McCann and Mayor McKinney requested that the elements of the proposed ordinance be listed separately on the agenda.

Mayor McKinney noted she lived in the West Main Hill Neighborhood and stated her neighbors were not aware of the proposed ordinance and the restrictions that would be placed on property owners if an historic district were established. Discussion took place regarding the opportunities for public education and public input during the historic district study process.

**77338**

Historic Preservation Coordinator Sharon Ferraro announced that on Tuesday, March 13<sup>th</sup> property owners in the proposed historic district would have an additional opportunity to ask questions and make comments on the historic district ordinance. Historic Preservation Coordinator Ferraro distributed a copy of the letter that would be sent to property owners notifying them of this opportunity.

In response to a question from Vice Mayor Hopewell, City Attorney Kirk stated no conflict of interest existed due to the fact that Vice Mayor Hopewell and Commissioners Anderson and McCann lived in historic districts. City Attorney Kirk stated he would need to consider whether a

conflict of interest existed with the Mayor because she lived within the proposed West Main Hill Historic District.

Commissioner Miller left the meeting at 8:01 a.m. and did not return.

Item I-2a

Regarding Item I-2a, Eastern Hills Update, City Manager Collard stated he would be requesting assistance from three Commissioners to review and validate the Kalamazoo Municipal Golf Association's (KMGA) new business plan.

Item K-1

Regarding Item K-1, Racial Equity Subcommittee Report, Mayor McKinney requested that the agenda include the subcommittee's recommended actions.

Discussion of  
Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues, but no issues were discussed.

Citizen Comments

An opportunity was given for citizen comments, but no comments were offered.

Adjournment

The meeting adjourned at 8:53 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on March 19, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
March 19, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, March 5, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: David Anderson

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to excuse the absence of Commissioner Anderson. With a voice vote, the motion passed.

Invocation

The invocation, given by Pastor Daniel Ferraz, Seventh-Day Adventist Church, was followed by the Pledge of Allegiance.

Adoption of the Agenda

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

Commissioner Balkema requested that Item G-7, allocation of City Commission Funds, 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.

Report re: CDBG  
PY2007-2008  
Funding

**77339**

Charles Koss, Chair of the Community Development Act Advisory Committee (CDAAC), provided an overview of the recommended Community Development Block Grant (CDBG) and HOME Investment Partnership allocations. Mr. Koss thanked CDAAC members for their diligent efforts, and he thanked City staff and the City Commission for supporting the work of the Committee.

Commissioner Balkema thanked CDAAC members for their work.

Commissioner Cooney stated he was impressed by the CDAAC members and Neighborhood Development Manager David Thomas. Commissioner Cooney noted that CDBG funding levels were less than 50% of the amounts requested.

Mr. Koss stated the CDBG funds available for PY 2007-2008 were 5% less than the funds available in PY2006-2007.

Public Hearing re:  
CDBG PY2007-  
2008 Funding  
Recommendations

**77339**

At 7:20 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to approve the recommendations of the Community Development Act Advisory Committee and the City Administration for funding of various local agencies which provide housing and housing-related public service for the benefit of Kalamazoo residents through the federal Community Development Block Grant for the 2007 program year; and, authorize the City Manager to sign and submit all appropriate documents.

Annie Morgan of Senior Services, Inc. spoke regarding the services provided by Senior Services and thanked the City for

Jenny Shoub, City resident and Executive Director of the Kalamazoo YWCA, highlighted the services provided through the domestic violence programs and thanked CDAAC and the City Commission for continued support of the YWCA.

Tim Lemanski, City resident and CEO of Kalamazoo Neighborhood Housing Services (KNHS), thanked the City Commission for its continued support of KNHS.

Bob Ells, Executive Director of Fair Housing Center of Southwest Michigan, thanked CDAAC and the City Commission for their support and reviewed the Center's activities for the past year.

Fiorella Spalvieri, non-resident and Executive Director of My Own Home, described the services provided by My Own Home and thanked CDAAC for its funding recommendation.

Gail (last name not given), City resident, spoke about the Ramp Up program sponsored by the Disabilities Resource Center.

At 7:30 p.m. Mayor McKinney closed the public hearing.

Approval of CDBG  
PY2007-2008  
Funding  
Recommendations

**77339**

Commissioner McCann, seconded by Commissioner Balkema, moved to approve the recommendations of the Community Development Act Advisory Committee and the City Administration for funding of various local agencies which provide housing and housing-related public service for the benefit of Kalamazoo residents through the federal Community Development Block Grant for the 2007 program year; and, authorize the City Manager to sign and submit all appropriate documents.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

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

Monica Westover, City resident, spoke about on-going concerns with the Public Safety Department and the Oakwood Neighborhood Association.

Beth Lewis, City resident, expressed concern about the number of downtown businesses that served alcohol.

Asha Khazad, City resident, spoke regarding the discipline of children the black community.

Joseph L. Anderson, City resident, spoke regarding the need to discipline all children, regardless of race and socio-economic status.

Mattie Jordan-Woods, City resident, expressed concern about the practice of attaching the behavior of individuals to an entire race or group of people as a characteristic of that group.

Jenny Shoub, City resident, stated comments like those made by Mr. Khazad inflamed racial tensions and requested that the City Commission place limits on the types of speech allowed during citizen comment periods.

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:

**77340**

- a recommendation to approve the purchase of fifteen new Ford Crown Victoria police vehicles, one Ford Escape, and one Grand Cherokee from Signature Ford in the amount of \$346,954; and, one Chevrolet Tahoe and one Trailblazer from Shaheen Chevrolet in the amount of \$53,510.

Resolution 07-13

**77341**

- a recommendation to adopt a **RESOLUTION** appointing NaDean Nardielle and Roger Lepley as additional directors to the Economic Development Corporation and scheduling a public hearing for April 2, 2007 on the proposed amendment to the project plan, which was initiated by Heritage Community of Kalamazoo and approved by the City Commission on July 6, 2004.

Resolution 07-14

**77342**

- a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to add a new outdoor service area and new bar permit to be held in connection with a pending Class C-SDM Liquor License with a Dance and Entertainment permit for SkyBar Inc. (Wild Bull Steak Pit & Saloon) at 139 South Edwards.

**77343**

- a recommendation to authorize the City Manager to sign a two-year lease with the Board of Trustees of Western Michigan University for the development of a biodiesel production facility at the Kalamazoo Water Reclamation Plant.

**77344**

- a recommendation to authorize the Public Safety Chief to sign on behalf of the City updated Intergovernmental Fire Protection Automatic Initial Aid Response Agreements with Comstock Township, Township of Kalamazoo and the Township of Oshtemo and to authorize the Chief to sign any future revisions to amend area of coverage.

**77345**

- a recommendation to approve the allocation of \$100,000 to support the efforts of the Kalamazoo Communities in Schools.

**77346**

- a recommendation to approve a one-time General Fund transfer to the Printing Services Internal Service Fund not to exceed \$27,000 to eliminate the deficit fund balance and close the fund.

**77347**

- a recommendation to offer for first reading an ORDINANCE to approve a variety of text amendments to the Zoning Ordinance; and, schedule a public hearing on the request for March 19, 2007.

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to approve the consent agenda requests.

Commissioner McCann left at 7:50 p.m.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Balkema, Cooney, Miller, Vice Mayor Hopewell, Mayor McKinney

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Allocation of City Commission Funds

**77348**

Commissioner Cooney, seconded by Vice Mayor Hopewell, moved to approve the allocation of City Commission Funds in support of the following community initiatives: supplemental summer youth programming - \$37,000, Summit on Racism - \$13,000 and the Kalamazoo County Poverty Reduction Initiative - \$15,000 for a total of \$65,000.

Commissioner McCann returned at 7:53 p.m.

Prior to a vote on the motion, Commissioner Balkema stated the Community Relations Board (CRB) had requested funding in the amount of \$2,000 for efforts to combat racism, and she recommended that the City Commission approve this request.

City Manager Collard stated the City Administration would review the CRB's request and make a recommendation to the City Commission at a future meeting.

With a roll call vote the motion to approve the allocation of City Commission Funds passed unanimously.

Contract with Tax Management Associates for Personal Property Tax Audits

**77349**

Motion to Postpone

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

NAYS: None

Commissioner McCann, seconded by Commissioner Cooney, moved to approve a contract extension of one year, with Tax Management Associates, Inc., (TMA) for services related to the Personal Property Audit Program in the previously approved amount of \$139,300.

Commissioner Balkema expressed opposition to the motion and stated the Personal Property Audit Program created an adversarial relationship between businesses and the City. Commissioner Balkema indicated she was aware of a company that had left the City after being audited and stated the City needed to foster good relationships with local businesses.

In response to questions from Mayor McKinney, City Assessor Darling stated Tax Management Associates was selected because of their experience and capacity to do the work. City Assessor Darling reported she did not have copies of the comment and feedback forms TMA distributed to companies that were audited.

Mayor McKinney stated she wanted to see the feedback TMA had received from City business that had been audited.

In response to question from Vice Mayor Hopewell, Commissioner Balkema stated her primary concern was the relationship between the City and local businesses.

In response to a question from Vice Mayor Hopewell, City Assessor Darling stated employees from her office accompanied the auditors in many cases, and TMA has been instructed to be non-adversarial in their approach to the audits.

Commissioner Miller indicated she agreed with Commissioner Balkema and requested that action on the TMA contract be postponed.

Commissioner Miller, seconded by Commissioner Balkema, moved to postpone until March 19, 2007 action on the contract with Tax Management Associates.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Mayor McKinney requested more information from TMA regarding their efforts to foster good public relations.

City Assessor Darling offered that representatives from TMA could be present at the March 19<sup>th</sup> City Commission Meeting.

First Reading and  
Public Hearing  
Scheduled re: an  
Ordinance  
Creating the West  
Main Hill Historic  
District

**77350**

Commissioner McCann suggested individual Commissioners contact City Assessor Darling regarding their questions and concerns.

Commissioner McCann offered for first reading an ORDINANCE to approve the following revisions to Chapters 16 and 2 of the Kalamazoo City Code regarding Historic Districts:

- a. amend the Chapters to make them consistent with State regulations;
- b. add four single resource historic districts;
- c. expand the Stuart Area Local Historic District;
- d. establish a new local historic district called the West Main Hill Local Historic District.

Commissioner McCann, seconded by Vice Mayor Hopewell, moved to schedule a public hearing on March 19, 2007 regarding an ORDINANCE to approve the following revisions to Chapters 16 and 2 of the Kalamazoo City Code regarding Historic Districts:

- a. amend the Chapters to make them consistent with State regulations;
- b. add four single resource historic districts;
- c. expand the Stuart Area Local Historic District;
- d. establish a new local historic district called the West Main Hill Local Historic District.

Prior to a vote on the motion, the following citizens addressed the City Commission:

Phyllis Marsh, City resident, recommended the City make direct contact with each affected property owner regarding the proposed West Main Hill Historic District.

Beth Lewis, City resident, spoke regarding the grammar of the motion.

In response to questions from Commissioners, Historic Preservation Coordinator Sharon Ferraro stated she would send notices to affected property owners inviting them to a question-and-answer open house regarding the proposed ordinance on March 13<sup>th</sup>.

With a roll call vote the motion to schedule a public hearing passed unanimously.

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

NAYS: None

Ordinance 1821  
Amending Chapter  
15A of the City  
Code re: Garbage  
and Trash

**77351**

Commissioner Cooney, seconded by Commissioner McCann, moved to adopt an **ORDINANCE** to amend certain sections within Chapter 15A of the Kalamazoo City Code, primarily to re-number Section 15A-3 to 15A-20A to re-designate that section, which governs rubbish collection companies, from Article 1 to Article II, thereby making violations a criminal misdemeanor rather than subject to the lesser fines found in Section 15A-6 (first offense \$25, second offense \$50, etc.).

Prior to a vote on the motion, the following citizen addressed the City Commission:

Beth Lewis, City resident, questioned whether waste management companies or the individual employees of these companies would be held responsible for ordinance violations.

With a roll call vote this motion passed unanimously.

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

NAYS: None

The meeting recessed at 8:19 p.m.  
The meeting resumed at 8:27 p.m.

City Clerk's Report

**77352**

City Clerk Borling reported the following items:

- the receipt of minutes from the following advisory boards and commissions:
  - Community Development Act Advisory Committee
    - Thursday, December 14, 2006
  - Dangerous Buildings Board
    - Thursday, January 11, 2007
    - Thursday, February 8, 2007
  - Environmental Concerns Committee
    - Wednesday, January 17, 2007
  - Friends of Recreation Board
    - Tuesday, January 23, 2007
  - Kalamazoo Historic District Commission
    - Tuesday, December 19, 2006
  - Kalamazoo Historic Preservation Commission
    - Tuesday, December 12, 2006
    - Tuesday, January 9, 2007
  - Kalamazoo Transit Authority Board
    - Friday, January 26, 2007

City Clerk's Report  
(cont'd)

- Parks and Recreation Advisory Board
  - Tuesday, February 6, 2007
- Planning Commission
  - Thursday, December 07, 2006
  - Thursday, January 04, 2007
  - Wednesday, February 28, 2007
- Zoning Board of Appeals
  - Thursday, December 14, 2006
  - Wednesday, February 28, 2007
- the approval of the following special events in the month of February:
  - A request from the Irish American Club to use city streets on Saturday, March 17, 2007 beginning at 11:00 a.m. for the annual St. Patrick's Day Parade.
  - A request from the March of Dimes, Kalamazoo Division to use city sidewalks on Saturday, May 5, 2007 from 8:00 a.m. to 1:00 p.m. for the annual March of Dimes WalkAmerica.

City Manager's  
Report**77353**

City Manager Collard distributed and reviewed a memo regarding the potential sale of Eastern Hills Golf Course. City Manager Collard requested that a group of Commissioners join him in a review of the Kalamazoo Municipal Golf Association's proposed revised business approach and assist him in developing a report and recommendation regarding the sale of Eastern Hills Golf Course. City Manager Collard expressed a desire to complete this work and present a recommendation to the City Commission in approximately 30 days. Commissioners Anderson, Balkema, and Miller volunteered to work with the City Manager on this issue.

Recommendations  
from the Racial  
Equity Sub-  
Committee**77354**

- Vice Mayor Hopewell, seconded by Commissioner Cooney, moved to approve recommendations from the Racial Equity Sub-Committee for the City Administration to:
- Expedite and provide an action plan within 30 days to:
    - Improve the linkages between Public Safety and the community and sustain a departmental environment of credibility, approachability and inclusion;
    - Strengthen the Citizens-Public Safety Appeal and Review Board (CPSRAB); and,
    - Expand Public Safety's community-based policing programs and practices.
  - Prepare an action plan within 30 days to achieve the Public Safety goals and objectives identified in the 2007 budget.

Recommendations  
from the Racial  
Equity Sub-  
Committee (cont'd)

**77354**

- Initiate and facilitate a broad community dialogue, using a study circle method, to address the issue that threatens the community's safety and sense of social justice.

Prior to a vote on the motion, the following citizens addressed the City Commission:

Stephanie Moore, City resident, stated the large number of Public Safety Officers (PSO's) present at the meeting created a hostile atmosphere, which hindered communication concerning racial issues. Ms. Moore expressed a desire for more community dialogue.

Eddie Anderson III, City resident, spoke regarding a Kalamazoo Valley Enforcement Team (KVET) raid on his barbershop on February 22<sup>nd</sup>. Mr. Anderson also reported his business had been hurt by the Kalamazoo Probation Enhancement Program (KPEP)'s decision to not let black barbershops provide hair cutting services to individuals in the program.

O'Ryan Anderson, City resident, spoke about the February 22<sup>nd</sup> KVET raid on the Fresh and Clean Barbershop.

Troy Anderson, City resident, spoke regarding the KVET raid on the Fresh and Clean Barber Shop on February 22<sup>nd</sup> and indicated KVET officers used too much force.

Ronald Coleman, City resident, stated the City of Kalamazoo had tremendous opportunities to improve race relations and expressed support for the community dialogue component of the Sub-Committee's recommendations.

Alexis Plair, City resident, noted the key to improving race relations was building a strong relationship between the Kalamazoo Department of Public Safety (KDPS) and city residents. Ms. Clare stated it was difficult to respect KDPS because it seemed that officers judged groups of citizens based on a few bad members of those groups.

Earl Martin, City resident and a Sergeant with KDPS, read a portion of a statement from the Kalamazoo Police Sergeants' Association (KPSA) regarding the Racial Equity Sub-Committee's grading system and recommendations. A copy of the KPSA 's written statement was included with the papers for this meeting.

Phyllis Marsh, City resident, spoke in support of the Public Safety Department and against the grading system developed by the Racial Equity Sub-Committee.

Yolanda Neals, City resident, thanked the Racial Equity Sub-Committee for grading its efforts in the areas of Youth Development, Racial Equity, Poverty Reduction, and Public Safety. Ms. Neals expressed support for increased community

Recommendations  
from the Racial  
Equity Sub-  
Committee (cont'd)  
  
**77354**

dialogue on racial issues and the strengthening of CPSRAB. Ms. Neals invited KDPS to listen to the community.

Mattie Jordan-Woods, City resident, stated City officials and the Public Safety Department needed to hear and understand the complaints of citizens.

Julie Parsons, a Captain with KDPS, finished reading the KPSA 's statement regarding the Racial Equity Sub-Committee's grading system and recommendations.

Craig Johnson, president of the Black Police Officers' Association (BPOA), stated he was embarrassed by the indifference shown to citizens' concerns and indicated the BPOA was ready to support any plan that would renew the community's trust in KDPS.

Pastor Joseph L. Anderson, City resident, spoke regarding the large number of black men who were incarcerated and stated many black men in Kalamazoo were afraid of Public Safety Officers. Pastor Anderson stated crime was common across all races, with poverty being the primary cause.

Priscilla Philips, City resident, stated the grade given to KDPS by the Racial Equity Sub-Committee was too high. Ms. Phillips stated she had been harassed by Public Safety Officers after she filed complains against KDPS and Judge William Schma.

Jenny Shoub, City resident, underscored the need for community dialogue and stated the pain of those judging and those being judged need to be addressed at the same time.

Commissioner McCann rehearsed the history of City Commission actions regarding race relations since 2005. Commissioner McCann expressed concern about the Racial Equity Sub-Committee's evaluation process and criteria that resulted in a "D" grade for the Public Safety Department. Commissioner McCann expressed concern about the timing of the evaluation and the potential impact of the grades. Suggestions: how do we set real parameters around question of racial profiling? Commissioner McCann stated he was embarrassed about his own inaction and the inaction of the City Commission regarding racial issues. Commissioner McCann expressed support for the recommendations about CPSRAB and stated the City Commission needed to set meaningful timetables and goals by which progress could be measured.

Commissioner Balkema expressed disagreement about the Racial Equity Sub Committee's grades for Poverty Reduction and Public Safety and rehearsed her efforts, the efforts of the City Commission, and the efforts of the Public Safety Department to address these issues over the past two years. Commissioner Balkema questioned how the grades were determined.

Commissioner Miller stated she accepted responsibility for the grades given by the Racial Equity Sub Committee, although she did not agree with them. Commissioner Miller stated City Commissioners and City staff

Recommendations  
from the Racial  
Equity Sub-  
Committee (cont'd)

**77354**

were too close to the situation to objectively analyze the City's progress on racial issues, and she suggested an independent organization perform future evaluations.

Commissioner Cooney thanked the citizens who addressed the City Commission and stated the issue at hand was the Racial Equity Sub Committee's recommendations, not the accuracy of the Sub Committee's grades. Commissioner Cooney stated the recommendations were a good response to the cries of citizens in the community.

Vice Mayor Hopewell stated he had friends in KDPS, and the "D" grade was not an indictment of the department in general. Vice Mayor Hopewell recognized the Sub Committee's analysis caused discomfort but explained it created an opportunity to address how the City as a whole and KDPS in particular dealt with racial issues. Vice Mayor Hopewell noted City Manager Collard was part of the discussion of these issues with the Sub Committee at the time the grades were assigned.

City Manager Collard stated he was not hurt by the Racial Equity Sub Committee's grades and recommendations. City Manager Collard indicated he was prepared to do the work necessary to heal the community and asked the members of KDPS to begin the work also. City Manager Collard stated there was a unique opportunity to create dialogue across community and foster understanding. City Manager Collard noted it was equally important to have good law enforcement and to disassemble the assembly line that was producing criminals and criminal behavior.

Mayor McKinney asked citizens and City staff to separate the Sub Committee's grades from its recommendations. Mayor McKinney indicated she shared Commissioner McCann's embarrassment over not being able to move forward the 2005 Racial Equity Work Plan. Mayor McKinney noted there was a disconnect between KDPS and the community and stated the PSO's job would become easier when a closer relationship was forged between the Public Safety Department and citizens. Mayor McKinney stated her greatest disappointment was that the City Commission did not facilitate a community dialogue after June of 2005.

With a roll call vote the motion to approve the Racial Equity Sub-Committee's recommendations passed unanimously.

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

NAYS: None

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Asha Khazad, City resident, spoke regarding the length of City Commissioner comments and continued his remarks regarding the discipline of children.

Beth Lewis, City resident, expressed respect for Public Safety Officers and remarked on having to correct white college students for being noisy in library.

Troy Anderson, City resident, expressed worry about the future of Kalamazoo and stated there were no activities for young people in the City of Kalamazoo. Mr. Anderson suggested the City use some of the Public Safety Department budget to fund a community center or youth programs.

Yolanda Neals, City resident, thanked the City Commission for having the courage to take steps towards a community dialogue on racism. Ms. Neals requested that Chief Weston condemn racial inequities in the Department of Public Safety.

Eddie Anderson, City resident, stated Public Safety Officers were doing a good job but noted their actions were too aggressive, and racism among officers was obvious.

City Commissioner  
Comments

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

Commissioner Balkema invited citizens to attend the Girl Scouts Bakers Dozen Cookie Bake-off on Tuesday, March 13<sup>th</sup> and stated Commissioners had been invited to tour the Girl Scouts' new facility on Bronson Boulevard. Commissioner Balkema suggested the City Commission and City Administration utilize the regular work sessions on the second Mondays of the month to monitor progress on the various work plans that were already in place or that would be developed.

Adjournment

The meeting adjourned at 10:35 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on May 21, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: May 21, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, March 16, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson\*  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Balkema, seconded by Vice Mayor Hopewell, moved to excuse the absence of Commissioner Anderson. With a voice vote, the motion passed.

Review of the March 19, 2007 Meeting Agendas

The City Commission reviewed the agenda for its Special Meeting on Monday, March 19, 2007.

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, March 19, 2007.

\*Commissioner Anderson arrived at 7:31 a.m.

**77355**

Item E-1

Regarding Item E-1, Public Hearing on the proposed historic district ordinance, Sharon Ferraro distributed packets of letters and comment forms from residents of the proposed historic districts.

Mayor McKinney reported City Attorney Kirk had advised her there was no direct conflict of interest with her voting on this issue, and she expressed opposition to the proposed ordinance.

Discussion took place regarding the exclusion of Kalamazoo College from the proposed historic district, the level of support in the neighborhood for the historic district, and the opportunities for citizens to become informed and comment about the proposed ordinance.

Item E-2

Regarding Item E-2, City Planner Keith Hernandez noted the proposed ordinance included a reduction of the maximum size for political signs in non-residential zoning districts.

Items G-1 and G-2

Regarding Items G-1 and G-2, contracts with Pride Care Ambulance for Care-A-Van and Metro Van service, Vice Mayor Hopewell requested that these items be moved to the regular agenda.

Discussion of  
Community Issues

Commissioner Cooney requested information on the wages and benefits for Pride Care Workers, including whether the wages and benefits had been changed since 2004, when the City first began contracting with Pride Care for Metro Van services.

Item G-6

Regarding Item G-6, Personal Property Audit Program, Commissioner Balkema requested this item be moved to the Regular Agenda.

Next, an opportunity was given for City Commissioners to discuss community issues.

Commissioner McCann reported on an Open House and Public Meeting held on March 15<sup>th</sup> at which representatives from the United States Environmental Protection Agency (EPA) presented a plan to remove several thousand cubic yards of PCB contaminated sediment from the Kalamazoo River near Plainwell and dispose this sediment on the former Allied Paper site on Cork Street in the City of Kalamazoo. Commissioner McCann stated agreements between the EPA and the potentially responsible parties were already in place and were developed in private as part of a "time critical removal action."

At the request of City Manager Collard, Public Services Director Bruce Merchant outlined the City's concerns with the EPA's plan, which included: lack of public process and notice to the City during the development of the plan and the legal agreements; potential groundwater contamination due to the lack of proper linings at the former Allied Paper site; the location of this site in the middle of a City neighborhood; the fact that the former Allied Paper site already contained a large volume of contaminated soil; and the planned routing of 20-30 truckloads of contaminated sediment per day through the heart of the City. Public Services Director Merchant stated the EPA's plan was on a fast track, with the project scheduled to begin in April. Discussion followed.

Commissioner Cooney requested a complete briefing on the issues surrounding the EPA's plan and the City's options for addressing those issues.

City Manager Collard expressed a desire to explore the legal and political options available and asked Public Services Director Merchant to prepare a 15-minute presentation on the topic for the March 19<sup>th</sup> Regular City Commission Meeting.

Vice Mayor Hopewell requested clarification on the City Commission Rule that limited the types of discussion at Committee of the Whole Meetings. Vice Mayor Hopewell noted the difficulty in determining when a discussion became a deliberation and when the topic of a discussion moved from that of general information to a policy debate. Vice Mayor Hopewell expressed support for the rule that prohibited the Committee of the Whole from taking action but stated discussion should not be restricted.

Commissioner McCann remarked on the original purpose of Committee of the Whole meetings, and he expressed concern that discussion of the merits of individual agenda items or City policies at Committee of the Whole Meetings would lead to less discussion at Regular Business Meetings and give the appearance that the City Commission was trying to reduce the ability of citizens to participate in the decision making process.

Discussion followed regarding the purpose and format of Committee of the Whole Meetings.

Citizen Comments

Finally, an opportunity was given for citizen comments, but no comments were offered.

The meeting adjourned at 8:32 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on May 21, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: May 21, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, March 19, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Mary Balkema

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to excuse the absence of Commissioner Balkema. With a voice vote the motion passed.

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood Association Communications

Neighborhood communications were received next.

Representatives of the following neighborhood associations were present:

Arcadia Neighborhood Association

Rex Brueggemann, President  
Hans Engle, Board Member

Eastside Neighborhood Association

Frank Barrett, President  
Pat Taylor, Director

Northside Association for Community Development

Mildred Smith, President  
Mattie Jordan-Woods, Director

Arcadia Neighborhood Association

The Arcadia Neighborhood Association Representatives:

- invited City Commissioners to a meeting on March 21<sup>st</sup> regarding the West Side traffic study.
- noted many homes in the neighborhood were functionally obsolescent in light of the amenities available in newer homes. Mr. Brueggemann stated it was a challenge to entice people to buy and remodel homes in Kalamazoo rather than buy newer homes in the surrounding townships. Mr. Brueggemann requested a commitment from City to protect Arcadia as a single family neighborhood.

Eastside  
Neighborhood  
Association

- reported good relations between the Association and Western Michigan University (WMU) were generally good discussions w/WMU are generally good but expressed concern about underlying perceptions of the two parties towards each other.
- stated the Association had asked the Public Safety Department to separate the crime statistics for the Knollwood and Arcadia Neighborhoods.

In response to a question from Commissioner McCann, Mr. Brueggemann stated he felt the neighborhood was well represented in the working group for the Arboretum Development Traffic Impact Study, but he expressed concern about speed of process. Mr. Brueggemann indicated the traffic engineers had handled the data well but noted other issues such as public safety issues were getting wrapped into the traffic study discussion.

The Eastside Neighborhood Association representatives:

- reported crime rates in the neighborhood had decreased.
- stated the neighborhood watch program would be converted to a block watch program.
- highlighted upcoming summer programs, which included Building Blocks projects on Charles and Trimble Streets, job training programs for senior citizens in partnership with AARP, and a music class taught by faculty from Crescendo Academy.
- stated the Association was partnering with the Northside Economic Potential Group for economic development projects in neighborhood.
- noted students from Kalamazoo College had been meeting with the Board of Directors to discuss ways to enhance the Association's economic development strategy.
- announced that on April 14<sup>th</sup> Association Board of Directors would begin attending a series of classes on strategic planning.
- reported the Association had signed contract with the Nancy Owen Group to develop plan for financing the construction of a new youth center.

In response to a question from Commissioner Cooney, Mr. Barrett stated crime occurred in pockets, and the perpetrators were difficult to apprehend because they moved around.

Ms. Taylor explained that crime patterns and the mobility of criminals were part of the reason why the Association was implementing the Block Watch format.

Northside  
Association for  
Community  
Development

The Northside Association for Community Development representatives:

- stated crime rates had decreased for the neighborhood as a whole, but pockets or hot spots of criminal activity remained, which were difficult to eradicate because of the perpetrators' mobility.
- indicated there was a need for neighborhood-based youth activities that would burn-up young peoples' energy.
- expressed appreciation for the City street sweepers.
- reported the Urban Garden Project was moving forward with help from a farmer from Bloomingdale and Dr. Ray, a professor from WMU. Ms. Jordan-Woods explained 10-15 young people in grades 1-8 had already begun participating in the project through the Association's after school program. Ms. Jordan Woods noted volunteers were needed to move soil and help prepare the garden areas.
- thanked City Commissioners for working with the Association on various projects.
- stated the Association had partnered with the Fontana Chamber Arts to offer a free concert on March 27<sup>th</sup> featuring Stefon Harris.
- reported the Association had \$20,000 available for installing roofs and furnaces for low income homeowners.
- expressed concern that developers continued to build scattered site, rent-to-own homes that were offered on terms of a 15-year lease/30-year mortgage.
- stated one of the Association's goals was to discourage an increase in the number of rental units and promote opportunities for home ownership. Ms, Jordan-Woods reported she had met with Community Planning and Development Director Jeff Chamberlain to discuss this goal and the problem of scattered site homes.
- announced that the Michigan State Housing Development Authority (MISHDA) had approved the Association as housing counseling services site. Ms. Jordan-Woods explained this designation would increase the number of MISHDA programs available to neighborhood residents.
- distributed maps showing the location of rental and vacant properties in the neighborhood.
- stated the Association would be surveying the housing stock in the neighborhood to obtain an accurate measure the number of rental units and owner occupied homes.

77356

77357

- noted the Association also wanted to encourage an increase in the variety of housing options available and the amount of green space in the neighborhood.
- expressed concern that Public Safety Officers (PSO's) would not enforce noise ordinance due to recent criticism of the Public Safety Department. Ms. Jordan-Woods stated PSO's needed to fulfill their responsibility to enforce the law despite criticism.
- highlighted the importance of PSO's spending time with young people and the power of personal interaction.
- suggested the community develop and support a variety of activities for young people.

In response to a question from Commissioner Anderson, Ms. Jordan-Woods explained developers were circumventing the requirements of the Zoning Code by labeling their projects "Single Family – Scattered Sites."

Commissioner Anderson noted the 15 year rental/30 year mortgage housing purchase plan was a MISHDA program. Commissioner Anderson explained the City would need to approve a Payment in Lieu of Taxes (PILOT) in order for a developer to be eligible for MISHDA tax credits under this program.

Commissioner McCann questioned why the City would support a home purchase program that required the occupants to rent a home for 15 years before buying the home on a 30 year mortgage.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

Commissioner Comments

A final opportunity was given for miscellaneous comments and concerns by City Commissioners, but no comments were offered.

The meeting adjourned at 6:42 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 18, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: June 18, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, March 19, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Invocation

The invocation, given by Pastor Jeff Jones of Kalamazoo Valley Family Church, was followed by the Pledge of Allegiance.

Introduction of Guests

Mayor McKinney recognized the presence of Kalamazoo County Commissioner Rob Barnard.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

City Manager Collard indicated he would request a motion to postpone action on Item E-1, amendments to the Historic District Ordinance, until April 30, 2007.

Communications

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

Historic District Ordinance Public Hearing Postponed

Commissioner Miller, seconded by Commissioner Anderson, moved to postpone until April 30, 2007 a public hearing regarding an ORDINANCE to approve the following revisions to Chapters 16 and 2 of the Kalamazoo City Code regarding Historic Districts:

**77358**

- Amend the Chapters to make them consistent with State regulations;
- Add four single resource historic districts;
- Expand the Stuart Area Local Historic District;
- Establish a new local historic district called the West Main Hill Local Historic District.

Prior to vote on the motion, Clair Milne, City resident, questioned why the public hearing was being postponed.

In response to Ms. Milne, City Manager Collard reported there were still outstanding questions and concerns about the inclusion or exclusion of specific properties in the proposed historic district.

In response to a question from Commissioner McCann regarding a point of order, City Attorney Kirk stated citizens would be allowed to comment on this item during "Citizen Comments on Non-Agenda Items" if the motion to postpone passed.

With a roll call vote the motion to postpone the public hearing passed unanimously.

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

NAYS: None

Public Hearing re:  
an Ordinance to  
Amend the Text of  
the Zoning  
Ordinance

At 7:13 p.m. Mayor McKinney opened a public hearing to receive comments regarding a recommendation to adopt an ORDINANCE to approve a variety of text amendments to the Zoning Ordinance.

At 7:14 p.m. Mayor McKinney closed the public hearing.

Ordinance 1822  
Amending the Text  
of the Zoning  
Ordinance

Vice Mayor Hopewell, seconded by Commissioner Anderson, moved to adopt an **ORDINANCE** to approve a variety of text amendments to the Zoning Ordinance.

**77359**

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

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

Monica Westover, City Resident, spoke regarding various concerns with the Public Safety Department.

Rob Barnard, Kalamazoo County Commissioner and City resident, spoke regarding the EPA's plan to dump PCB-laden sediment from the Kalamazoo River at the former Allied Paper Mill site.

Kermit O'Brien, Non-resident, spoke regarding proposed amendments to the historic district ordinance.

Halim Naeem, City resident, expressed concern about shots being fired at a mosque in the 1700 block of East Main Street in the Eastside Neighborhood.

Asha Khazad, City resident, spoke regarding the need for parents and teachers to discipline children.

Imam Hassan Mateen, City resident, expressed concern about shots being fired at a mosque in the 1700 block of East Main Street in the Eastside Neighborhood.

Greg Hoover, City resident, spoke regarding proposed amendments to the historic district ordinance.

Mike Fleckenstein, City resident spoke regarding proposed amendments to the historic district ordinance.

Maia Storm, City resident, expressed support for Hassan Mateen and his work in the Eastside Neighborhood.

Clair Milne, City resident spoke regarding proposed amendments to the historic district ordinance.

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:

**77360**

- Consideration of a recommendation to approve a contract with Red Holman Pontiac GMC for the purchase of twelve work vehicles for use by Public Services' field employees performing water, wastewater and street system maintenance and repair activities in the amount of \$202,400.

**77361**

- a recommendation to approve: a) a contract with Peters Construction for the installation of the Arcadia Creek Sanitary Relief Sewer Phase II in the amount of \$796,942.47; and, b) a contract change order with Jones and Henry Engineering to perform resident engineering and construction engineering services for this project in the amount of \$77,335.00.

**77362**

- a recommendation to approve a twelve month maintenance contract with Intergraph Public Safety, Inc., for the continued maintenance of the City's computer-aided dispatching, records management systems and mobile data computing systems in the amount of \$133,396.28.

**77363**

- a recommendation to allocate \$2,000 to support efforts to bridge relations between the City and Kalamazoo community utilizing community "think-tanks" and forums to address issues throughout the community.

**77364**

- a recommendation to approve a request from the Kalamazoo Amateur Athletic Federation for permission to apply for special liquor licenses for the following softball tournaments to be held at Versluis/Dickinson Park: the Can Am Festival, May 19 & 20, 2007 and the Kiracofe Memorial Softball Tournament July 13, 14 and 15, 2007.

**77365**

- a recommendation to approve the following appointments and re-appointments to advisory boards and commissions:
  - the re-appointment of **Milton Wells** as a member of the Friends of Recreation Board for a term expiring on March 1, 2010.

Consent Agenda  
(cont'd)

- the appointment of **Reed Youngs** as a member of the Planning Commission for a term expiring on March 31, 2010.
- the re-appointment of **Thomas Fawley** as a member of the Planning Commission for a term expiring on March 31, 2010.
- the re-appointment of **Linda Wiener** as a member of the Planning Commission for a term expiring on March 31, 2010.
- the term extension for **William Snyder** to serve on the Zoning Board of Appeals until June of 2007 (three month extension).

**77366**

- a recommendation to approve the minutes from the following City Commission meetings: The Committee of the Whole Meetings of February 16 and March 2, 2007; the Special Meetings of February 17 and February 19, 2007, and the Regular Meeting of February 19, 2007.

**77367**

- a recommendation to offer for first reading an ORDINANCE to rezone 529 and 535 Whites Road, and the southwest approximately 100 feet of 3124 S. Westnedge Avenue from Zone RM-15 (Residential, Multi-Dwelling District) to Zone CC (Commercial, Community District); and, schedule a public hearing for April 2, 2007.

Commissioner Balkema, seconded by Commissioner Miller, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Contracts with  
Pride Care  
Ambulance for  
Care-A-Van and  
Metro Van  
Services

**77368**

**77369**

Commissioner McCann, seconded by Commissioner Anderson, moved to approve the following contract extensions for Metro Transit's Care-A-Van and Metro Van services:

- a two-year extension to a contract with Pride Care Ambulance Company for the provision of Metro Transit's demand-response Care-A-Van service for a total cost of \$2,475,582.12.
- a two-year extension to a contract with Pride Care of Kalamazoo for the provision of Metro Transit's ADA Metro Van paratransit bus service for a total cost of \$1,692,922.56.

Prior to a vote on this motion, Vice Mayor Hopewell announced he would abstain.

In response to a question from Commissioner Cooney, Transportation Director Bill Schomisch stated he did not have information on the wage scale for Pride Care employees.

In response to a question from Commissioner Miller, Transportation Director Schomisch explained Metro Transit operations were funded by a combination of federal and state grants, local taxes, and fare box revenues. Transportation Director Schomisch stated the Pride Care contracts would be funded, to a certain degree, with revenue from the countywide transit millage.

With a roll call vote the motion approve the Pride Care contract extensions passed unanimously.

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

NAYS: None

Contract with Tax Management Associates for Personal Property Audit Services

**77370**

Commissioner Anderson, seconded by Commissioner McCann, moved to approve a one-year contract extension with Tax Management Associates, Inc. for services related to the Personal Property Audit Program, in the amount of \$139,300; and, authorize the City Manager to execute said contract extension and related documents.

Prior to a vote on this motion Commissioner Balkema thanked City Assessor Connie Darling and representatives from Tax Management Associates for meeting with her and other Commissioners. Commissioner Balkema expressed opposition to the motion, noting the intrusive nature of audits and citing the need for the City to foster positive relationships with local businesses.

Commissioner Miller expressed opposition to the motion and stated she preferred to fund City staff positions to perform personal property audits.

Commissioner Anderson described his own dislike for paying personal property taxes and explained the tax and funding structure for local governments in Michigan was the real problem. Commissioner Anderson stated audits were part of the tax collection process, and he noted personal property taxes accounted for 14% of the City's General Fund revenue.

With a roll call vote this motion passed 5-2.

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

NAYS: Commissioners Balkema and Miller

City Manager's Report

**77371**

City Manager Collard presented the following reports and updates:

- Departmental Reports and Project Updates
- February 2007 Purchasing Report

- Employees' Retirement Fund Report for period ending December 31, 2006

Update on the Former Allied Paper Mill Site and the Kalamazoo River Clean Up

Public Services Director Bruce Merchant provided an update on the Environmental Protection Agency's (EPA's) plan to dispose of PCB-laden sediment from the Kalamazoo River at the former Allied Paper Mill site. Public Services Director Merchant stated the EPA had released a 15-page memo justifying the disposal plan and had presented this plan to federal and state legislators on or around March 1, 2007. Public Services Director Merchant reported the EPA would be sharing data with the City so that City staff could assess the potential threat to the groundwater near the Allied Paper Site. Public Services Director Merchant suggested the following responses to the EPA's plan: write a strongly worded letter to the EPA and the Michigan Department of Environmental Quality (MDEQ) opposing the plan; emphasize to the EPA and MDEQ that the Allied Paper Mill landfill was to be a temporary dumping site; hold the EPA and MDEQ accountable for their commitments to share data; and direct the City Attorney to explore options for legal recourse.

In response to questions from Commissioner McCann, Public Services Director Merchant stated it was possible that the EPA could use the Allied Paper Mill Site as the dumping location for future phases of the Kalamazoo River clean-up, especially if the EPA declared the Allied Paper Mill Site a permanent landfill. Public Services Director Merchant reported ground water testing at the site had been on-going, but the most recent data available was for testing performed in 2003.

Discussion followed regarding Commissioners' concerns and the City's response to the Kalamazoo River clean up plan.

City Attorney Kirk stated he would have his attorneys and outside counsel explore the legal options available to the City relative to the following concerns: the threat to the City's groundwater; the lack of public input during the plan development processes; and the quality of the landfill itself compared to federal and state regulations.

City Commissioners encouraged staff to continue working diligently on this issue, and they expressed the need for the Kalamazoo community to respond aggressively to the threat posed by the plan to dump PCB-laden sediment in the City.

Report on the KVET Raid of the Fresh and Clean Barber Shop

Public Safety Chief Dan Weston reported on a raid of the Fresh and Clean Barber Shop by the Kalamazoo Valley Enforcement Team (KVET) on February 22, 2007. Chief Weston stated the raid was the result of six complaints filed against the barber shop by the neighborhood, and he noted Eddie Anderson, Eddie Anderson Jr., Eddie Anderson III, and O'Ryan Anderson had been arrested for drug related offenses on occasions prior to the February 22<sup>nd</sup> raid. Chief Weston also reported state police had raided the Fresh and Clean Barbershop in 2004, and 15 lbs. of marijuana had been seized. Chief Weston confirmed that customers at the Fresh and Clean Barbershop at the time of the raid were temporarily handcuffed and detained and then released once Public Safety officers confirmed there were no outstanding arrest warrants for these individuals. Chief Weston explained that detaining occupants of a

premise during a search for contraband was standard operating procedure designed to: 1) prevent occupants from fleeing the scene; 2) minimize risk or harm to officers; and 3) facilitate the orderly completion of the search.

In response to a question from Commissioner McCann, Chief Weston stated he was not aware of any complaints about KVET raids in the vicinity of the Fresh and Clean after February 22<sup>nd</sup>.

Commissioner Balkema thanked Chief Weston for his report and remarked that there were two sides to every story.

Report on Shots  
Fired in or Near  
the 1700 Block of  
E. Main St. in 2007

Chief Weston also reported on recent incidents of shots being fired in or near the 1700 block of East Main Street. Chief Weston stated officers had identified witnesses to the shootings, but those witnesses and the intended victims were not willing to provide information to Public Safety. Chief Weston described the Public Safety Department's efforts to address gun violence.

In response to a question from Mayor McKinney, Chief Weston stated he had provided Commissioners a map showing the locations of the 357 incidents of shots fired in 2006 and the 22 homicides involving firearms between 2000 and 2006.

Citizen Comments

When given a final opportunity for citizen comments, the following citizen addressed the City Commission:

Asha Khazad, City resident, spoke of the benefits of the Kalamazoo Public Library and the lack of discipline of children at the library.

Don Brown, City resident, spoke about the importance of protecting the City's water supply but urged the City Commission note to destroy the current opportunity to clean up the Kalamazoo River.

Reverend Roosevelt Pace, City resident, spoke about corruption in the Public Safety Department and stated the black community had isolated itself from the police due to lack of trust.

Terrance Moore, City resident, spoke on behalf of the Andersons and the Fresh and Clean Barber Shop, and he noted Kalamazoo did not have enough activities available for young people.

Gwen Hillman, City resident, stated there were three sides to every story: the two opposing sides, and the truth.

Harold Zagerman spoke about the Kalamazoo River clean up and the contamination of material in the 12<sup>th</sup> Street Landfill in Plainwell.

Stephanie Prevo, City resident, urged the City Commission not to trust the Public Safety Chief's word but to seek the truth and base its judgments on facts.

Cody Adams, City resident, suggested ways to build trust between the community and Public Safety Officers.

City Commissioner  
Comments

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

Commissioner Cooney announced the Walk for the Homeless would take place on Saturday, March 24<sup>th</sup>. Commissioner Cooney remarked on fourth anniversary of the Iraq War and noted demonstrations against the war had been held nationwide over the past weekend. Commissioner Cooney expressed dismay that federal funds had been taken from state and local governments to fight the war in Iraq.

Vice Mayor Hopewell noted former Mayor Beverly Moore would be in Kalamazoo over the coming weekend to speak at the Galilee Women's Festival.

Closed Session  
**77372**

Commissioner Balkema, seconded by Vice Mayor Hopewell, moved to go into closed session to discuss labor negotiations.

With a roll call vote this motion passed unanimously.

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

NAYS: None

At 9:12 p.m. the City Commission went into closed session.

At 9:24 the City Commission came out of closed session.

Adjournment

The meeting adjourned at 9:24 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 18, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: June 18, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, March 30, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Barbara Miller

COMMISSIONERS ABSENT: Sean McCann

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner Excused

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

Communications

City Manager Collard reported a 14-year-old young man had been shot and killed the previous night near the intersection of Washington and Mills Streets.

Review of the April 2, 2007 Regular Meeting Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, April 2, 2007.

**77373**

Item H-1

Regarding Item H-1, release of funds to Kalamazoo Public Schools for infrastructure associated with construction of new middle school in the Arcadia Neighborhood, City Manager Collard distributed and reviewed a resolution authorizing the release of funds and stated staff had recommended construction of a connector road between Drake Road and Kendall Avenue. City Manager Collard reported the construction of this connector road would cost more than \$2 million, and he reported the parties involved had assured him funding would be available. City Manager Collard stated a complete report on this item would be included in the agenda packet to be distributed later in the day.

In response to a question from Commissioner Balkema, Public Services Director Bruce Merchant stated the infrastructure improvements would include sidewalks and bike paths.

Vice Mayor Hopewell expressed frustration with the timing of the vote on this item and the rush to have the funding approved. Vice Mayor Hopewell urged the City Commission and City Administration to consider seriously the neighborhood residents' concerns about traffic, and he himself expressed concern that, despite the City's best efforts, the connector road would become a traffic nightmare for the Arcadia Neighborhood.

In response to a question from Vice Mayor Hopewell, City Manager Collard stated the City would be able to protect the Kendall Avenue well field, and he explained the infrastructure improvements would be funded

with bonds serviced through the General Fund. City Manager Collard noted additional City resources would be expended on water and sewer lines and connections, but this construction would be done in accordance with the policies and procedures already in place for expansion of the water and wastewater systems.

Public Services Director Merchant stated the proposed connector road would not fall within the encroachment restrictions on the Kendall Avenue well field, and he explained there were a number of options for dealing with storm water in the area, including removal from the site and treatment on site.

Vice Mayor Hopewell noted the areas designated as open space in the West Side Plan were not set in stone, and he expressed a preference for the City to require the developer to designate 80 acres as open space.

City Manager Collard stated the West Side Plan anticipated three developments on the WMU Foundation property: a commercial development on Drake road; a high-density residential development; and a medium-density residential development. City Manager Collard stated he had talked with representatives from the WMU Foundation regarding the issue of green space, and the Foundation representatives had indicated a tie-bar between the middle school project and the amount and location of green space in future developments would be unacceptable.

Item I-1

Regarding Item I-1, City Manager's Report, City Manager Collard stated he would not be asking for a vote on the sale of Eastern Hills Golf Course at Monday's meeting.

Item K-1 through K-3

Regarding Items K-1 through K-3, the City Manager's action plans regarding equity, justice, and the Public Safety Department, City Manager Collard stated this item would be removed from the agenda. City Manager Collard indicated he would review the action plans with small groups of Commissioners and make the plans public by April 5<sup>th</sup>.

The City Commission reviewed and discussed the agenda for its Special Meeting on Monday, April 2, 2007.

Public Services Director Merchant announced representatives from the Environmental Protection Agency (EPA) were not willing to meet with City Commissioners on Monday in a public forum. Public Services Director Merchant also reported the owners of the former Allied Paper Mill site would not allow a public site visit.

City Attorney Kirk reported the City had no legal recourse to challenge the substance of the EPA's plan or the procedures used to develop the plan.

Commissioner Cooney requested a copy of the EPA Region V Environmental Justice Standards.

Discussion followed regarding the format and location of the Special City Commission Meeting, as well as ways to encourage citizen involvement.

Review of the  
April 2, 2007  
Special Meeting  
Agenda

Discussion of  
Community Issues

In response to a question from Commissioner Balkema, City Manager Collard stated the technical meeting with the EPA on Monday at 12:00 p.m. would be open to the public, but it would not be an official City Commission meeting.

Next, an opportunity was given for City Commissioners to discuss community issues.

Mayor McKinney requested that City Commissioners submit their performance evaluations of the City Commission appointees.

Citizen Comments

Public Safety Chief Dan Weston reported that a 14 year-old boy was shot and killed by a person in a passing car at the corner of Washington and Mills Streets. Chief Weston stated the number of reports of shots fired had increased 46% in 2007 when compared with the number of reports for the same time period in 2006.

Finally, an opportunity was given for citizen comments, but no comments were offered.

The meeting adjourned at 8:57 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on May 21, 2007

Approved by: \_\_\_\_\_

Hannah J. McKinney, Mayor

Dated: May 21, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, April 2, 2007 at 2:00 p.m. on East Alcott Street near the former Allied Paper Mill Site in the City of Kalamazoo.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Vice Mayor Bobby Hopewell

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and Deputy City Clerk Virginia Vander Roest.

Commissioner Miller, seconded by Commissioner Balkema, moved to excuse the absence of Vice Mayor Hopewell. With a voice vote, this motion passed.

Allied Paper Mill  
Site Tour with EPA  
Representatives

Mayor McKinney noted the site tour and discussion of proposed PCB disposal with representatives from the United States Environmental Protection Agency (EPA) would not be conducted, as representatives from the EPA were not present.

**77374**

Mayor McKinney read the following statement into the record:

It is important for City Commissioners and City Staff to work with the EPA and DEQ representatives as well as with our federal and state elected officials if we are to keep contaminants from being transported to and stored in the heart of our City. Towards that end, I am asking the City Administration and City Attorney to do the following:

Directives to City  
Staff

- obtain all relevant environmental data associated with the Allied Paper Disposal Site so that the City can assess the impact this site has had on groundwater and the potential future impact it could have on City well fields.
- participate in future discussions on long-term plans to fully remediate and permanently clean up the Allied Paper site.
- initiate meetings with EPA and DEQ representatives to discuss future plans for the entire Kalamazoo River superfund site.
- investigate possible ordinances and other legal remedies that could be used to protect the current and future health and safety of City residents, particularly those who live near or adjacent to the Allied Paper site.

Commissioner Cooney thanked citizens for attending the meeting and requested that more citizens to come to future meetings.

Citizen Comments

Commissioner McCann discussed the lack of respect the EPA had for the citizens of Kalamazoo by not attending the meeting.

Next, the following citizens addressed the City Commission in opposition to the EPA's proposal to dump PCB-contaminated sediment from the Kalamazoo River at the former Allied Paper Mill site:

- David Juarez, City resident
- Margaret Burns, City resident
- Amber Colgrove, City resident
- Roger Bus, City resident
- Brent Larson, Heritage Community, City resident
- Jack Urban, County Commissioner, City resident
- Jerry Thompson, City resident
- Shauna Smith, City resident
- Sneidza Rungus, City resident
- Diane Delach, City resident
- Jim Reibel, City resident
- Gary Wager, City resident
- Jim Brisky, non-City resident
- Latisha Welch, City resident
- Christine Serra, City resident
- Zela Ewing, City resident
- Lee Marsh-Prelesnik, non-City resident
- Dale Harrison, City resident
- Vicky Gray, City resident
- Melvina Hilmert, City resident
- Mark Winters, City resident
- Robert Jones, State Representative, City resident
- Emily Frasier, Kalamazoo Neighborhood Housing Services, City resident

City Commissioner Comments

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

Commissioner Cooney encouraged citizens to sign up for updates on the issue.

Adjournment

The meeting adjourned at 2:45 p.m.

Respectfully submitted,

Virginia M.Vander Roest  
Deputy City Clerk

For City Commission approval on May 21, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: May 21, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, April 2, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Vice Mayor Bobby Hopewell

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and Deputy City Clerk Virginia Vander Roest.

Commissioner excused

Commissioner Balkema, seconded by Commissioner Miller, moved to excuse the absence of Vice Mayor Hopewell. With a voice vote the motion passed.

Invocation

The invocation, given by Commissioner Cooney, was followed by the Pledge of Allegiance.

Introduction of Guests

Mayor McKinney recognized the presence of Kalamazoo County Commissioner Robert Barnard.

Proclamations  
**77375**

Commissioner Balkema, on behalf of Mayor McKinney, proclaimed April 9-15, 2007 "National Community Development Week." Mr. David Thomas, Neighborhood Development Specialist, was present to receive the proclamation.

**77376**

Commissioner McCann, on behalf of Mayor McKinney, proclaimed April 2007 "Fair Housing Month." Mr. Robert Eells, Executive Director of the Fair Housing Center of Southwest Michigan, was present to receive the proclamation.

Adoption of the Agenda

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

Mayor McKinney noted additional discussion of the proposed PCB disposal from the 2 p.m. Special City Commission meeting would be held before citizen comments on non-agenda items.

Communications

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

Public Hearing re:  
the Rezoning of  
529 and 535 S.  
Westnedge Ave.  
**77377**

At 7:16 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt an ORDINANCE to rezone 529 and 535 Whites Road, and the southwest approximately 100 feet of 3124 S. Westnedge Avenue from Zone RM-15 (Residential, Multi-Dwelling District) to Zone CC (Commercial, Community District).

The following citizens spoke regarding the proposed ordinance:

Beth Lewis, City resident  
Steve Sweeney, City resident

At 7:20 p.m. Mayor McKinney closed the public hearing.

Ordinance 1823  
Rezoning 529 and  
535 S. Westnedge  
Ave.

**77377**

Commissioner Balkema, seconded by Commissioner Anderson, moved to adopt an **ORDINANCE** to rezone 529 and 535 Whites Road, and the southwest approximately 100 feet of 3124 S. Westnedge Avenue from Zone RM-15 (Residential, Multi-Dwelling District) to Zone CC (Commercial, Community District).

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Balkema, Cooney, McCann, Miller, Mayor McKinney

NAYS: None

Public Hearing re:  
the Amended  
Project Plan for  
Heritage  
Community

**77378**

At 7:22 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION approving the proposed amendment to the project plan, which was initiated by Heritage Community of Kalamazoo and approved by the City Commission on July 6, 2004.

At 7:23 p.m. Mayor McKinney closed the public hearing.

Resolution 07-15  
Approving an  
Amended Project  
Plan for Heritage  
Community

**77378**

Commissioner Miller, seconded by Commissioner Balkema, moved to adopt a **RESOLUTION** approving the proposed amendment to the project plan, which was initiated by Heritage Community of Kalamazoo and approved by the City Commission on July 6, 2004.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Balkema, Cooney, McCann, Miller, Mayor McKinney

NAYS: None

Discussion of PCB  
Disposal at the  
Former Allied  
Paper Site

**77379**

Next, further discussion was held regarding the 2 o'clock p.m. Special City Commission meeting and the proposed disposal of PCB's at the former Allied Paper Mill site.

At the request of City Manager Collard, Bruce Merchant, Public Services Director, provided an update regarding a meeting with EPA representatives held earlier in the day. Public Services Director Merchant reported the EPA had provided data that would require a thorough review by staff. Public Services Director Merchant described the EPA's proposal for future meetings, which included potential meetings in Lansing or Chicago and a public comment period in a year or two. Lastly, Public Services Director Merchant reported on the lack of finalized plans by the EPA.

Discussion of PCB  
Disposal at the  
Former Allied  
Paper Site (cont'd)

**77379**

Mayor McKinney reported the EPA did not come to the 2 p.m. Special Meeting as invited. Mayor McKinney re-read a list of directives for City Staff from that meeting.

City Manager Collard spoke on the City's commitment to the community, and he noted all "vulnerabilities" would be thoroughly explored as the City continued the fight against the EPA's proposal to dump PCB-contaminated sediment from the Kalamazoo River at the former Allied Paper Mill site.

City Attorney Kirk noted his obligation to the City to provide legal advice was not to be interpreted as a lack of caring for the City. City Attorney Kirk assured the public all strategies and avenues were being explored to fight this issue.

The following citizens addressed the City Commission regarding the PCB/Allied Paper Mill Site issue:

- John Herwick, City resident
- Sue Kloth, City resident
- Jeff Palmer, City resident
- Daniel Arps, City resident
- Margaret Burns, City resident
- Doris McLean, City resident
- Philip Gestwicki, City resident
- Andrew DeGraaf, City resident
- Monica Westover, City resident
- Jim Button, City resident
- Dick DeVisser, City resident
- Ken Teitelbaum, City resident
- Jon Douglas, City resident
- Rob Backus, City resident
- Andy [unknown last name], City resident
- Beth Lewis, City resident
- Beau Preston, City resident
- Franklin Carl Thompson, non-City resident, Kalamazoo County  
Commissioner
- Patricia Lodge, City resident
- Brent Larson, City resident
- Ron Jones, non-City resident
- Steve Sweeney, City resident
- Vicky Greene, City resident

Commissioner McCann noted the Commission's commitment to fighting the EPA, and he encouraged citizens to communicate with their state and federal representatives on this issue.

Commissioner Miller stated the citizen presence was at the meeting was uplifting.

Commissioner Balkema thanked citizens for coming and requested that the City provide a means to distribute information to citizens so they could become involved with this issue.

Commissioner Cooney noted a community in Wisconsin fought the EPA on PCB dumping and won. Commissioner Cooney encouraged Kalamazoo to continue the fight and talk to state and federal representatives.

Mayor McKinney thanked citizens for coming to the meeting and provided details of a letter she sent to US Senator Carl Levin and Richard Carl, Region 5 Director for the EPA. A copy of the letter was filed with the papers for this meeting.

The meeting recessed at 8:32 p.m.

The meeting resumed at 8:41 p.m.

Citizen Comments  
on Non-Agenda  
Items

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

Franklin Carl Thompson, non-City resident, Kalamazoo County  
Commissioner  
Ayshhyah Khazad, City resident  
Dixie Meyers, City resident

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:

- |  |   |
|--|---|
| <b>77380</b>                                     | - a recommendation to approve a contract with Aggregate Industries for the purchase of asphalt paving materials in the amount of \$305,750.   |
| <b>77381</b>                                     | - a recommendation to approve the purchase of two heavy duty truck cab and chassis from Wier's International Trucks to be used in street maintenance and repair activities for a total cost of \$127,700.   |
| <b>77382</b>                                     | - a recommendation to approve a one-year contract for ready mixed concrete with Statler Concrete & Supply Company to be used for roadway, sidewalk, and other construction project needs in the amount of \$107,602.50.                                     |
| Resolution 07-16<br><b>77383</b>                 | - a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission <b>RESOLUTION</b> to transfer ownership of a 12-month resort Class C-SDM liquor that is now in escrow from 402 E. Michigan to 401 E. Michigan. |
| Resolution 07-17<br><b>77384</b><br><b>77385</b> | - a recommendation to adopt a <b>RESOLUTION</b> designating the polling facility locations for the election to be held May 8, 2007.   |
| <b>77386</b>                                     | - a recommendation to approve a request to participate with the State of Michigan in a cooperative bid for the purchase of ice control salt for the 2007/2008 Winter Season.  |
|  | - a recommendation to approve a HOME Investment Partnership - Community Housing Development Organization grant in the amount of \$132,131 to the Kalamazoo Neighborhood Housing   |

Services, Inc. for the rehabilitation of five single family houses within low-to-moderate income Census Tracts in the City of Kalamazoo; and authorize the City Manager to sign all related documents for the program as required by the U.S. Department of Housing and Urban Development and the City of Kalamazoo.

77387

- a recommendation to Commission approve the transfer of \$197,000 from City Cemetery Perpetual Care Fund to the Cemetery Operating Fund for 2006 capital improvements per the recommendations from the Cemetery Business Plan.

77388

- a recommendation to hold until April 16, 2007 approval of the conveyance of 1701 N. Riverview Drive to S&T Enterprises, LLC, for \$4,989.32.

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

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Balkema, Cooney, McCann, Miller, Mayor McKinney

NAYS: None

Regular Agenda

Next, Regular Agenda items were considered.

Resolution 07-18  
Approving the  
Release of  
\$2,000,000 to  
Kalamazoo Public  
Schools for  
Construction of  
Access Roads to  
the Proposed New  
Middle School Site

77389

Commissioner Anderson, seconded by Commissioner Miller, moved to approve a recommendation to adopt a **RESOLUTION** to release \$2,000,000 to the Kalamazoo Public Schools (KPS) for public roads to provide access and egress to the proposed Middle School site on property currently owned by the Western Michigan University (WMU) Foundation and located northwest of the Arcadia neighborhood, subject to certain restrictions.

Prior to a vote on the motion, City Manager Collard read the conditions attached to the release of funds. City Manager Collard noted traffic studies had been conducted, and future development of the WMU Foundation property would comply with the West Side Plan.

The following citizens spoke in opposition to the addition of a connector road between South Kendall Avenue and Drake Road:

Leanne Larson, City resident  
Hardy Fuchs, Non-resident  
Philip Schmitt, City resident  
Ken Larson, City resident  
Philip Micklin, City resident  
Adam Jeffries, non-City resident  
Eddie Anderson, III, City resident  
Jared Glover, City resident  
Chris Adrian, City resident

Release of Funds  
for New Middle  
School (cont'd)

**77389**

Pat Lennon, attorney for Miller Canfield and representative of the WMU Foundation, expressed excitement over the construction of a new Middle School and noted the connector road was a critical component of the project.

In response to a question from Commissioner Balkema, Public Services Director Merchant addressed concerns regarding nearby wellheads and cut-through traffic on the proposed connector road. Public Services Director Merchant assured the City Commission all requirements for wellheads would be met, and the Public Services Department was committed to reviewing options to reduce cut-through traffic.

City Manager Collard, in response to a question from Commissioner McCann, stated representatives from the WMU Foundation had made representations that future residential development to the east of the proposed Middle School site would include 40 acres of open space, but the representatives had not committed to defining that open space as "contiguous."

Keith Hernandez, City Planner, explained the City could not require the green space in a future residential development to be contiguous, but the amount of green space as a percentage of the total project area would need to meet the requirements of City ordinance.

Commissioner Cooney encouraged City staff to ensure the connector road did not become a racetrack and to secure monetary contributions from other entities for construction of the road.

Commissioner Miller commented on the City Commission's commitment to support The Kalamazoo Promise and noted the benefits of a new school to the City.

Commissioner McCann stated the Commission needed to act quickly on this item due to deadlines KPS was required to meet.

Commissioner Anderson stated this decision presented a happy problem, and he remarked on the positive collaboration between Western Michigan University, KPS, and the City.

Mayor McKinney cited the community's need for a new middle school but noted the issues involved made this decision difficult.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Balkema, Cooney, McCann, Miller, Mayor McKinney

NAYS: None

City Clerk's Report

**77390**

Deputy City Clerk Vander Roest reported the following items:

- the receipt of minutes from the following advisory boards and commissions:

City Clerk's Report  
(cont'd)

**77390**

- Community Development Act Advisory Committee
  - Thursday, January 25, 2007
- Employee Retirement System Board of Trustees
  - Friday, March 2, 2007
- Environmental Concerns Committee
  - Wednesday, February 21, 2007
- Friends of Recreation Board
  - Tuesday, February 27, 2007
- Investment Committee of the Retirement System
  - Wednesday, February 21, 2007
- Kalamazoo Historic District Commission
  - Tuesday, February 20, 2007
- Kalamazoo Transit Authority Board
  - Friday, December 15, 2006
- Parks and Recreation Advisory Board
  - Tuesday, March 6, 2007
- Perpetual Care Investment Committee
  - Wednesday, February 21, 2007
- Planning Commission
  - Thursday, March 1, 2007
- Zoning Board of Appeals
  - Thursday, February 8, 2007
- the approval of the following special events in the month of March:
  - a request from Downtown Kalamazoo Incorporated (DKI) to use city streets on Friday, March 2, 2007 from 6:00 p.m. to 9:00 p.m. to host horse-drawn trolley rides.
  - a request from Michigan Organizing Project to use Bronson Park on Saturday, March 17, 2007 from 4:00 p.m. to 5:00 p.m. for a rally for immigrant rights.
  - a request from the Veteran's Day and Memorial Day Assoc. to use city streets on Monday, May 28, 2007 beginning at 10:00 a.m. for the annual Memorial Day Parade.
  - a request from Bethany Christian Services to use Spring Valley Park on Saturday, May 5, 2007 from 8:00 a.m. to 12:00 p.m. for a 5K "Fun Run."

City Clerk's Report  
(cont'd)**77390**

- a request from MRC Industries to use city streets on Friday, June 15, 2007 from 6:30 – 7:00 p.m. and on Saturday, June 16, 2007 from 7:30 - 10:30 a.m. for the 29<sup>th</sup> annual Kalamazoo Klassic and Kids Klassic foot races.
- a request from Eagle Take Flight Promotions to use Milham Park on Saturday, June 23, 2007 from 6:00 a.m. to 6:00 p.m. for the annual "Eagle Take Flight" Arts & Crafts Fair.
- a request from the Leukemia & Lymphoma Society to use Bronson Park and city streets on Saturday, September 27, 2007 from 2:00 to 10:00 p.m. for the annual Light the Night Walk.
- a request from WMU to use City sidewalks on Thursday, March 29, 2007 from 11:00 a.m. to 2:00 p.m. for a Cesar Chavez Celebration.
- a request from WMUK and the City of Kalamazoo to place the StoryCorps MobileBooth at the east end of Bronson Park from April 5, 2007 to April 28, 2007. The purpose of this event is to record the personal stories of Kalamazoo's citizens and archive them (with their permission) at the American Folklore Center in the Library of Congress.

City Manager's  
Report

City Manager Collard presented an update on the potential sale of Eastern Hills Golf Course.

At the request of City Manager Collard, Public Safety Chief Dan Weston reported on the recent murders of William Barry and Anna Holter, as well as a shooting outside the Knights of Columbus hall.

Commissioner Balkema praised the Public Safety Department and Cold Case team for recent efforts in solving the Polderman murders committed in August of 2000.

## Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Troy Anderson, City resident  
Eddie Anderson, III, City resident  
Beth Lewis, City resident  
Ayshhyah Khazad, City resident

City Commissioner  
Comments

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

Commissioner Balkema expressed condolences to the Barry family, wished "Happy Birthday" to Commissioner Cooney and Vice Mayor Hopewell, and noted she would be traveling to the Sister City of Numazu, Japan with Commissioner McCann and Mayor McKinney. Commissioner Balkema also noted that the City of Kalamazoo did not provide lump sum distributions from its pension system.

Adjournment

Commissioner Anderson announced the Community Relations Board (CRB) would be holding a series of meetings in the neighborhoods beginning on April 4, 2007 with a meeting at the Edison Neighborhood Association.

The meeting adjourned at 10:25 p.m.

Respectfully submitted,

Virginia M. Vander Roest  
Deputy City Clerk

For City Commission approval on May 21, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: May 21, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, April 16, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Vice Mayor Bobby Hopewell  
 David Anderson  
 Don Cooney  
 Barbara Miller

COMMISSIONERS ABSENT: Mayor Hannah McKinney  
 Mary Balkema  
 Sean McCann

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner Miller, seconded by Commissioner Anderson, moved to excuse the absences of Mayor McKinney and Commissioners Balkema and McCann. With a roll call vote the motion passed.

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood Communications

Neighborhood association communications were received next.

Representatives of the following neighborhood associations were present:

Fairmont Neighborhood Association

Melissa Linkfield, Neighborhood Administrator  
 Joy Russcher, Board President

Oakwood Neighborhood Association

Gary Wager, President  
 Cheryl Lord, Executive Director

Stuart Area Restoration Association

Leslie Decker, Executive Director  
 Jonathan O'Brien, Chair

Fairmont Neighborhood Association

The Fairmont Neighborhood Association representatives:

- distributed copies of a document entitled *City Commission Committee Report*.
- reported the 2006 Building Blocks Program was very successful and stated the Building Blocks Projects for 2007 would focus on Ogden Avenue and Denner Street.
- stated Board of Director elections took place in December and indicated two new board members had been elected.

**77391**

- introduced Yolanda Moss as the Association's new part-time office assistant.
- stated the Association had sponsored an appreciation event for Public Safety Officers (PSO's), which was attended by 40 PSO's and 40-50 residents.
- noted ongoing concerns about the abandoned building owned by Western Michigan University (WMU) on Blakeslee Street and indicated the Association would be following up on these concerns with another letter to WMU.
- expressed concern that the new management staff at Foxridge Apartments was not performing criminal background checks on rental applicants as required by law.
- questioned whether the intersection of Westnedge and Douglas Avenues would be made into a City gateway with appropriate streetscape improvements.
- indicated car and pedestrian traffic at Déjà vu had increased.
- requested that the Association be considered as a possible tenant for Public Safety Station #5 when this station was moved to the new Public Safety Super Station.
- announced the Association was developing a new program for young men, ages 14-19, designed to address youth violence by keeping young people off the streets on Friday and Saturday nights. Ms. Russcher stated she wanted teens to design the program with guidance from adults. Ms. Linkfield noted this program would be coordinated with the summer youth employment program.
- reported the Association's Board of Directors had agreed to support the City and other neighborhoods in the fight against dumping PCB laden sediment from the Kalamazoo River at the former Allied Paper Mill site.

In response to a question from Commissioner Cooney, Ms. Russcher stated youth programs were currently hosted at the Fairmont Neighborhood offices, but it was possible that the YMCA would host the youth programs.

In response to a question from Vice Mayor Hopewell, explained there had been a rise in drug-related crime at the Foxridge Apartments since a new company began managing the property. Ms. Linkfield stated law enforcement was a problem because drug transactions were taking place in apartments behind closed doors.

Oakwood  
Neighborhood  
Association

77392

The Oakwood Neighborhood Association representatives:

- distributed copies of the April 2007 edition of the *Oakwood Times*.
- stated the 2007 Building Blocks Program would focus on Edgewood Drive and Hoover and Kent Avenues. Ms. Lord noted Keystone Bank and Lowes were partnering with the Association
- invited Commissioners to a neighborhood reunion on Sunday, June 30<sup>th</sup>.
- reported WMU students had cleaned up yards for senior citizens over the weekend.

77393

- distributed a map of the neighborhood showing the areas that were eligible for Community Development Block Grant (CDBG) funds and requested that Oakwood census tract 1603 BG-2 be allowed to receive CDBG funds and take part in CDBG funded programs.

Commissioner Cooney requested that the City investigate the possibility of directing CDBG funds to the Oakwood Neighborhood.

- stated the after-school programs sponsored by the Parks and Recreation Department had been reduced from five days per week to two days per week over the past two years. Ms. Lord explained the reduction in program hours had negatively affected the Association's ability to obtain grant funding, and she asked that the after school program hours be increased.
- announced the Association's Board of Directors had adopted a resolution joining the City's opposition to dumping PCB laden sediment from the Kalamazoo River at the former Allied Paper Mill site.
- requested improved communication with the PSO's at Public Safety Station #7.
- expressed concern about overgrown vegetation on the top of the retaining wall on Parkview Avenue.

Vice Mayor Hopewell thanked Mr. Wager for his efforts regarding the PCB issue.

Stuart Area  
Restoration  
Association

77394

The Stuart Area Restoration Association representatives:

- distributed copies of the *Strategic Plan for the Stuart Neighborhood 2006-2010*.
- announced Leslie Decker would retire from the Association on May 31<sup>st</sup> and thanked her for her hard work on behalf of neighborhood residents.

- reported the Association's annual meeting was held on April 11<sup>th</sup> and stated Tim and Katie Livey, Jean Harden, and Jay Bonsignore were elected to the Board of Directors.
- highlighted the top concerns of the neighborhood over the past few years as listed on page 22 of the Strategic Plan.
- announced the Stuart Endowment had been established.
- expressed opposition to the dumping of PCB laden sediment from the Kalamazoo River at the former Allied Paper Mill site.
- suggested that Public Safety Station #5 be utilized by a neighborhood association once it was vacated by the Public Safety Department.
- expressed concern about the number of group homes in the neighborhood and stated some families were considering moving due to noise levels, the behavior of group home residents, and frequent Public Safety visits to these homes.
- stated the Association's Officer Appreciation Event in March was successful.
- reported Elm Street would be the Building Blocks Program site for 2007.
- stated the Association continued to partner with Kalamazoo in Bloom to improve West Main Park.
- indicated the Association would be sponsoring a flower planting day for students at Woodward Elementary School.
- expressed concern about loud music from passing vehicles.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

The meeting adjourned at 6:33 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 18, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: June 18, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, April 16, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

COMMISSIONERS PRESENT: Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
Barbara Miller

COMMISSIONERS ABSENT: Mayor Hannah McKinney  
Mary Balkema  
Sean McCann

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner Anderson, seconded by Commissioner Miller, moved to excuse the absences of Mayor McKinney and Commissioners Balkema and McCann. With a voice vote, the motion passed.

## Invocation

The invocation, given by Dr. Reverend George L. Coon, Northeastern Baptist Church, was followed by the Pledge of Allegiance.

## Proclamations

77395

Vice Mayor Hopewell proclaimed April 15-21, 2007 "National Volunteer Week" in the City of Kalamazoo. Alfrelynn Roberts, Assistant to the City Manager, accepted the proclamation.

77396

Commissioner Miller, on behalf of Mayor McKinney, proclaimed April 16-20, 2007 "College Awareness Week" in the City of Kalamazoo. Dr. Janice Brown, Superintendent, Kalamazoo Public Schools; Pamela B. Kingery, Executive Director, Kalamazoo Communities in Schools; and Darren Timmeney, President, the Kalamazoo Branch of JP Morgan Chase Branch, accepted the proclamation.

## Adoption of the Agenda

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

A citizen requested that items G-1 and G-9 be moved to the Regular Agenda.

## Communications

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

## Citizen Comments

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

Ed Annen Sr., City resident, spoke in opposition to the dumping of PCB laden sediment from the Kalamazoo River at the former Allied Paper Mill site.

F. Claus Grobig, City resident, cited studies that showed the health risks of PCB's had been overstated.

John Hilliard, City resident, thanked Commissioners and City staff for their efforts to stop the plan to dump PCB laden sediment from

the Kalamazoo River at the former Allied Paper Mill site. Mr. Hilliard expressed disappointment that the Kalamazoo Gazette had not strongly opposed the Environmental Protection Agency's Kalamazoo River clean up plan.

Franklin Carl Thompson, City resident, thanked the Public Safety Department for responding quickly to a recent emergency at his home. Mr. Thompson offered remarks on an upcoming retreat for Kalamazoo County Commissioners. Mr. Thompson asked the City Traffic Engineer to study the intersection of Gull Road and Humphrey.

Jeff Palmer, City resident, invited citizens to participate in a march for environmental justice on Saturday April 22<sup>nd</sup>. Mr. Palmer stated the march would begin in the Homecrest Circle Neighborhood.

Beth Lewis, City resident, spoke regarding the need for people to pick up after their pets and keep their pets on leashes.

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:

- 77397**
- a recommendation to approve an agreement with the Michigan Department of Transportation for the rehabilitation of Paterson Street from Westnedge Avenue to the Kalamazoo River in the amount of \$208,000.
- 77398**  
Resolution 07-19
- a recommendation to adopt a Notice of Intent **RESOLUTION** for the issuance of Capital Improvement Bonds in an amount not to exceed \$900,000 for the purpose of financing various capital projects included in the Fiscal Year 2007 Capital Improvement Program.
- 77399**  
Resolution 07-20
- a recommendation to adopt a Notice of Intent **RESOLUTION** for the issuance of Water Revenue Bonds in an amount not to exceed \$2.3 million for the purpose of financing capital projects included in the Fiscal Year 2007 Capital Improvement Program.
- 77400**  
Resolution 07-21
- a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to transfer ownership of a Class C-SDM liquor license with: added space request; and, new outdoor service area request to Trophy House Grill L.L.C.
- 77401**  
Resolution 07-22
- a recommendation to adopt a **RESOLUTION** authorizing LaSalle Bank National Association as Successor to Michigan National Bank in order to replace lost DDA Bond Certificate No. 216 in the amount of \$10,000 owned by Gary and Stella Bergin.
- 77402**
- a recommendation to authorize the City Manager to execute a "Right-of-Way Telecommunications Permit" which will allow NextG Networks to access City rights-of-way.

**77403**

- a recommendation to accept a grant from the Kalamazoo Community Foundation/Dr. and Mrs. Harley Sears Memorial Fund for \$1,000 to fund an overnight camping experience for youth.

Commissioner Cooney, seconded by Commissioner Anderson, moved to approve the Consent Agenda items as presented.

With a roll call vote, the motion passed.

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

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Contract Extension with Waste Management of Michigan for Solids Hauling and Disposal

**77404**

Commissioner Miller, seconded by Commissioner Anderson, moved to approve a one-year contract extension with Waste Management of Michigan, Inc. for loading, hauling, and disposal of belt press solids from Kalamazoo Water Reclamation Plant in the amount of \$1,412,000.

Prior to a vote, Beth Lewis suggested the City find other uses for this waste material.

In response to Ms. Lewis, Public Service Director Bruce Merchant reported the City continued to operate a pilot project in which bio solids were converted to fertilizer for use by local farmers.

With a roll call vote, the motion passed.

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

NAYS: None

Conveyance of 1701 N. Riverview Drive to S&T Enterprises, LLC

**77405**

Commissioner Anderson, seconded by Commissioner Miller, moved to approve the conveyance of 1701 N. Riverview Drive to S&T Enterprises, LLC, for \$4,989.32.

Prior to a vote on the motion, Beth Lewis questioned how S & T Enterprises intended to use the property.

In response to Ms. Lewis, Community Planning and Development Director Jeff Chamberlain stated the property would be used for parking at Niskers Restaurant.

With a roll call vote, the motion passed.

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

NAYS: None

Approval of a  
Transportation  
Service Agreement  
with the County  
Transportation  
Authority

**77406**

Transportation Director Bill Schomisch explained the approval of this agreement was the final step to enable the millage approved by voters in November 2006 to actually fund public transportation in Kalamazoo County.

Linda Teeter, Vice Chair of the Kalamazoo County Transit Authority, encouraged the City Commission to approve the agreement. Ms. Teeter noted new bus routes in the City of Portage had started that day.

Commissioner Cooney, seconded by Commissioner Anderson, moved to approve a proposed Service Agreement between the Kalamazoo County Transportation Authority, the City of Kalamazoo, and the Kalamazoo Transit Authority Board for CY2007 and beyond.

With a roll call vote, the motion passed.

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

NAYS: None

City Manager's  
Report

**77407**

City Manager Collard presented the following items:

- Department Reports and Project Updates
- The CITYLink Newsletter dated February/March 2007
- Employment Activity Report for the Fourth Quarter 2006
- A Legislative Update dated April 1, 2007
- Purchasing Report for March 2007

City Manager Collard highlighted the summer youth employment program and encouraged residents and businesses to hire young people for summer jobs as a supplement to the employment opportunities coordinated by the City and Youth Opportunities Unlimited (YOU).

Public Services Director Bruce Merchant provided an update on the dumping of PCB's at the former Allied Paper Mill site.

In response to a question from Cooney, Public Services Director Merchant stated the EPA had granted a three week time extension, and trucks would not start hauling sediment from the Kalamazoo River until June 1<sup>st</sup>.

Public Safety Work  
Plan

**77408**

City Manager Collard distributed and reviewed the Public Safety Enhancement Work Plan outline and narrative.

In response to a question from Commissioner Anderson, City Manager Collard indicated City Commissioners would be able to participate in the street corner dialogues.

Commissioner Cooney thanked City Manager Collard and City staff for their hard work on the Plan. Commissioner Cooney stated heart of the matter was the safety of Kalamazoo's citizens and the existence of mutual trust and respect between the Public Safety Department and the community.

Public Safety Work Plan (cont'd)

**77408**

Commissioner Miller expressed appreciation for the youth engagement component and the Plan, as well as the Public Safety Academies.

Vice Mayor Hopewell noted the implementation of the Work Plan was the responsibility of the entire City Commission and the entire community. Vice Mayor Hopewell challenged City Manager Collard and Public Safety Chief Dan Weston to allow Public Safety Officers to help design the strategies and programs to be used.

City Manager Collard read into the record the final paragraph from the Public Safety Enhancement Work Plan:

In the end, the real keys are equitable treatment, trust and respect. My vision is that every law-abiding citizen in our community will expect and trust PS to keep them safe and treat them fairly. The balance of my vision is a community that honors and respects its public safety officials and the complex role they're asked to play in our society.

When citizens were given an opportunity to comment on the City Manager's Report, the follow individuals addressed the City Commission:

Stephanie Moore, City resident, thanked City Manager Collard for his Public Safety Work Plan but expressed concern that increased income from summer employment could affect peoples' eligibility for public assistance. Ms. Moore suggested that employers offer unpaid internships for school credit.

Norine Wafford, City resident, expressed concern about the placement of the new Consolidated Public Safety Station on the Northside and suggested the City plan the construction of an attraction for young people on Northside. Ms. Wafford stated the City had neglected the Northside and objected to the location of Martin Luther King Jr. Park.

Gary Gill, City resident, stated Chief Weston deserved an "F" grade. Mr. Gill indicated he continued to work towards clearing the name of his brother, John Gill, who was shot and killed by a Public Safety Officer in 2004.

Yolanda Neals, City resident, stated there were few safe places in the neighborhoods for young people to hang out and spend time. Ms. Neals stated the Citizen Public Safety Review and Appeal Board (CPSRAB) needed to be an independent body, not a damage control tool for the City.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Beth Lewis, City resident, expressed concern about Internet security at the Kalamazoo Public Library.

**77409**

Zaf Khaja invited the City Commission and City staff to attend the Rotary District Conference on Friday, April 20<sup>th</sup>.

Stephanie Moore, City resident and representative of ACORN, announced a town hall meeting would be held at Mt. Zion Baptist Church on Thursday, April 26, 2007 to present information on the foreclosure process and available resources in the community.

Doris Jackson, City resident, noted the importance of volunteering and expressed hope that the plans of the City Manager would be carried out.

Yolanda Neals, City resident, stated she wanted to hear from the City Manager's Office regarding the rescheduling of her meeting with CPSRAB.

City Commissioner  
Comments

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

Commissioner Miller congratulated Ms. Jackson for receiving the Dorothy Richardson Award.

Commissioner Cooney expressed sympathy for victims of the recent shootings at Virginia Tech University. Commissioner Cooney announced the Kalamazoo Alliance for Equality would be sponsoring a series of training sessions for people who wanted to advocate for social justice. Commissioner Cooney spoke about importance opposing the disposal of PCB laden sediment from the Kalamazoo River at the former Allied Paper Mill Site.

Vice Mayor Hopewell stated he would have abstained on the vote to approve funding for infrastructure improvements associated with the new middle school in the Arcadia Neighborhood. Vice Mayor Hopewell commended Commissioner Cooney and Public Services Director Merchant for their work against on the dumping of PCB-laden river sediment within the City. Vice Mayor Hopewell recognized the presence of County Commissioner Grady Biby. Vice Mayor Hopewell rehearsed the ways the City and its community partners provided services and recreation programs for young people.

Adjournment

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 18, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: June 18, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, April 27, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney\*  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Mayor Hannah McKinney

Also present were Deputy City Manager Jerri Barnett-Moore, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner  
Excused

Commissioner Miller, seconded by Commissioner Balkema, moved to excuse the absences of Mayor McKinney and Commissioner Cooney. With a voice vote, the motion passed.

Review of the April  
30<sup>th</sup> Regular  
Meeting Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, April 30, 2007.

\*Commissioner Cooney arrived at 7:32 a.m.

E-1

Regarding Item E-1, revisions to the Historic District ordinances, Community Planning and Development Director Jeff Chamberlain reviewed the motion and addressed Commissioners' questions regarding the inclusion of the "triangle" in the proposed West Main Hill (WMH) Historic District and the exclusion of Kalamazoo College from this district. Community Planning and Development Director Chamberlain reported the Historic District Study Committee had decided to include the triangle area in the proposed historic district because it was a part of the WMH neighborhood and a gateway to the City. Community Planning and Development Director Chamberlain explained the purpose of including the triangle was regulatory, with the intent of preserving the area. Regarding the exclusion of Kalamazoo College from the WMH Historic District, Community Planning and Development Director Chamberlain stated the College had consistently opposed being included in a historic district, and he noted the regulatory purpose did not exist for the College. Community Planning and Development Director Chamberlain stated the historic district process would need to be restarted from the beginning if the City Commission wanted to include the Kalamazoo College property in the proposed West Main Hill Historic District.

By consensus the City Commission determined to vote separately on the four elements of the ordinance and requested the meeting agenda be designed to facilitate this procedure.

Vice Mayor Hopewell questioned why one property owner's voice was able to rise above the others and stated he would be more comfortable with the ordinance if the entire WMH Neighborhood was the district.

In response to a question from Commissioner Balkema, Historic Preservation Coordinator Sharon Ferraro explained state statute established rules for the creation of historic district boundaries, and individual property owners were not allowed to “opt-out” of a historic district.

Community Planning and Development Director Chamberlain directed Commissioners to the City’s website for the complete report of the Historic District Study Committee, which included maps of the districts.

Commissioner Balkema noted the replacement of windows in historic districts would continue to be an issue for property owners and the Historic District Commission.

Item G-1

Regarding Item G-1, approval of a contract for the repaving of the brick portions of the Kalamazoo Mall, Commissioner Balkema Mary asked if the snow melt system would be fixed prior to repaving and expressed concern that system failures and subsequent repairs would make the road look bad.

In response to Commissioner Balkema, Deputy City Manager Barnett-Moore stated the snow melt system would be repaired prior to repaving and reported there had been no problems with the portion of the system that serviced the existing paved areas of the Kalamazoo Mall.

Public Services Director Bruce Merchant explained the paving material used on the Mall would be dyed concrete, and if the road needed to be repaired for any reason, the new concrete would be dyed the same color.

Item G-2

Regarding Item G-2, wellhead protection zoning overlay and groundwater protection standards ordinances, Public Services Director Merchant provided overview of ordinances and indicated the following provisions of the groundwater protection standards ordinance had the potential to affect the dumping of contaminated material at the former Allied Paper Mill site: 1) the ordinance prohibits the presence of over 440 pounds of hazardous materials on a site; and 2) when operations cease at a site, hazardous materials must be removed within 6 months. Public Services Director Merchant noted, however, that federal and state laws and regulations preempted local ordinances in the event of a conflict.

Commissioner Balkema requested information on the number of businesses the proposed ordinances would impact and the extent of the impact. Commissioner Balkema also requested that the City make a public statement on the quality of its groundwater, specifically with regard to the Allied Paper Mill site.

Item K-1

Regarding Item K-1, endorsement of the U.S. Mayors’ Climate Protection Agreement, Commissioner Balkema requested that the City Manager identify the provisions of the agreement the City Administration intended to implement.

Discussion of  
Community Issues

Citizen Comments

Vice Mayor Hopewell distributed copies of a *Purpose Statement* for the Fountain of the Pioneers Issues Resolution Group and requested that the endorsement of this statement be added under Policy Items as Item K-2. There were no objections to this request.

Commissioner McCann left the meeting at 8:32 a.m.

Next, an opportunity was given for City Commissioners to discuss community issues, but no issues were discussed.

Finally, an opportunity was given for citizen comments, but no comments were offered.

The meeting adjourned at 8:35 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 18, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: June 18, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, April 30, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Invocation

The invocation, given by Superintendent A. W. Williams, Holy Temple Family Church of God in Christ, was followed by the Pledge of Allegiance.

Adoption of the Agenda

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

A citizen requested that Item G-1, contract for repaving the brick portions of the Kalamazoo Mall, be moved from the Consent Agenda to the Regular Agenda.

Communications

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

Public Hearing re:  
Historic District  
Ordinance

**77410**

At 7:06 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt an ORDINANCE which made the following revisions to Chapters 2 and 16 of the Kalamazoo City Code regarding Historic Districts:

- amends the Chapters to make them consistent with State regulations, allows the Historic Preservation Commission to assume the role of an Historic District Study Committee in the future, and makes certain changes to improve the organization of Chapter 16
- adds four single resource historic districts
- establishes a new local historic district called the West Main Hill Local Historic District
- excludes from the ordinance the previously proposed expansion to the Stuart Area Local Historic District.

The following citizens addressed the City Commission regarding the proposed ordinance:

Valerie Wright, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Public Hearing re:  
Historic District  
Ordinance (cont'd)

**77410**

Christopher Wright, City resident, spoke in favor of the creation of a West Main Hill Historic District and submitted recent articles from the Kalamazoo Gazette regarding the Symphony Homes Tour.

Diane Shearer, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Steve Terranella, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Betsy Alder, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Peter Livingstone-McNelis, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Heather Radisson, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Liz Henderson, City resident, spoke in opposition to of the creation of a West Main Hill Historic District.

Jennifer Pregonzer, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Larry Cindergaard, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Robert Milne, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Michelle Intermont, City resident, spoke in opposition to the creation of a West Main Hill Historic District and asked that Prairie Place be removed from the proposed district.

Lia Gaggino, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Mike Fleckenstein, Non-resident, spoke in opposition to inclusion of the West Michigan Hill properties in the West Main Hill Historic District.

John Wickstrom, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Bob Stauffer, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Rebecca MacKenzie, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Norm Hamanny, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Public Hearing re:  
Historic District  
Ordinance (cont'd)

77410

Grace Tiffany, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Claire Milne, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Kara Keller, Non-resident, spoke in favor of the creation of a West Main Hill Historic District.

Andy Jung, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Elaine Wickstrom, City resident and President of West Main Hill Neighborhood Association, spoke in favor of the creation of a West Main Hill Historic District.

Roger Parzyck, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Mr. Fuente, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Lynn Houghton, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Pam O'Connor, City resident, spoke in favor of Marlborough and WMH districts.

Peter Carroll, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Bill Venema, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Name unknown, non-resident, spoke in favor of the creation of a West Main Hill Historic District.

Gundars Zentelis, City resident, spoke in favor of the creation of a West Main Hill Historic District.

Margaret Strong, non-resident, spoke in favor of the creation of a West Main Hill Historic District.

At 8:21 p.m. Mayor McKinney closed the public hearing.

The meeting recessed at 8:22 p.m.

The meeting resumed at 8:28 p.m.

Discussion of the  
Proposed Historic  
District Ordinance

Commissioner Cooney thanked citizens for speaking and expressed support for the proposed ordinance.

In response to a question from Commissioner Balkema, Community Planning and Development Director Jeff Chamberlain described how the historic district boundaries were established and briefly reviewed the

Discussion of the  
Proposed Historic  
District Ordinance  
(cont'd)

**77410**

historic district regulations, the process for having property improvements authorized, and the tax credits available to historic district residents.

In response to a question from Commissioner Balkema, Historic district Coordinator Sharon Ferraro stated roofing materials in historic districts needed to be dark in color, unless the historic character of the home recommended the use of a unique material, such as tile.

In response to a question from Commissioner Balkema, Community Planning and Development Director Jeff Chamberlain stated statistics regarding tax base growth in historic districts were not available for Kalamazoo, but national studies indicated tax bases grew faster in historic districts than in areas not designated as historic districts.

Commissioner Miller stated she was not in favor of imposing regulations on citizens, but she would vote for the proposed ordinance in light of the supportive comments from neighborhood residents.

Commissioner McCann expressed a desire to honor the work of the West Main Hill Neighborhood Association, the Planning Commission, and the Historic District Study Committee. Commissioner McCann noted the number of historic homes was limited, cited the need to preserve them, and indicated support for the proposed ordinance.

Commissioner Anderson, - everyone has been rankled by regulations being imposed, but residents of WMH want this. Noted that there will be times when you will have to ask permission to do something to your home, even something that wouldn't necessarily require a building permit. As a builder himself, he has seen instances when HDC have created situations when best practices were not used. We need to make sure HDC has craftspeople on board. It also makes a difference who the Hist. Preservation Coordinator is. Based on neighborhood support, will vote yes.

Vice Mayor Hopewell expressed concerned that Kalamazoo College was not included in the West Main Hill Historic District but stated he would support the ordinance.

Mayor McKinney thanked citizens for speaking and stated the comments by neighborhood residents showed her they understood the impact of establishing a historic district and the resulting processes that will be necessary to make improvements to their property.

Ordinance 1824  
Adopted re:  
Historic Districts

**77410**

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to adopt sections 1, 2, 4, 5, 6, 7, 8, 11, 12, 13 as well as Subsections 1 through 5 of Section 10 of a proposed ORDINANCE which amended Chapters 2 and 16 of the Kalamazoo City Code to make them consistent with State regulations, allowed the Historic Preservation Commission to assume the role of an Historic District Study Committee in the future, and made certain changes to improve the organization of Chapter 16.

With a roll call vote this motion passed unanimously.

Adoption of the  
Historic District  
Ordinance (cont'd)

**77410**

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

NAYS: None

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to adopt Subsections 6-9 of Section 10 of a proposed ordinance, which created four new single-resource historic districts.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Vice Mayor Hopewell, seconded by Commissioner McCann, moved to adopt Section 9 of a proposed ordinance, which established a new local historic district called the West Main Hill Local Historic District.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Vice Mayor Hopewell, seconded by Commissioner McCann, moved to approve Section 3 of a proposed ordinance, excepting that portion pertaining to property located at the SE corner of West North Street and Douglas Ave. The effect of this motion was to exclude from the ordinance the previously proposed expansion to the Stuart Area Local Historic District.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

**77411**

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

Linda Wienir, City resident, remarked on the Environmental Protection Agency's (EPA's) decision to not dump PCB laden sediment from the Kalamazoo River at the former Allied Paper Mill site. Ms. Wienir also read a portion of a speech delivered by Sarah Bertman at her Bat Mitzvah on April 28<sup>th</sup>. A copy of Ms. Wienir's remarks were filed with the papers for this meeting.

Margaret Burns, City resident, spoke about the PCB issue and submitted a letter of thanks to City leaders from residents of the Homecrest Circle Neighborhood.

Citizen Comments  
(cont'd)

Gary Wager, City resident, spoke regarding the fight to keep PCB contamination out of Kalamazoo. Mr. Wager encouraged the City to develop the former Allied Paper Mill site and to promote the clean up of the Kalamazoo River.

Keely Novatny, City resident, thanked the City Commission for spearheading the effort to keep PCB contamination out of Kalamazoo. Ms. Novatny read letter from Amber Clark, her neighbor, thanking the City Commission for its leadership on the PCB issue.

**77412**

Robert Holmes, City resident, spoke regarding the Parks and Recreation Department's Summer Playground Program at Martin Luther King Jr. Elementary School. Mr. Holmes explained the program had filled up before he could register his son, and he expressed frustration that non-residents were allowed to secure placements in the program ahead of City residents, who supported the program through their taxes. A copy of Mr. Holmes' written remarks were included with the papers for this meeting.

Robert Kaufman, City resident, noted that no one entity was responsible for the success of the Kalamazoo Promise and stated there needed to be better community engagement on this issue. Mr. Kaufman indicated he had sent City Commissioners a community engagement proposal recently, and he asked that the Commission consider this proposal.

Beth Lewis, City resident, spoke regarding a letter she received from the City directing her to the Kalamazoo Public Library Board for concerns regarding the library.

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:

**77413**

- a recommendation to take the following two actions:
  - offer for first reading an ordinance to approve the Wellhead Protection Overlay Zoning District, and schedule a public hearing for May 21, 2007; and
  - offer for first reading an ordinance to approve two text amendments to the Zoning Ordinance to adopt the Performance Standards for Groundwater Protection within Wellhead Protection Capture Zones and Stormwater Quality Management, and schedule a public hearing for May 21, 2007.

**77414**

Resolution 07-23

- a recommendation to adopt a **RESOLUTION** which supports continuing the Michigan Historic Rehabilitation Tax Credit as an economic development tool as part of any new Michigan business tax proposal.

**77415**  
Resolution 07-24

- a recommendation to approve the expansion of one additional "late-night" event to be held at the Arcadia Creek Festival Place (from five to six events).

**77416**

- a recommendation to approve a request from the Kalamazoo Country Club for a permit to publicly display fireworks at 1609 Whites Road on Wednesday, July 4, 2007 with a rain date of Friday, July 13, 2007.

**77417**

- a recommendation to approve a request from the Kalamazoo Kings to publicly display fireworks at Mayors' Riverfront Park on the following dates for the 2007 baseball season: June 8, June 15, June 29, July 4, July 13, August 3, August 24 and August 31.

**77418**

- a recommendation to approve the following appointments and re-appointments to advisory boards and commissions:
  - the re-appointment of **David Kinsey** as the Edison Neighborhood Association representative on the Community Development Act Advisory Committee for a term expiring on March 31, 2010.
  - the term extension of **Leslie Decker** as the Owner of Historic Property member of the Dangerous Buildings Board to expire upon appointment of another member or on March 31, 2008.
  - the appointment of **Amy Warren** as the Architect/Engineer member of the Dangerous Buildings Board for a term expiring on March 31, 2010.
  - the appointment of **Thomas Kostrzewa** as the Representative of General Contracting Business member of the Dangerous Buildings Board for a term expiring on March 31, 2009.
  - the appointment of **Grant Fletcher** as the Owner of Residential Property member of the Dangerous Buildings Board for a term expiring on March 31, 2008.
  - the appointment of **James Escamilla** as a member of the Downtown Development Authority for a term expiring on March 1, 2011.
  - the appointment of **Jay Bonsignore** as a member of the Historic District Commission for a term expiring on January 1, 2010.
  - the re-appointment of **Lisa Poole-Woldring** as a member of the Historic District Commission for a term expiring on January 1, 2010.

Consent Agenda  
(cont'd)**77418**

- the re-appointment of **Robert Oudsema** as a member of the Historic District Commission for a term expiring on January 1, 2010.
- the re-appointment of **Josh Willson** as a member of the Historic Preservation Commission for a term expiring on March 31, 2010.
- the re-appointment for **Chris Wright** as a member of the Historic Preservation Commission for a term expiring on March 31, 2010.
- the appointment for **Thomas Stolz** as a member of the Zoning Board of Appeals for a term expiring on March 31, 2010.
- the appointment for **Albert Robataille** as a member of the Zoning Board of Appeals for a term expiring on March 31, 2010.
- the appointment for **Charles Martell** as an alternate to the Zoning Board of Appeals for a partial term expiring on March 31, 2009.

Commissioner Anderson, seconded by Vice Mayor Hopwell, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

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

NAYS: None

## Regular Agenda

Contract for Brick  
Removal and  
Paving on the  
Kalamazoo Mall**77419**

Regular Agenda items were considered next.

Commissioner Anderson, seconded by Commissioner Balkema, moved to approve a contract with Hoffman Brothers, Inc. for removal of the brick paved street portion of the Kalamazoo Mall from Michigan Avenue to Lovell Street and replacement with integrally colored concrete paving, in the amount of \$535,000; and, appropriate \$21,868 for the project from the CIP fund balance.

Prior to a vote on this motion, Beth Lewis questioned whether the project was necessary and stated brick pavement was part of history of downtown.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's  
Report

City Manager Collard thanked area legislators, the Mayor, Vice Mayor, Commissioner Cooney, Public Services Director Bruce Merchant, Environmental Services Superintendent Mike Wetzel, neighborhood leaders, and Director Steve Chester of the Michigan Department of Environmental Quality for their efforts to stop the dumping of PCB laden sediment from the Kalamazoo River at the former Allied Paper Mill site.

U.S. Mayors  
Climate Protection  
Agreement  
**77420**

Vice Mayor Hopewell, seconded by Commissioner McCann, moved to endorse the U.S. Mayors' Climate Protection Agreement and recommend that Mayor McKinney sign the Agreement on behalf of the City of Kalamazoo.

Prior to a vote on this motion, Commissioner Anderson thanked the Environmental Concerns Committee (ECC) for reviewing the agreement and making a recommendation.

Commissioner Cooney discussed the United States' contribution to global climate change and urged the City of Kalamazoo to take a stand with other cities on this critical issue.

Commissioner McCann thanked Mayor McKinney for involving the ECC and City Commission on this issue.

Commissioner Balkema questioned whether the City had the intent or the capacity to implement all of the actions specified in the agreement.

Mayor McKinney suggested the City Commission refer this item to the ECC through the City Manager for implementation recommendations.

Commissioner Miller stated the City Commission needed to concentrate its time and energy on City-related issues. Commissioner Miller indicated the Mayor should have signed the agreement when she first had opportunity.

Mayor McKinney expressed support for the motion.

With a roll call vote this motion passed by a vote of five to one with one abstention.

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

NAYS: Commissioner Balkema

ABSTAIN: Commissioner Miller

Proposed Purpose  
Statement re: the  
Fountain of the  
Pioneers

Commissioner Miller, seconded by Commissioner Cooney, moved to endorse the Purpose Statement as developed by the Fountain of the Pioneers Issues Resolution Group.

**77421**

Prior to a vote, City Manager Collard read the following purpose statement into the record:

Proposed Purpose  
Statement re: the  
Fountain of the  
Pioneers (cont'd)

**77421**

### PURPOSE STATEMENT

The Purpose of the Fountain of the Pioneers Issues Resolution Group (Group) is to study, discuss, and recommend an approach to address the communities' concerns regarding the Fountain of the Pioneers (Fountain) to the appropriate governmental units (Kalamazoo County, City of Kalamazoo, and Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan – Gun Lake Tribe (Tribe)).

The Group's goals are to: address historical inaccuracies integral to the Fountain, reconcile past injustices, educate current and future generations, and facilitate community-wide healing.

While the Fountain is a public sculpture, regardless of the artist's intentions, the Group's objectives are to:

- Present an equally compelling and historically accurate portrayal of the injustices the Tribe experienced as a result of:
  - its confinement within its aboriginal homeland, and
  - its subsequent removal from its Match-E-Be-Nash-She-Wish (Kalamazoo) reservation
- Provide the community with a sensitive and truthful depiction that honors and acknowledges the Tribe's past and present contributions to and future vision for the Kalamazoo area.

City Manager Collard stated endorsement of the Purpose Statement would launch the conceptual stage in the development of supplemental displays to enhance the Fountain. City Manager Collard reported members of the Group agreed on the following principles: the status quo was unacceptable; and destruction of fountain was unacceptable. City Manager Collard highlighted the fact that members of the Group had strong opinions regarding the Purpose Statement, and the development of the statement had been a protracted and difficult exercise.

Vice Mayor Hopewell noted the Group had been meeting for over a year, and stated he would be presenting the Purpose Statement to the Kalamazoo County Board of Commissioners on May 1<sup>st</sup> for its endorsement.

Commissioner McCann noted it appeared the Group was working towards a response to the Fountain rather than a judgment on the Fountain. Commissioner McCann expressed concern that the Fountain would be subject to "demolition by neglect" and stated he was glad to hear the status quo was unacceptable.

In response to a question from Commissioner Balkema, City Manager Collard stated the physical and mechanical condition of the Fountain of the Pioneers had been studied, and the City staff had a list of needed

Proposed Purpose Statement re: the Fountain of the Pioneers (cont'd)

**77421**

improvements. City Manager Collard indicated staff members were calculating the life cycle investment necessary to keep the Fountain in good operating condition. City Manager Collard stated the request for endorsement of the Purpose Statement did not include a request for public funds.

Commissioner Balkema questioned whether the Group was able to “reconcile past injustices” and expressed concern that the Group had created a goal without having a clear idea of how to reach it.

City Manager Collard indicated the Group did not know how it would reconcile past injustices, but he explained the current purpose of the Group was to generate concepts that would find their expression in the work of artists and historians.

Vice Mayor Hopewell explained there had been much brainstorming about the response to the Fountain, and he expressed dismay that a recent article in the Kalamazoo Gazette focused on the extreme ideas that were proposed.

With a roll call vote the motion to endorse the Purpose Statement passed unanimously.

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

NAYS: None

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Beth Lewis, City resident, spoke regarding political correctness and the Fountain of the Pioneers.

City Commissioner Comments

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

Commissioner McCann congratulated citizens for making the system of representative democracy work regarding the PCB issue, and he urged the community to sustain its advocacy until the entire Allied Paper Mill site was cleaned up. Commissioner McCann noted he had attended the Salute to Law Enforcement event at Galilee Baptist Church, and he expressed support for the City Manager’s Public Safety Enhancement Work Plan. Commissioner McCann challenged the City Commission and City Administration to be diligent with the execution of this plan. Commissioner McCann offered remarks on his recent trip to Kalamazoo’s sister city in Numazu, Japan and distributed gifts to City Commissioners.

Commissioner Miller highlighted the Parks and Recreation summer activities brochure and noted the Parks and Recreation Department budget increase in 2007 barely provided the funds to cover the minimum wage increase.

City Commissioner  
Comments (cont'd)

Commissioner Balkema offered remarks on her recent trip to Numazu, Japan. Commissioner Balkema thanked the Kalamazoo/Numazu Sister City Committee and Barb Blissett, the Secretary to the Committee, for maintaining good relationships with the people of Numazu.

Commissioner Anderson requested that the City Administration follow-up with the concerns of Mr. Holmes regarding the Parks and Recreation Department's summer mini-camps.

Commissioner Cooney commended City Attorney Lee Kirk and Amber Colgrove for their work on the PCB issue.

Vice Mayor expressed amazement at the resolution of the PCB issue. Vice Mayor Hopewell noted that Wednesday May 2<sup>nd</sup> was a Tag Day for Pretty Lake Vacation Camp, and he encouraged citizens to donate to the camp during this event.

Mayor McKinney stated she was very proud of City staff and Kalamazoo's citizens for challenging the EPA on the PCB issue. Mayor McKinney remarked on the ability of City Commissioners to disagree with each other on particular issues and yet work together for the good of the community.

Adjournment

The meeting adjourned at 10:13 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on July 2, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: July 2, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, May 7, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Vice Mayor Bobby Hopewell

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner Balkema seconded by Commissioner Anderson, moved to excuse the absence of Vice Mayor Hopewell. With a voice vote the motion passed.

Invocation

The invocation, given by Pastor John Byle, Immanuel Fellowship Church, was followed by the Pledge of Allegiance.

Introduction of  
Guests – Historic  
Preservation  
Commission  
Awards of Merit

**77422**

City Manager Collard introduced Sharon Ferraro, the City's Historic Preservation Coordinator, who presented the Historic Preservation Commission Awards of Merit for the following projects:

- an award presented to Jonathan O'Brien and Amelia Katanski for the rehabilitation of 422 Stuart Avenue. Ms. Leslie Decker accepted on behalf of Mr. O'Brien and Ms. Katanski.
- an award presented to Pat and Tracy Bullard for the rehabilitation of 704 Axtell Street.
- an award presented to Nora Chaus for the rehabilitation of 714 Dutton Place.
- an award presented to City Fire Marshal Marty Myers for his work in securing and distributing Assistance to Firefighters Grants from the U.S. Department of Homeland Security for the installation of fire suppression systems in 23 buildings, most of them historic.
- two awards presented to Kingscott Associates and Wendel Deuchere for the design, construction and rehabilitation of the interior and exterior of the Kalamazoo Transportation Center.
- an award presented to City Transportation Director Bill Schomisch for his management of the Kalamazoo Transportation Center project and his efforts to obtain over \$13 million in state and federal grants for the project.

Proclamations <b>77423</b>	Commissioner Miller, on behalf of Mayor McKinney, proclaimed May 2007 "National Preservation Month." Mr. Josh Willson, Vice Chair of the Kalamazoo Historic Preservation Commission, was present to receive the proclamation.
<b>77424</b>	Commissioner Anderson, on behalf of Mayor McKinney, proclaimed May 14-20, 2007 "Salvation Army Week." Major Steve Koehler was present to receive the proclamation.
<b>77425</b>	Commissioner Balkema, on behalf of Mayor McKinney, proclaimed May 19-25, 2007 "National Safe Boating Week." Mr. Robert Landeros, Commander of Kalamazoo Sail and Power Squadron and Past Commander Allen Buskirk were present to receive the proclamation.
<b>77426</b>	Commissioner McCann, on behalf of Mayor McKinney, proclaimed May 8, 2007 "National Children's Mental Health Awareness Day." Ms. Diane Shaffer, Advocacy Services for Kids (ASK) was present to receive the proclamation. Ms. Shaffer distributed information on the Kalamazoo WRAPS program to City Commissioners.
<b>77427</b>	Mayor McKinney read a proclamation honoring Doris Jackson, 2007 Recipient of the Dorothy Richardson Award for Resident Leadership. Ms. Jackson was present to receive the proclamation.
Adoption of the Agenda	By unanimous consent the City Commission adopted their meeting agenda as presented.
Communications	City Manager Collard invited the public to attend meetings of various boards and commissions.
Citizen Comments	Next, the following citizens addressed the City Commission regarding non-agenda items:
	Monica Westover, City resident
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:
<b>77428</b>	- a recommendation to approve a contract with Peters Construction Company for the 2007 Local Streets Paving and sidewalk replacement in the amount of \$388,475.25.
<b>77429</b>	- a recommendation to approve a three-year contract with Applied Imaging for the rental of digital copiers/printers in an amount not to exceed \$270,000.
<b>77430</b>	- a recommendation to approve a contract with Don Seelye Ford for the purchase of five 2007 Ford E-250 lift-equipped conversion vans for Metro Transit's ADA/Paratransit Metro Van Program and Community Service Program in an amount not to exceed \$136,990.

Resolutions 07-25,  
07-26 and 07-27  
**77431**

- a recommendation to adopt **RESOLUTIONS** 1 and 2 for the purpose of approving the 2006 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$13.90; and, adopt **RESOLUTION** 3 to schedule a public hearing for June 18, 2007.

Resolution 07-28  
**77432**

- a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to transfer a 2005 Resort Class C-SDM license with a dance permit that has been held in escrow at 301 N. Richardson, Vicksburg, Michigan by T & J Lanes LLC to BDS Enterprises 11 Inc. to 1721 Riverview Dr., Kalamazoo, Michigan and approve a new official food permit and to cancel the existing outdoor service area.

**77433**

- a recommendation to accept a grant, totaling \$100,000, from the Environmental Protection Agency to implement the Healthy Home Maintenance Program, a joint venture with Kalamazoo County that is intended to reduce the risk of childhood lead poisoning.

**77434**

- a recommendation hold to May 21, 2007 to approve quit claim deeds conveying the City's interest in the following properties as a result of payment of foreclosed taxes:
  - 1312 N. Burdick Street to John A. Fitzwater, whose address is 8045 Van Emond Road, Yorkville, IL, in consideration of \$6,539.34 in payment of 1999 through 2004 foreclosed taxes.
  - 1240 W. North Street to John A. Fitzwater, whose address is 8045 Van Emond Road, Yorkville, IL, in consideration of \$5,346.10 in payment of 1997 through 2004 foreclosed taxes.
  - 911 Southworth Terrace to Coleman Cunningham, whose address is 911 Southworth Terrace, in consideration of \$4,268.91 in payment of 1999 through 2004 foreclosed taxes

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

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Balkema, Cooney, McCann, Miller, Mayor McKinney

NAYS: None

City Clerk's Report  
**77435**

City Clerk Borling reported the following items:

- the following lawsuits were received and referred to the City Attorney's Office:

City Clerk's Report  
(cont'd)

77435

- David Purdy v City of Kalamazoo and Daniel Weston, Individually and in his Official Capacity as Chief of Public Safety
- Gloria Woodruff v City of Kalamazoo
- the City Commission received as informational a memo from the Environmental Concerns Committee regarding the Kalamazoo River and Allied Paper Mill Superfund Sites.
- the City Commission received as informational minutes from the following advisory boards and commissions:
  - Community Development Act Advisory Committee
    - Thursday, April 12, 2007
  - Dangerous Buildings Board
    - Thursday, March 01, 2007
  - Environmental Concerns Committee
    - Wednesday, March 21, 2007
  - Friends of Recreation Board
    - Tuesday, March 27, 2007
  - Kalamazoo Historic Preservation Commission
    - Tuesday, March 13, 2007
  - Kalamazoo Transit Authority Board
    - Monday, February 26, 2007
  - Parks and Recreation Advisory Board
    - Tuesday, April 03, 2007
  - Planning Commission
    - Wednesday, April 11, 2007
  - Zoning Board of Appeals
    - Thursday, March 08, 2007
- the City Commission received as informational 2006 Annual Reports from the following advisory boards and commissions:
  - Brownfield Redevelopment Authority
  - Civil Service Board
  - Community Development Act Advisory Committee
  - Construction Board of Appeals
  - Downtown Development Authority
  - Economic Development Corporation
  - Environmental Concerns Committee
  - Friends of Recreation Board
  - Historic District Commission
  - Historic Preservation Commission
  - Housing Board of Appeals

City Clerk's Report  
(cont'd)

77435

- Parks and Recreation Advisory Board
  - Pension Board
  - Planning Commission
  - Rehabilitation Appeal Board
  - Retirement System Investment Committee
  - Zoning Board of Appeals
- the following special events were approved in the month of April:
- a request from Borgess Health Alliance to use Spring Valley Park and City Streets on Saturday, April 28, 2007 from 8:00 to 11:30 a.m. for the annual Borgess Run for the Health of It.
  - a request from Kalamazoo Gospel Mission's New Life Program to use Martin Luther King Jr. Park on Saturday, May 5, 2007 from 9:00 a.m. to 5:00 p.m. for a community event including: barbecue, live music, entertainment for children and speakers.
  - a request from the Arthritis Foundation to use City sidewalks on Saturday, May 12, 2007 from 10:00 a.m. to 11:30 a.m. for a fund raising Arthritis Walk.
  - a request from Downtown Kalamazoo Incorporated (DKI) for the closure of Edwards Street between Water Street and Kalamazoo Avenue in conjunction with the following events being held at the Arcadia Festival Site:
 

Dionysos Greek Festival	May 30 to June 3
Island Fest	June 21-24
Kalamazoo Blues Festival	July 12-15
Taste of Kalamazoo	July 18-22
Black Arts Festival	July 27-29
Ribfest	August 1-5
Irish Festival	September 20-23
  - a request from Downtown Kalamazoo Incorporated (DKI) and WKFR to use city streets on Saturday, June 2, 2007 at 11:00 a.m. for the annual Do-Dah Parade.
  - a request from Alternatives Women's Care Center to use Bronson Park and city sidewalks on Saturday, June 16, 2007 from 7:00 a.m. to 12:00 p.m. for the annual LifeWALK.
  - a request from Kalamazoo Deacons' Conference to use LaCrone Park on Saturday, June 16, 2007 from 12:00 p.m. to 3:00 p.m. for a Community Gathering.
  - a request from the Family Health Center to use Farrell Park on Friday, June 22, 2007 from 11:00 a.m. to 4:00 p.m. for a Transitional Living Health Fair.

- a request from Kalamazoo Deacons' Conference to use LaCrone Park on Friday, July 12<sup>th</sup> through Sunday, July 14<sup>th</sup>, 2007 from 10:00 a.m. – 8:00 p.m. for a Round Ball Classic Basketball Tournament.
- a request from Kalamazoo Deacons' Conference to use LaCrone Park on Friday, August 24, 2007 from 12:00 p.m. to 3:00 p.m. for a School Back Pack Event.

## Citizen Comments

A final opportunity was given for citizen comments, but no comments were offered.

## City Commissioner Comments

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

Commissioner McCann encouraged Commissioners to read the 2006 Annual Reports from the Economic Development Corporation and Brownfield Redevelopment Authority. Commissioner McCann noted he had attended the annual banquet for Interfaith Strategy for Advocacy and Action in the Community (ISAAC) on Friday, May 4<sup>th</sup>. Finally, Commissioner McCann invited City Commissioners, City staff and citizens to attend a presentation by David Russ on Thursday, May 10<sup>th</sup> at Westwood Church regarding regional solutions to urban issues.

Commissioner Miller reported youth representatives on the Parks and Recreation Advisory Board were doing good work and participating in the community. Commissioner Miller encouraged citizens to vote on May 8<sup>th</sup>.

Commissioner Balkema encouraged citizens to vote on May 8<sup>th</sup> and noted Library Board candidates were on the ballot. Commissioner Balkema announced that on May 19<sup>th</sup> the Northside Association for Community Development (NACD) needed volunteers to assist with the creation of an Urban Garden at the corner of Park and North Streets. Commissioner Balkema congratulated Doris Jackson and Leslie Decker for their long records of service to the community.

Commissioner Cooney noted May was Mental Health Awareness Month, and he stated people with mental illnesses wanted to raise awareness of the following: 1) the presence of mentally ill people in the community; 2) the resources available for people with mental illness; and 3) developments within the mental health community, such as the recent creation of the PEERS counseling and advocacy service.

## Adjournment

The meeting adjourned at 7:47 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 18, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: June 18, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, May 18, 2007 at 7:34 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann\*  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and Deputy City Clerk Virginia Vander Roest.

Commissioner Excused

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

\*Commissioner McCann arrived at 7:35 a.m.

Review of the May 21<sup>st</sup> Regular Meeting Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, May 21, 2007.

Commissioner Balkema requested the removal of the Perpetual Care Investment Committee meeting announcement as the meeting had taken place the week prior.

Item G-2

Regarding Item G-2, approval of a contract extension with Maintenance Masters for mowing properties with tall grass and weeds nuisance violations, Commissioner McCann asked if the contract extension was prompted by the season. In addition, Commissioner McCann requested information regarding the timing and enforcement of nuisance violations.

In response to Commissioner McCann, Public Services Director Bruce Merchant reported the timing of the contract extension was in accordance with the provisions of the original contract and noted there were changes to the contract due to additional properties. Public Service Director Merchant also reported the Public Services Department was behind schedule in the enforcement of nuisance violations due to the early spring weather.

City Manager Collard noted the Public Services placed a priority on the preparation of cemeteries for Memorial Day and requested future nuisance violation updates from Public Services Director Merchant.

City Manager's Report

Parks and Recreation Director Frances Jewell reported on the 2007 Summer Playground and Mini-Camp programs.

Acting Executive Director of Economic Development Corporation Jerome Kisscorni reported on the potential sale of Eastern Hills Golf Course and shared his recommendation for the City to retain ownership of the course.

Addition of Policy Item

Next, Mayor McKinney requested that the determination of a process for filling a City Commission vacancy be added to the agenda under policy items. Mayor McKinney suggested following the process used in 1980 that allowed citizens to submit letters of interest to fill the vacancy.

Commissioner Anderson expressed the need to identify criteria for the selection process.

Vice Mayor Hopewell expressed concern with developing a process and determining the allowances granted to the City Commission in developing that process.

Commissioner Balkema briefly described the process for filling the County Treasurer vacancy.

Discussion of  
Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Commissioner Balkema announced the Urban Garden Project work day would take place on May 19<sup>th</sup> at the corner of Park & North Streets.

Citizen Comments

Vice Mayor Hopewell noted the Susan B. Komen Race for the Cure and Northside Clean-up events would also be held on May 19<sup>th</sup>.

Finally, an opportunity was given for citizen comments but no comments were offered.

Adjournment

The meeting adjourned at 8:42 a.m.

Respectfully submitted,

Virginia M. Vander Roest  
Deputy City Clerk

For City Commission approval on June 18, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: June 18, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, May 21, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

- COMMISSIONERS PRESENT: Mayor Hannah McKinney  
 Vice Mayor Bobby Hopewell  
 David Anderson  
 Mary Balkema  
 Don Cooney  
 Barbara Miller
- COMMISSIONERS ABSENT: Sean McCann

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

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

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood communications were received next.

Neighborhood Communications

Representatives of the following neighborhood organizations were present:

- Edison Neighborhood Association  
 David Kinsey, President  
 Tammy Barnard, Executive Director
- Lakeside Beach Corporation  
 Jim McIntyre, President  
 Amy Peterson, Vice President  
 Phil Carey, Board Member

Edison Neighborhood Association

The Edison Neighborhood Association representatives:

**77436**

- distributed copies of the May 2007 edition the *Edison Voice* newsletter.

**77437**

- distributed and reviewed the Association's strategic plan and discussed the Association's priorities for the next 12 months.
- thanked the City for taking a stand against the disposal of PCB laden sediment at the former Allied Paper Mill site.
- requested that the City work to have the existing PCB-contaminated soil removed from the Allied Paper Mill site.
- asked the City to move forward with the development project on Collins Street and the redevelopment of the former Déjà Vu property.

- noted the 2007 Building Blocks Program would focus on Hays Park Avenue. Mr. Kinsey requested that the City assist with repairing the sidewalks on this street.
- expressed concern about the potential for casual entry into old school busses at the Kalamazoo Metal Recyclers facility.

Commissioner Cooney suggested that summer activities for young people be advertised at the upcoming neighborhood block party, and he expressed a desire to work with the Association to brainstorm follow-up activities for youth.

Lakeside Beach Corporation

The Lakeside Beach Corporation representatives:

- noted 2007 marked the 30<sup>th</sup> anniversary of the founding of the Lakeside Beach Corporation and stated residents were compiling a history of the Lakeside Beach area to commemorate the incorporation.
- thanked the City for its assistance with traffic control in the neighborhood, especially during the closure of the Oakland Drive bridge.
- reported there had been a few breaking-and-entering occurrences recently.
- stated the Corporation held an annual meeting and sponsored an annual picnic for residents.
- thanked City Commissioners and administrators for attending and participating in community events.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

City Commissioner Comments

Commissioner Balkema thanked Commissioners and citizens for participating in the Urban Garden Project work day on Saturday, May 19<sup>th</sup>.

Vice Mayor Hopewell noted several downtown businesses were not aware of the street closures associated with the Race for the Cure event on Saturday, May 19<sup>th</sup>. Vice Mayor Hopewell questioned whether a mechanism existed for notifying businesses of planned street closures.

The meeting adjourned at 6:19 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on July 2, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: July 2, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, May 21, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Mary Balkema  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Invocation

The invocation, given by Reverend Ray Brandon, Northbridge Church, was followed by the Pledge of Allegiance.

Resignation of  
Commissioner  
Mary Balkema

**77438**

Commissioner Balkema read the following resignation letter:

Dear Honorable Mayor McKinney:

It is with deep regret that I must inform you of my decision to resign from the City Commission.

I have accepted the appointment to the office of County Treasurer and may not hold two offices.

I would ask that you accept my resignation and that it would be the first order of business on Monday May 21, 2007 at the city commission meeting at 7:00 p.m.

It truly has been an honor and privilege to serve the citizens of Kalamazoo.

Respectfully,

Commissioner Mary Balkema

Vice Mayor Hopewell, seconded by Commissioner Anderson, moved to accept the resignation of Mary Balkema from the Kalamazoo City Commission.

With a roll call vote, the motion passed.

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

NAYS: Commissioner Miller

ABSTAIN: Commissioner Balkema

Introduction of  
Guests

Mayor McKinney recognized the presence of the following public officials: Kalamazoo County Commissioners Jeff Balkema and Carolyn Alford; District Court Judge Pamela Lightvote; former State Representative and Vice Mayor Alexander Sandy Lipsey; former County Commissioner Judy Todd Johnson; former City Commissioners Al Heilman, Linda Teeter, and David Juarez; and Kalamazoo County Clerk/Register of Deeds Tim Snow.

County Clerk Tim Snow administered the oath of office to Mary Balkema as the Kalamazoo County Treasurer.

**77439**

Commissioner Cooney read a proclamation *Honoring Mary Balkema for Dedication and Service to the City of Kalamazoo*.

Ms. Balkema offered comments and expressions of appreciation to her family, friends, and City Commissioners.

The following citizens thanked Ms. Balkema for her service on the City Commission and offered well-wishes on her appointment as Kalamazoo County Treasurer:

Ed Annen Sr., City resident  
Phyllis Marsh, City resident  
Mattie Jordan-Woods, City resident  
Jeff Balkema, City resident

Next, City Commissioners offered remarks and well-wishes to Ms. Balkema.

The meeting recessed at 7:29 p.m.  
The meeting resumed at 7:38 p.m.

Adoption of the  
Agenda

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

Mayor McKinney indicated the following items would be added to the agenda under Policy Items: consideration of an appointment process to fill the vacancy on the City Commission as Item K-2; the appointment of a City Commissioner to fill Mary Balkema's positions on the Pension Board and Retirement System Investment Committee as Item K-3.

Communications

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

Public Hearing re:  
a Wellhead  
Protection Zoning  
Overlay Ordinance

At 7:40 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt an ORDINANCE to create Appendix A: Chapter 3, Section 3.5, Wellhead Protection Overlay.

**77440**

At 7:41 p.m. Mayor McKinney closed the public hearing.

Ordinance 1825  
re: a Wellhead  
Protection Zoning  
Overlay

Commissioner McCann, seconded by Vice Mayor Hopewell, moved to adopt an **ORDINANCE** to create Appendix A: Chapter 3, Section 3.5, Wellhead Protection Overlay.

**77440**

With a roll call vote this motion passed unanimously.

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

NAYS: None

Public Hearing re:  
a Groundwater  
Protection  
Standards  
Ordinance  
**77441**

At 7:42 p.m. Mayor McKinney opened a public hearing to receive public comments regarding an ORDINANCE to approve two text amendments to the Zoning Ordinance to adopt the Performance Standards for Groundwater Protection within Wellhead Protection Capture Zones and Stormwater Quality Management.

Charles Heller, City resident, spoke in favor of the ordinance.  
Kim Finkbeiner, City resident, spoke in favor of the ordinance.  
Bill Steinmann, City resident and Chair of the Environmental Concerns Committee, spoke in favor of the ordinance.

At 7:45 p.m. Mayor McKinney closed the public hearing.

Ordinance 1826  
re: Performance  
Standards for  
Groundwater  
Protection  
**77441**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** to approve two text amendments to the Zoning Ordinance to adopt the Performance Standards for Groundwater Protection within Wellhead Protection Capture Zones and Stormwater Quality Management. With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

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

Coronella Lindsey, City resident, spoke regarding the condemnation of her rented home at 429 West Cedar Street.

Beth Van den Hombergh, City resident, asked that the City Commission allocate funds to update and maintain the equipment and facilities in Frays Park.

Mattie Jordan Woods, City resident, thanked citizens and business who donated time, supplies and equipment for the Urban Garden Project work day on May 19<sup>th</sup>. In response to a recent article in the Kalamazoo Gazette regarding LaCrone Park, Ms. Jordan Woods stated the park was safe.

Thomas Brown, Non-resident, noted there would be a large number of soldiers affected by Post Traumatic Stress Disorder after their service in Iraq, and he requested that the City consider this reality when developing long term plans to address homelessness.

## 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:

- 77442**

  - a recommendation to approve annual supply of water maintenance and construction materials contracts with Etna Supply in the amount of \$337,523 and Underground Pipe & Valve in the amount of \$140,765.
- 77443**

  - a recommendation to approve a contract extension with Maintenance Masters for mowing tall grass/weed nuisance violations and City owned Cemetery property maintenance in the amount of \$183,295.
- 77444**

  - a recommendation to offer for first reading an **ORDINANCE** to create new Section 7-27, which would require the removal and disposal of dog feces.
- Ordinance 1827

  - a recommendation to adopt an **ORDINANCE** which provides for the issuance and sale of Water revenue bonds in an amount not to exceed \$1.9 million for the purpose of financing capital projects included in the Fiscal Year 2007 Water Capital Improvement Program; and, adopt the Notice of Sale **RESOLUTION** which will allow for the Notice to be published as well as scheduling a date and time for the sale of the bonds.
- Resolution 07-29

**77445**

  - a recommendation to adopt a **RESOLUTION** Authorizing the issuance of Capital Improvement Bonds in the approximate amount of \$855,000.
- Resolution 07-30

**77446**

  - a recommendation to adopt a **RESOLUTION** authorizing the issuance of Michigan Transportation Bonds in the approximate amount of \$3,860,000 and a **RESOLUTION** Approving the Notice of Sale to be published.
- Resolutions 07-31  
and 07-32

**77447**

  - a recommendation to accept a grant from Kalamazoo Community Mental Health Services for \$88,483 to fund a summer youth program.
- 77448**

  - a recommendation to accept a grant from Kalamazoo Community Mental Health Services for \$88,483 to fund a summer youth program.
- 77449**

  - a recommendation to renew a HOME Investment Partnerships Program Agreement between the City of Kalamazoo and Housing Resources, Inc. through May 31, 2008 to conduct the Family Self-Sufficiency Program in an amount not to exceed \$200,000.
- 77450**

  - a recommendation to approve a Management and Use Agreement with the County of Kalamazoo for the proposed Kal-Haven Trail State Park Connection.
- 77451**

  - a recommendation to authorize the City Manager to sign an Amendment to Water Tower Lease Agreement with New Par for the provision to run a natural gas line from its service shed underneath the water tower on Gull Road to a nearby point of service for the natural gas.

Consent Agenda  
(cont'd)

**77452**

- a recommendation to approve quit claim deeds conveying the City's interest in the following properties as a result of payment of foreclosed taxes:

- 1312 N. Burdick Street to John A. Fitzwater, whose address is 8045 Van Emond Road, Yorkville, IL, in consideration of \$6,539.34 in payment of 1999 through 2004 foreclosed taxes.

**77453**

- 1240 W. North Street to John A. Fitzwater, whose address is 8045 Van Emond Road, Yorkville, IL, in consideration of \$5,346.10 in payment of 1997 through 2004 foreclosed taxes.

**77454**

- 911 Southworth Terrace to Coleman Cunningham, whose address is 911 Southworth Terrace, in consideration of \$4,268.91 in payment of 1999 through 2004 foreclosed taxes.

**77455**

- a recommendation to approve the re-appointment of David Carrigan as a member of the Friends of Recreation Board for a term expiring on March 1, 2010.

**77456**

- a recommendation to approve the minutes from the following City Commission Meetings: the Committee of the Whole Meetings of March 16 and March 30, 2007; the Special Meeting of April 2, 2007; and the Regular Meetings of March 5, and April 2, 2007

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's  
Report

**77457**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated April/May 2007
- April 2007 Purchasing Report
- Legislative Update, dated May 11, 2007
- 1<sup>st</sup> Quarter 2007 Citizens' Public Safety Concerns Report

Report on Release  
and Settlement  
Agreement re: the  
Kalamazoo Mall  
Parking Ramp

City Manager Collard reported the Downtown Development Authority (DDA) had approved a mutual release and settlement agreement with Ramp 3 LLC and Meyer C. Weiner Company relative to the Kalamazoo Mall Parking Ramp (Ramp #3). City Manager Collard stated the release and agreement accomplished the following:

- settled all issues outstanding between the parties;

Report on Release and Settlement Agreement re: the Kalamazoo Mall Parking Ramp (cont'd)

- obligated Ramp 3 LLC to pay \$1.9 million to the DDA on behalf of the City of Kalamazoo Building Authority;
- obligated Ramp 3 LLC to resolve without cost to the City multiple claims in the amount of \$88,000;
- guaranteed the payment and performance by the Meyer C. Weiner Company of the obligations imposed on Ramp 3 LLC in the mutual release.

City Manager Collard explained the settlement agreement was negotiated when the City had certain claims relative to the cost of construction for the Kalamazoo Mall Parking Ramp. City Manager Collard noted the agreement would result in the DDA assuming an additional \$400,000 of obligation for construction of the ramp.

Allocation of Contingency Funds to Enhance the Summer Playground and Mini-Camp Programs

**77458**

City Manager Collard provided an update on the Parks and Recreation Department's Summer Playground and Mini-Camp Programs. City Manager Collard recommended the allocation of \$13,277 from the City Commission Contingency Fund to support the hiring of one additional program supervisor per site, which would increase the capacity of each program site from 50 to 60. City Manager Collard requested the City Commission take action on this recommendation as soon as possible due to time constraints for the hiring, certification, and training of additional workers. City Manager Collard noted the current balance in the Contingency Fund was \$36,000.

Vice Mayor Hopewell, seconded by Commissioner Cooney, moved to allocate \$13,277 from the City Commission Contingency Fund for the enhancement of the 2007 Summer Playground and Mini-Camp Programs to allow 60 children to be registered at each program site.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Recommendation re: the Sale of Eastern Hills Golf Course

**77459**

City Manager Collard discussed a report and recommendation from Acting Executive Director of the Economic Development Corporation (EDC) Jerome Kisscorni regarding the sale of Eastern Hills Golf Course. City Manager Collard indicated that in light of the recommendation he would reject an offer from Redico, Inc. to purchase Eastern Hills Golf Course.

Commissioner Anderson discussed the process used to evaluate the purchase offer. Commissioner Anderson stated it was difficult to turn down this offer as it represented an opportunity for economic development and job creation.

Commissioner McCann expressed support for the City Manager's intended course of action and contrasted the proceeds from a one-time sale of a City asset with the annual revenue generated by that asset.

Recommendation re: the Sale of Eastern Hills Golf Course (cont'd)

77459

Commissioner McCann stated the benefit from selling Eastern Hills was not great enough to recommend taking the irrevocable action of selling the asset.

In response to a question from Vice Mayor Hopewell, City Manager Collard stated the purchase price would need to be approximately \$2 million more than the Redico offer for the sale of Eastern Hills to be in the City's best interest.

Vice Mayor Hopewell stated the sale of City assets did not always yield the hoped-for return and noted the sale of City Yards actually cost the City money, despite the \$1 million selling price. Vice Mayor Hopewell remarked on the City's ongoing fiscal challenges and indicated City staff and members of the community needed to consider and identify funding sources for new projects initiatives.

Mayor McKinney stated the Kalamazoo Municipal Golf Association (KMGA) must work its business plan aggressively, and she asked that City staff ensure the business plan was implemented.

City Manager Collard noted that, during meetings with KMGA representatives, he and City Commissioners had detected a strong commitment from the KMGA to its enhanced business plan.

Policy Items

Policy Items were considered next.

Resolution 07-33 Urging Lawmakers to Address the State Budget Crisis

77460

Vice Mayor Hopewell, seconded by Commissioner Cooney, moved to adopt a **RESOLUTION** urging lawmakers to address the State budget crisis.

Prior to a vote on the motion, Commissioner Cooney noted taxes were the cost of citizenship, and he indicated the delivery of public services had suffered as the result of reductions to the state income tax.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Determination of a Process to Fill the Vacancy on the City Commission

77461

Commissioner Anderson, seconded by Commissioner McCann, moved to place on the June 4<sup>th</sup> agenda under Policy Items the appointment of a Commissioner to fill the vacancy left by former Commissioner Mary Balkema, allowing for an intervening period for citizen comment, and asking that any letters of interest and resumes from potential candidates be due by Wednesday, May 30<sup>th</sup> at 5:00 p.m. to the City Clerk's Office.

The following citizens address the City Commission regarding this motion;

Edith Fisher, City resident, urged the City Commission to appoint David Juarez as the 8<sup>th</sup> highest vote recipient in the 2005 municipal election.

Determination of a  
Process to Fill the  
Vacancy on the  
City Commission  
(cont'd)

**77461**

William Lindemann, City resident, urged the City Commission to appoint David Juarez as the 8<sup>th</sup> highest vote recipient in the 2005 municipal election.

William Atkinson, City resident, urged the City Commission to appoint David Juarez as the 8<sup>th</sup> highest vote recipient in the 2005 municipal election.

Juan Lavarez, City resident, endorsed David Juarez for appointment to the City Commission.

Thomas Brown, non-resident, expressed support for the appointment of David Juarez.

Mary Wills, non-resident, expressed support for the appointment of David Juarez.

Safina Aman, expressed support for the appointment of David Juarez.

Sarah Hussein, City resident, expressed support for the appointment of David Juarez

Mattie Jordan Woods, City resident, expressed support for an open selection process and recommended Stephanie Moore for appointment to the City Commission.

Lisa Sanchez, City resident, expressed support for the appointment of David Juarez.

Andrea Juarez, City resident and daughter of David Juarez, expressed support for the appointment of David Juarez.

Sierra Singleton, City resident and daughter of Stephanie Moore, expressed support for an open selection process and recommended Stephanie Moore for appointment to the City Commission.

Sharon Rodriguez, City resident, expressed support for the appointment of David Juarez.

Asha Kashad, City resident, expressed support for the appointment of David Juarez as the 8<sup>th</sup> highest vote recipient in the 2005 municipal election.

Yolanda Neals, City resident and sister of Stephanie Moore, expressed support for the appointment of Stephanie Moore to the City Commission.

Gwen Hillman, City resident and mother of Stephanie Moore, expressed support for Stephanie Moore as an appointee to the City Commission.

Determination of a Process to Fill the Vacancy on the City Commission (cont'd)

**77461**

Adrianna, non-resident, endorsed David Juarez for appointment to the City Commission.

Beth Lewis, City resident, expressed support for the appointment of David Juarez.

Stephanie Moore, City resident, expressed support for an open application and selection process to determine next City Commissioner.

David Juarez, City resident, indicated his desire to be considered as a candidate for appointment to the City Commission.

Robert Wait, City resident, expressed support for the appointment of the eighth highest vote recipient in the 2005 municipal election.

Herman Johnson, City resident, expressed support for the appointment of David Juarez as the 8<sup>th</sup> highest vote recipient in the 2005 municipal election.

Commissioner Anderson restated the motion. Discussion followed regarding the merits of appointing the 8<sup>th</sup> vote recipient in the 2005 municipal election and the merits of conducting an open selection process to fill the vacancy on the Commission. A transcript of this discussion was filed with the papers for the meeting.

Commissioner Cooney expressed opposition to the motion and support for the appointment of David Juarez as the 8<sup>th</sup> vote recipient in the 2005 municipal election.

Vice Mayor Hopewell expressed concern about conducting an open selection process and stated the appointment of the 8<sup>th</sup> vote recipient in the 2005 municipal election would be the most objective way to fill the vacancy.

Commissioners Anderson and McCann and Mayor McKinney expressed support for an open selection process.

In response to a request from Vice Mayor Hopewell that the selection process be well defined, Mayor McKinney stated the City Clerk had researched the history of past City Commission vacancies, and this research revealed only one instance of a significant process being defined and used. Mayor McKinney expressed a preference to not employ an excessively weighty process. Discussion followed regarding specific elements of the selection process.

Commissioner Anderson noted the deadline for submitting letters of intent was May 30<sup>th</sup> so that the Clerk would be able to include the letters in the June 4<sup>th</sup> agenda packet.

With a roll call vote this motion passed by a vote of 5-1.

Re-assignment of Commissioners as Board, Committee and Public Safety Liaisons

**77462**

Citizen Comments

City Commissioner Comments

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

NAYS: Commissioner Cooney

Mayor McKinney reported Mary Balkema's resignation from the City Commission created a vacancy on the Pension Board that needed to be filled prior to the next board meeting on Wednesday, May 23<sup>rd</sup>.

Without objection, the City Commission accepted Mayor McKinney's recommendation that Commissioner Anderson serve as the City Commission liaison to the Pension Board and Retirement System Investment Committee and that Vice Mayor Hopewell serve as the Public Safety Liaison.

Mayor McKinney asked Commissioners to consider the realignment of board and committee assignments in light of the anticipated appointment of a new Commissioner.

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Thomas Brown, non-resident, spoke regarding the process for filling the vacancy on the City Commission.

Edith Fisher, non-resident, spoke regarding the process for filling the vacancy on the City Commission.

Andrea Juarez, City resident, spoke regarding the process for filling the vacancy on the City Commission.

Yolanda Neals, City resident, spoke regarding the process for filling the vacancy on the City Commission.

Robert Wait, City resident, spoke regarding the process for filling the vacancy on the City Commission.

Herman Johnson, City resident, noted the potential use of the Schippers Crossing property for a golf course.

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

Commissioner McCann asked that City staff follow-up on the issue of licensing individuals to operate rental properties. Commissioner McCann noted the paving contract approved by the Commission May 7<sup>th</sup> was awarded under the local preference purchasing policy. Commissioner McCann reminded owners of properties that were vacant or for sale that they were still responsible for maintaining their property. Commissioner McCann suggested that a representative from the DDA attend the next City Commission meeting and present the DDA's 2006 Annual Report. Commissioner McCann invited citizens to attend the Memorial Day Parade.

Commissioner Anderson stated it was his understanding that Housing Resources Incorporated (HRI) assisted individuals with locating alternative housing when their homes were condemned.

Vice Mayor Hopewell asked questions regarding the City's process for condemning homes and the assistance given to renters who needed to find alternative housing quickly.

Mayor McKinney reviewed highlights from the Public Safety Department 2006 Annual Report.

Adjournment

The meeting adjourned at 9:52 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on July 2, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: July 2, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, June 1, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: David Anderson

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner Excused

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

Review of the June 4th Meeting Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, June 4, 2007.

Item G-10

Regarding G-10, acceptance of grants for the summer youth employment program, Vice Mayor Hopewell asked whether there had been an increase in the number of employers who were willing to hire young people for the summer. Vice Mayor Hopewell suggested the City track and report on this information at the end of the summer.

In response to Vice Mayor Hopewell, City Manager Collard reported there has been significant movement in the recruitment of area employers but indicated tracking and reporting this information would be difficult because there was no master database of employers from which to work.

In response to a suggestion by Vice Mayor Hopewell, City Manager Collard expressed doubt that Youth Opportunities Unlimited (YOU) possessed the ability to track the number of employers hiring young people outside of the employers working directly with YOU.

Item K-1

**77463**

Regarding Item K-1, update on the 13<sup>th</sup> check for retirees, City Manager Collard stated checks would be distributed to 410 qualifying retirees in 2007. City Manager Collard distributed and reviewed a memo from Deputy City Manager Jerri Barnett-Moore regarding proposed modifications to the qualifying criteria for 13<sup>th</sup> check recipients. City Manager Collard stated the proposed changes were suggested to take effect in 2010. City Manager Collard explained the motivation for suggesting the changes was the containment of future costs for pension and other post-employment benefits.

Commissioner Miller expressed support for City Manager Collard's proposal.

Discussion ensued regarding the City's unfunded retiree healthcare liability.

Mayor McKinney expressed support for City Manager Collard's recommendation.

In response to a question from Vice Mayor Hopewell, City Manager Collard stated he would present a recommendation to the City Commission within 30 days.

In response to a question from Vice Mayor Hopewell, City Manager Collard stated several options and combinations of options for new qualifying criteria were considered, and the 70-years-of-age/25-years-of-service criteria "felt right."

Item K-2

77464

Regarding Item K-2, appointment of a City Commissioner to complete the un-expired term of Mary Balkema, Mayor McKinney distributed copies of an e-mail, which contained her thoughts on specific elements of the appointment process. Discussion followed.

City Commissioners agreed to use the following process on June 4<sup>th</sup> when considering the appointment of a new Commissioner:

- the appointment of a City Commissioner will take place under Policy Items (specifically, Item K-2).
- Mayor McKinney will read the agenda item into the record and then ask the City Clerk to report briefly on the candidates for appointment and any correspondence received in support of individual candidates.
- each candidate will be given an opportunity to address the City Commission for four minutes. At the conclusion of each candidate's remarks, Commissioners will be given the opportunity to ask clarifying questions.
- after the candidates have been given an opportunity to address the Commission, members of the public will have an opportunity to make comments.
- following citizen comments, Commissioners will be able to make comments of a general nature.
- when Commissioners have finished making general comments, it is expected that a motion will be made. This motion could be to appoint one of the candidates. After the motion is seconded, the Commission will discuss the merits of motion. (This is where a discussion of particular candidates would take place.) At the conclusion of this discussion a roll call vote will be taken.
- if a candidate is chosen and appointed to be the next City Commissioner, he or she will be sworn in immediately. Following a short recess, the appointed Commissioner will join the other Commissioners on the dais.

Mayor McKinney requested that City Attorney Kirk create and distribute to Commissioners an acceptable motion for making the appointment.

Discussion of  
Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Vice Mayor Hopewell noted many events were taking place over the weekend, including a celebrity softball game at Mayor's Riverfront Park and a fundraiser at the Douglas Community Center featuring Greg Jennings, wide receiver for the Green Bay Packers.

Citizen Comments

Finally, when an opportunity was given for citizen comments, the following citizens addressed the City Commission:

Jonathan Braun, City resident, expressed concern about the criteria used by local agencies to distribute housing vouchers from the Kalamazoo County Public Housing Commission.

Terrance Burton, City resident, stated he was having difficulty with staff in the Community Planning and Development Department regarding his restaurant at 1233 Branch Street.

The meeting adjourned at 8:22 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 18, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: June 18, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, June 4, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Invocation

The invocation, given by Pastor Ervin Armstrong, Christian Life Center, was followed by the Pledge of Allegiance.

Introduction of Guests

Mayor McKinney recognized the presence of former City Commissioners Zadie Jackson and David Juarez.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

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

Citizen Comments

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

Pastor J. Louis Felton, City resident, indicated Galilee Baptist Church was interested in acquiring the property on the northeast corner of Westnedge Avenue and Paterson Street. Pastor Felton noted the successful Annual Salute to Law Enforcement at Galilee Baptist Church, and he thanked the Northside Ministerial Alliance for sponsoring ten young people who participated in the Michigan State Police Youth Leadership Development Camp.

William Roland, City resident, indicated Galilee Baptist Church was interested in acquiring the City owned property at 1302 North Westnedge Avenue.

Rosella Light, 1231 Banbury Rd., thanked Mayor McKinney for participating in Race for Life.

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:

**77465**

- a recommendation to approve a two-year contract for the purchase of powdered activated carbon from Calgon Carbon Corporation in the amount of \$ 2,196,068.

- 77466** - a recommendation to approve a contract with Peters Construction Company for the paving of Lovell and South Streets from Rose Street to Pitcher Street in the amount of \$290,189.59.
- Ordinance 1828  
**77467** - a recommendation to adopt an **ORDINANCE** to create a new Section 7-27 of the Kalamazoo City Code regarding dog feces.
- 77468** - a recommendation to offer for first reading an ORDINANCE to revise the Traffic Code Section 36-129 to update the operating while intoxicated ordinance, making it consistent with recent changes in state law; and, add Section 36-129a which makes refusing a preliminary breath test a civil infraction, consistent with state law.
- Resolution 07-34  
**77469** - a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to transfer the ownership of a 2006 Class-C liquor license from Kal Motel Inc to Clarion Hotel Kalamazoo LLC aka River Road Development LLC.
- Resolution 07-35  
**77470** - a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to transfer the ownership of a 2006 Class-C liquor license from Clarion Hotel Kalamazoo LLC aka River Road Development LLC to Cork Street Food and Beverage Inc.
- 77471** - a recommendation to approve a one-year bus service contract renewal with Kalamazoo Advantage Academy for the provision of student transportation during the 2007 – 2008 school year.
- 77472** - a recommendation to authorize the City Manager to sign the First Amendment to Temporary Access Agreement to allow Horizon Environmental temporary access to city-owned rights-of-way on behalf of Meijer, Inc. for the purpose of performing additional environmental investigation activities consisting of the installation of a monitoring well in the right-of-way on the east side of Hawley Street and the installation of a monitoring well in the right-of-way on the east side of Douglas Avenue.
- 77473** - a recommendation to approve budget adjustments related to the use of Community Development Block Grant and HOME Investment Partnerships Program funding as follows:
- Allocate \$110,316 in unanticipated PY2007 CDBG funds
  - Reprogram \$132,341 of unexpended PY2001-2005 CDBG funds
  - Reprogram \$170,625 of unexpended PY2000 – 2005 HOME funds
- 77474** - a recommendation to: 1) accept grants from the Irving S. Gilmore Foundation (\$10,000), the Ronda E. Stryker & William D. Johnston Foundation (\$18,000), Youth United Way (\$500), and two anonymous donors through Kalamazoo Community Foundation (\$100,000 and \$25,000) for the 2007 Summer Youth

Employment Program; and, 2) approve a contract with Youth Opportunities Unlimited, a division of Kalamazoo Regional Educational Service Agency in the amount of \$326,900 for the oversight and management of the Youth Employment Program.

77475

- a recommendation to authorize the settlement of Mary Johnson's slip-and-fall claim.

77476

- a recommendation hold until June 18, 2007 approval of a quit claim deed conveying the City's interest in 1405 N. Westnedge, to John Haynes, whose address is 615 Dwillard Dr., Kalamazoo, in consideration of \$2,221.82 in payment of 2000 through 2004 foreclosed taxes.

Vice Mayor Hopewell, seconded by Commissioner McCann, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk's Report

77477

City Clerk Borling reported the following items:

- the receipt and referral of the lawsuit Mark Stuhldreher v City of Kalamazoo to the City Attorney's Office.
- the receipt of minutes from the following advisory boards and commissions:
  - Dangerous Buildings Board
    - Thursday, April 05, 2007
  - Friends of Recreation Board
    - Tuesday, April 24, 2007
  - Housing Board of Appeals
    - Thursday, March 22, 2007
  - Kalamazoo Historic District Commission
    - Tuesday, March 20, 2007
  - Kalamazoo Municipal Golf Association
    - Tuesday, February 20, 2007
    - Tuesday, March 20, 2007
    - Tuesday, April 17, 2007
  - Zoning Board of Appeals
    - Thursday, April 12, 2007
- the approval of the following special events in the month of May:

City Clerk's Report  
(cont'd)

**77477**

- A request from DKA Charities Board to use the Kalamazoo Mall and the northern parking and traffic lanes of South Street on June 1 through June 2, 2007 for the 2007 Art on the Mall event.
- A request from Kalamazoo Neighborhood Housing Services and the Edison Neighborhood Association to close Washington Avenue between Portage and Race Streets Saturday, June 9, 2007 from 11:00 a.m. to 1:30 a.m. as a part of National NeighborWorks Week.
- A request from DKA Charities (DKAC) and Downtown Kalamazoo Inc (DKI) for permission to use the Kalamazoo Mall for the sale of alcohol during the eleventh annual Mixers on the Mall to be held on the Kalamazoo Mall in 2007 on the following dates: June 13, 20, 21 and 27; July 11, 18 and 25; and August 1, 8, 15 and 22. An additional date of August 29 would be scheduled for use in lieu of canceled events due to inclement weather.
- A request from the West Main Hill Neighborhood Association and USTA to use Henderson Park and surrounding city streets on Tuesday, August 7, 2007 from 5:00 to 9:30 p.m. for the annual West Main Hill/USTA Picnic.

Presentation of the  
2006 DDA Annual  
Report

**77478**

Steve Deisler, Vice President of Downtown Kalamazoo Incorporated (DKI), reviewed the Downtown Development Authority's 2006 Annual Report. Mr. Deisler distributed an article from the journal *Urban Land*, in which the Urban Land Institute identified Kalamazoo as having experienced one of the "Top 10 Downtown Turnarounds."

Commissioner Anderson commented on the positive reactions of acquaintances who had visited Downtown Kalamazoo recently.

Update on 13<sup>th</sup>  
Check

**77479**

City Manager Collard reported 410 retirees would receive a 13<sup>th</sup> check in 2007. City Manager Collard expressed support for a staff recommendation to limit the pool of eligible 13<sup>th</sup> check recipients to retirees with 25 years of service who were at least 70 years of age. City Manager Collard noted the City Commission would need to approve the new eligibility criteria and explained the criteria would not be effective until the next distribution of a 13<sup>th</sup> check, which would be in 2010.

Appointment of a  
City Commissioner

**77480**

Next, the City Commission considered candidates for appointment to the City Commission to fill vacancy of unexpired term of Mary Balkema.

City Clerk Borling reported the following citizens had submitted resumes and letters of interest by the May 30<sup>th</sup> deadline: Mark Fricke, David Juarez, Armando Romero, Zadie Jackson, Marcia Miller, Keely Novotny, and Stephanie Moore. City Clerk Borling certified these candidates met the requirement of being registered to vote in the City at the time of filing.

Appointment of a  
City Commissioner  
– Candidate  
Presentations and  
Commissioner  
Questions  
**77480**

City Clerk Borling also reported the receipt of correspondence from citizens in favor of individual candidates and noted the correspondence had been filed with the papers for this meeting.

Mayor McKinney invited the candidates presented their qualifications to the City Commission. Each candidate was allowed to speak for four minutes, and they addressed the Commisison in alphabeitcal order.

During the presentations Commissioner Miller questioned the candidates regarding their intent to run for election to the City Commission in November of 2007. The candidates responded to Commissioner Miller's question as follows:

Mark Fricke stated he did not intend to run for election to the City Commission in 2007.

Zadie Jackson stated she did not intend to run for election to the City Commission in 2007.

David Juarez stated he would consider running for City Commission in 2007 if there was work to be done.

Marcia Miller stated she did not know if she would run for election to the City Commission in 2007.

Stephanie Moore stated at the present time she did not intend to run for election to the City Commission in 2007.

Keely Novatny stated she did not know if she would run for election to the City Commission in 2007.

Armando Romero stated he would run for public office in the future.

Commissioners did not ask the candidates any other questions.

Appointment of a  
City Commissioner  
- Public Comments  
**77480**

When an opportunity was given for public comments regarding the appointment of a City Commissioner to replace Mary Balkema, the following citizens addressed the City Commission:

Pastor Bobette Hampton, pastor of Fresh Fire AME Church, spoke as member of the Table of Common Hope and urged the City Commission to consider the results of the last election. Pastor Hampton suggested the City Charter be amended to define a process for filling vacancies on the Commission that would consider the voice of the community .

Shawn O'Bryant, representing the Black Police Officers Association of Kalamazoo County (BPOA), expressed support for Stephanie Moore.

Yolanda Neals, City resident, expressed support for Stephanie Moore.

Appointment of a  
City Commissioner  
- Public Comments  
(cont'd)

**77480**

Jennifer Clark, City resident, spoke in support of Keely Novatny.

Terrance Moore, City resident, spoke in support of Stephanie Moore.

Pastor J. Lewis Felton of Galilee Baptist Church expressed support for David Juarez.

Bessie Lacks, City resident, expressed support for Stephanie Moore.

Gwen Hillman, City resident, expressed support for Stephanie Moore.

Birleta Bean, City resident, spoke in support of Stephanie Moore.

Enchante Dalsette, Non-resident, spoke in support of Stephanie Moore.

Dave Pawloski, City resident, spoke in support of David Juarez.

Pastor Lenzy Bell of First United Baptist Church spoke in support of Stephanie Moore.

Burr Wilson Jr., Non-resident, expressed support for Stephanie Moore.

Tina Lillard, Non-resident, expressed support for Stephanie Moore.

Dorphine Payne, City resident, expressed support for Stephanie Moore.

Che Jordan, City resident, spoke in support of Stephanie Moore.

J.L. Buchanan, Non-resident, advised the Commission to consider what Jesus would do.

Pastor Joseph Anderson, City resident, expressed support for Stephanie Moore.

Janette Evans, Non-resident, spoke in support of Stephanie Moore.

Stephanie Prevo, City resident, expressed support for Stephanie Moore.

Doreen Gardner, Non-resident, spoke in support of Stephanie Moore on behalf of Pastor Addis Moore of Mt. Zion Baptist Church.

Pat Pulphus, City resident, spoke in support of Stephanie Moore.

Phillip Micklin, City resident, spoke in support of David Juarez.

Appointment of a  
City Commissioner  
- Public Comments  
(cont'd)

**77480**

Patrick Watts, Non-resident, expressed support for Stephanie Moore.

Angela Marie Evans, Non-resident, expressed support for Stephanie Moore.

Beth Lewis, City resident, expressed support for David Juarez.  
Jessica Adams, City resident, spoke in support of Stephanie Moore.

Mo Neighbors, City resident, expressed support for Stephanie Moore.

Brandon Yale Johnson, City resident, expressed support for Stephanie Moore.

Jorelle Neighbors, City resident, spoke in support of Stephanie Moore.

LaNez Neighbors, City resident, spoke in support of Stephanie Moore.

Alexander Lipsey, City resident, expressed support for David Juarez.

Reverend Alexander Plair, City resident, expressed support for David Juarez.

Creed Stegall, City resident, spoke regarding the need for citizens to be involved in various aspects of City government, not just the City Commission.

General  
Comments by City  
Commissioners

**77480**

Commissioner Miller noted in only 3 out of 10 instances had the Commission filled midterm vacancies with the 8<sup>th</sup> highest vote recipient in the previous City Commission election. Commissioner Miller suggested the City Commission fill the seat vacated by Mary Balkema with a person who would replace her perspective and who did not intend to run for election to the City Commission in 2007.

Mayor McKinney stated all seven candidates were well qualified, and she commended them for stepping forward to serve the community.

Commissioner Anderson stated each candidate possessed persuasive qualifications for appointment and noted the Commission's choice did not diminish the importance of the candidates' past and current involvement in the community. Commissioner Anderson indicated the process for filling vacancies on the Commission was not well defined in the City Charter, and he advised that the City Commission attempted to create an open process in which the community could be involved. Commissioner Anderson stated he was surprised by the level of community involvement, as he had anticipated more interest in the appointment process.

Motion to Appoint  
David Juarez

**77480**

Commissioner Cooney, seconded by Commissioner McCann, moved to appoint David Juarez to the City Commission to fill the vacancy created by the resignation of Mary Balkema.

Commissioner Anderson stated the criteria he used to choose a candidate included: election experience; City Commission experience; neighborhood participation; city board experience; non-profit board experience; community volunteering experience; and the results of the 2005 City Commission election. Commissioner Anderson stated his decision was made based on his ranking of the candidates according to the above criteria.

Commissioner Cooney stated all of the candidates were excellent, and he encouraged Stephanie Moore to run for election to the City Commission. Commissioner Cooney indicated he tried to conform his decision making process to the democratic process, and therefore he supported the appointment of David Juarez, the 8<sup>th</sup> highest vote recipient in the 2005 City Commission election.

Commissioner McCann thanked the candidates and the citizens who addressed the Commission. Commissioner McCann stated the framers of the City Charter were wise to not specify the filling of vacancies with the 8<sup>th</sup> highest vote recipient in the previous Commission election, as there could be reasons the appointment of this individual would not be in the best interests of the community. However, Commissioner McCann stated he could not find a compelling reason to not choose David Juarez, given his recent experience on the City Commission and the diversity he would bring to the Commission. Commissioner McCann stated David Juarez, to a great extent, represented the voice of the people from the 2005 election, and this voice was important in the absence of a provision for a special election.

Vice Mayor Hopewell noted the excellent qualities of the candidates and their efforts and involvements to improve Kalamazoo. Vice Mayor Hopewell indicated the most important criteria in selecting a new Commissioner was to respect the importance of the vote, and he stated the best alternative to holding a special election was to look at the most recent time the voters had spoken. Vice Mayor Hopewell stated it was impossible to determine who would be the best person to fill the position based on a letter and a resume. Vice Mayor Hopewell stated he supported the appointment of David Juarez as the 8<sup>th</sup> highest vote recipient from the 2005 City Commission election.

Mayor McKinney stated she was impressed by the candidates' qualifications and willingness to serve the community. However, Mayor McKinney noted there were only five months remaining in the current Commission term, and the City was in the middle of a budget year. Mayor McKinney stated the City Commission needed to appoint a person with experience who could step in and help the current City Commission complete its work. Mayor McKinney stated the time for change was in November, not at this moment.

Vote on the Motion to Appoint David Juarez

**77480**

With a roll call vote, the motion to appoint David Juarez to the City Commission passed by a vote of 5-1.

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

NAYS: Commissioner Miller

City Clerk Borling administered the Constitutional Oath of Office to David Juarez.

The meeting recessed at 9:25 p.m.

The meeting resumed at 9:35 p.m. with Commissioner Juarez at the dais.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Mike Seals, Non-resident, announced neighborhood block parties would take place at the following dates and locations in the months of June and July: Rockwell Park on June 10<sup>th</sup>; the Boys and Girls Club on June 17<sup>th</sup>; LaCrone Park on June 24<sup>th</sup>; the Northside Neighborhood on July 1<sup>st</sup>; and the YMCA on July 4<sup>th</sup>. Mr. Seals noted free tickets would be available at the block parties for the Kalamazoo King's game on July 22<sup>nd</sup>.

Beth Lewis, City resident, spoke regarding the City Commission's choice of David Juarez. Ms. Lewis suggested the Commission limit citizens' ability to speak about religion during City Commission meetings.

Yolanda Neals, City resident, spoke regarding the process for selecting a Commissioner to fill the vacancy of Mary Balkema. Ms. Neals stated the Commission had made its selection prior to interviewing the candidates and indicated there would be bad feelings in the community over the selection process.

Andrea Juarez, City resident, thanked the City Commission for appointing David Juarez but stated the selection process had been too loose and needed more definition.

City Commissioner Comments

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

Commissioner Juarez thanked his supporters and the City Commission. Commissioner Juarez stated there was much work to be done, and every citizen had the opportunity to contribute to the community. Commissioner Juarez recognized the City had problems but stated the City could overcome its problems. Commissioner Juarez noted the Latino community had a voice on the City Commission once again.

Commissioner Miller reported the Do Dah Parade and Kalamazoo Institute of Arts (KIA) Art Fair were successful. Commissioner Miller expressed excitement about efforts to recycle pop cans and plastic bottles during these events.

Commissioner Cooney invited citizens to attend neighborhood block parties on Sunday afternoons in June and July.

Vice Mayor Hopewell welcomed David Juarez to the City Commission. Vice Mayor Hopewell noted that Commissioner Juarez's qualifications did not direct his choice as much as the desire to use the most objective criteria, that being the selection of the 8<sup>th</sup> highest vote recipient in the 2005 election. Vice Mayor Hopewell stated the Commission had upheld integrity in its decision to appoint David Juarez. Vice Mayor Hopewell rehearsed the City Commissioners' community involvements and thanked Commissioners for their service. Vice Mayor Hopewell invited Commissioners to the unveiling of a mural entitled "Hands of the Promise" at Northeastern Elementary School on June 5<sup>th</sup>.

Mayor McKinney welcomed David Juarez to the City Commission. Mayor McKinney asked Commissioners to consider potential changes to board, commission and committee assignments.

Adjournment

The meeting adjourned at 10:01 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: August 20, 2007

A work session of the Kalamazoo City Commission was held on Monday, June 11, 2007 at 7:00 p.m. in the Community Room at City Hall. The purpose of the work session was to review proposed water and sewer rate increases.

Roll Call

COMMISSIONERS PRESENT: Mayor McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney\*  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: David Juarez

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner Miller, seconded by Commissioner Anderson, moved to excuse the absence of Commissioners Cooney and Juarez. With a voice vote the motion passed.

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Mayor McKinney welcomed guests from India and Pakistan who were visiting the United States through Colleagues International.

\*Commissioner Cooney arrived at 7:02 p.m.

Presentation re:  
Proposed Water  
and Sewer Rate  
Increases

**77481**

Prior to introducing Mr. Bart Foster of The Foster Group, City Manager Collard provided opening remarks regarding the proposed rate increases for water and wastewater service. City Manager Collard noted a substantial increase in wastewater rates was being proposed due to lost revenue from Pfizer, and he explained the utility rate lawsuits and corresponding settlement agreements from 1988 and 1998 governed the establishment and structure of rates for the Kalamazoo water and wastewater systems.

Mr. Foster delivered a PowerPoint presentation, entitled *Workshop Presentation of Proposed Water and Wastewater Rates for 2007*. After briefly reviewing the proposed water rate increases, Mr. Foster reported significant declines in Pfizer's usage of the wastewater system had led to a 23% loss of revenue for the system. Mr. Foster stated the lost revenue needed to be recovered through rate increases, as 85% of the costs to operate a utility were fixed costs that did not vary based on fluctuations in system usage. Mr. Foster reviewed the proposed distribution of rate increases over the various customer classes, and he explained the utility basis of cost recovery as applied to the Kalamazoo water and wastewater systems.

In response to a question from Commissioner Anderson, Mr. Foster stated he could not argue against the City's application of the utility basis of cost recovery for water and wastewater service and noted the City's practices were in line with the rate settlement agreements from 1988 and 1998.

Presentation re:  
Proposed Water  
and Sewer Rate  
Increases (cont'd)

77481

City Manager Collard noted representatives of non-City water and wastewater customers had negotiated the current settlement agreements and stated the agreements could have been negotiated differently.

In response to a question from Commissioner Cooney, Mr. Foster stated the proposed wastewater rate increase for Pfizer was greater than the percentage increase for other users of the system due to the recent construction of the biosolids handling facility, which was designed specifically to handle the heavy wastewater generated by Pfizer.

In response to a question from Commissioner Cooney, Mr. Foster explained it would be illegal to set utility rates based on residents' income, but he stated there were creative ways to assist residents with their utility bills. Mr. Foster indicated some cities, like Ann Arbor, donated certain types of water and wastewater system income, such as interest income and late fees, to third party organizations to help people with their utility bills.

Deputy City Manager Jerri Barnett-Moore stated the City offered extended payment options for residential customers and placed a safety flag on accounts which required water and wastewater service for life support systems, so that additional inquiries would be made prior to terminating service for non-payment. Deputy City Manager Barnett-Moore noted that in the past the City had tried unsuccessfully to implement a program modeled after Consumers Energy's We Care program, which allowed utility customers, through the payment of their electric and gas bills, to contribute to a special fund for low income residents. Deputy City Manager Barnett-Moore suggested the City make another attempt at sponsoring such a program.

In response to a question from Mayor McKinney, Public Services Director Bruce Merchant stated the City and Pfizer were 2/3 of the way through a 25 or 30 year contract, but Pfizer could renegotiate the contract at any time. Director Merchant noted the current contract included provisions to protect the City in the event of a sharp decline in Pfizer's system usage.

City Manager Collard noted Pfizer had received several accommodations from the City over the past few years, including transfer of the costly pretreatment process from Pfizer's facilities to the City's Harrison Street Facility.

Commissioner Cooney requested that the City Administration explore the possibility of implementing a program like Consumers Energy's We Care program.

City Manager Collard reviewed a document entitled *2007 Proposed Utility Rates: Typical Residential Bills*. A copy of this document was filed with the papers for this meeting.

In response to a question from Commissioner Anderson, City Manager Collard explained the costs associated with litigation over utility rates would be borne by the Water and Wastewater Enterprise Funds, not the General Fund.

Presentation re:  
Proposed Water  
and Sewer Rate  
Increases (cont'd)  
**77481**

In response to a question from Mayor McKinney, Mr. Foster stated the 5-year forecast recommended annual water rate increases but no further rate increases for wastewater service after 2007. Mr. Foster noted the 5-year forecast was based on two major assumptions: there would be no major capital investment in the wastewater system; and there would be no further significant change in Pfizer's operations.

Director Merchant stated Pfizer had indicated its payments for Water and Wastewater service would remain stable over the next one or two years, but Director Merchant cautioned against relying on this estimate.

In response to a question from Mayor McKinney, Mr. Foster stated that charging lower utility rates to non-resident customers and higher rates to resident customers would violate the utility rate settlement agreements.

Citizen Comments

Next, when given an opportunity to address the City Commission the following citizens offered comments:

Joan Foxhurst, Non-resident, spoke in support of the dual language immersion program at the Lincoln International Studies School and asked that City Commissioners oppose the elimination of this program for the 2007-2008 school year.

City Commissioner  
Comments

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

Commissioner McCann questioned why the Kalamazoo Community-Public Safety Partnering Workshop on Tuesday June 12<sup>th</sup> would be a closed, invitation-only event rather than a public meeting. Commissioner McCann inquired about the list of invitees and questioned whether holding closed meetings would build trust between the community and the City.

In response to Commissioner McCann's questions and concerns, City Manager Collard stated the Kalamazoo Community-Public Safety Partnering Workshop would be a closed meeting so that participants could speak openly and frankly about the community/Public Safety Department relationship. City Manager Collard noted that the City Commission would discuss this topic at an open meeting on July 9<sup>th</sup>. City Manager Collard reported the list of invitees included community leaders, administrators from the City and Kalamazoo Public Schools, and representatives from the City's neighborhoods, the Public Safety Department, the business community, Community Voices newspaper, and the Kalamazoo Gazette.

At the request of Commissioner McCann, City Attorney Kirk discussed a memo he had written regarding Commissioners' participation in the Workshop and Open Meetings Act considerations. City Attorney Kirk indicated Commissioners would be free to participate when the discussion was limited to small groups, provided that no more than three Commissioners were in any one group. City Attorney Kirk advised against Commissioner participation when the discussion was open to all attendees, and especially during the final segment of the Workshop when a partnering agreement would be drafted.

City Commissioner  
Comments (cont'd)

Commissioner McCann stated that in the near future members of the community would be publicly expressing their opinions regarding the City Administration's decision to terminate benefits for same sex partners.

City Manager  
Comments on  
Domestic Partner  
Benefits Program

In response to a question from Commissioner McCann, City Manager Collard noted all parties involved agreed that the City's current method of providing same-sex benefits was unconstitutional. City Manager Collard reported he was working with the City Attorney's Office and attorneys from the American Civil Liberties Union (ACLU) to develop a creative way of providing benefits for same-sex domestic partners of City employees. City Manager Collard indicated one potential solution was to provide benefits to all domestic partners, regardless of sexual orientation, and he noted the issues of risk, cost, and fairness would be central considerations relative to implementing such a program. City Manager Collard reported he was studying the provision of employee benefits at Michigan State University as a potential model for the City.

Commissioner McCann indicated he supported Kalamazoo Public Schools' (KPS) dual language immersion program and suggested this program be moved to one of the KPS facilities in the Vine Neighborhood.

Commissioner Cooney expressed support for the dual language immersion program at Lincoln International Studies School but advised he would be cautious on telling other elected officials how to spend their money.

Vice Mayor Hopewell reported Commissioner Juarez was absent from the meeting because his brother was critically ill. Vice Mayor Hopewell expressed support for the dual language immersion program at Lincoln International Studies School. Vice Mayor Hopewell noted the success of the Eastside Neighborhood Block Party on June 10<sup>th</sup>, and he thanked Bill Wright for sponsoring this event. Vice Mayor indicated his support for City Manager Collard's efforts to find creative options for providing benefits to same-sex domestic partners.

Adjournment

The meeting adjourned at 8:31 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, May  
August 20, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, June 18, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
David Juarez  
Sean McCann\*  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

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

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood Communications

Neighborhood communications were received next.

\*Commissioner McCann arrived at 6:01 p.m.

Representatives of the following neighborhood organizations were present:

- Milwood Neighborhood Watch  
**Ken Horton**, President  
**Brent Larson**, Chair of the Milwood Area Business Association Committee
- Vine Neighborhood Association  
**Julie DeLuca**, Board Chair  
**Amy Remmert**, Board Secretary
- Whites/Edgemoor/Bronson  
**Linda Wienir**, President  
**Paul Wienir**, Board Member

Milwood Neighborhood Watch

The Milwood Neighborhood Watch representatives:

- discussed a home in the neighborhood that had been raided in February 2005 to remove a meth lab, and new resident was being forced to pay for the environmental cleanup of the home. Mr. Horton stated the City needed to do a better job of updating the list of meth-contaminated properties.

77482

- distributed and discussed a document containing the draft mission statement and goals of the Milwood Area Business Association.
- expressed concern about the reduced pace of development in the Edison Neighborhood.

In response to a question from Commissioner Juarez, Mr. Horton explained the City began tracking the location of meth labs in July of 2006. Mr. Horton noted he had received letter from the Public Safety Department several months ago informing him of a web site where the meth lab sites were listed.

In response to a question from Commissioner McCann, Mr. Larson stated a new non-profit organization had been formed to address the issue of PCB contamination in the City. Mr. Larson reported this group wanted to consider the clean-up of the Kalamazoo River in general, and the future of the Allied Paper Mill Site in particular.

Vine  
Neighborhood  
Association

The Vine Neighborhood Association representatives:

- reported the Association was looking aggressively for an executive director. Ms. Remert explained applicants from a previous search were over qualified and had higher salary expectations.
- stated a staff member was in the office three days per week, and the previous Director was working at least 12 hours per week on a contractual basis.
- indicated the Neighborhood Watch and Housing Committee meetings had been combined.
- expressed appreciation for Public Safety Department representation at the Neighborhood Watch meetings and noted crime in the neighborhood had decreased. Ms. DeLuca noted the Public Safety Department had encouraged the Association to have its office open from 9:00 a.m. to 5:00 p.m. Monday-Friday to facilitate communication with Public Safety Officers and residents.
- encouraged the City to partner with the Association to address the various housing issues facing the neighborhood.
- stated the Association leadership was confused about the City's A+ Neighborhoods program and would like more information on the direction of this program.
- indicated the recent Greek Fest was successful.
- reported the Association's annual meeting took place on May 21<sup>st</sup>.
- stated the Friends of Chenery were beginning a capital campaign for improvements to Chenery Auditorium.

77483

- distributed a publication entitled *Chenery: The Next Great Step for Our Performing Arts*.

77484

- distributed a pamphlet entitled *Would you like your student to be bilingual? Dual Language Immersion School in KPS*.
- expressed support for the relocation of Kalamazoo Public School's (KPS) Dual Language Immersion program to the Vine Alternative School.
- noted the Vine Neighborhood was the only City neighborhood without a KPS elementary school.
- indicated the Association would like the new Executive Director to have community or economic development experience.

In response to a question from Commissioner Juarez, Ms. Remert reported the Association's Board of Directors was developing the job description and salary range for the Executive Director position.

Whites/Edgemoor/  
Bronson

The White/Edgemoor/Bronson (W.E.B.) representatives:

- discussed the history of the W.E.B. Neighborhood Association.
  - noted new families were moved into the neighborhood and reported a total of 255 households.
- 77485
- distributed a brochure about the W.E.B. Neighborhood.
  - thanked the City for working with the community on the issue of PCB contamination and encouraged citizens to attend upcoming public meetings regarding the Kalamazoo River clean-up.
  - expressed support for the City's same-sex domestic partner benefits program.
  - noted the need for more intergovernmental cooperation and stated W.E.B. would be meeting with the Kalamazoo County Board of Commissioners in July.
  - expressed concern about Americans with Disabilities Act (ADA) accessibility at City Hall, especially with regard to the frequent malfunctioning of the wheelchair lift at the south entrance.

77486

- distributed invitations to the WEB 10<sup>th</sup> Anniversary Summer Pot Luck Picnic.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

Kimberly Clay, 734 Forest Street, spoke regarding an unregistered rental property next to her residence at 734 Forest Street.

Adjournment

The meeting adjourned at 6:37 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: August 20, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, June 18, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

## Invocation

The invocation, given by Father Michael Hazard, St Joseph Catholic Church, was followed by the Pledge of Allegiance.

Introduction of  
Guests

**77487**

Mayor McKinney introduced State Senator Tom George, who provided an update on the state budget process. Senator George noted there were three phases to resolving the state budget crisis: balance FY2006/2007 Budget; replace Single Business Tax; and address the FY2007-2008 budget deficit by making budget reductions, addressing public employee benefits, and increasing taxes. Senator George reported he had sponsored a bill to eliminate smoking in restaurants, bars, and other public places.

Board and  
Commission  
Extended Service  
Awards

**77488**

Mayor McKinney and Vice Mayor Hopewell presented Volunteer Advisory Board and Commission, Extended Service Recognition Awards to the following individuals: Leslie Decker; Malcolm Earhart; Jeff Gregg; Art Hoekstra; Garylee McCormick; Nelson Nave; and William Snyder. Mayor McKinney also noted the longtime service of Randy Eberts, Charles Eliot, Thomas Kostrewa, and Janice VanderKley. Mayor McKinney thanked City staff liaisons and Commission liaisons to the advisory boards for their hard work.

## Proclamations

**77489**

Mayor McKinney proclaimed June 21, 2007 "Dump the Pump Day." Mr. Richard Atwell, Chair of the Kalamazoo County Transportation Authority Board of Directors, and Mr. Bill Schomisch, Transportation Director for the City of Kalamazoo, were present to receive the proclamation.

Adoption of the  
Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

## Communications

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

Public Hearing re:  
2006 Kalamazoo  
Mall Maintenance  
Assessment

**77490**

At 7:20 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt RESOLUTION #4 approving the 2006 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$13.90.

Resolution 07-36  
Approving the  
2006 Mall  
Maintenance  
Assessment

**77490**

Citizen Comments

At 7:21 p.m. Mayor McKinney closed the public hearing.

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to adopt **RESOLUTION #4** approving the 2006 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$13.90.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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

Jonathan Braun, City resident, expressed dissatisfaction with the Kalamazoo County Public Housing Commission's method of distributing housing vouchers. Mr. Braun discussed his personal experience with variances in Public Safety Officers' (PSO's) response times to calls for service made by people who were homeless as compared with their response times to calls for service made by citizens against homeless people.

Anna Smith, City resident, stated it was wrong for the Public Housing Commission to exclude members of the Kalamazoo Homeless Action Network (KHAN) from receiving housing vouchers and suggested that housing voucher recipients be chosen through a public lottery. Ms. Smith also suggested that sleeping in Bronson Park be permitted between 9:00 p.m. and 7:00 a.m.

Tijuana Edwards, City resident, discussed the dual language immersion program at Lincoln International Studies School and stated this program was not a good fit for the school as it siphoned resources from the students at Lincoln who were not in the language immersion program. Ms. Edwards invited City Commissioners to attend a parent meeting on June 21<sup>st</sup> regarding the continuation of this program at Lincoln.

Tondala McDaniel, City resident, spoke about the arrest of her 11 year old son at Race Street and Stockbridge Avenue on May 26, 2007. Ms. McDaniel indicated the PSO involved had changed her words in the written report of the incident, and she expressed concern that her request for a video or audio tape of the incident had not been fulfilled.

John Mills, City resident, spoke regarding the difficulties of being homeless and the need for affordable housing.

Thomas Seiler, City resident and President of the Board of Directors of the Gay and Lesbian Resource Center of Kalamazoo, expressed alarm and dismay at the prospect of gay and lesbian City employees losing domestic partnership benefits on July 1<sup>st</sup>.

Citizen Comments  
(cont'd)

Mr. Seiler urged the City to continue providing benefits to gay and lesbian employees.

Stacey Meegan, City resident, described the lack of responsiveness by PSO's to several recent calls for service from members of KHAN. Ms. Meegan requested that the suspect involved in the incidents be charged with the crimes for which the calls had been made.

Norine Wafford, City resident, spoke regarding the brutal assault of a relative on March 29<sup>th</sup> and stated the Public Safety Department did not ask for citizens' help in finding the perpetrators until over a month after the incident. Ms. Wafford noted that some incidents, such as the recent beating of a white homeless man by young black men, received more media attention and public requests for help than other incidents. Ms. Wafford expressed concern about the negative effects of the dual language immersion program on African American students at Lincoln International Studies School.

Yolanda Neals, City resident, expressed excitement that problems with the City's Freedom of Information Act (FOIA) process had been revealed and asked that the City Commission thoroughly investigate the issues. Ms. Neals stated Public Safety failed to respond to a recent incident of youth violence outside her home.

Clarence Gates, non-resident, stated the Community Planning and Development Department (CP&D) had removed material valued at \$1,000 from his property at 1908 North Edwards Street on June 14, 2007. Mr. Gates reported that this removal was done without notice, and he had not been served court papers regarding this property. Mr. Gates stated he wanted to speak with City Manager Collard about this issue the next day.

Ian Valenzuela, City resident, spoke regarding unjust treatment of the homeless by PSO's.

**77491**

John Musick, City resident and Executive director of the Michigan Organizing Project (MOP), thanked the City for pledging and delivering monies for the homeless assistance fund. Mr. Musick announced the MOP Action Assembly would take place on July 12<sup>th</sup> and stated attendees would be asking state legislators to create a dedicated funding stream for public housing. A copy of an invitation to the Assembly was filed with the papers for this meeting.

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:

**77492**

- a recommendation to offer for first reading an ORDINANCE to amend certain sections of Chapter 38 of the Kalamazoo Code to change the rates charged for water service to increase water service revenues by 3.5%, effective July 1, 2007.

Consent Agenda  
(cont'd)

- 77493**
- a recommendation to offer for first reading an **ORDINANCE** to amend certain sections of Chapter 28 of the Kalamazoo Code to change the rates charged for wastewater service to increase wastewater service revenues by 20%, effective July 1, 2007.
- Resolution 07-37  
**77494**
- a recommendation to adopt a **RESOLUTION** confirming the 2007 Assessment Roll.
- Resolution 07-38  
**77495**
- a recommendation to adopt a **RESOLUTION** approving the request of the Downtown Development Authority to levy a tax rate of 1.9638 mills.
- Resolution 07-39  
**77496**
- a recommendation to adopt a **RESOLUTION** to set a public hearing on July 2, 2007 to consider an application from Sweet Manufacturing, Inc. for a PA 198 Industrial Facilities Tax exemption certificate for six years for personal property valued at \$390,151.31 in existing Industrial Development District No. 89 located at 3421 South Burdick Street.
- Resolution 07-40  
**77497**
- a recommendation to adopt a **RESOLUTION** to set a public hearing on July 2, 2007 to consider an application from Perfection Bakeries, Inc.'s (dba Aunt Millie's) for a PA 198 Industrial Facilities Tax Exemption Certificate for six years for personal property valued at \$1,690,000 in existing Industrial Development District No. 96 located at 807 Palmer Street.
- Resolution 07-41  
**77498**
- a recommendation to adopt a **RESOLUTION** to set a public hearing on July 16, 2007 to consider the termination of Industrial Development District No. 68, which includes properties located at 2006 Race Street and 1003 East Alcott Street.
- Resolution 07-42  
**77499**
- a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to grant The Union LLC a banquet facility permit, along with a dance and entertainment permit, official food permit and two access paths.
- 77500**
- a recommendation to approve a lease transfer agreement between William R. Pratt and his daughter, Maria Orozco, for approximately 1,177 net square feet of space at the Kalamazoo Transportation Center to operate a concession business, effective July 1, 2007.
- 77501**
- a recommendation to accept a grant from the Harold and Grace Upjohn Foundation in the amount of \$20,000 for the 2007 Summer Youth Employment Program; and authorize the City Manager to sign all appropriate documents.
- 77502**
- a recommendation to approve a request from Jason Klein and Laurie LaVere to publicly display fireworks at the Kalamazoo Country Club on Saturday, July 7, 2007 at 10:30 p.m. during their wedding reception.

Consent Agenda  
(cont'd)

**77503**

- a recommendation to approve a quit claim deed conveying the City's interest in 1405 N. Westnedge, to John Haynes, whose address is 615 Dwillard Dr., Kalamazoo, in consideration of \$2,221.82 in payment of 2000 through 2004 foreclosed taxes.

**77504**

- a recommendation to approve the minutes from the following City Commission meetings: the Committee of the Whole Meetings of April 27, May 18, and June 1, 2007; the Special Meetings of March 19 and April 16, 2007; and the Regular Meetings of March 19, April 16, and May 5, 2007.

**77505**

- a recommendation to approve the following appointments and re-appointments to advisory boards and commissions:
  - the re-appointment of **Jeff Nicholson** as a member of the Downtown Development Authority for a term expiring on March 1, 2011.
  - the appointment of **William S. Hughes** as a member of the Environmental Concerns Committee for a partial term expiring on January 1, 2008.
  - the appointment of **Michele Marie Richards** as a member of the Environmental Concerns Committee for a partial term expiring on January 1, 2008.
  - the appointment of **Travis G. Meier** as a member of the Environmental Concerns Committee for a partial term expiring on January 1, 2008.
  - the appointment of **Colleen Prichard** as a member of the Environmental Concerns Committee for a partial term expiring on January 1, 2009.
  - the appointment of **Casey Gershon** as a member of the Environmental Concerns Committee for a partial term expiring on January 1, 2009.
  - the appointment of **David Nesius** as a member of the Environmental Concerns Committee for a partial term expiring on January 1, 2009.
  - the appointment of **Francois Moyet** as a member of the Environmental Concerns Committee for a partial term expiring on January 1, 2009.
  - the re-appointment of **Tom Hohm** as a member of the Environmental Concerns Committee for a term expiring on January 1, 2010

**77506**

- a recommendation to hold until July 2, 2007 to authorize the purchase of state-owned, tax-reverted land under the provisions of Public Act 123 of 1999.

Vote on the  
Consent Agenda

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

Regular Agenda

Next, Regular Agenda items were considered.

Ordinance 1829  
re: Driving While  
Intoxicated

Vice Mayor Hopewell, seconded by Commissioner Juarez, moved to adopt an **ORDINANCE** to revise the Traffic Code Section 36-129 to update the operating while intoxicated ordinance, making it consistent with recent changes in state law; and, add Section 36-129a which makes refusing a preliminary breath test a civil infraction, consistent with state law.

**77507**

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's  
Report

City Manager Collard provided the following reports and updates:

**77508**

- Departmental Reports and Project Updates
- The 55<sup>th</sup> Annual Actuarial Evaluation of the Employees' Retirement System.
- May 2007 Purchasing Report
- Legislative Update, dated June 6, 2007
- 1<sup>st</sup> Quarter 2007 Equal Employment/Affirmative Action Report
- Employees' Retirement Fund Report for the period ending March 31, 2007

City Manager Collard commended the Retirement System Investment Committee for its work and noted the City had not made a General Fund contribution to the retirement system since 1997.

Presentation re: a  
Domestic Partner  
Benefits Pilot  
Program

City Manager Collard stated all legal advice the City had received, indicated the City's current same-sex domestic partners benefits policy was unconstitutional. City Manager Collard reported he was finalizing a conceptual plan to provide benefits to domestic partners in general, regardless of sexual orientation, and stated the plan would accomplish the following goals: there would be no lapse in coverage for those currently enjoying benefits; the program would be constitutional; and the City would have a limited cost exposure for the program. City Manager Collard indicated the estimated annual cost of the benefits program for all domestic partners would be approximately \$50,000, which was double the cost of the same sex domestic partner benefit program. City Manager Collard stated he would be recommending a one-year pilot program, which would require City Commission approval of a budget

**77509**

Domestic Partner  
Benefits Pilot  
Program (cont'd)

**77509**

allocation. City Manager Collard stated there would be conditions for program eligibility similar to those used by Michigan State University for its domestic partner benefits program. City Manager Collard noted benefits for same sex domestic partners of City employees were scheduled to end on July 1<sup>st</sup>, and he remarked that there was interest among Commissioners for considering this topic at the June 29<sup>th</sup> Committee of the Whole meeting. City Manager Collard indicated the design of the program was progressing, and he requested Commissioners' input regarding the community's sentiment towards providing benefits to heterosexual domestic partners.

In response to a question from Vice Mayor Hopewell, City Manager Collard clarified that the City Manager was empowered to design and implement a domestic partner benefits program, but the City Commission would need to take action on a budget allocation to fund the program.

Vice Mayor Hopewell stated he had allowed the termination of same sex domestic partner benefits to proceed uncontested because he thought there were no options for continuing these benefits. Vice Mayor Hopewell encouraged the City Manager and City Attorney to continue developing a domestic partner benefits pilot program and stated the issue at hand was whether the City would take care of its employees.

Commissioner Miller expressed support for the development of a domestic partner benefits pilot program but expressed concern over escalating costs for the program in future years.

Commissioner Cooney stated he had agreed to the termination of same sex domestic partner benefits because he had been assured there were no options for continuing these benefits. Commissioner Cooney expressed support for the City Manager's proposal.

Commissioner McCann expressed support for a domestic partner benefits pilot program. Commissioner McCann noted the City Commission Rules prohibited the Commission from taking action on items at Committee of the Whole meetings and suggested a special meeting be called.

Discussion followed regarding the City Commission Rules and the scheduling of a special meeting on Friday, June 29<sup>th</sup>. Mayor McKinney requested that the City Clerk and City Attorney provide a recommendation on this issue.

Commissioner Juarez expressed support for the domestic partner benefits pilot program.

Presentation on  
City Commission  
Policies re: Tax  
Incentives

**77510**

Acting Executive Director the Economic Development Corporation (EDC) Jerome Kisscorni discussed proposed changes to City Commission Policies on tax incentives, including amendments to existing policies on P.A. 198 and P.A. 328 tax abatements, and a new policy on Repayment of Abated Taxes. In addition to the proposed policies, Executive Director Kisscorni presented the following recommendation regarding Tax Increment Financing (TIF) districts:

Tax Incentive  
Policies (cont'd)  
**77510**

- Any new area-wide TIF district proposed or an expansion of an existing TIF district must be tied to a major “tipping point” project that must include private sector investment, job generation and provide an area-wide benefit, or is part of a city initiative and/or city-supported redevelopment plan. These include:
  - The Downtown Development Authority (Area-Wide TIF)
  - The Local Development Finance Authority (BTR Area-Wide TIF)
  - The Brownfield Redevelopment Initiative (Site-Specific TIF)
  - Riverfront Redevelopment Area (Site-Specific/Area-Wide TIF)
  - Any new tax increment financing options available through state legislation

In response to a question from Commissioner Anderson, Executive Director Kisscorni stated City Commission policies guided staff evaluations and recommendations of tax incentive applications, with the understanding that deviations from policy would be represented to the City Commission as such.

City Manager Collard explained the City Commission’s policies limited the discretion of the City Administration where state statutes provided much latitude. City Manager Collard stated the tax incentive policies offered the Administration direction regarding the balance between capturing revenue for economic development purposes and protecting General Fund revenues, which supported core services.

In response to a question from Commissioner Miller, City Manager Collard stated the City Commission would need to approve deviations from its established policies.

Approval of Tax  
Incentive Policies

**77510**

Commissioner Cooney, seconded by Vice Mayor Hopewell, moved to approve changes to City Commission tax abatement, clawback and tax increment financing policies.

Prior to a vote on the motion Commissioner Miller thanked Director Kisscorni for consulting with community resources on the new policies.

Commissioner Juarez expressed support for the policies.

Commissioner Cooney expressed support for the policies and stated they embodies the ideas of reciprocity and accountability.

Vice Mayor Hopewell thanked staff for being creative in the development of these policies.

Mayor McKinney noted tax abatements and TIF districts were tax expenditures, and she stated this policy tightened up the tradeoffs for tax expenditures. Mayor McKinney expressed support for the TIF district

recommendations, especially the required connections to a tipping point project and private investment.

With a roll call vote the motion to approve the tax incentive policies passed unanimously.

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

NAYS: None

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Carly Chase, City resident, thanked the City for opposing the dumping of PCB contaminated sediment from the Kalamazoo River at the former Allied Paper Mill site. Ms. Chase also thanked the City Manager and City Commission for exploring alternatives to the same sex benefit policy.

Stephanie Moore, City resident, remarked on a recent positive experience with PSO Weston in response to an incident at the Shell gas station downtown. Ms. Moore expressed support for the Kalamazoo Department of Public Safety but noted problems with obtaining police reports and other records caused adults in the community to be sensitive and cautious when PSO's interacted with young people.

City Commissioner Comments

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

Commissioner Juarez thanked Commissioners for their support during the recent passing of his brother. Commissioner Juarez congratulated the African American community for the increased graduation rate of African American students in Kalamazoo.

Commissioner McCann noted the good news that Pfizer would relocate its animal health unit downtown. Commissioner McCann expressed support for an investigation of problems with the City's FOIA process and suggested the investigation focus on the City Manager's Office and City Attorney's Office. Commissioner McCann discussed possible ways the Commission could carry out the investigation.

Commissioner Anderson stated the Low Income Housing Assistance Fund was a unique program, and he emphasized that the program would not serve every individual who had housing needs or solve the problem of homelessness. Commissioner Anderson noted the following initial successes of the Housing Assistance Fund: the Michigan State Housing Development Authority (MISHDA) matched City and County contributions with a grant of \$500,000; the program leveraged a significant level of support services at no cost through partnerships with local shelters; a limited number of rental vouchers had been distributed; the program had been able to leverage rent concessions from landlords for people using the vouchers; and the program promoted the critical concept that

City Commissioner  
Comments (cont'd)

participants develop a personal housing stability plan. Commissioner Anderson explained that KHAN members were not excluded from the housing assistance voucher distribution process, and several former KHAN members actually received the vouchers. Commissioner Anderson thanked the members of Kalamazoo County Housing Commission for the time and effort they had spent to develop a model program. Commissioner Anderson commended the City Commission and County Board of Commissioners for taking a risk to address the issues of housing and homelessness in Kalamazoo.

Commissioner Cooney stated he was deeply disturbed by the report of problems with the FOIA process and noted access to public records was at the heart of democracy. Commissioner Cooney commended Bobby Ezell from the Boys and Girls Club for the successful Edison Neighborhood Block Party on June 17<sup>th</sup>. Commissioner Cooney congratulated the K-Christian girls' soccer team for winning state championship.

Vice Mayor expressed concern about problems with the City's FOIA processes. Vice Mayor Hopewell indicated he expected City staff to consider the current FOIA processes, address existing FOIA policies, and provide information to the public as required by law. Vice Mayor Hopewell welcomed Boy Scout Troop 237 from First Presbyterian Church. Vice Mayor Hopewell discussed the events that had taken place in the City over the weekend and noted the success of the first Kids Mixer on the Mall on Wednesday, June 13<sup>th</sup>. Vice Mayor Hopewell offered remarks on the news that Pfizer would relocate its animal health division to the Downtown area.

Mayor McKinney offered remarks on Pfizer's downtown plans and the recent Community/Public Safety Partnering Workshop. Mayor McKinney announced the partnering agreement would be presented to the City Commission and the community at a Work Session on July 9<sup>th</sup>. Mayor McKinney discussed the pending FOIA investigation and indicated the City Commission would be involved in the investigation due to the City Attorney's status as a Commission appointee. Mayor McKinney suggested the Commission form a sub-committee to conduct the investigation and designate Assistant City Manager Fay Peek to be the project manager. Mayor McKinney also expressed a desire to hire an outside attorney to provide legal counsel for the investigation. Mayor McKinney stated citizens had the right to know how their government was conducting the peoples' business, and the process for obtaining public records needed to be fair and consistent.

Adjournment

The meeting adjourned at 9:18 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_

Hannah J. McKinney, Mayor

Dated: August 20, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, June 29, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Vice Mayor Bobby Hopewell  
David Anderson  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Mayor Hannah McKinney  
Don Cooney

Also present were City Manager Ken Collard, Assistant City Attorney John Kneas, and Deputy City Clerk Virginia Vander Roest.

Commissioner Excused

Commissioner Miller, seconded by Commissioner Juarez, moved to excuse the absences of Mayor McKinney and Commissioner Cooney. With a voice vote, the motion passed.

Review of the July 2nd Regular Meeting Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, July 2, 2007.

Item H-2

Regarding Item H-2, adoption of an ordinance to change rates charged for wastewater service, Commissioner Anderson asked if Pfizer was aware of the ordinance. Public Services Director, Bruce Merchant, confirmed that they were aware and provided a brief history on the relationship between Pfizer and the Public Services Department.

Community Issues

An opportunity was given for Commissioners to discuss community issues, but no issues were discussed.

Citizen Comments

Finally, an opportunity was given for citizen comments, but no comments were offered.

The meeting adjourned at 7:41 a.m.

Respectfully submitted,

Virginia M. Vander Roest  
Deputy City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: August 20, 2007

The special meeting of the Kalamazoo City Commission was held on Friday, June 29, 2007 at 8:00 a.m. in the City Commission Chambers at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Vice Mayor Bobby Hopewell  
David Anderson  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Mayor Hannah McKinney  
Don Cooney

Also present were City Manager Ken Collard, Assistant City Attorney John Kneas, and Deputy City Clerk Virginia Vander Roest.

Commissioner Excused

Commissioner Miller, seconded by Commissioner Juarez, moved to excuse the absences of Mayor McKinney and Commissioner Cooney. With a voice vote, the motion passed.

Approval of an "Other Qualified Adult" Healthcare Benefits Pilot Program

City Manager Collard gave a brief history of the expiration of the City's Same-Sex Domestic Partner Benefits Program and reviewed a new Administrative Policy establishing an "Other Qualified Adult" Healthcare Benefits Pilot Program. City Manager Collard requested a budget transfer to fund the pilot program.

**77511**

Commissioner McCann, seconded by Commissioner Juarez, moved to approve an allocation of funds from the City's General Fund-Working Capital to the Healthcare Insurance Fund, in an amount not to exceed \$40,000, for a new Administrative Policy establishing the "Other Qualified Adult" Healthcare Benefits Pilot Program.

Prior to a vote on the motion, the following citizens spoke in favor of the motion:

Gerry Albertson, City resident  
Terry Kuseske, City resident

Commissioner Miller voiced concerns over the cost of the pilot program and expressed support for the 18 month evaluation period.

Commissioner McCann thanked the City Manager and his staff for their work on this issue. Commissioner McCann noted the "Other Qualified Adult" Healthcare Benefits Pilot Program would not be necessary if the United States had a national program that provided basic health care for all citizens.

Commissioner Juarez indicated he was gratified that the City was able to meet the needs of its employees.

Vice Mayor Hopewell discussed the need for the City to value and take care of its employees.

With a roll call vote the motion passed unanimously.

AYES: Commissioners Anderson, Juarez, McCann, Miller, Vice Mayor Hopewell

NAYS: None

Citizen Comments

Finally, an opportunity was given for citizen comments, but no comments were offered.

City Commissioner Comments

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

Commissioner Juarez and Vice Mayor Hopewell expressed their disappointment with the United States Supreme Court's ruling on *Parents Involved in Community Schools v. Seattle School District No. 1*, June 28, 2007.

Adjournment

The meeting adjourned at 8:34 a.m.

Respectfully submitted,

Virginia M. Vander Roest  
Deputy City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: August 20, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, July 2, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
David Anderson  
Don Cooney  
David Juarez\*  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Vice Mayor Bobby Hopewell

Also present were City Manager Ken Collard, Assistant City Attorney John Kneas, and City Clerk Scott Borling.

Commissioner Miller, seconded by Commissioner Anderson, moved to excuse the absences of Vice Mayor Hopewell and Commissioner Juarez. With a voice vote the motion passed

Invocation

The invocation, given by Reverend Dr. Douglas Vernon, First United Methodist Church, was followed by the Pledge of Allegiance.

\*Commissioner Juarez arrived at 7:03 p.m.

Introduction of  
Guests

Mayor McKinney recognized the presence of former City Commissioner Lance Ferraro.

Commissioner Anderson recognized the presence of his daughter Inesa.

Adoption of the  
Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

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

Public Hearing re:  
a Tax Abatement  
for Sweet Mfg.

**77512**

At 7:08 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to approve the application from Sweet Manufacturing, Inc. for a PA 198 Industrial Facilities Tax Exemption certificate for six years for personal property valued at \$390,151.31 in existing Industrial Development District No. 89 located at 3421 South Burdick Street.

At 7:09 p.m. Mayor McKinney closed the public hearing.

Resolution 07-43  
Approving an IFT  
Certificate for  
Sweet Mfg.

**77512**

Commissioner McCann, seconded by Commissioner Juarez, moved to approve the application from Sweet Manufacturing, Inc. for a PA 198 Industrial Facilities Tax exemption certificate for six years for personal property valued at \$390,151.31 in existing Industrial Development District No. 89 located at 3421 South Burdick Street.

With a roll call vote this motion passed unanimously.

Public Hearing re:  
a Tax Abatement  
for Perfection  
Bakeries, Inc.  
**77513**

AYES: Commissioners Anderson, Cooney, Juarez, McCann,  
Miller, Mayor McKinney

NAYS: None

At 7:10 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to approve the application from Perfection Bakeries, Inc.'s (dba Aunt Millie's) for a PA 198 Industrial Facilities Tax Exemption Certificate for six years for personal property valued at \$1,690,000 in existing Industrial Development District No. 96 located at 807 Palmer Street.

Mark Porter, non-resident and a representative of Perfection Bakeries, Inc., stated he was available to answer Commissioners' questions.

At 7:11 p.m. Mayor McKinney closed the public hearing.

Resolution 07-44  
Approving an IFT  
Certificate for  
Perfection  
Bakeries, Inc.  
**77513**

Commissioner Cooney, seconded by Commissioner Miller, moved to approve the application from Perfection Bakeries, Inc.'s (dba Aunt Millie's) for a PA 198 Industrial Facilities Tax Exemption Certificate for six years for personal property valued at \$1,690,000 in existing Industrial Development District No. 96 located at 807 Palmer Street.

Prior to a vote on the motion, Commissioner Juarez congratulated Perfection Bakeries, Inc. for its success.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Juarez, McCann,  
Miller, Mayor McKinney

NAYS: None

Citizen Comments

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

Beth Lewis, City resident, spoke regarding discrimination based on socio-economic status, especially with regard to the enforcement of public intoxication and open container laws.

Clarence Gates, non-resident, discussed a memo from the City Manager regarding housing violations and outstanding misdemeanors against him.

Asha Khazad, City resident, spoke regarding the establishment of designated parking spaces for motorcycles near the downtown area.

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:

- 77514
-
a recommendation to approve a contract with Northern Construction Services Company for the paving of Burdick from Crosstown to Emerson, placement of stamped concrete crosswalks, street trees, and decorative lighting in the amount of \$476,859.30.
- 77515
-
a recommendation to approve a contract with Hi-Tech Building Services for the provision of janitorial services at the Kalamazoo Transportation Center in the amount of \$130,511.70.
- Resolution 07-45
-
a recommendation to adopt a **RESOLUTION** to set a public hearing on July 16, 2007 to consider the establishment of a PA 198 Industrial Development District around the perimeter of the parcel located at 2129 Portage Street, owned by Consort Display Group, Inc.
- 77516
- Resolution 07-46
-
a recommendation to adopt a **RESOLUTION** setting the salary for City Commission appointees.
- 77517
- 77518
-
a recommendation to approve a request from the Luzon-Argonne Post 827 for permission to apply for a special liquor license to provide alcohol during the Friends of Recreation Golf Classic on July 20, 2007 at Eastern Hills Golf Course.
- 77519
-
a recommendation to authorize the purchase of state-owned, tax-reverted land under the provisions of Public Act 123 of 1999.
- 77520
-
a recommendation to offer for first reading an **ORDINANCE** to amend the Traffic Code to revise Sections 36-239 through 36-244 to update the duties and responsibilities of drivers who are involved in accidents, making those sections consistent with recent changes in state law.
- 77521
-
a recommendation to approve the minutes from the following City Commission meetings: the Work Session of June 11, 2007 and the Regular Meetings of April 30 and May 21, 2007.

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

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Juarez, McCann, Miller, Mayor McKinney

NAYS: None

Ordinance 1830  
re: Water Rates

**77522**

Commissioner Miller, seconded by Commissioner Juarez, moved to approve to adopt an **ORDINANCE** to amend certain sections of Chapter 38 of the Kalamazoo Code to change the rates charged for water service to increase water service revenues by 3.5%, effective July 1, 2007.

Prior to a vote on the motion, Commissioner McCann stated the reasons for the rate increases were explained well at the June 11<sup>th</sup> Work Session.

Ordinance 1831  
re: Wastewater  
Rates

**77523**

With a roll call vote this motion passed unanimously.

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

NAYS: None

Commissioner McCann, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** to amend certain sections of Chapter 28 of the Kalamazoo Code to change the rates charged for wastewater service to increase wastewater service revenues by 20%, effective July 1, 2007.

Prior to a vote on the motion Mayor McKinney reported the City's contractual users of water and wastewater services had been notified of the rate increases.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Juarez, McCann, Miller, Mayor McKinney

NAYS: None

Presentation re:  
Redevelopment  
Liquor Licenses

**77524**

Acting Executive Director of the Economic Development Corporation (EDC) Jerome Kisscorni described the eligibility requirements for redevelopment liquor licenses and reviewed the proposed process for handling applications for such licenses. Acting Executive Director Kisscorni stated Public Act 501 of 2006 potentially allowed the issuance of over 500 redevelopment liquor licenses in the City.

In response to a question from Commissioner Miller, Director Kisscorni stated individual redevelopment liquor licenses were not transferable from one location to another.

In response to a question from Commissioner Cooney, Director Kisscorni explained the Michigan Liquor Control Commission possessed the authority to approve or deny liquor licenses, but the City Commission would have an opportunity to recommend approval or disapproval of each license.

Approval of a City  
Commission Policy  
re: Redevelopment  
Liquor Licenses

**77524**

Commissioner McCann, seconded by Commissioner Juarez, moved to adopt a policy on the implementation of liquor licenses for redevelopment under Public Act 501 of 2006.

Prior to a vote on the motion the following individuals addressed the Commission:

John Schmidt, City resident, spoke in favor of the motion.

Beth Lewis, City resident, expressed concern about the expansion of liquor licenses in the downtown area.

Commissioner Cooney expressed support for the policy, and he highlighted the City Commission's decision-making role in the process.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Juarez, McCann, Miller, Mayor McKinney

NAYS: None

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Beth Lewis, City resident, spoke regarding discrimination based on socio-economic status, especially with regard to the enforcement of public intoxication and open container laws.

City Commissioner Comments

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

Commissioner Juarez noted the implementation of democracy occurred at the local level. Commissioner Juarez noted there would be a block party on July 22<sup>nd</sup> at Mayors' Riverfront Park.

Commissioner McCann noted the successful neighborhood block party on Sunday, July 1<sup>st</sup> at the YMCA.

Commissioner Cooney offered remarks on the success of block parties at LaCrone Park on June 24<sup>th</sup> and at the YMCA on July 1<sup>st</sup>. Commissioner Cooney suggested the neighborhood block party program be expanded in 2008. Commissioner Cooney noted surveys on gang activity had been collected at the neighborhood block parties and were being processed by staff at the Boys and Girls Club.

Mayor Announced Outside Legal Counsel Hired for FOIA Investigation

**77525**

Mayor McKinney announced the City would be hiring attorney Audrey Forbush, Legal Advisor to the Michigan Municipal League's Law Enforcement Action Forum, to conduct an investigation into the City's Freedom of Information Act (FOIA) response process. Mayor McKinney stated Ms. Forbush's investigation would include the following: a review and investigation of the FOIA requests highlighted in the in June 17<sup>th</sup> edition of the Kalamazoo Gazette; a review of the City's Motor Vehicle Recording (MVR) protocols; and a presentation of proposals for improving the City's FOIA response process. Mayor McKinney also reported the City had received a FOIA appeal from the Kalamazoo Gazette, and she noted the City Commission was the official recipient of the appeal. Mayor McKinney indicated she had asked Ms. Forbush to review this FOIA appeal as part of her investigation, including: a review of the appeal; a review of the underlying requests and the denials that were the subject of the appeal; a review of the redactions and exemptions related to the original FOIA request; presentation of a summary of FOIA case law; and presentation of an opinion on the merits of the appeal. Mayor McKinney indicated Ms. Forbush would contact the attorney for the Kalamazoo Gazette regarding a time extension for responding to the appeal. Mayor McKinney stated she anticipated Ms. Forbush's investigation would be completed between the end of July and the middle of August. Mayor McKinney suggested a sub-quorum group of Commissioners work with Ms. Forbush and function as a sounding board during the investigation.

Mayor McKinney stated Assistant City Manager Fay Peek would function as the liaison between the sub-quorum group of Commissioners and Ms. Forbush.

In response to a question from Commissioner Miller, Mayor McKinney stated she had received a rough cost estimate for Ms. Forbush's services but indicated she wanted to review the cost and possible funding sources with the City Manager prior to discussing the matter with Commissioners.

Adjournment

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: August 20, 2007

A work session of the Kalamazoo City Commission was held on Monday, July 9, 2007 at 7:00 p.m. in the Community Room at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and Deputy City Clerk Virginia Vander Roest.

Citizen Comments

An opportunity was given for citizen comments regarding non-agenda items, but no comments were offered

Community –  
Public Safety  
Partnering  
Agreement

City Manager Collard provided a synopsis of the Kalamazoo Community – Public Safety Partnering Workshop held on June 12, 2007 and reviewed the proposed Kalamazoo Community Public Safety Partnering Agreement.

**77526**

City Manager Collard provided an overview of the Public Safety Enhancement Work Plan, which included the addition of the Kalamazoo Community Public Safety Partnering Agreement under Phase 2 of the Plan. City Manager Collard explained that the Plan would continue to have study sessions with participants, monthly reporting, quarterly meetings and efforts to add more signatures.

In response to a question from Commissioner Cooney, Public Safety Chief Dan Weston detailed the current diversity training programs for Public Safety Officers (PSO's).

Commissioner Juarez suggested that officer diversity training be provided more frequently. Commissioner Juarez discussed the shooting of Timothy Palmer on Sunday, July 8, 2007 and his concerns about increased gang activity in Kalamazoo.

Mayor McKinney emphasized the importance of the entire community participating in solving the community's problems.

Vice Mayor Hopewell indicated he stressed the need to continue with the plan and map out the next steps.

City Manager's  
Statement re:  
Violence in  
Kalamazoo and  
Grand Rapids

City Manager Collard read the following statement regarding the Timothy Palmer shooting and recent death of a Grand Rapids Police Officer:

**77527**

Our city is at a critical juncture relative to the relationship between KDPS and its neighborhoods. We continue to work to create a partnership with all of our neighbors to make a Kalamazoo a better, safer community for all of our citizens, their children and the men and women who we've asked to enforce our laws. The

City Manager's  
Statement re:  
Violence in  
Kalamazoo and  
Grand Rapids  
(cont'd)

**77527**

partnering agreement that we've just reviewed will provide a solid foundation from which we can address the chronic issue of mistrust and make a difference in the community's working relationships relative to law enforcement during the days, weeks and years ahead

However, the tragic events of this last weekend in Grand Rapids and Kalamazoo draw an acute issue of lawlessness and hooliganism into tight focus. The families, friends and our respective communities will mourn the deaths of 29 year old Police Officer Robert Kozminski and 18 year old Timothy Terrell Palmer. AND If we do not mobilize to address the underlying criminal behaviors that enabled these tragic deaths, other young people and law enforcement officers will undoubtedly continue to suffer the consequences of our inaction.

Today, I am directing Chief Weston to convene neighborhood and community leaders to review the issues of drugs, guns, assaults and escalating youth violence as soon as practical. I expect Public Safety to identify the problems associated with high crime areas, describe alternative intervention strategies and come to a mutually acceptable plan of action in this forum.

The goal is simple – return civility and peace to our community. The price of failure will undoubtedly be more deeply entrenched criminal behavior. If we fail to address hooliganism and general disregard for our laws we will have full scale gang activity in our community inclusive of criminal enterprises. Those enterprises will most likely be rooted in drugs and fully protected by guns.

We have a serious and immediate challenge and I know that we, city government and our citizens, will need to function as full partners to ensure success. The values described in the partnering agreement must be fully met while we act swiftly to effectuate an effective intervention. Public safety is indeed in all of our best interests.

Commissioner Anderson noted the success of the Work Plan depended on the steadfast motivation and commitment of those executing the Plan.

Commissioner McCann stated the City Commission and City Administration needed to maintain its focus on race relations.

Chief Weston, in response to an inquiry from Commissioner McCann, provided details about the Palmer shooting.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

- Ahja Khazad, City resident
- Clarence Gates, City resident
- Doris Jackson, City resident
- Creed Stegall, City resident

City Commissioner  
Comments

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

Commissioner Juarez invited Commissioners and citizens to the Diversity Celebration at Mayor's Riverfront Park on July 14<sup>th</sup>.

Commissioner Cooney stated it was difficult to teach young people to reject violence when the United States solved its problems with violence.

Adjournment

The meeting adjourned at 8:37 p.m.

Respectfully submitted,

Virginia M. Vander Roest  
Deputy City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: August 20, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, July 13, 2007 at 7:34 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
David Anderson  
Don Cooney\*  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Vice Mayor Bobby Hopewell  
David Juarez

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Miller, seconded by Commissioner Anderson, moved to excuse the absences of Vice Mayor Hopewell and Commissioners Cooney and Juarez. With a voice vote, the motion passed.

Review of the July 16<sup>th</sup> Meeting Agendas

The City Commission reviewed and discussed the agenda for its Special Meeting on Monday, July 16, 2007.

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, July 16, 2007.

Items G-3 and G-4

Regarding Items G-3 and G-4, bus service contracts, Transportation Director Bill Schomisch cited decreasing enrollment at Western Michigan University (WMU) as the reason for service reductions in the WMU contract. Director Schomisch stated WMU had contracted with Indian Trails to provide bus service on campus and from the main campus to the College of Engineering.

In response to a question from Mayor McKinney, Director Schomisch stated WMU students would continue to be able to ride the entire Metro Transit system by showing their student identification cards.

City Manager Collard stated a resolution endorsing the Community-Public Safety Partnering Agreement would be added to the agenda.

\*Commissioner Cooney arrived at 7:37 a.m.

Commissioner McCann requested that the agreement itself be included in the agenda packet.

Mayor McKinney suggested the endorsement of the Community-Public Safety Partnering Agreement be added to the agenda under Policy Items.

City Manager Collard suggested Items G-3 and G-4 be moved from the Consent Agenda to the Regular Agenda for a staff presentation.

Discussion of  
Community Issues

By consensus the City Commission moved Items G-3 and G-4 to the Regular Agenda and added a resolution endorsing the Community-Public Safety Partnering Agreement to the agenda as a Policy Item.

Citizen Comments

Next, an opportunity was given for City Commissioners to discuss community issues, but no issues were discussed.

Finally, an opportunity was given for citizen comments but no comments were offered.

Adjournment

The meeting adjourned at 7:42 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: August 20, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, July 16, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
David Juarez  
Barbara Miller

COMMISSIONERS ABSENT: Sean McCann

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioner Juarez, seconded by Commissioner Miller, moved to excuse the absences of Vice Mayor Hopewell and Commissioner McCann. With a voice vote, the motion carried.

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

\*Vice Mayor Hopewell arrived at 6:01 p.m.

Neighborhood Communications

Neighborhood communications were received next.

Representatives of the following neighborhood organizations were present:

- Gateway Coalition/South Street Historic District  
**Kim Cummings**, Chair  
**Bill Snyder**, Vice Chair
- Woods Lake Neighborhood  
**Jim Langerveld**, President

Gateway Coalition/South Street Historic District

The Gateway Coalition/South Street Historic District representatives:

- reviewed the history of the South Street Historic District and West Gateway Project and thanked the City for supporting the project.
- reported Western Michigan University (WMU) would not be able to honor its commitment of \$275,000 towards the West Gateway Project but would be able to contribute \$100,000. Mr. Cummings stated an increased contribution from Kalamazoo College as well as potential contributions from the Kalamazoo Community Foundation and Gilmore Foundation could make up the difference.
- noted the following entities and groups were key partners in the project: the neighborhood; the City; WMU; Kalamazoo College; the Michigan Department of Transportation (MDOT); the Michigan Department of Environmental Quality (MDEQ); and the railroads.

Woods Lake  
Neighborhood  
Association

Mayor McKinney commended the neighborhood for its dedication to the project.

The Woods Lake Neighborhood Association representative:

- stated the Association was using grant monies to fund water quality testing.
- reported Dr. Carla Koretsky from WMU was applying to have Woods Lake designated an educational "wet lab" for the Kalamazoo area.

In response to a question from Commissioner Anderson, Mr. Landerveld stated the Association was still working with Rich's gas station on the issue of run-off from the parking lot.

In response to a question from Commission Cooney, Mr. Langerveld stated the Woods Lake Beach Park was used heavily on hot days.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

Adjournment

The meeting adjourned at 6:20 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 20, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: August 20, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, July 16, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
David Juarez\*  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to excuse the absence of Commissioner Juarez. With a voice vote the motion passed.

## Invocation

The invocation, given by Reverend David Armstrong, Bethel Reformed Church, was followed by the Pledge of Allegiance.

\*Commissioner Juarez arrived at 7:01 p.m.

## Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

## Communications

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

Public Hearing re:  
Establishment of  
an IDD for Consort  
Display Group

**77528**

At 7:05 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to approve the establishment of a PA 198 Industrial Development District for Consort Display Group, Inc. (formerly Kalamazoo Banner Works) around the perimeter of the parcel located at 2129 Portage Street.

Roger Lepley, President of Consort Corporation, spoke in favor of the resolution.

At 7:07 p.m. Mayor McKinney closed the public hearing.

Resolution 07-47  
Establishing IDD  
No. 122 at 2129  
Portage Street

**77528**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** to approve the establishment of a PA 198 Industrial Development District for Consort Display Group, Inc. (formerly Kalamazoo Banner Works) around the perimeter of the parcel located at 2129 Portage Street.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Public Hearing re:  
Amendment of IDD  
No. 68

At 7:08 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to amend rather than terminate Industrial Development District No. 68 to include only the property at 2006 Race Street.

77529

At 7:09 p.m. Mayor McKinney closed the public hearing.

Resolution 07-48  
Amending IDD No.  
68 at 2006 Race  
Street

Vice Mayor Hopewell, seconded by Commissioner Juarez, moved to adopt a **RESOLUTION** to amend rather than terminate Industrial Development District No. 68 to include only the property at 2006 Race Street.

77529

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

Next, an opportunity was given for citizen comments regarding non-agenda items, but no comments were offered

Anmarie Wilbon, non-resident, announced the opening of the IT Club, a club for adults over 30 years of age, at 1233 Branch Street.

Monica Westover, City resident, spoke regarding a Public Safety report she had requested but never received.

Vicky Winfield, City resident, spoke on behalf of Labor Advocates Workers Solutions (LAWS) and requested that the City Commission write a letter to Speaker of the U.S. House of Representatives, Nancy Pelosi, asking that Rick Waggoner, CEO of General Motors Corporation (GM), be compelled to appear and testify before a Congressional subcommittee regarding changes to wages and benefits for GM employees and retirees.

77530

Patricia Meyers, City resident, distributed information regarding GM and requested that the City Commission write a letter to Speaker of the House Nancy Pelosi asking that Rick Waggoner, CEO of GM, be compelled to appear and testify before a Congressional subcommittee.

Clarence Gates, non-resident, thanked Deputy City Attorney Schau for providing assistance regarding a housing violation and expressed dismay that a Public Safety Officer tried to publicly shame him when writing a ticket for a vehicular noise violation.

Citizen Comments  
(cont'd)

Yolanda Neals, City resident, spoke regarding jobs for young people and asked that the City remove "red tape" from the Summer Youth Employment Program application process. Ms. Neals noted a Parents Against Gang Violence group had been formed in Battle Creek, and she requested the City's support for the establishment of a similar group in Kalamazoo.

Sheran Pearson, City resident, spoke regarding the need for parents, educators, churches, and community leaders to come together and address the issue of the high percentage of African American males in prison. Ms. Pearson expressed disappointment at the churches in Kalamazoo and the National Association for the Advancement of Colored People (NAACP) for not addressing this situation.

Wade Allen, City resident, expressed support for Ms. Neals' idea to establish a Parents Against Gang Violence group in Kalamazoo.

**77531**

Stephanie Moore, City resident, highlighted the key issues that concerned the Mothers of Hope as well as the group's suggestions for addressing these issues. Ms. Moore stated the Mothers of Hope members were willing and available to work with the City. A written summary of Ms. Moore's remarks were filed with the papers for this meeting.

James Powell, non-resident, spoke regarding the need for more respect in society, for the involvement of adults in children's lives, and for better discipline of children.

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:

Resolution 07-49  
**77532**

- a recommendation to adopt a **RESOLUTION** accepting MDOT Grant Contract #2007-0611 in the amount of \$36,050 for the Local Ridesharing Program for FY2007.

Resolution 07-50  
**77533**

- a recommendation to adopt a **RESOLUTION** to set a public hearing on July 30, 2007 to consider an application from Graphic Packaging International for a PA 198 Industrial Facilities Tax exemption certificate for six years with a six-year extension for personal property valued at \$2,060,000 in both existing Industrial Development District No. 1 and Plant Rehabilitation District No. 3, both located at 1500 North Pitcher Street.

**77534**

- a recommendation to authorize the City Manager to execute a Water Tower Lease Agreement which allows Clearwire to place telecommunication equipment on and under the City's Mt. Olivet water tower.

Consent Agenda  
(cont'd)

**77535**

- a recommendation to authorize the City Manager to execute a "First Amendment to Corrected Easement" which will allow Michigan Bell Telephone to place a telephone equipment cabinet within the right-of-way just south of Paterson Street, near LaCrone Park.

**77536**

- a recommendation to approve a request from Western Michigan University to publicly display fireworks at Hyames Field on Saturday, September 8, 2007 during halftime of the Communiversity Night football game.

**77537**

- a recommendation to: 1) approve a schedule of unencumbered operating budget carry forwards of \$926,571 from FY 2006 to FY 2007; and 2) appropriate \$40,000 from 2006 year end surplus in the City Commission operating budget to fund legal expenses.

**77538**

- a recommendation hold until July 30, 2007 consideration of the conveyance of 512 Lawrence Street to Ms. Sarah Snell for \$798.37.

**77539**

- a recommendation to hold until July 30, 2007 consideration of a RESOLUTION to vacate the south 780 feet of Lafayette Avenue, with the following conditions: a) an easement will be provided to the city for the underground utilities in the road segment to be vacated; b) an easement will be provided to the city for future storm water facilities; c) an easement will be provided to the city for access to the east side of the Knollwood Park; and d) the existing trees on the east side of the Knollwood Park will remain.

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

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

NAYS: None

One-year bus service agreements with WMU and ERD of Kalamazoo

Transportation Director Bill Schomisch reported on the proposed bus service agreements with Western Michigan University (WMU) and ERD of Kalamazoo for bus service on and around the WMU campus.

In response to a question from Commissioner Cooney, Director Schomisch explained students would have access to virtually the same bus service as during the 2006-2007 school year.

Vice Mayor Hopewell, seconded by Commissioner Cooney, moved to approve the following contracts for bus service:

77540

- a new one-year service agreement with Western Michigan University to provide bus service on-campus and to adjacent areas for the 2007-2008 school calendar year in the amount of \$803,346.

77541

- a one-year bus service agreement with ERD of Kalamazoo to provide bus service to The Pointe at Western apartment complex for the contracted annual amount of \$85,147.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Ordinance 1832  
Amending the  
Traffic Code re:  
Leaving the Scene  
of an Accident

77542

Commissioner Miller, seconded by Commissioner Anderson, moved to adopt an **ORDINANCE** to amend the Traffic Code to revise Sections 36-239 through 36-244 to update the duties and responsibilities of drivers who are involved in accidents, making those sections consistent with recent changes in state law.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk's Report

77543

City Clerk Borling reported the following items:

- the receipt of a letter from the office of Governor Jennifer M. Granholm in response to Resolution 07-33, a RESOLUTION URGING LAWMAKERS TO ADDRESS THE STATE BUDGET CRISIS.
- the receipt of a letter from Vickie Winfield on behalf of the Labor Advocates Workers Solution (L.A.W.S.) requesting a letter of support for a petition regarding General Motors Corporation.
- the *Region 3A Area Agency on Aging Annual Implementation Plan, Fiscal Year 2008* was referred to the City Administration for review.
- the receipt of minutes from the following advisory boards and commissions:
  - Community Development Act Advisory Committee
    - Thursday, March 15, 2007
    - Thursday, May 10, 2007

City Clerk's Report  
(cont'd)

**77543**

- Community Relations Board
  - Thursday, January 11, 2007
  - Thursday, February 08, 2007
  - Thursday, March 08, 2007
  - Thursday, April 12, 2007
- Dangerous Buildings Board
  - Thursday, May 03, 2007
- Employee Retirement System Board of Trustees
  - Wednesday, May 23, 2007
- Environmental Concerns Committee
  - Wednesday, May 16, 2007
- Friends of Recreation Board
  - Tuesday, May 22, 2007
- Investment Committee of the Retirement System
  - Wednesday, May 16, 2007
- Kalamazoo Historic District Commission
  - Tuesday, April 17, 2007
  - Tuesday, May 15, 2007
- Kalamazoo Historic Preservation Commission
  - Tuesday, April 10, 2007
  - Wednesday, May 09, 2007
- Parks and Recreation Advisory Board
  - Tuesday, May 01, 2007
  - Tuesday, June 05, 2007
- Perpetual Care Investment Committee
  - Wednesday, May 16, 2007
- Planning Commission
  - Thursday, May 03, 2007
- the approval of the following special events in the month of June:
  - a request from Greater Kalamazoo Girls on the Run to use city streets on Thursday, June 7, 2007 from 6:30 p.m. to 8:30 p.m. for the annual Girls on the Run Celebration Run/Walk.
  - a request from the Haven Reformed Church to use Bronson Park on Thursday, July 12, 2007 from 8:30 p.m. to 10:00 p.m. for a Christian Concert.
  - a request from Bronson Methodist Hospital to use Bronson Park and city streets on Saturday, September 9, 2007 from 8:00 a.m. to 5:00 p.m. for the 29<sup>th</sup> Annual Family Health

City Clerk's Report  
(cont'd)  
**77543**

Fair. The approval includes the closure of Academy and South Streets between Park and Rose Streets.

- a request from the Alzheimer's Association to use Bronson Park and city streets on Saturday, September 15, 2007 from 9:00 a.m. to 11:00 a.m. for annual Memory Walk.
- a request from The American Cancer Society to use city streets on Saturday, October 13, 2007 from 8:15 a.m. to 11:00 a.m. for the Making Strides Against Breast Cancer event.

City Manager's Report  
**77544**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated June 2007
- Interim Financial Report for period ending May 31, 2007
- June 2007 Purchasing Report
- Legislative Update, dated June 29, 2007

In response to a question from Commissioner Miller, City Manager Collard reported the Citizens' Public Safety Review and Appeal Board (CPSRAB) was scheduled to consider the appeal of Terrance Moore on July 24<sup>th</sup>. City Manager Collard noted the hearing had been rescheduled from June to this date at Ms. Neals' request.

Resolution 07-51  
Endorsing the  
Kalamazoo  
Community-Public  
Safety Partnering  
Agreement  
**77545**

Vice Mayor Hopewell, seconded by Commissioner Cooney, moved to to adopt a **RESOLUTION** endorsing the Kalamazoo Community-Public Safety Partnering Agreement.

Prior to vote on the motion, Commissioner McCann discussed the challenge of balancing the need for safe neighborhoods with the protection of individual rights and freedoms. Commissioner McCann expressed support for the Public Safety Department and urged Commissioners to exercise caution when characterizing the safety of Kalamazoo's streets. Commissioner McCann stated the Partnering Agreement and Work Plan were a starting point, but they were not enough. Commissioner McCann encouraged the City Commission and to support the work plan, keep it in the forefront of the Commission's priorities, and make adjustments to the Plan as the work progressed. Commissioner McCann stated the City Commission and Public Safety Department alone were not able to solve the community's problems.

Commissioner Juarez stated the Partnering Agreement was a good starting point from which the community as a whole would be able to work together to solve problems. Commissioner Juarez stated public officials needed to acknowledge certain neighborhood had problems with violence while at the same time not causing alarm about the amount of violence in the City. Commissioner Juarez stated youth behavior needed to be directed to positive ends and he expressed his support for the Work Plan.

Commissioner Anderson stated the Public Safety Department would not be able to police the Kalamazoo community if it did not have the

Resolution 07-51  
Endorsing the  
Kalamazoo  
Community-Public  
Safety Partnering  
Agreement (cont'd)

**77545**

cooperation of the community. Commissioner Anderson stated the Partnering Agreement was a plan to continually address the relationship between the Public Safety Department and the community.

Commissioner Miller stated the information presented at the Work Session on July 9<sup>th</sup> did not adequately capture and describe the good work that was done at the June 12<sup>th</sup> Work Shop. Commissioner Miller stated the Partnering Agreement was a collaborative effort between the City and the community, and she noted the importance of keeping this effort at the forefront of the Commission's priorities.

Commissioner Cooney stated too many young people went to prison, and he encouraged the community to find avenues for giving young people direction. Commissioner Cooney suggested that all schools be open during the evening to provide recreational and social services. Commissioner Cooney stated the community needed to face the truth that some neighborhoods in the City were not safe. Commissioner Cooney described the Partnering Agreement as a very important first step that required much additional work, and he commended Ms. Neals, Ms. Moore, and Ms. Pearson for their willingness to collaborate with citizens and civic leaders to accomplish this work.

Vice Mayor Hopewell thanked the radio media for reporting the entire content of the July 9<sup>th</sup> Work Session rather than the side discussion that was reported in the print media. Vice Mayor Hopewell thanked Kalamazoo PSO's for the work they performed every day, and he stated violence was a community issue, not just a Public Safety Department issue. Vice Mayor Hopewell commended Ms. Neals, Ms. Moore, and Ms. Pearson for their ideas on how to engage the youth in the community. Vice Mayor Hopewell reviewed elements of the Work Plan, stated the work would be challenging, but indicated the Commission was committed to this work.

Mayor McKinney noted much effort went into the Public Safety Work Plan and Partnering Agreement. Mayor McKinney stated it would be easier to carry out the Work Plan with partners, and she indicated there was room for each sector of the community to claim a part of this work. Mayor McKinney read the proposed resolution into the record.

**A RESOLUTION ENDORSING THE KALAMAZOO COMMUNITY-  
PUBLIC SAFETY PARTNERING AGREEMENT: COMMITMENTS  
AND PRINCIPLES**

**WHEREAS**, community leaders, City administrators, Public Safety and elected officials gathered on June 12, 2007 to discuss community issues and develop a partner agreement; and

**WHEREAS**, these individuals penned a partnering agreement and made a commitment to work together to establish mutual expectations, improve communications and build stronger community relations around the issues of community policing and public safety for all residents; and,

Resolution 07-51  
Endorsing the  
Kalamazoo  
Community-Public  
Safety Partnering  
Agreement (cont'd)

**77545**

**WHEREAS**, the Partnering Agreement establishes a program committed to the values of liberty (freedom, choice, and individuality), equality (equity, fairness, and justice), and community (responsible choice, safety, security, and social order); and,

**WHEREAS**, the Partnering Agreement outlines a series of Critical 2007/2008 Actions to Implement Community Policing; and,

**WHEREAS**, a network will be formed under the leadership of the City Manager and will report out monthly on the progress of each of the action items and said results will also be reported out annually at the Law Enforcement Celebration;

**NOW, THEREFORE, BE IT RESOLVED** the Kalamazoo City Commission supports and endorses the Kalamazoo Community Public Safety Partnering Agreement and its commitments and principles.

With a roll call vote the motion to adopt this resolution passed unanimously.

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

NAYS: None

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Robert Manning, City resident, spoke about citizens' lack of trust in the Public Safety Department.

Yolanda Neals, City resident, spoke regarding a white supremacist rally that would take place on August 4<sup>th</sup>, the Public Safety-Community Partnering Agreement, and the need to amend the City Charter to create a ward system.

**77546**

Gary Gill, City resident, expressed condolences to the mothers of recent shooting victims, and he spoke regarding Lieutenant Stacy Geik's involvement in a prostitution sting, his subsequent promotion, and his acquittal in shooting death of John Gill. Mr. Gary Gill submitted a letter requesting a hearing into allegations that Lt. Geik violated his brother's civil rights.

Andrea Juarez, City resident and Executive Director of Latino Visions, spoke about the success of the Diversity Celebration. Ms. Juarez invited Commissioners to attend the unveiling of a new magazine entitled Enterar on Wednesday, July 18<sup>th</sup> at the Kalamazoo Institute of Arts and a block party on the corner of Portage Street and Stockbridge Avenue on Saturday, July 21<sup>st</sup>. Ms. Juarez noted the block party would feature a gun buy-back opportunity.

City Commissioner  
Comments

Stephanie Moore, City resident, spoke of the need for a broader community dialogue, and the white supremacist rally scheduled for August 4<sup>th</sup>. Ms. Moore suggested that City Commissioners attend the court proceedings of young people who were not being treated fairly by the justice system.

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

Commissioner Juarez noted the success of the Diversity Celebration and invited Ms. Moore and Ms. Neals to the block party on July 21<sup>st</sup>. Commissioner Juarez assured citizens he would tell the truth about the City's FOIA practices.

Commissioner McCann offered condolences to the family of Ed Annen, Sr.

Directive to the  
City Manager and  
City Attorney from  
the FOIA  
Subcommittee

Commissioner Anderson announced that he, Commissioner Juarez and Commissioner Miller comprised the Freedom of Information Act (FOIA) Subcommittee. Commissioner Anderson discussed the role of the FOIA Subcommittee and read into the record the following letter addressed to City Attorney Kirk and City Manager Collard:

**77547**

Dear Mr. Collard & Mr. Kirk:

Please be advised that the City Commission Freedom of Information Act Subcommittee met on July 12, 2007 along with Attorney Audrey Forbush (retained legal counsel) and Assistant City Manager Fay Peek. As a result of this meeting, the Subcommittee directs the City Manager and City Attorney to provide all information requested by Ms. Forbush or Mr. Peek to them for the purpose of responding to the FOIA appeal; as well as, investigation of protocols and processes used by the City Attorney's Office and Department of Public Safety in handling/responding to FOIA requests. This information includes, but not limited to public records as outlined in the Michigan FOIA 442:

"Public record" means a writing prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.

"Writing" means handwriting, typewriting, printing, photostating, photographing, photocopying, and every other means of recording, and includes letters, words, pictures, sounds, or symbols, or combinations thereof, and papers, maps, magnetic or paper tapes, photographic films or prints, microfilm, microfiche, magnetic or punched cards, discs, drums, or other means of recording or retaining meaningful content.

Additionally, you are directed to work with and assist as necessary in this investigation/review. Failure to comply with this directive will result in disciplinary action up to and including termination.

Directive to the  
City Manager and  
City Attorney from  
the FOIA  
Subcommittee  
(cont'd)

**77547**

Sincerely,

Commissioner David Anderson, Chairman  
Commissioner Barbara Miller  
Commissioner David Juarez

Commissioner Anderson requested that the City Commission endorse or otherwise express support for this letter.

Commissioner Juarez, seconded by Commissioner McCann, moved that the City Commission support a letter and directive dated July 16, 2007 from the FOIA Subcommittee to the City Attorney and City Manager regarding Freedom of Information Act Appeal/Issues.

Vice Mayor Hopewell questioned whether the City Manager and City Attorney should be directed to provide documents to Assistant City Manager Peek, as he reported directly to the City Manager.

Commissioner Anderson stated he was willing to revise the letter, but he clarified that the Assistant City Manager's function would be administrative on behalf of Attorney Forbush rather than evaluative.

Commissioners Juarez and Miller expressed agreement with Commissioner Anderson's assessment of the role of the Assistant City Manager.

With a roll call vote the motion passed unanimously.

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

NAYS: None

City Commissioner  
Comments (cont'd)

Commissioner Cooney commended Commissioner Juarez for the successful Diversity Celebration and contrasted this event with the white supremacist rally planned for August 4<sup>th</sup>. Commissioner Cooney stated problems with youth in the Kalamazoo stemmed from the lack of funds to provide jobs and resources to families, and the lack of funds was due to the cost of the war in Iraq. Commissioner Cooney reported that he would be traveling to Washington DC in two weeks to march on the Capitol and meet with legislators about the affect of the war on local interests.

Vice Mayor Hopewell stated white supremacists had the right to gather and speak in Kalamazoo on August 4<sup>th</sup>, but he expressed disagreement with their message. Vice Mayor Hopewell indicated community groups were organizing events in response to the white supremacists' rally

Mayor McKinney stated she was intrigued by the LAWS request and indicated she would take the petition seriously. Mayor McKinney noted passing of Ed Annen, Sr.

Adjournment

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on September 17, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: September 17, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, July 30, at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Don Cooney

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Vice Mayor Hopewell, seconded by Commissioner Juarez, moved to excuse the absence of Commissioner Cooney. With a voice vote the motion passed.

Invocation

The invocation, given by Pastor Kevin Lavender, Bible Baptist Church, 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:

**77548**

City Manager Collard requested that Item G-5 (Water Tower Lease Agreement with Clearwire) be removed from the agenda.

Communications

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

Public Hearing re:  
a Tax Abatement  
for Graphic  
Packaging  
International

At 7:05 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt a **RESOLUTION** to approve the application from Graphic Packaging International for a PA 198 Industrial Facilities Tax exemption certificate for six years, with a six-year extension, for personal property valued at \$2,060,000 in both existing Industrial Development District No. 1 and Plant Rehabilitation District No. 3, both of which are located at 1500 North Pitcher Street.

**77549**

Rusty Miller, Vice President and Mill Manager for Graphic Packaging International, spoke in favor of the resolution.

At 7:07 p.m. Mayor McKinney closed the public hearing.

Resolution 07-52  
Granting a Tax  
Abatement to  
Graphic Packaging  
International

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** to approve the application from Graphic Packaging International for a PA 198 Industrial Facilities Tax exemption certificate for six years, with a six-year extension, for personal property valued at \$2,060,000 in both existing Industrial Development District No. 1 and Plant Rehabilitation District No. 3, both of which are located at 1500 North Pitcher Street.

**77549**

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

Next, an opportunity was given for citizen comments regarding non-agenda items, but no comments were offered.

Max Conrad, City resident, spoke on the issue of homelessness.

Michael Fuller, City resident, spoke regarding the treatment of people who were homeless and sleeping in Bronson Park by Public Safety Officers (PSO's).

John Mills, City resident, spoke regarding the need for safe sleeping arrangements for homeless individuals.

Devon Lester, City resident, spoke regarding homelessness and enforcement of the City's parks rules ordinance.

Stacey Meegan, City resident, spoke regarding the lack of police protection for the homeless and the need for more affordable housing.

Harold Mitchell, City resident, spoke regarding corruption in the system of mental health service providers.

Tony Rinehart, City resident, spoke regarding the Public Housing Commission's process for distributing housing vouchers.

Ian Valenzuela, City resident, spoke regarding the harassment of homeless people in Kalamazoo.

Jonathan Braun, City resident, spoke regarding homelessness and offered suggestions for improving the process for distributing housing vouchers.

Mary Watson, City resident, stated members of the Kalamazoo Valley Enforcement Team (KVET) used excessive on her son Aquarius Walker during his apprehension on July 17<sup>th</sup>.

Monica Westover, City resident, spoke regarding false police reports and corruption in City government.

Rob Lobretto, Non-resident, spoke regarding the investigation of the City's Freedom of Information Act (FOIA) procedures and the Kalamazoo Gazette's investigation of a 2003 prostitution sting.

Marlon Corner, City resident, spoke regarding gang harassment of his family following disclosure of his son's identity to gang members by a Public Safety Officer. Mr. Corner asked that the

Citizen Comments  
(cont'd)

City relocate his family, and he distributed copies of CD's containing the song "Kalamazoo."

Yolanda Neals, City resident, spoke about corruption and injustice in City government and the recent Citizens' Public Safety Review and Appeal Board (CPSRAB) hearing for her son, Terrance Moore. Ms. Neals expressed support for implementation of a ward system for electing City Commissioners.

Gwen Hillman, City resident, invited Commissioners to a citywide family reunion event at Spring Valley Park on Saturday, July 4<sup>th</sup>.

Norine Wafford, City resident, spoke regarding injustices occurring in Kalamazoo County.

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:

Resolution 07-53  
**77550**

- A recommendation to adopt a **RESOLUTION** to vacate the south 780 feet of Lafayette Avenue, with the following conditions: a) an easement will be provided to the city for the underground utilities in the road segment to be vacated; b) an easement will be provided to the city for future storm water facilities; c) an easement will be provided to the city for access to the east side of the Knollwood Park; and d) the existing trees on the east side of the Knollwood Park will remain.

Resolution 07-54  
**77551**

- A recommendation to adopt a **RESOLUTION** to amend the 2003-2008 Parks and Recreation Master Plan to include the Fairmount, LaCrone, and Woods Lake Beach Parks Master Plans and to authorize the City Manager to formally submit said Resolution and amended plan to the State of Michigan.

Resolution 07-55  
**77552**

- A recommendation to adopt a **RESOLUTION** to set a public hearing on August 6, 2007 to consider an application from Consort Corporation for a PA 198 Industrial Facilities Tax exemption certificate for six years for personal property valued at \$166,000 in existing Industrial Development District No. 68 located at 2006 Race Street.

**77553**

- A recommendation to authorize the City Manager to sign a "First Amendment to Right-of-Way Telecommunications Permit" which renews and extends a METRO Act permit previously given to Midwest Communication Services, Inc. so that it continues in effect through 2008.

**77554**

- A recommendation to accept the Southwest Commercial Auto Recovery grant award of \$71,438 for the purpose of funding an auto theft investigator for one year from the Automobile Theft Prevention Authority at the Michigan State Police and authorize the City Manager and Public Safety Chief to sign the Interlocal Agreement.

Consent Agenda  
(cont'd)  
**77555**

- A recommendation to accept a grant from the Junior League of Kalamazoo for \$10,000 and authorize the City Manager to sign on behalf of the City of Kalamazoo.

**77556**

- A recommendation to approve the conveyance of 512 Lawrence Street to Ms. Sarah Snell for \$798.37.

**77557**

- A recommendation to approve the appointment of Katie Jacobs as a member of the Historic Preservation Commission for a term expiring on January 1, 2010.

**77558**

- A recommendation to hold to August 6, 2007 to approve a purchase agreement for the sale of City owned property at 1310 Hays Park to the Edison Neighborhood Association in the amount of \$1.00 for the creation of a tot lot and to authorize the City Manager to sign on behalf of the City.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's  
Report

City Manager Collard discussed the white supremacist rally that would take place on Saturday, August 4<sup>th</sup>. City Manager Collard stated there would be a well coordinated effort between the Kalamazoo Department of Public Safety, Kalamazoo Township Police, Kalamazoo County Sheriff's Department, Michigan State Police, and the Federal Bureau of Investigation (FBI) to maintain order in the community and protect Kalamazoo's citizens. City Manager Collard urged citizens to stay away from the rally and go about their normal activities.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Monica Westover, City resident, spoke regarding the Citizens Public Safety Review and Appeal Board (CPSRAB) and expressed support for the Mothers of Hope event.

Yolanda Neals, City resident, spoke regarding the white supremacist rally and Mothers of Hope event on August 4<sup>th</sup>. Ms. Neals encouraged citizens to stay away from the rally site.

Matt Bartz, City resident, thanked the City for addressing the issue of loud music from vehicles.

City Commissioner  
Comments

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

City Commissioner  
Comments (cont'd)

Commissioner Juarez spoke noted the success of recent events designed to address youth violence and foster a sense of community, including a gun buy-back program sponsored by the Southside Ministerial Partners. Commissioner Juarez expressed opposition to the white supremacist rally and stated the Kalamazoo community celebrated diversity.

Commissioner McCann offered remarks regarding the white supremacist rally and urged citizens to ignore the rally. Commissioner McCann encouraged citizens to be involved in the lives of young people as a way to express opposition to the white supremacists. Commissioner McCann expressed condolences to Public Safety Officer Anthony Morgan on the death of his daughter.

Commissioner Miller reported she had added the City of Kalamazoo's name to an advertisement for the Summit on Racism, which would run in the Kalamazoo Gazette on Sunday, August 5<sup>th</sup>.

Commissioner Anderson noted Summer Taxes were due the next day, and he thanked citizens for supporting the community by paying their taxes. Commissioner Anderson encouraged the Public Safety Department to go to great lengths to protect witnesses who provided information about crimes and suspects. Commissioner Anderson read a letter from David Artley, which thanked the Public Safety Department for participating in a walking event sponsored by Toni's Praise Place on Saturday, July 21<sup>st</sup>.

Vice Mayor Hopewell stated the City worked often with the community as a whole to make the community better, and he indicated Kalamazoo was marked both by unity and diversity. Vice Mayor Hopewell noted Kalamazoo residents were not be able to stop people from brining hate into the community, but they were able to keep hate from staying in the community. Vice Mayor Hopewell expressed condolences to PSO Anthony Morgan on the death of his daughter.

In response to a question from Vice Mayor Hopewell, City Manager Collard stated CPSRAB had not yet issued a recommendation in the Terrance Moore case.

Mayor McKinney noted white supremacist groups had the freedom to assemble, but citizens had the freedom to ignore hate speech. Mayor McKinney urged citizens to stay away from the white supremacist rally on August 4<sup>th</sup> so that they would not provide an audience or targets for rally participants.

Adjournment

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on September 17, 2007

Approved by: \_\_\_\_\_

Hannah J. McKinney, Mayor

Dated: September 17, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, August 3, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell\*  
David Anderson  
Don Cooney  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, City Attorney Lee Kirk, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Juarez, seconded by Commissioner Miller, moved to excuse the absence of Vice Mayor Hopewell. With a voice vote, the motion passed.

\*Vice Mayor Hopewell arrived at 7:31 a.m.

Review of the August 6<sup>th</sup> Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, August 6, 2007.

Discussion of Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Transportation Director Bill Schomisch reviewed the history of the Care-A-Van program and discussed the current contract with Pride Care Ambulance. Director Schomisch indicated he was informed of the Care-A-Van drivers' move to unionize on July 11, 2007 and reported he had no foreknowledge of the drivers' plan to strike. Director Schomisch described the efforts of Metro Transit and Pride Care staff to provide as many rides as possible through the work stoppage on August 1<sup>st</sup> and 2<sup>nd</sup>, and he stated Pride Care had implemented a strategy to provide 100% of requested rides by Monday, August 6<sup>th</sup>. Director Schomisch discussed the condition of the Care-A-Van vehicles and the nature of federal and state vehicle inspections. Director Schomisch reported four vehicles were "red tagged" as undriveable after the June quarterly inspection, and the air conditioning was labeled "weak" on three vehicles. Director Schomisch stated seven new Care-A-Van vehicles were on order and were scheduled to be delivered in late August or September. Director Schomisch indicated the City did not inspect Care-A-Van vehicles owned by Pride Care.

Discussion followed regarding Care-A-Van vehicle performance and vehicle inspection schedules; current administrative practices for ensuring quality of service and acceptable performance by Pride Care; performance measures and quality-of-service provisions for future contracts; and whether the work stoppage on August 1<sup>st</sup> constituted a breach of the current contract with Pride Care.

Discussion of  
Community Issues  
(cont'd)

Commissioner Cooney requested that the City consider how the Pride Care Contract could be modified to address vehicle safety and wages and benefits for drivers.

Director Schomisch reported Metro Transit employed an ADA Coordinator who worked with Pride Care on a daily basis, and he noted Pride Care management regularly attended meetings of the ADA Local Advisory Committee. Director Schomisch also stated Metro Transit monitored Pride Care's performance indicators on a regular basis.

Vice Mayor Hopewell suggested the City follow the same maintenance and inspection schedule for all Care-A-Van vehicles, regardless of whether they were owned by the City or by Pride Care.

In response to concerns expressed by Vice Mayor Hopewell about the letting of the original contract with Pride Care, Director Schomisch stated the Care-A-Van contract was awarded to Pride Care because the City believed it could meet the stated performance standards. Director Schomisch indicated Pride Care had met the performance standards until the work stoppage, and its satisfactory performance was the basis for a contract extension being recommended and approved in March.

Commissioner McCann stated it was irresponsible for labor or management to handle a dispute improperly when a critical service was at stake.

In response to a question from Commissioner McCann, Director Schomisch stated the City's contract with the Amalgamated Transit Union (ATU) contained a no-strike clause.

Commissioner Cooney stated the Care-A-Van drivers had been negotiating with Pride Care for months, and Pride Care management had been informed the situation was critical.

Vice Mayor Hopewell noted the City, Pride Care management, and Care-A-Van drivers could all be culpable for the work stoppage and poor vehicle condition.

Deputy City Manager Barnett-Moore noted the City's direct concern was the administration of the Pride Care contract, not Pride Care's labor/management issues. Deputy City Manager Barnett-Moore indicated the City would enforce penalties for non-performance and would exercise contractual provisions for default and breach of contract. Deputy City Manager Barnett-Moore indicated Pride Care was not in breach of contract at the point because the City had agreed to its service restoration plan.

Commissioner Cooney noted Archbishop Desmond Tutu would be speaking at Miller Auditorium on Tuesday, August 7<sup>th</sup>. Commissioner Cooney requested that a proclamation honoring Archbishop Tutu be read at the August 6<sup>th</sup> City Commission meeting.

Commissioner Miller requested that proclamations for National Night Out and the USTA Boys 18 and 16 Tennis Tournament be read at the August 6<sup>th</sup> City Commission meeting.

Commissioner McCann noted recent complaints about the condition of sidewalks on South Street. Commissioner McCann reported the Red Cross was accepting donations to assist residents displaced by a recent fire at the Ravine Road Apartments.

Citizen Comments

Finally, an opportunity was given for citizen comments but no comments were offered.

Adjournment

The meeting adjourned at 8:22 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on September 17, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: September 17, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, August 6, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were Deputy City Manager Jerri Barnett-Moore, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

Invocation

The invocation, given by Pastor Steve Griffin, Christian Life Center, was followed by the Pledge of Allegiance.

Proclamations

Commissioner Cooney, on behalf of Mayor McKinney, read a proclamation "Honoring Archbishop Dr. Desmond Tutu."

**77559**

**77560**

Commissioner McCann, on behalf of Mayor McKinney proclaimed Tuesday, August 7, 2007 "National Night Out: America's Night Out Against Crime." Deputy Public Safety Chief Mike McCaw was present to accept the proclamation.

**77561**

Commissioner Miller, on behalf of Mayor McKinney, read a proclamation "Welcoming the United States Tennis Association's Boys 18 and 16 National Championships, August 3-12, 2007."

**77562**

Commissioner Anderson, on behalf of Mayor McKinney, proclaimed August 13-18, 2007 "Little League World Series Week." Mr. Bud VanderBerg, Tournament Director, was present to receive the proclamation.

Adoption of the Agenda

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

Mayor McKinney announced an item would be added under New Business to accept the retirement of City Attorney Lee Kirk and approve his severance agreement.

Deputy City Manager Barnett-Moore stated a report on the Care-A-Van program would be presented under the City Manager's Report.

Communications

Deputy City Manager Barnett-Moore invited the public to attend meetings of various boards and commissions.

Public Hearing re:  
a Tax Abatement  
for Consort, Corp.

At 7:17 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to approve the application from Consort Corporation for a PA 198 Industrial

**77563**

Facilities Tax exemption certificate for six years for personal property valued at \$166,000 in existing Industrial Development District No. 68 located at 2006 Race Street.

Roger Lepley, City resident and President of Consort, Corp., spoke in favor of the resolution.

At 7:19 p.m. Mayor McKinney closed the public hearing.

Resolution 07-56  
Approving a Tax  
Abatement for  
Consort, Corp.

**77563**

Commissioner Miller, seconded by Commissioner McCann, moved to regarding a recommendation to adopt a **RESOLUTION** to approve the application from Consort Corporation for a PA 198 Industrial Facilities Tax exemption certificate for six years for personal property valued at \$166,000 in existing Industrial Development District No. 68 located at 2006 Race Street.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

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

Yolanda Neals, City resident, spoke about racial profiling by Public Safety Officers (PSO's) and requested that Public Safety Chief Dan Weston, Deputy City Manager Barnett-Moore and City Attorney Kirk be removed from their positions. Ms. Neals also demanded that the U.S. Department of Justice investigate the Public Safety Department, City Manager's Office and City Attorney's Office.

**77564**

Pat Meyer, non-resident, spoke regarding a request from Labor Advocates Workers Solutions (LAWS) for a letter supporting a petition that asked Congress to force the CEO of General Motors Corp. (GM) to testify before a House Committee regarding salaries and benefits for GM employees and retirees. A copy of written materials distributed by Ms. Meyer was filed with the papers for this meeting.

Gwen Hillman, City resident, thanked individual Commissioners for supporting the Mothers of Hope event on Saturday.

Yolanda Dunigan, City resident, expressed feelings of betrayal because the City provided bus service and police protection for the white supremacist rally but not the Mothers of Hope event.

Sandy McMillon, City resident, spoke about the Mothers of Hope event at Spring Valley Park on August 4<sup>th</sup> and the need for jobs and activities for young people.

Citizen Comments  
(cont'd)

Aimee Wyatt, City resident, spoke regarding the granting of police protection to white supremacists on August 4<sup>th</sup> and not the Mothers of Hope.

Sierrria Singleton-Moore, City resident, spoke in opposition to the City's provision of police protection for the white supremacist rally on August 4<sup>th</sup>. Ms. Singleton-Moore asked the City Commission to provide activities for young people.

Galloway Moore, City resident, spoke regarding the Mothers of Hope event on August 4<sup>th</sup>.

Rev. Ericka Robinson-Kilbourn, Non-resident, thanked many individuals and community organizations for contributing to the Mothers of Hope event on August 4<sup>th</sup>.

Avery Evans, City resident, suggested that Chief Weston be removed from his position and described how actions taken by Tim Meulenberg, the City's Inspection Services Manager, resulted in the loss of her Section 8 housing assistance.

Terecota Potts, City resident, thanked people who assisted with the Mothers of Hope event and expressed concern about the City Commission's lack of action on racial and youth issues.

Don Weed, City resident, spoke regarding the lack of police protection for the Mothers of Hope event.

Cornez Kennedy, City resident, spoke regarding the fear of black people by white people.

Kevin Devon Briggs, City resident, described his personal experience with discrimination and violence and stated the community needed to come together to resolve these problems.

Bridget Williams, City resident, spoke regarding the Mothers of Hope event and white supremacist rally on August 4<sup>th</sup>. Ms. Williams questioned when the City would take action regarding the allegations made by citizens against the Public Safety Department.

Terrance Moore, City resident, spoke regarding his arrest on August 3, 2006 and asked for an apology from Chief Weston.

Nakia Thompson, City resident, spoke regarding the shooting of her dog by PSO's in 2005. Ms. Thompson also stated her privacy fence was destroyed in January, 2007, and she was not aware of any follow up by Public Safety after she reported the incident (report # 07-00282).

John Campos, City resident, expressed opposition to the establishment of a fraternity at 1003 Short Road.

Citizen Comments  
(cont'd)

Issac Bohaman, City resident, read a poem entitled "The Ones" and discussed ways to address the issues of drugs and homelessness.

Jerry Williams, City resident, expressed concern about the problems in the Public Safety Department and asked the Chief Weston be removed from his position.

Rufus Patwin, City resident, expressed disappointment about the lack of security at the Mothers of Hope event on August 4<sup>th</sup>.

Andre Reynolds, City resident, spoke regarding his false arrest and interrogation by Kalamazoo PSO's earlier in the year.

Susan Alexander, Non-resident, asked the City Commission to write a letter of support for LAWS regarding General Motors CEO Rick Waggoner.

Kellen Walker, City resident, spoke about police harassment and the lack of activities for young people in Kalamazoo.

At 8:16 p.m. the meeting was recessed.

At 8:26 p.m. the meeting resumed.

Rev. Roosevelt Pace, City resident, requested that Chief Weston be fired.

**77565**

Ladislav Hanka, City resident, expressed concern about the location of a new fraternity at 1003 Short Road. A copy of Mr. Hanka's written remarks was filed with the papers for this meeting.

Cejuwon McFerrin, City resident, spoke regarding racial profiling and the need for more leaders to help with youth in Kalamazoo.

Stephanie Moore, City resident, spoke about the Mothers of Hope organization and the presence of racism and discrimination in Kalamazoo.

## 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:

**77566**

- A recommendation to authorize the City Manager to execute an Underground Fiber Optic Easement granting Catalyst Development Co, LLC, the right to place underground fiber and conduit in the vicinity of the Radisson Hotel.

**77567**

- A recommendation to approve a purchase agreement for the sale of City owned property at 1310 Hays Park to the Edison Neighborhood Association in the amount of \$1.00 for the creation of a tot lot and to authorize the City Manager to sign on behalf of the City.

**77568**

- a recommendation to approve the elimination of two bus routes: Route #17 – Gold and Route #25 – Parkview Campus for the Department of Transportation.

Vice Mayor Hopewell, seconded by Commissioner McCann, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's Report

Deputy City Manager Barnett-Moore asked Transportation Director Bill Schomisch to provide an update on the Care-A-Van service contract with Pride Care, Inc.

Director Schomisch reported 19% (58 of 306) of Care-A-Van trips scheduled for August 1<sup>st</sup> were provided, and 100% of Care-A-Van rides scheduled for August 2<sup>nd</sup>, 3<sup>rd</sup> and 6<sup>th</sup> were provided. Director Schomisch stated the City would invoke language in the Pride Care contract regarding financial penalties for non-performance, but the contract did not directly address the issue of service interruptions due to labor/management conflict.

Commissioner Cooney stated he observed a disconnect between the condition of the Care-A-Van vehicles as described by Director Schomisch and the vehicle descriptions offered by drivers and passengers.

In response to a question from Commissioner Cooney, Director Schomisch stated the current Care-A-Van drivers were certified to drive the Care-A-Van vehicles.

In response to a question from Commissioner McCann, Director Schomisch reported the Care-A-Van contract required drivers to have Commercial Drivers Licenses (CDL's). Director Schomisch stated Pride Care was in the process of hiring and certifying more drivers and that Metro Transit staff had not made any Care-A-Van trips that day.

In response to a question from Vice Mayor Hopewell, Director Schomisch stated a Metro Transit maintenance supervisor performed quarterly inspections on the Care-A-Van vehicles. Director Schomisch explained the inspections were performed at 5:00 a.m., and Pride Care was notified of the times the vehicles were needed prior to the inspections. Director Schomisch stated Metro Transit required Pride Care to submit work orders documenting the completion of needed repairs.

In response to a question from Commissioner Juarez, Director Schomisch stated Care-A-Van drivers needed to possess a Commercial Drivers License (CDL) from their first day on the job, but he was unaware of any experience requirements.

City Manager's  
Report (cont'd)

Becky Russon, General Manager and Tim Onderlinde, Chief Operating Officer for Pride Care, Inc. read the following statement:

A lot of comments have been made in the press and in the public and here tonight. I did not come to speak about specifics as it relates to the labor contract dispute, but to answer your questions about safety. I have come to assure the riders of Care-A-Van, the community, and the City Commission that Pride Care takes our contract and our obligation very seriously. Last Wednesday, our drivers made a decision not to come to work. At 5:30 in the morning we were met with the challenge to provide service to 300 people with only one driver – and he was scared. We could have laid down right then, and thrown up our hands and said, “That’s not doable. We’re going to have to close the doors.” However, many of our clients, especially at that hour of the morning, need to get to their dialysis appointments and their medical appointments. We decided that those needed to be addressed and addressed immediately. We rallied the troops. We got people together, and as Mr. Schomisch said, we provided 58 trips. We succeeded in providing about 19% of the rides. On Thursday, Friday, and today, as you heard, we provided 100% of the rides scheduled. Setting aside the facts regarding the labor contract, I’d like to address the issue that has been raised regarding our safety record. We have 16 units that are provided to us from the City of Kalamazoo. At any given time we only have to have 13 of those units on the road. In order to achieve the amount of rides that the citizens of Kalamazoo present to us, it requires sometimes up to 20 units. Although we are not required through the contract to provide any of our own vehicles, in order to achieve the kind of ridership that you see, we have to supplement with anywhere from three to five of our own vehicles. We don’t have to do that, we choose to do that because 80-100 rides would not be provided daily if we chose to stay within the complete boundaries of the contract. These are older units with a lot of miles. The newest truck has 130,000; the oldest truck has 214,000. These trucks were given to us at the start of the contract. They had been the trucks that the previous company had utilized. They came with many, many maintenance issues. We continue 15 months or however many months it’s been into this contract, we continue to be met with the challenges of these older units. No one wants more than Pride Care and Metro Transit to have those seven new coaches provided to us. Each day there are maintenance issues. We’re not hiding those maintenance issues. There are lift problems. There are air conditioning problems. And certainly with this drought and this high heat that we have, it’s a big concern of ours to make sure that each of those units has air conditioning. I bring these facts to you not to hide anything, not to color the issue, but to raise awareness about the challenges that we are faced with and to educate those who have chosen to express opinions without gathering all of the facts. There are two sides to every story, and we welcome the opportunity to meet with anyone – the Commission, the citizens, the riders – who are concerned about our safety record. Our primary focus is to continue to provide

City Manager's  
Report (cont'd)

service to the ridership of Kalamazoo County. Wednesday morning we were faced with 300 rides and one driver. Now we're providing service to 100%. We take this obligation very seriously. We take their safety very seriously. I ask that any rider, or citizen, or Commissioner, with questions, comments or concerns, please feel free to call me, Becky, or Tim at 343-2224. We'll gladly talk to anybody who has concerns. We'll gladly meet with anyone that has concerns. Thank you.

In response to a question from Commissioner Juarez, Ms. Russon explained Care-A-Van drivers were required to have CDL's, but the contract itself did not contain an experience requirement. Ms. Russon reported that, prior to driving, drivers were required to have a Department of Transportation (DOT) physical and a Federal Transit Administration (FTA) drug and alcohol screening.

In response to a remark from Commissioner Cooney, Ms. Russon stated Pride Care management was aware of labor unrest, but the union never notified Pride Care that a strike was eminent.

In response to a question from Vice Mayor Hopewell, Ms. Russon and Mr. Onderlinde stated Care-A-Van riders who paid for rides they did not receive on August 1<sup>st</sup> were eligible for refunds, but no other form of compensation was available.

Vice Mayor Hopewell questioned whether Pride Care had contacted Care-A-Van riders on August 1<sup>st</sup> to inform them of the service interruption and whether Pride Care had sent or planned to send letters to riders apologizing for the lack of service.

In response to Vice Mayor Hopewell's questions, Mr. Tim stated Pride Care employees had informed some agencies of the service interruption, but they were unable to reach all of the people who had scheduled trips.

**77568**

When an opportunity was given for citizen comments on the Care-A-Van report, the following citizens addressed the City Commission:

Pat Smith, former driver and supervisor for Care-A-Van

Brad Cosgrove, City resident and former Care-A-Van driver

Bridget Hill, City resident

Marilyn Kline, Non-resident (Ms. Kline's written statement was filed with the papers for this meeting.)

April Potgiesser, Non-resident (Ms. Potgiesser's written statement was filed with the papers for this meeting.)

Lilly Wolfe, City resident

Roberta Stancil, Non-resident

Ron Smeltzer, Non-resident and former Care-A-Van driver (Mr. Smeltzer submitted his own written comments and letters from Care-A-Van riders, both of which were filed with the papers for this meeting.)

Jackie Carlson, Non-resident

City Manager's  
Report (cont'd)

Following these citizen comments, Deputy City Manager Barnett-Moore stated the City Administration would issue a written report to Commissioners on the Care-A-Van situation by the end of the week, and she noted the report would take into account citizens' concerns.

Commissioner Juarez emphasized that the Administration's report needed to address citizens' concerns.

Commissioner McCann discussed the City Commission's position and role relative to the Care-A-Van contract, and he stated his confidence in Pride Care's ability to fulfill the contract was shaken. Commissioner McCann stated the situation remained a house of cards and expressed hope that the vehicle and service problems would be addressed.

Commissioner Cooney indicated he was very troubled by citizens' testimony. Commissioner Cooney stated he had no confidence that the Care-A-Van service was being delivered safely. Commissioner Cooney recommended the City Commission review the Administration's report and then consider whether Pride Care was in breach of contract.

Vice Mayor Hopewell stated when Pride Care was awarded the Metro Van contract in 2003, the City Commission had been told the City was required to accept the lowest responsive bid, but he stated he had since come to understand that quality of service could be considered when letting contracts. Vice Mayor Hopewell urged City staff to pay close attention to contracts and how those contracts were awarded. Vice Mayor Hopewell indicated he did not know the Care-A-Van vehicles were in such bad condition, and he noted importance of preventative maintenance. Vice Mayor Hopewell suggested the City review complaint records when performing vehicle inspections. Vice Mayor Hopewell stated he was disappointed that the Care-A-Van drivers had walked out and that the City was potentially culpable.

Mayor McKinney stated Care-A-Van was a key service and noted disruptions to this service placed stress on entire families.

New Business

Next, items of New Business were considered.

Retirement of City  
Attorney Lee Kirk  
and Approval of a  
Severance  
Agreement

Deputy City Attorney Randy Schau read the following statement from City Attorney Lee Kirk:

To the Honorable Mayor McKinney, Vice Mayor Hopewell, and City Commissioners:

I will be retiring as City Attorney from the City of Kalamazoo. This decision is in my best interest, in the best interest of my family, and I believe it is in the City's best interest as well.

I am proud of my achievements and of the many accomplishments of the City Attorney's office during my 17 years of service to this wonderful community. I will miss working with the outstanding staff in the City Attorney's office and with the many other dedicated public servants who I have the privilege to know.

**77569**

Retirement of City Attorney Lee Kirk and Approval of a Severance Agreement (cont'd)

**77569**

I will, of course, cooperate with the City in the weeks ahead to ensure a smooth transition.

Commissioner Anderson, seconded by Commissioner Miller, moved to accept City Attorney Kirk's retirement and approve his severance agreement.

Prior to a vote on the motion, Yolanda Neals, City resident, inquired about the content of the severance agreement and questioned whether City Attorney Kirk's retirement was his choice or if it was being used to cover up his termination.

Commissioner McCann expressed appreciation for City Attorney Kirk and his years of service to the City.

Commissioner Anderson remarked on City Attorney Kirk's integrity. Commissioner Cooney stated City Attorney Kirk had provided wonderful service to the City.

Vice Mayor Hopewell wished City Attorney Kirk "best of luck" in his retirement.

With a roll call vote the motion concerning the City Attorney's retirement passed unanimously.

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

NAYS: None

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

**77570**

Angela Marie Evans, City resident, expressed dismay that the City Administration promised to issue a report on the Care-A-Van situation but not on the concerns of black people who had spoken.

Michael Seals, City resident, spoke about the location of the new Kalamazoo Public Schools (KPS) middle school. Mr. Seals distributed copies of an e-mail from the Michigan Attorney General's Office regarding minimum site area requirements for new schools. Mr. Seals also submitted an electronic version of P.A. 451 of 1976, which he claimed gave the Mayor broad powers to determine where new schools were placed.

Leon Jones, City resident, expressed concern about the police protection provided for the white supremacists and the amount of money this would cost the City.

Matt Bartz, City resident, expressed support for PSO Morgan and stated it was outrageous that parents expected the City to occupy their childrens' time.

City Commissioner  
Comments

Yolanda Neals, City resident spoke regarding the Mothers of Hope event on August 4<sup>th</sup> and stated Deputy City Manager Barnett-Moore needed to be fired for abuse of power.

Bridget Williams, City resident, spoke regarding the police protection afforded the white supremacists.

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

Commissioner Juarez remarked on the relatively calm white supremacist rally on August 4<sup>th</sup> and questioned whether the City was able to charge the rally organizers for police protection that was provided. Commissioner Juarez congratulated the Mothers of Hope for their successful family event on August 4<sup>th</sup>.

Commissioner McCann spoke regarding the white supremacist rally on August 4<sup>th</sup>, and he noted the cost for police protection was small compared to the cost of quelling and cleaning up from a riot. Commission McCann thanked Public Safety for their excellent planning and

Commissioner Miller expressed appreciation for the City Administration and stated the Public Safety response to the white supremacist rally was well planned and executed.

Commissioner Anderson thanked Vice Mayor Hopewell for being at the white supremacist rally on Saturday, and he thanked the Public Safety Department for their hard work to protect the community. Commissioner Anderson noted an interfaith purification service took place on Sunday, August 5<sup>th</sup> at the Crosstown Center, and he highlighted events on August 7<sup>th</sup>, which included Archbishop Desmond Tutu's appearance at WMU and the National Night Out events. Commissioner Anderson recognized the recent death of Oliver Hill, noted civil rights attorney whose efforts laid the ground work for the Brown v Board of Education Supreme Court decision.

Commissioner Cooney indicated he was troubled that Kalamazoo Public Schools told the City that the new middle school could not be built in the Eastside Neighborhood due to minimum site area requirements. Commissioner Cooney commended the Public Safety Department and Mothers of Hope for their successes on Saturday and noted other groups also held events. Commissioner Cooney stated he was encouraged that Ms. Potts and Ms. Neals wanted to work with City and indicated the Mothers of Hope needed to have place at table. Commissioner Cooney offered the following paraphrase of a quote from Martin Luther King, Jr.: "Either we will work together as family or hang separately as fools."

Vice Mayor Hopewell reported he had attended and observed the white supremacist rally at the Crosstown Justice Center in his role as the City Commission's Public Safety Liaison. Vice Mayor Hopewell stated the Public Safety Department maintained control of the situation and noted Public Safety Officers were protecting the entire City during this event, not just the white supremacists. Vice Mayor Hopewell stated the City's cost for the rally was the cost of readiness, and he expressed his commitment

to the Public Safety Work Plan. Vice Mayor Hopewell reported he recently toured the Creative Arts Center in Grand Rapids with Mattie Jordan-Woods, who wanted to establish a similar center in Kalamazoo. Vice Mayor Hopewell asked the Mayor to comment on the protocol regarding the interaction between Commissioner and citizens during designated times for citizen comments.

Mayor McKinney explained that designated citizen comments times were opportunities for citizens to address the City Commission, not a time for give-and-take with Commissioners. Mayor McKinney stated the Commission needed to follow its meeting agenda so that all citizens could be heard on various issues. Mayor McKinney expressed pride in the community for its reaction to the white supremacist rally on August 4<sup>th</sup>.

Adjournment

The meeting adjourned at 10:33 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on October 29, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Vice Mayor  
Dated: October 29, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, August 17, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Don Cooney

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Juarez, seconded by Commissioner Anderson, moved to excuse the absence of Commissioner Cooney. With a voice vote, the motion passed.

Review of the August 20<sup>th</sup> Agendas

The City Commission reviewed and discussed the agenda for its Special Meeting on Monday, August 20, 2007.

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, August 20, 2007.

City Manager Collard stated up to four presentations would be added to agenda, and he noted the Mayor City Clerk and City Attorney were developing guidelines to improve order at City Commission meetings.

Discussion of Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Commissioner McCann spoke regarding recent media requests for information about Commissioners' knowledge of a prostitution sting and their reaction to that information when it was reported to them in 2005. Commissioner McCann explained that questions from the media had caused him to think about his frame of mind and why he thought the way he did about the information he had received. Commissioner McCann stated the Kalamazoo Gazette's investigation of the prostitution sting had raised some good questions and stated he wanted to think a problem did not exist and that there was no cover-up. Commissioner McCann noted, however, no prosecutions were made when there was a question of whether public officials had engaged in illegal activities. Commissioner McCann stated his conscience was clear regarding his knowledge of the prostitution sting and his reaction to that knowledge in 2005. Commissioner McCann challenged officials involved in the prostitution sting to be open and honest about their roles and actions, although he recognized that if people were involved in illegal activities, there was little motivation for them to step forward. Commissioner McCann stated there would be a tarnish on City for years to come if the City Commission and City staff did not get to the bottom of o the situation. Commissioner McCann requested a report on the state of the investigation.

Citizen Comments

Finally, an opportunity was given for citizen comments but no comments were offered.

Adjournment

The meeting adjourned at 7:41 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on October 29, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Vice Mayor  
Dated: October 29, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, August 20, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell\*  
David Anderson  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Don Cooney  
David Juarez

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioners  
Excused

Commissioner Miller, seconded by Commissioner Anderson moved to excuse the absences of Vice Mayor Hopewell and Commissioners Cooney and Juarez. With a voice vote, the motion passed.

Miscellaneous  
Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood  
Communications

Neighborhood communications were received next.

\*Vice Mayor Hopewell arrived at 6:02 p.m.

Representatives of the following neighborhood organizations were present:

- Community Youth  
Danaeque Yarbrough, Counselor in Training & Street Academy  
Victoria Clark, Youth Development Center
- Fairmont Neighborhood Association  
Joy Russcher, President  
Melissa Linkfield, Neighborhood Administrator
- West Main Hill Neighborhood Association  
Steve Terrenella, President  
Mike Van Vaerenbergh, Board Member

Community Youth  
Representatives

The Community Youth representatives:

- described the Counselors in Training (CIT) and Street Academy programs and suggested the CIT program be available to non-residents.
- described the programs at the Youth Development Center.

In response to a question from Commissioner Anderson, Ms. Yarbrough reported her friends thought the summer youth programs were "cool."

Fairmont  
Neighborhood  
Association  
77571

In response to a question from Commissioner Miller, Ms. Yarborough stated she wanted to become a family counselor, and Ms. Clark indicated she wanted to become a lawyer.

The Fairmont Neighborhood representatives:

- distributed a written report of the Association's recent activities and noted membership in the Association had increased.
- stated the Board of Directors had formed a fund raising committee.
- reported that a home in the neighborhood had soft sided pool in the back yard and expressed concern that the mere absence of a ladder caused the pool meet City code. Ms. Russcher stated she had seen a ladder in the pool when it was not in use.
- invited Commissioners to historic home tour on Sept. 15<sup>th</sup> and noted that 631 Summer Street was a featured home. Ms. Russcher requested that City code administrators investigate 635 Summer Street, which had experienced a fire in 2006 and remained open to casual entry.
- reported a recent break-in at Neighborhood Center and expressed concern that Public Safety Officers did not take finger prints from the crime scene because nothing was actually stolen.
- distributed a report of Part 1 Crimes in the neighborhood for July 2007 and indicated 20% of crimes in the neighborhood were committed at the Fox Ridge Apartments.
- indicated the Summer Youth Employment program was very successful and reported the Neighborhood Center had provided breakfast and lunch for the young people and was open for two hours in the afternoon so they could play games and use the computers.
- stated the neighborhood newsletter would be published on a bi-monthly basis beginning in January and indicated the funds saved from the newsletter would be directed to programming.
- stated the Douglas Avenue corridor was an eyesore and noted this area was a poor gateway to the City for people coming to Kalamazoo from the north.
- reported the Board of Directors had appointed Mike Bracy to the Executive Committee and stated he had volunteered to be the neighborhood representative on the Community Development Act Advisory Committee (CDAAC).

77572

In response to a question from Commissioner McCann, Ms. Linkfield reported WMU thought it was maintaining the Blakeslee property well, whereas the Neighborhood thought the property was poorly maintained.

West Main Hill  
Neighborhood  
Assoc.

The West Main Hill Neighborhood representatives:

- reviewed recent Neighborhood activities, which included an egg hunt in April; an ice cream social in June; the USTA picnic in August; distribution of welcome packets to students; and the beautification of Lovell Street Park.
- noted the Association published a newsletter six times per year.
- expressed support for Community Policing Program and requested good coordination between the Public Safety Department and Kalamazoo Township police.
- expressed support for the new Local Historic District as a way to encourage owner occupancy.
- requested the City's continued support for improving owner occupancy in triangle area bordered by Monroe, Lovell Street, and Michigan Avenue.
- stated the Association was interested in the creation of a local historic district in the portion of the Neighborhood in Kalamazoo Township.
- thanked the City Commission for supporting the Association with General Fund dollars.

In response to questions from Vice Mayor Hopewell, Mr. Terrenella stated he frequently noticed many cars parked near Henderson Castle, but he was not aware of any negative impact on the neighborhood. Mr. Terrenella indicated he had not observed an unusual number of homes for sale in the neighborhood.

In response to a question from Commissioner Anderson, Mr. Terrenella stated the Board of Directors had formed a committee to address the uses and appearances of commercial properties in the West Main Hill commercial corridor. Mr. Terrenella reported he would be giving a presentation on this topic to the Kalamazoo Township Planning Commission on September 6<sup>th</sup>.

In response to questions from Vice Mayor Hopewell, Mr. Terrenella stated members of the Westwood Neighborhood Association were on the committee that was looking at the West Main Hill commercial corridor. Mr. Terrenella stated he was not sure if the existing local historic district survey data included responses from Kalamazoo Township residents.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

Commissioner  
Comments

Finally, an opportunity was given for comments and concerns from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 6:32 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on October 29, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Vice Mayor  
Dated: October 29, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, August 20, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Don Cooney  
David Juarez

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

## Commissioner Excused

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to excuse the absence of Commissioners Cooney and Juarez. With a voice vote the motion passed.

## Invocation

The invocation, given by Reverend George Moore, Church of God Pentecostal, was followed by the Pledge of Allegiance.

## Adoption of the Agenda

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

Commissioner Anderson requested that an update and report from the Freedom of Information Act (FOIA) Subcommittee be added to the agenda under Policy Items.

City Manager Collard requested that a series of staff reports be added to the agenda immediately following the adoption of the agenda.

Mayor McKinney requested that a motion to authorize the Administrative Committee to initiate a search process for a City Attorney be added to the agenda under Policy Items.

Citizens requested that Item G-7, appointment of Randy Schau as Acting City Attorney, and Item G-8, Emergency Shelter Grant Funding, be moved from the Consent Agenda to the Regular Agenda.

## Staff Presentations

City Staff delivered the following PowerPoint presentations:

**77573**

Public Safety Chief Dan Weston and Assistant City Manager Fay Peek delivered a presentation on the white supremacist rally and Mothers of Hope "Ultimate Family Reunion" event that took place on August 4<sup>th</sup>.

**77574**

Transportation Director Bill Schomisch delivered a presentation on the Care-A-Van program and the service interruption that occurred on August 1<sup>st</sup>.

**77575**

City Manager Collard and Chief Weston delivered a presentation on homeless issues and the enforcement of park regulations.

Communications

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

The meeting was recessed at 8:52 p.m.

The meeting was called back to order at 9:07 p.m.

Citizen Comments  
on Non-agenda  
Items

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

**77576**

Don Nitz, City resident, distributed invitations to the Lakeside for Children Centennial Celebration on September 16<sup>th</sup>.

Monica Westover, City resident, spoke regarding the lack of accountability and responsibility in City government and the judicial system.

Deacon Willie Swindle, City resident, spoke regarding mistakes in a police report for a recent incident at 1926 Portage Road and stated the case had not been turned over to the prosecuting attorney.

Jonathan Braun, City resident, spoke regarding tickets given to homeless people for sleeping in the park and offered suggestions for the distribution of housing assistance fund vouchers. Mr. Braun challenged Commissioners to live as homeless people for 72 hours.

Harold Mitchell, City resident, suggested that Kalamazoo Community Mental Health use its funds to buy housing units for people who lived on the streets. Mr. Mitchell challenged Commissioner Anderson to place more people in currently vacant apartments.

Max Conrad, City resident, spoke regarding oppression and injustice for homeless and poor people.

Angela Suarez, City resident, spoke about being homeless in Kalamazoo and requested that Section 33-23(b) of the Kalamazoo City Code be repealed.

Ian Valenzuela, City resident, spoke regarding the City's enforcement of the parks ordinance and requested that Section 33-23(b) of the Kalamazoo City Code be repealed. Mr. Valenzuela announced his intent to run for City Commission.

John Mills, City resident, spoke about the difficulties being homeless and requested that Section 33-23(b) of the Kalamazoo City Code be repealed.

Jimmie Butterson, City resident, spoke against giving homeless people tickets for sleeping in the park.

Citizen Comments  
on Non-agenda  
Items (cont'd)

Devin Lester, City resident, spoke regarding the enforcement of the parks ordinance and requested that Section 33-23(b) of the Kalamazoo City Code be repealed.

Ramon Flores, City resident, spoke about enforcement of the parks ordinance and the inability of homeless people to pay the fines when they were cited for sleeping in the park. Mr. Flores suggested dilapidated houses be demolished to make room for housing for homeless.

Michael Fuller, City resident, expressed opposition to the City ordinance that prohibited sleeping in parks.

Michael Evans, City resident, spoke in favor of the 2006 revision of the parks ordinance but requested that Section 33-23(b) of the Kalamazoo City Code be repealed. Mr. Evans suggested the creation of another homelessness pilot program.

LoriAnne Tennison, City resident, spoke regarding enforcement of the parks ordinance by Public Safety Officers (PSO's).

Wade Allen, City resident, spoke about sleeping in the park and the need for more sleeping areas for homeless people.

Sasha Acker, City resident, stated PSO's violated her first amendment rights by arresting her for being on the stage at Bronson Park after the white supremacist rally on August 4<sup>th</sup>.

Avery Evans, City resident, spoke regarding the Mothers of Hope event on August 4<sup>th</sup> and stated she had lost her Section 8 housing assistance because of the City's code enforcement activities.

Phil Bassett, City resident, spoke regarding enforcement of the park rules ordinance and homelessness.

**77577**

Lily Wolfe, City resident, read a statement regarding Care-A-Van funding and requested an independent audit of the Care-A-Van program, including the Kalamazoo Metro Transit, the County Transportation Authority and Pride Care, Inc. A copy of Ms. Wolfe's statement was filed with the papers for this meeting.

Brad Cosgrove, City resident and former Care-A-Van driver, spoke regarding the lack of drug testing for Care-A-Van drivers and the poor condition of the vehicles. Mr. Cosgrove stated his experience as a Care-A-Van driver did not match the information presented by Director Schomisch earlier in the meeting.

Ron Smeltzer, non-resident and former Care-A-Van driver, discussed the new Care-A-Van drivers' lack of qualifications, the condition of the vehicles, and the number of cancelled trips since August 1<sup>st</sup>.

Citizen Comments  
on Non-agenda  
Items (cont'd)

Yolanda Neals, City resident, stated City officials had lied about various issues in recent weeks, but she expressed admiration for Commissioner McCann's integrity. Ms. Neals discussed her recent experience with the Citizens Public Safety Review and Appeal Board (CPSRAB).

Ernie Kreitlow, City resident, indicated many Care-A-Van riders were not able to attend City Commission meetings to express their points of view.

Gwen Hillman, City resident, spoke about her grandson, Terrance Moore, her daughter, Yolanda Neals, and their experience with the Citizens Public Safety Review and Appeal Board.

Rolf Berganst, City resident, spoke about the City's response to the white supremacist rally and lack of passenger endorsements for the replacement Care-A-Van drivers.

Stephanie Moore, City resident, spoke about absentee ballots for inmates at the Kalamazoo County Jail, the new photo ID requirement for voters, and reinstatement of the CLOCK program.

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:

**77578**

- a recommendation to approve a one-year term contract extension with Great Lakes Lubricants, Inc. for the purchase of various types of lubricants at a total cost not to exceed \$124,900.

**77579**

- a recommendation to approve two agreements with the Michigan Department of Transportation for the resurfacing of Mills Street from King Highway to East Michigan Avenue including: 1) accepting a \$50,000 Local Jobs Today grant; 2) approving a \$200,000 MDOT loan; and 3) approving a purchase order to MDOT in the amount of \$18,800.00 to cover the City's share of the project cost.

Resolution 07-57

**77580**

- a recommendation to adopt a **RESOLUTION** to set a public hearing on September 4, 2007 to consider the establishment of a PA 198 Industrial Development District around the perimeter of the parcel owned by RDG-BTR Development, LLC, located at 4502 Campus Drive within the Western Michigan University Business Technology & Research Park.

Resolution 07-58

**77581**

- a recommendation to approve a **RESOLUTION** designating a Project Area and Project District Area, appointing Timothy J. Mitchell and Timothy J. Greene as special directors to the Economic Development Corporation, setting a public hearing on September 17, 2007 for the Project Plan for the Kalexsyn, Inc. project and waiving the Economic Initiative Fund guideline restricting loans to projects not started.

Resolution 07-59  
**77582**

- a recommendation to adopt a **RESOLUTION** confirming the appointment of Thomas C. Skrobola to the City of Kalamazoo Hospital Finance Authority.

Resolution 07-60  
**77583**

- a recommendation to adopt a **RESOLUTION** recognizing New Vic Theatricals as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.

**77584**

- a recommendation to accept a grant from Irving S. Gilmore Foundation in the amount of \$75,000 for the Western Gateway Project and authorize the City Manager to sign a "Terms of Grant" letter on behalf of the City of Kalamazoo.

**77585**

- a recommendation to approve the appointment of John C. Garry to the Community Relations Board for a term expiring on January 1, 2010 and Mary Johncock to the Housing Board of Appeals for the term expiring on January 1, 2010.

**77586**

- a recommendation to approve the minutes from the following City Commission meetings: the Committee of the Whole Meetings of June 29 and July 13, 2007; the Work Sessions of June 11 and July 9, 2007; the Special Meetings of June 18, June 29, and July 16, 2007; and the Regular Meetings of June 4, June 18, and July 2, 2007.

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

With a roll call vote this motion passed.

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

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Resolution 07-61  
Appointing Randy Schau Acting City Attorney

Commissioner Miller, seconded by Commissioner Anderson, moved to adopt a **RESOLUTION** naming Randall S. Schau as Acting City Attorney.

With a roll call vote this motion passed.

**77587**

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

NAYS: None

Approval of  
Emergency Shelter Grant Funding

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to approve funding allocations for Program Year 2007 Emergency Shelter Grants and authorize the City Manager to sign and submit all appropriate documents required by HUD, to act as official representative of the grantee, and to execute contracts with subrecipients of ESG funding.

**77588**

Resolution 07-62  
re: a One-Mill  
Replacement Levy  
for Metro Transit

**77589**

With a roll call vote this motion passed.

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

NAYS: None

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** authorizing a November 6, 2007, general election ballot question for voter approval of a special one-mill replacement levy to finance Metro Transit operations for 2008.

With a roll call vote this motion passed.

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

NAYS: None

City Manager's  
Report

**77590**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated July 2007
- July 2007 Purchasing Report

City Manager Collard offered remarks on the integrity and character of Deputy City Manager Jerri Barnett-Moore and discussed the allegations made against her at the August 6<sup>th</sup> City Commission meeting.

City Manager Collard read the following statement into the record:

I've listened closely to our community on the issue of public safety including tonight's comments. I've exhaustively considered the situation and the alternatives. I have a statement that I would like to read which lays out my position on the matter.

We once again find ourselves on the horns of the classic law enforcement dilemma. How do we strike an appropriate balance between our competing values of liberty, equality, safety, and community? How do we create a safe community while protecting each individual's rights? Obviously, our only hope is to do it together in an atmosphere of mutual trust and respect.

However, when questions arise about how Public Safety officers do their job, as they do on an all to regular basis, we are bombarded with zealous rhetoric which frames the issue in simplistic terms and then demands that we answer the question of whether our Public Safety officers are villains operating "above the law" or heroes who can "do no wrong?"

It is our collective responsibility as a community to establish a reasonable frame of reference within which we can address the public safety issue. Balancing competing community values is the

City Manager's  
Report (cont'd)

**77590**

real issue looking ahead and reconciliation is the real issue looking back.

Allegations of past misdeeds must be addressed candidly after determining the Truth. Many of us recently heard Desmond Tutu testify to the healing power of truth and reconciliation. Kalamazoo must adopt a community ethic modeled after these principles if we are to survive and thrive as a community.

To that end, we must strengthen community policing in Kalamazoo. We must understand and acknowledge the full range of our law enforcement problems. We can not afford to ignore the criminal behavior that threatens our community and more generally our American society. Today's crimes focus on:

- Violence,
- Guns,
- Drugs, and
- Gangs

If we are to preserve and enhance the quality of life in Kalamazoo we must also abate the nuisances that beset our neighborhoods, including:

- Disorderly conduct,
- Noise,
- Junk autos, and
- Panhandling

In order to accomplish these tasks and achieve our goal of striking a reasonable balance, recognizing that neither blind trust nor cynical suspicion will achieve a reasonable outcome, we must simultaneously respect our law enforcement personnel and hold them to the highest standard of integrity.

My administration has been diligently working to create this balance by addressing the issues associated with Public Safety in a number of ways and will be doing more in the days and weeks ahead. My vision has been and is a department and policing function which maintains the highest standard of integrity, sustains an open dialogue with the community and provides for safety to all our citizens while treating all people fairly with dignity and respect. Conversely, my vision includes a community which respects and honors the men and women who wear the Public Safety uniform. To that end we are implementing the Public Safety Enhancement Work Plan. We have successfully –

- Created a Partnering Agreement with Community Leaders and Organizations
- Implemented a Gun Buyback Program
- Begun evaluating and validating Public Safety promotional examinations

City Manager's  
Report (cont'd)

77590

- Finalized a policy for preventing Racially Biased Policing
- Strengthened by way of membership and training the Citizens Public Safety Review and Appeal Board (CPSRAB)
- Conducted Youth Public Safety Academies
- Begun construction of the new Public Safety Station

In regard to specific allegations, the City Commission has engaged an outside expert to review and recommend enhancements to the system used to respond to FOIA requests. I have asked Chief Weston to investigate KJET'S evidence handling protocols relative to the prostitution case. Fay Peek, a veteran police administrator, joined my staff as an assistant city manager to help implement community policing principles in Kalamazoo.

The Citizens Public Safety Review and Appeal Board is the community's voice in the search for truth and reconciliation associated with Public Safety activities, tactics and programs. A recent appeal offers a good example of what can happen. The Board reviewed the alleged racial profiling of Terrance Moore, II. They heard extensive testimony, asked questions, reviewed applicable policies and procedures and were unable, after a tie vote, to either accept or reject the Chief's findings which had exonerated the officers of the charges. However, more importantly they found themselves compelled to address the tactics associated with pretextual vehicle stops implicated in the appeal and the perceived deficiencies in our community policing program. I look forward to receiving their wise counsel on these matters.

Unfortunately, other matters have gone well beyond the ability of internal investigations or community advisory boards to address. I speak of the allegations of misconduct, obstruction of justice and/or public corruption associated with a 2003 prostitution case. Clearly, policies and procedures were not adhered and this episode has embarrassed the department. Moreover, the integrity of the law enforcement and criminal justice system has been called into question.

Disregarding the merits of the allegations and the definition of the terms, we have:

- A Kalamazoo County judge threatening to sue the Department of Public Safety and its Chief for implicating him a "cover up,"
- An ongoing FOIA investigation which has identified mishandled and missing evidence,
- An officer having sexual relations with a prostitute while on duty, and
- Substantial disagreements between law enforcement and criminal justice agencies as to the facts of the case

City Manager's  
Report (cont'd)

**77590**

We also have a public dialogue which features the local print media rightfully calling for the "truth and accountability" while giving more space and prominence to a prostitute's missing cell phone than the arrival of a new superintendent to lead our public schools.

As a community, we are poised to react; we are poised to let the zealous rhetoric overwhelm us; we are poised to project our fears; we are poised to blame. In the face of these temptations, we must continue to prudently seek the Truth and make every reasonable effort to reconcile our differences.

We must always remember that Truth doesn't belong to the zealots whether they are attacking or defending the Public Safety department. The truth is that humans fail. They fail to obey the law; they fail to equitably enforce the law; they fail to admit mistakes and ask for forgiveness; they cover up wrongdoing. While these failures may be human, we in the public sector must insure that we hold ourselves accountable to the public.

We, as an administration, acting on behalf of the City Commission and the community, can not afford to deny problems as they are diagnosed or delay treatment because the public trust hangs in the balance. The esteemed poet, William Cullen Bryant, posited that "Truth, crushed to Earth, will rise again." It appears to me that elements of the truth have been "crushed" and we must vigilantly seek out the whole truth and help it "rise" again in Kalamazoo.

To that end, I have already begun to secure the necessary resources to effectuate an external, independent investigation into Public Safety's handling of the 2003 prostitution case. Tomorrow, I will formally request that the US Attorney's office by way of the Federal Bureau of Investigation conduct the investigation.

I have also began reviewing the currently known facts to determine what personnel changes are required to insure the maintenance of the public's trust in our Public Safety department pending the outcome of the investigation.

As a proud father of a police officer, I have first hand knowledge of the sacrifices, bravery and courage that officers demonstrate in the "line of duty." But to blindly absolve officers and their leadership of any and all errors would be to dishonor their profession. We must hold them to the highest standard of integrity just as I know they hold themselves.

We, as a community, must secure closure on this issue so we can move forward toward our public safety goals of striking an appropriate balance between liberty, equality and safety and of achieving reconciliation. To help achieve these outcomes, tonight I am renewing my pledge to see that my administration does its best to Listen, Care about All the People, Work Hard and Tell the Truth.

City Manager's  
Report (cont'd)

**77590**

Thank you Mayor, Vice Mayor, Commissioners and Kalamazoo for listening, for caring, for working hard and for respecting the truth.

Commissioner McCann thanked City Manager Collard for his statement and emphasized that the City needed to "get to the bottom of the situation."

Vice Mayor Hopewell thanked City Manager Collard for his statement and expressed support for the City Manager.

Policy Items

Next, Policy Items were considered.

FOIA  
Subcommittee  
Update

**77591**

Commissioner Anderson provided an update on the City Commission's investigation into the FOIA process. Commissioner Anderson explained attorney Audrey Forbush was hired to: 1) respond to a FOIA appeal from the Kalamazoo Gazette; 2) review recent high profile FOIA cases to evaluate processes, procedures, and outcomes; and 3) developed a FOIA policy statement based on best practices. Commissioner Anderson stated the new policy would not result in citizens receiving every piece of information they requested. Commissioner Anderson noted the Acting City Attorney needed to carry out his responsibilities under FOIA even as the investigation continued and new policies and procedures were developed.

Mayor McKinney thanked Commissioners Anderson, Miller and Juarez for their work. Mayor McKinney noted the importance of having both an outside expert and City Commissioners involved in the review the City's FOIA processes.

Commissioner McCann thanked Commissioner Anderson for his report and indicated his statement about the FOIA investigation at the August 17<sup>th</sup> Committee of the Whole Meeting was a mistake. Commissioner McCann noted that Commissioners who wanted more information on the status of the investigation were free to talk with attorney Audrey Forbush or members of the FOIA Subcommittee.

City Attorney  
Search Process  
Authorized

**77592**

Mayor McKinney discussed an e-mail she had sent to Commissioners regarding a possible time line for the City Attorney search process. Mayor McKinney stated authorization for the Administrative Committee to proceed would result in a Request for Quotes being sent out the following week, with a response deadline of September 10<sup>th</sup>. Mayor McKinney continued that a September 10<sup>th</sup> response deadline would allow the City Commission to select a search firm on September 17<sup>th</sup>, with development of a position profile occurring between October 8<sup>th</sup> and October 29<sup>th</sup>.

Commissioner Miller, seconded by Vice Mayor Hopewell, moved to authorize the Administrative Committee to direct the initiation of the search process to fill the City Attorney position utilizing the services of an external search firm.

City Attorney  
Search Process  
Authorized

**77592**

Citizen Comments

Prior to a vote on the motion and in response to a question from Commissioner McCann, Mayor McKinney stated there would be more discussion about the nature of the search, but she anticipated the search process would include both internal and external candidates.

With a roll call vote, this motion passed.

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

NAYS: None

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Yolanda Neals, City resident, discussed the relationship between her son Terrance Moore and Deputy City Manager Barnett-Moore. Ms. Neals expressed support for an outside investigation of the Public Safety Department.

Ian Valenzuela, City resident, discussed the basic rights of homeless citizens.

Angela Suarez, City resident, discussed myths about homelessness.

Michael Evans, City resident, spoke against the practice of Public Safety Officers removing members of KHAN from public meetings to talk with them. Mr. Evans presented a brief history of laws that had been repealed because they violated human rights.

Max Conrad, City resident, read a poem about the poor.

Jonathan Braun, City resident, stated a sit-in was planned for Bronson Park that night, but Public Safety had closed the Park.

Phil Bassett, City resident, spoke about the white supremacist rally, homelessness, and the unequal distribution of wealth in American society.

Adriana Rosas, Non-resident, discussed laws that had been declared unconstitutional because they violated the rights of people who were homeless.

Devon Lester, City resident, expressed opposition to the City Commission's practice of opening its meetings with an invocation.

Anthony Rinehart, City resident, spoke of the patriotism involved with questioning government.

Gwen Hillman, City resident, spoke about the relationship between her grandson Terrance Moore and Deputy City Manager Barnett-Moore.

City Commissioner  
Comments

LoriAnne Tennison, City resident, read a poem entitled "To Whom it Should Concern."

Stephanie Moore, City resident, spoke about the difficult relationship between the City and the Mothers of Hope.

Michael Robinson, Non-resident, spoke about the need for justice and the lack of resources for affordable housing.

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

Commissioner McCann remarked that the City Commission had taken its focus off the City's business due to the presence of internal and external issues. Commissioner McCann urged the Commission to revisit the City's strategic plan and focus on this plan as the FY2008 budget season approached. Commissioner McCann noted the Economic Development Corporation and Brownfield Redevelopment Authority had carried on a good dialogue about life sciences in Kalamazoo and the Southwest Michigan region. Commissioner McCann noted there would be a soccer shootout with the Portage City Council on Sunday, and he thanked Pastor Dana Arledge of Bethel Baptist Church and Andrea Juarez for their appreciative sentiments towards the City Commission.

Adjournment

Commissioner Miller expressed support for the City Administration and stated citizens needed to consider their responsibilities as well as their rights. Commissioner Miller expressed well-wishes to retiring Kalamazoo Public Schools Superintendent Janice Brown and welcomed the new Superintendent.

The meeting adjourned at 12:00 a.m. on August 21, 2007

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on October 29, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Vice Mayor  
Dated: October 29, 2007

A regular meeting of the Kalamazoo City Commission was held on Tuesday, September 4, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Invocation

The invocation, given by Pastor Paul Pendell, Green Meadow Bible Baptist Church, was followed by the Pledge of Allegiance.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

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

Public Hearing re: the Establishment of IDD No. 123 at 4502 Campus Drive

At 7:05 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to establish PA 198 IDD No. 123 around the perimeter of the parcel owned by RDG-BTR Development, LLC located at 4502 Campus Drive within the Western Michigan University Business, Technology & Research Park.

**77593**

At 7:06 p.m. Mayor McKinney closed the public hearing.

Resolution 07-63 Establishing IDD No. 123 for RDG-BTR Development, LLC at 4502 Campus Drive

Commissioner McCann, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** to establish PA 198 IDD No. 123 around the perimeter of the parcel owned by RDG-BTR Development, LLC located at 4502 Campus Drive within the Western Michigan University Business, Technology & Research Park..

**77593**

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

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

Deacon Willie James, City resident, discussed the Prayer, Faith, Power, and Love program he was organizing for November.

Citizen Comments  
(cont'd)

Harold Mitchell, City resident, spoke regarding the need for a strategy to address homelessness in Kalamazoo.

Jonathan Braun, City resident, spoke regarding homelessness, the City's park rules, and the County Housing Assistance Fund.

Angela Suarez, City resident, spoke regarding the method for distributing housing vouchers from the Housing Assistance Fund.

Ian Valenzuela, City resident, spoke regarding his arrest for violating the park rules.

Jim Paxon, City resident, spoke regarding the County Housing Assistance Fund.

John Miller, City resident, spoke regarding the need for housing for the homeless.

Mary Watson, City resident, spoke regarding her son Aquarius Walker and stated he needed medical treatment while confined at the County Jail.

Max Conrad, City resident, described information distributed by the Kalamazoo Homeless Action Network (KHAN) regarding interactions between Public Safety Officers and homeless people.

Lori Ann Tennison, City resident, spoke regarding the ticketing of the homeless for sleeping in the park.

Michael Fuller, City resident, spoke regarding economic injustice in Kalamazoo.

Jerry Williams, City resident, spoke requested the resignation of Public Safety Chief Dan Weston.

Monica Westover, City resident, expressed support for the Kalamazoo Homeless Action Network.

Ramone Flores, City resident, spoke regarding prejudice against people who were homeless.

Robert Weir, City resident, invited City Commissioners to the Midwest Regional Conference for the Department of Peace Campaign.

Sheran Pierson, City resident, spoke regarding corruption in the criminal justice system in Kalamazoo.

Gladys Evans, City Resident, spoke regarding a Freedom of Information Act (FOIA) request for documents related to the termination of Stephanie Prevo.

Yolanda Neals, City resident, discussed recent personnel changes in the Public Safety Department and City Manager's Office.

Ron Smeltzer, non-resident, spoke regarding the Care-A-Van program and stated Pride Care was not providing the City with accurate information.

Andy Muelman, City resident, spoke regarding a report presented by Transportation Director Bill Schomisch at the August 20<sup>th</sup> Regular City Commission Meeting.

Consent Agenda

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

Resolution 07-64

**77594**

- a recommendation to adopt a **RESOLUTION** to set a public hearing on September 17, 2007 to consider an application from Evergreen Packaging, Inc. for the transfer of existing PA 198 Industrial Facilities Tax Exemption Certificate 2004-307 from International Paper Company.

**77595**

- a recommendation to authorize the City Manager to sign a "Uniform Video Service Local Franchise Agreement" with CC 10, LLC (d/b/a Charter Communications).

Vice Mayor Hopewell, seconded by Commissioner Juarez, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk's Report

**77596**

City Clerk Borling reported the following items:

- City Commission candidate packets would be available in the City Clerk's office beginning on Wednesday, September 5<sup>th</sup>.
- the receipt of minutes from the following advisory boards and commissions:

Board of Review for Assessments

- Tuesday, July 17, 2007

Community Relations Board

- Thursday, May 10, 2007
- Thursday, June 14, 2007
- Thursday, July 12, 2007

Dangerous Buildings Board

- Thursday, June 7, 2007
- Thursday, July 12, 2007

City Clerk's Report  
(cont'd)

77596

Environmental Concerns Committee

- Wednesday, June 20, 2007
- Wednesday, July 18, 2007

Friends of Recreation Board

- Tuesday, June 26, 2007
- Tuesday, July 24, 2007

Housing Board of Appeals

- Thursday, April 26, 2007
- Thursday, June 28, 2007

Kalamazoo Historic District Commission

- Tuesday, June 19, 2007

Parks and Recreation Advisory Board

- Tuesday, July 10, 2007

Planning Commission

- Thursday, June 07, 2007

Zoning Board of Appeals

- Thursday, May 10, 2007
- Thursday, June 14, 2007
- Thursday, July 12, 2007

- the approval of the following special events in the months of July and August:

- a request from Pastor Addis Moore and Mt. Zion Baptist Church to use LaCrone Park on Saturday, August 18, 2007 from 3:00 p.m. to 9:00 p.m. for a Christian concert, basketball tournament and picnic activities. This approval includes park setup on Saturday, August 18<sup>th</sup> at approximately 1:00 p.m.
- a request from Mothers of Hope, Kalamazoo Deacon's Conference and Grandparent's Group to hold "The Ultimate Family Reunion" in Spring Valley Park, Saturday, August 4, 2007, from 12:00 noon to 7:00 p.m. (actual park usage time for set up and clean up 10:00 a.m. to 9:00 p.m.)
- a request from Kalamazoo Neighborhood Associations to use the following streets and parks on Tuesday, August 7, 2007 from 5:00-9:00 p.m. for the 2007 National Night Out Events:

Neighborhood

Eastside  
Edison

Northside  
Vine

Facility/Street Needed

Rockwell Park  
Bryant Street between James and March  
Farrell Park  
Locust Street between Vine and Duffield

City Clerk's Report  
(cont'd)

**77596**

Westwood

Stafford Road between Canterbury  
and Croyden

- A request from Mt. Zion Baptist Church to use city streets on Saturday, September 8, 2007 beginning at the Mt. Zion's Living Well fitness Center, 206 E. Paterson Street at 8:00 a.m. for a 5K Run/Walk. This event is to bring attention to the benefit of consistent physical activity in the battle of controllable health issues in our community.
- A request from Islamic Relief to use Martin Luther King Jr. Park on Saturday, September 29, 2007 from 12:00 p.m. to 4:00 p.m. for a "Humanitarian Day for the Homeless."

City Manager's  
Report

**77597**

City Manager Collard provided the following reports and updates:

City Manager Collard announced a one-time pick-up of downed branches from recent storms would take place between September 13<sup>th</sup> and September 27<sup>th</sup>.

Assistant City Manager Fay Peek provided a brief report on the history, purpose and functionality of the Citizens Public Safety Review and Appeal Board (CPSRAB). Assistant City Manager Peek discussed the process used in the most recent case heard by the board.

City Manager Collard expressed appreciation for Al Heilman and Moses Walker, the chair and vice chair of CPSRAB.

At 8:28 p.m. the meeting recessed.

At 8:36 p.m. the meeting resumed.

Community Planning and Development Director Jeff Chamberlain presented a report on the A+ Neighborhood Initiative. Director Chamberlain reviewed exhibits of homes that had been rehabilitated over time through the work of the Code Enforcement Division, Anti-Blight team, Dangerous Buildings Board, and the courts. Director Chamberlain stated he would be announcing plans for a home repair fund during week of September 17<sup>th</sup> and invited Commissioners to attend a neighborhood revitalization workshop at the Radisson Hotel on September 17<sup>th</sup> and 18<sup>th</sup>. Regarding future funding options for neighborhood revitalization efforts, Director Chamberlain indicated his staff was developing a strategy that could be submitted to federal and state governments and foundations to obtain grant funding.

Commissioner Cooney thanked Director Chamberlain for his work and for organizing the upcoming conference.

Commissioner Juarez inquired about Neighborhood Enterprise Zones.

Commissioner Anderson suggested the City support and reward energy efficient home designs.

Vice Mayor Hopewell expressed interest in the conference and expressed support for energy efficient homes.

City Manager's  
Report (cont'd)  
**77597**

Mayor McKinney stated workshops had been used in other communities to jumpstart programs like the A+ Neighborhoods Initiative, and she noted energy affordability was a crisis in the Kalamazoo community.

Commissioner McCann stated neighborhood revitalization was important, and the City needed to bring to bear every available tool to address the issue of aging housing stock. Commissioner McCann encouraged the City to work closely with neighborhood associations and to leverage available resources, including possible tax diversions.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Jerry Williams, City resident, thanked the Mothers of Hope for their work in the community over the summer. Mr. Williams stated there was a need for male leaders to be role models for young people in the community.

Yolanda Neals, City resident, requested immunity and protection for City employees who spoke out against the City or participated in addressing the problems at the Public Safety Department. Ms. Neals stated citizens did not feel comfortable coming forward with information about the Public Safety Department for fear of retaliation. Ms. Neals recommended that CPSRAB be an independent body.

Mary Watson, City resident, spoke regarding police brutality and the arrest of her son, Aquarius Walker.

Gwen Hillman, City resident, thanked Commissioner Juarez for attending the Mothers of Hope Ultimate Family Reunion on August 4<sup>th</sup>. Ms. Hillman asked if citizens could give a presentation to the City Commission that was more than four minutes long.

Asha Kashad, City resident, spoke regarding the unfairness of the CPSRAB process.

City Manager Collard noted the presentations by citizens at CPSRAB hearings were not time-limited.

City Commissioner  
Comments

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

Commissioner Juarez welcomed students back to school. Commissioner Juarez thanked the City Manager for the presentations at August 20<sup>th</sup> City Commission meeting and expressed support for City Manager Collard's recent statements and actions concerning the Public Safety Department. Commissioner Juarez noted the importance of labor unions and expressed support for the former Care-A-Van drivers. Commissioner Juarez announced an initiative to host block parties where City staff would engage neighborhood residents.

City Commissioner  
Comments (cont'd)

Commissioner McCann requested that the City Commission review its strategic plan and requested that there be a full review of the Care-A-Van contract with Pride Care, Inc. Commissioner McCann thanked Public Safety Officers for their work in northwest panhandle of the City and encouraged them to continue their diligent efforts. Commissioner McCann urged citizens to support Western Michigan University at CommUniversity night on Saturday, September 8<sup>th</sup>.

Commissioner Miller noted school was in session and urged citizens to drive carefully.

Commissioner Anderson invited citizens to attend the Historic Homes Tour on September 15<sup>th</sup>. Commissioner Anderson reported the FOIA Subcommittee would be presenting a set of overarching policies standards, and procedures to the City Commission on September 17<sup>th</sup> with the request that the policies be created for adoption by the City Commission on October 15<sup>th</sup>.

Commissioner Cooney stated Commissioners and City staff took citizens' comments seriously and wanted to make sure their questions were answered and their concerns were addressed. Commissioner Cooney noted the high poverty rate in Kalamazoo and stated the City needed to advocate at the state and federal level for more resources. Commissioner Cooney noted the recent death of John Foley.

Vice Mayor Hopewell reported he had participated in a ride-along with Public Safety Officers, and he commended the officers for their work. Vice Mayor Hopewell noted he had the opportunity to meet with several groups on Friday, September 1<sup>st</sup> on behalf of Mayor McKinney. Vice Mayor Hopewell remarked that the community had a number of champions, including City Commissioners, and stated the work of the Commission was about gathering and directing resources to help the citizens of Kalamazoo.

Mayor McKinney recognized Calvary Bible Church, Norwood Development, and Threads Church for their work in the Edison and Northside Neighborhoods on behalf of the Recycling for Warmth program. Mayor McKinney stated approximately 50 homes would receive new windows, furnaces, thermostats and insulation prior to winter through this program. Mayor McKinney stated there was a current need for 50 lock sets so that 50 outside doors could be replaced.

Adjournment

The meeting adjourned at 9:38 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on November 12, 2007

Approved by: \_\_\_\_\_

Hannah J. McKinney, Mayor

Dated: November 12, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, September 14, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell\*  
David Anderson  
Don Cooney  
David Juarez\*\*  
Barbara Miller

COMMISSIONERS ABSENT: Sean McCann

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Anderson, seconded by Commissioner Cooney, moved to excuse the absences of Vice Mayor Hopewell and Commissioners Juarez and McCann. With a voice vote, the motion passed.

Review of the September 17<sup>th</sup> Agendas

The City Commission reviewed and discussed the agenda for its Special Meeting on Monday, September 17, 2007.

\*Vice Mayor Hopewell arrived at 7:31 a.m.

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, September 17, 2007.

\*\*Commissioner Juarez arrived at 7:33 a.m.

City Manager Collard reported the Kalamazoo County Transportation Authority was considering expanding the Care-A-Van service and noted several issues converged on this point because of recent issues with Pride Care, Inc.

Commissioner Anderson requested that a policy item from the Freedom of Information Act (FOIA) Subcommittee be added to the agenda.

Mayor McKinney requested that consideration of a search firm for the vacant City Attorney position be added to the agenda under Policy Items.

Discussion of Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Commissioner Miller expressed concern that the City was considering providing resources for an event organized by or associated with David Juarez, a potential City Commission candidate.

Commissioner Juarez explained the block party and gun buy back event in the Edison Neighborhood was being organized by the Southside Ministerial Partners, who had been planning the event for several months. Commissioner Juarez stated the organizers were withdrawing their request for a stage.

Discussion of  
Community Issues  
(cont'd)

Discussion followed regarding the appropriateness of funding this event and the exact costs involved.

Commissioner Cooney expressed support for funding the event and stated the City Commission needed a policy regarding the waiver of fees or City support for special events.

Mayor McKinney expressed support for the Edison Neighborhood event but stated she did not want to fund this event when there was no process in place for allocating the City Commission Initiatives Fund.

Vice Mayor Hopewell questioned whether other Commissioners had proposed uses for the Initiatives Fund and noted there was no mechanism in place for the City Commission to access its own fund during the budget year.

City Manager Collard expressed support for finding another funding source for the Edison Neighborhood event and noted that, to be equitable, the City Commission would need to have between \$150,000 and \$200,000 on hand per year to fund all requests for event support and fee waivers.

Vice Mayor Hopewell left the meeting at 8:13 a.m.

Citizen Comments

Finally, when given an opportunity to address the City Commission, the following citizens offered comments:

Steve Deisler, Vice President of Downtown Planning and Development for Downtown Kalamazoo Incorporated, announced the Kalamazoo Mall paving project was complete, and the Mall would be open to vehicular traffic later that day.

Max Conrad, City resident, requested a meeting with Commissioner Anderson to talk about the housing vouchers administered by the Kalamazoo County Public Housing Commission.

Angela Suarez, City resident, requested a meeting with Commissioner Anderson to talk about the housing vouchers administered by the Kalamazoo County Public Housing Commission.

David Artley, City resident, thanked the Public Safety Department for assisting with a community event at Tony's Praise Place on . Mr. Artley distributed a document entitled *Kalamazoo County Public Housing Commission Aggregate Demographics of Round One 2007 Vouchers Under the Local Housing Assistance Fund*.

Commissioner Miller left the meeting at 8:20 a.m.

LoriAnne Tennison, City resident, expressed support for the gun buy-back event in the Edison Neighborhood and encouraged the City Commission to support this event.

Adjournment

Ian Valenzuela, City resident, encouraged the City Commission to support the Edison Neighborhood gun buy-back event and stated the Commission should make every effort to remove guns from the streets.

The meeting was adjourned at 8:22 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on October 29, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Vice Mayor  
Dated: October 29, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, September 17, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: David Juarez

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and Deputy City Clerk Virginia Vander Roest.

Commissioner Miller, seconded by Commissioner Anderson moved to excuse the absence of Commissioner Juarez. With a voice vote, the motion passed.

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood Communications

Representatives of the following neighborhood organizations were present:

- Eastside Neighborhood Association  
**Frank Barrett**, President  
**Mike Seals**, Treasurer  
**Pat Taylor**, Executive Director
- Western Student Association  
**Chris Praedel**, President  
**Josh Emerick**, Political Affairs Chair

Eastside Neighborhood Association

The Eastside Neighborhood Association representatives:

- explained work was being completed to revise the Association's strategic plan, goals and objectives, by-laws and various policies.
- shared information regarding an asset evaluation that was completed with the assistance of a Kalamazoo College anthropology class.
- reported the neighborhood garden produced 400 pounds of produce.
- gave an update on the Youth Center project.
- reported the successes of summer youth programming, including assistance from the Arts Council of Greater Kalamazoo.

Western Student Association

The Western Student Association representatives:

- expressed appreciation for Metro Transit transportation for students.
- expressed the need for a Public Safety presence in the Vine neighborhood.
- shared their goals to engage the WMU campus in politics, especially at the local level.
- expressed appreciation for President Dunn and shared a story regarding President Dunn's assistance to a fellow student.

In response to a question from Commissioner McCann, Mr. Praedel stated students were becoming more acclimated to the downtown area.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

Mayor McKinney, on behalf of Commissioner Juarez, shared a video of Public Safety officers at a neighborhood block party.

Adjournment

The meeting adjourned at 6:26 p.m.

Respectfully submitted,

Virginia M. Vander Roest  
Deputy City Clerk

For City Commission approval on October 29, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Vice Mayor  
Dated: October 29, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, September 17, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: David Juarez

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and Deputy City Clerk Virginia Vander Roest.

Commissioner  
Excused

Commissioner Anderson, seconded by Commissioner Cooney moved to excuse the absence of Commissioner Juarez. With a voice vote, the motion passed.

## Invocation

The invocation, given by Reverend Denise L. Posie, Immanuel Christian Reformed Church, was followed by the Pledge of Allegiance.

## Proclamation

77599

Commissioner McCann, on behalf of Mayor McKinney, proclaimed September 15 - October 15, 2007 "Hispanic Heritage Month." Ms. Diana Hernandez, President of the Hispanic American Council Board, was present to receive the proclamation.

Adoption of the  
Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

## Communications

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

Public Hearing re:  
IFT Certificate for  
Evergreen  
Packaging

77600

At 7:08 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to receive citizen comments regarding a recommendation to adopt a RESOLUTION to approve the application from Evergreen Packaging, Inc. for the transfer of existing PA 198 Industrial Facilities Tax Exemption Certificate 2004-307.

At 7:09 p.m. Mayor McKinney closed the public hearing.

Resolution 07-65  
Approving a Tax  
Abatement  
Certificate Transfer  
for Evergreen  
Packaging

77600

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** to approve the application from Evergreen Packaging, Inc. for the transfer of existing PA 198 Industrial Facilities Tax Exemption Certificate 2004-307.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Public Hearing re:  
an EIF Loan and  
Project Plan for  
Kalexsyn, Inc.

**77601**

At 7:10 p.m. Mayor McKinney opened a public hearing to consider a recommendation to adopt a RESOLUTION approving the Project Plan, as initiated by Kalexsyn, Inc., and authorize the transfer of Economic Initiative Funds for use as proposed in the Project Plan, under terms and conditions as negotiated with Kalexsyn, Inc.

Bob Miller, non resident and Vice President for Community Outreach at Western Michigan University, spoke in favor of the resolution

Bob Gadwood, non-resident and President of Kalexsyn, Inc., spoke in favor of the resolution.

At 7:11 p.m. Mayor McKinney closed the public hearing.

Resolution 07-66  
Approving a  
Project Plan and  
EIF Loan for  
Kalexsyn, Inc.

**77601**

Vice Mayor Hopewell, seconded by Commissioner McCann, moved to adopt a **RESOLUTION** approving the Project Plan, as initiated by Kalexsyn, Inc., and authorize the transfer of Economic Initiative Funds for use as proposed in the Project Plan, under terms and conditions as negotiated with Kalexsyn, Inc.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

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

Max Conrad, City resident, spoke about homelessness.

Ian Valenzuela, City resident, spoke about homelessness.

Willie James, Jr., City resident, spoke regarding programs for teenagers.

Fred Giddings, non-resident, spoke about rental property concerns.

Mary Giddings, non-resident, spoke about rental property concerns.

Angie Suarez, City resident, spoke about homelessness.

Jonathan Braun, City resident, spoke about homelessness.

Mary Watson, City resident, spoke regarding medical treatment for her son Aquarius Walker at the Kalamazoo County jail.

Michael Fuller, City resident, spoke about homelessness.

LoriAnne Tennison, City resident, spoke about homelessness.

Harold Mitchell, City of resident, spoke about homelessness.

Jerry Williams, City resident, spoke about his concerns after reviewing the gang assessment survey.

Ramon Flores, City resident, spoke about homelessness.

April Potgeisser, non-City resident, expressed concerns about the Care-a-Van service.

Lilly Wolfe, City resident, expressed concerns with the Care-a-Van service.

Brad Cosgrove, City resident, expressed concerns with the Care-a-Van service.

Ron Smeltzer, non-City resident, expressed concerns with the Care-a-Van service.

Michael Seals, non-resident, expressed concerns about the Care-a-Van service.

Phyllis Marsh, City resident, spoke regarding discrimination.

Andy Meulman, City resident, expressed concerns with the Care-a-Van service.

At 8:20 p.m. the City Commission recessed.

At 8:27 p.m. the meeting was called back to order.

#### 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:

**77602**

- a recommendation to approve a two-year contract extension for talc with Luzenac Americas, Incorporated, in the amount of \$450,000.

**77603**

- a recommendation to approve an agreement with Intergraph Public Safety, Inc., in the amount of \$146,500, for a necessary upgrade of the Intergraph Software which includes Computer Aided Dispatching, Records Management System, and Mobile Data Computing Systems.

**77604**

- a recommendation to approve a two-year contract extension for rental uniforms with Cintas Corporation in the amount of \$123,704.

**77605**

- a recommendation to authorize the City Manager to sign, on behalf of the City of Kalamazoo, an addendum to the current parking services agreement between the City and AMPCO System Parking, locally known as Central City Parking.

**77606**

- a recommendation to approve an Amendment to the Baseball Use, Concession Services, and Building Lease Agreement with Team Kalamazoo, L.L.C. (Kalamazoo Kings).

**77607**

- a recommendation to accept a JAG award of \$91,970 from the U.S. Justice Department and authorize the City Manager to sign the Grant award and special conditions document.

**77608**

- a recommendation to approve the recommended 2007 rates to construct water and sanitary sewer mains and service connections.

**77609**

- a recommendation to approve the following appointment and reappointment to the Local Officers' Compensation Commission
  - the re-appointment of **Edgar Gordon** for a term expiring on March 31, 2013.
  - the appointment of **Creed Stegall** for a term expiring March 31, 2014.

Consent Agenda  
(cont'd)

- a recommendation to approve minutes from the following City Commission meetings: the Committee of the Whole Meeting of August 3, 2007; and the Regular Meetings of July 16 and July 30, 2007.

Commissioner Anderson, seconded by Vice Mayor Hopewell, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's  
Report  
**77610**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated August 2007
- Kalamazoo Communities in Schools Annual Report Card 2006-2007
- Equal Employment/Affirmative Action Report for the 2<sup>nd</sup> Quarter of 2007
- Interim Financial Report for the period ending June 30, 2007
- Retirement System Investment Committee Report dated June 30, 2007
- Legislative Update dated September 2007
- PCR Report for the 2<sup>nd</sup> Quarter of 2007
- August 2007 Purchasing Report

Transportation Director Bill Schomisch, answered questions and concerns from various Commissioners regarding the contract with Pride Care, Inc. for the Care-A-Van service. City Commissioners requested that the City Manager and City Attorney provide information regarding the City's options if a breach of contract had occurred with the Care-A-Van contract. A memo entitled *Pride Care Update* was distributed to Commissioners and filed with the papers for this meeting.

FOIA Statement of  
Principals (**77611**)

Commissioner Anderson gave a brief presentation on the FOIA Subcommittee's Statement of Principles.

Contract with the  
MML for a City  
Attorney Search  
Process

**77612**

Vice Mayor Hopewell, supported by Commissioner Miller, moved to approve a contract with the Michigan Municipal League to conduct a search process for City Attorney candidates.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Brad Cosgrove, City resident, expressed concerns with the Care-a-Van service.

Ron Smeltzer, non-resident, expressed concerns with the Care-a-Van service.

Jerry Williams, City resident, spoke regarding youth and poverty.

Harold Mitchell, City resident, spoke about homelessness.

City Commissioner Comments

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

Commissioner McCann expressed sadness over the Bloodworth tragedy and voiced concerns over Charter Cable eliminating WTTW from its channel line up. Commissioner McCann inquired about the community policing plan and encouraged residents to attend the Irish Festival.

Commissioner Miller shared her experience with the Historic Homes Tour on September 15<sup>th</sup> and praised Historic Preservation Coordinator, Sharon Ferraro for her article on Sears homes in the Home Builders magazine.

Commissioner Cooney expressed concerns over youth violence and poverty and commended the drivers of Care-A-Van for putting riders' safety first.

Adjournment

The meeting adjourned at 9:33 p.m.

Respectfully submitted,

Virginia M. Vander Roest  
Deputy City Clerk

For City Commission approval on October 29, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Vice Mayor  
Dated: October 29, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, October 1, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

COMMISSIONERS PRESENT: Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney\*  
David Juarez  
Barbara Miller

COMMISSIONERS ABSENT: Mayor Hannah J. McKinney  
Sean McCann

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioners  
Excused

Commissioner Miller, seconded by Commissioner Juarez, moved to excuse the absences of Mayor McKinney and Commissioners Cooney and McCann. With a voice vote the motion passed.

\*Commissioner Cooney arrived at 7:01 p.m.

## Invocation

The invocation, given by Pastor Dan Sarkipato, Southern Heights Christian Reformed Church, was followed by the Pledge of Allegiance.

Proclamations  
**77613**

Commissioner Juarez, on behalf of Mayor McKinney, proclaimed October 7-13, 2007 "Fire Prevention Week." Fire Marshal Marty Myers was present to receive the proclamation.

**77614**

Commissioner Miller, on behalf of Mayor McKinney, proclaimed October 2007 "American Archives Month." Dr. Sharon Carlson, Director, Archives and Regional History at Western Michigan University, was present to receive the proclamation.

Adoption of the  
Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

## Communications

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

## Citizen Comments

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

Lia Gaggino, 121 Bulkley Street, spoke regarding the handling of issues in the Public Safety Department over the past year and expressed support for former Human Resources and Labor Relations Director Doreen Brinson.

**77615**

Harold Mitchell, City resident, spoke regarding Keystone Consumers and the mental health system in Kalamazoo. A letter to Mr. Mitchell from Kalamazoo Community Mental Health and Substance Abuse Services was filed with the papers for this meeting.

Citizen Comments  
(cont'd)

Karen Bradley, City resident, spoke regarding the Care-A-Van drivers' strike.

Angela Suarez, City resident, spoke regarding her candidacy for City Commission.

Jonathan Braun, City resident, spoke regarding his candidacy for City Commission.

Stacey Meegan, City resident, spoke on the issue of homelessness and expressed support for KHAN members who were running for City Commission.

LoriAnne Tennison, City resident, spoke regarding the issue of homelessness.

Monica Westover, City resident, spoke regarding missing police reports, Freedom of Information Act (FOIA) requests, and FOIA denials.

Keith Jones, City resident, invited Commissioners to attend an event at the Kalamazoo Valley Museum on October 14<sup>th</sup> celebrating the 50<sup>th</sup> anniversary of an international exhibit about Kalamazoo.

Brad Cosgrove, City resident and former Care-A-Van driver, spoke regarding the condition of Care-A-Van vehicles.

Ron Smeltzer, Non-resident and former Care-A-Van driver, spoke regarding the condition of Care-A-Van vehicles.

**77616**

Patricia Aldering, City resident and Area Representative for the organization Dogs Deserve Better, asked the City Commission to adopt an anti-tethering ordinance. Information submitted by Ms. Aldering was filed with the papers for this meeting.

Scott McCormick, Non-resident and former Care-A-Van driver, spoke regarding the condition of Care-A-Van vehicles.

Jerry Williams, City resident, spoke regarding youth in Kalamazoo and the construction of a water park in the Northside Neighborhood.

Ernie Cridelow, City resident and former Pride Care driver, spoke regarding the condition of Care-A-Van vehicles.

## 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:

**77617**

- a recommendation to a) approve an agreement with the Michigan Department of Transportation for the resurfacing of Crosstown Parkway from Westnedge Avenue to King Highway in which the City receives a \$248,878 Local Jobs Today Grant and \$1,153,902

Consent Agenda  
(cont'd)

- in Federal Surface Transportation Funds; b) approve sending MDOT a deposit in the amount of \$651,356 for the project; and, c) approve a purchase order with MDOT in the amount of \$105,564 to cover the remainder of the City's share of the project.
- 77618** - a recommendation to approve an agreement with the Michigan Department of Transportation for the upgrade of traffic signals at ten intersections along the South Burdick Street and Crosstown Parkway Corridors, including accepting a Federal Congestion Mitigation Air Quality grant in the amount of \$872,391; and, approving the purchase with MDOT in the amount of \$139,909 to cover the City's local share.
- 77619** - a recommendation to approve a three-year term contract with Office Depot, Inc. for the purchase of office supplies at a total cost not to exceed \$315,000.
- 77620** - a recommendation to approve a one-year contract extension for parking enforcement services with AMPCO System Parking, locally known as Central City Parking in the amount of \$300,046.
- 77621** - a recommendation to approve a contract with DED Recreation, LLC, for the sole source purchase of Solo Ramps skateboard equipment for the Upjohn Park Redevelopment Project, in the amount of \$232,505 and authorize the City Manager to sign all documents on behalf of the City of Kalamazoo.
- Resolution 07-67  
**77622** - a recommendation to adopt a **RESOLUTION** to set a public hearing on October 15, 2007 to consider an application from Miller, Canfield, Paddock and Stone, PLC for a PA 328 Industrial Facilities Tax exemption certificate for three years for personal property, currently estimated at \$534,354.
- Resolution 07-68  
**77623** - a recommendation to adopt a **RESOLUTION** to set a public hearing on October 15, 2007 to consider an application from Kalexsyn, Inc. for a PA 198 Industrial Facilities Tax exemption certificate for three years, with a three-year extension, for personal property valued at \$814,482.
- Resolution 07-69  
**77624** - a recommendation to adopt a **RESOLUTION** to set a public hearing on October 15, 2007 to consider an application from Kalexsyn, Inc. for a PA 198 Industrial Facilities Tax exemption certificate for six years, with a six-year extension, for real property valued at \$3,200,000.
- Resolution 07-70  
**77625** - a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** which is a request from ARIS Incorporated to transfer ownership of a 2006 Class C license with official permit (food), located in escrow at 400 E. Michigan, Galesburg, Michigan 49053, Charleston Township, Kalamazoo County to 4625 W. Michigan Ave, Kalamazoo MI.

Resolution 07-71

**77626**

- a recommendation to adopt a **RESOLUTION** authorizing the issuance of Tax Anticipation Notes in the amount, of \$6,000,000 for fiscal year 2008.

**77627**

- a recommendation to approve the acceptance of funds in the amount of \$193,409.44 from the Michigan Department of Transportation due to reimbursements on two recent projects in the City of Kalamazoo; and approve the transfer of \$193,400.00 from the Major Streets Working Capital to Major Streets CIP to cover the cost of three additional unfunded Major Streets projects in the 2007 budget.

**77628**

- a recommendation to approve a request from Bronson Healthcare Group to change the name of Henrietta Street to John Street.

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

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Juarez, Miller, Vice Mayor Hopewell

NAYS: None

City Clerk's Report

**77629**

City Clerk Borling reported the following items:

- the City Commission received a request from Mr. Robert Weir to adopt a Resolution to Support the United States Department of Peace Legislation.
- the receipt of minutes from the following advisory boards and commissions:
  - Community Development Act Advisory Committee
    - Thursday, July 12, 2007
    - Thursday, August 09, 2007
  - Dangerous Buildings Board
    - Thursday, August 02, 2007
  - Friends of Recreation Board
    - Tuesday, August 28, 2007
  - Investment Committee of the Retirement System
    - Wednesday, August 15, 2007
  - Kalamazoo Historic District Commission
    - Tuesday, July 17, 2007
    - Tuesday, August 21, 2007
  - Kalamazoo Historic Preservation Commission
    - Tuesday, June 12, 2007

City Clerk's Report  
(cont'd)

**77629**

- Kalamazoo Transit Authority Board
  - Friday, June 22, 2007
  - Friday, July 27, 2007
- Parks and Recreation Advisory Board
  - Wednesday, August 8, 2007
- Perpetual Care Investment Committee
  - Wednesday, August 15, 2007
- Planning Commission
  - Tuesday, July 10, 2007
  - Thursday, August 2, 2007
- Zoning Board of Appeals
  - Thursday, August 9, 2007
- the approval of the following special events in the month of September:
  - request from The River to use Milham Park on Sunday, September 9, 2007 beginning at 9:00 a.m. to 1:00 p.m. for a church service, activities for the kids, and a picnic.
  - a request from Mr. David Marks to use Rose Park Veteran's Memorial on East Michigan Avenue on Tuesday, September 11, 2007 beginning at 6:30 p.m. for a prayer service.
  - a request from the Southside Ministerial Partnership and the Black Police Officers Association (BPOA) to close Mills Street between Lake and Washington on Saturday, September 22, 2007 to hold an event addressing youth violence, neighborhood safety and quality of life on Saturday, September 22, 2007 from 12:00 p.m. to 8:00 p.m.
  - a request from 3<sup>rd</sup> Coast Metro Trek to use Mayors' Riverfront Park on Friday, September 28, 2007 beginning at 5:00 p.m. through Saturday, September 29, 2007 at 10:00 p.m. as the start and finish point for the 3<sup>rd</sup> Coast Metro Trek.
  - a request from the Arthritis Foundation Michigan Chapter to use city streets on Saturday, November 10, 2007 beginning at 9:00 a.m. for a Jingle Bell Run/Walk for Arthritis 5/K charity race.

Commissioners Cooney and Juarez requested that the *Resolution to Support the United States Department of Peace Legislation* be added to the October 15<sup>th</sup> City Commission Agenda.

City Manager's Report

**77630**

City Manager Collard provided the following reports and updates:

- *Kalamazoo Communities in Schools 2006-2007 Comprehensive Report*
- A memo entitled *Update – Public Safety Regional Training Campus*

City Manager Collard stated he continued to work on the Care-A-Van report and indicated a rider survey had just been sent out.

Presentation re: the FY2006 Comprehensive Annual Financial Report (CAFR).

**77631**

Citizen Comments

Management Services Director Thomas Skrobola and Mr. Nate Baldermann, from Rehman Robson, presented the FY2006 Comprehensive Annual Financial Report (CAFR). Mr. Balderman reviewed various sections of the CAFR and stated the City received a clean or unqualified opinion regarding its financial reporting.

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Brad Cosgrove, City resident and former Care-A-Van driver, spoke regarding the need for a full time mechanic for Care-A-Van vehicles.

**77632**

Robert Weir, City resident, spoke regarding the establishment of a United States Department of Peace. Information presented by Mr. Weir was filed with the papers for this meeting.

Harold Mitchell, City resident, spoke regarding Keystone Consumers and the mental health system in Kalamazoo.

Ron Smeltzer, Non-resident and former Care-A-Van driver, spoke regarding the maintainability of Care-A-Van vehicles.

Jerry Williams, City resident, spoke regarding positive feedback in community for Public Safety Officer David Duvey.

**77633**

Dave Pawloski, City resident, submitted a *Resolution in Support for the Striking Drivers of Care-A-Van* from the Kalamazoo County Democratic Party.

City Commissioner Comments

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

Commissioner Miller noted Griffin Williams, a youth representative on the Parks and Recreation Advisory Board, was featured in the "Faces in the Crowd" section of the September 24<sup>th</sup> issue of Sports Illustrated. Commissioner Miller thanked City Manager Collard for allowing employees to volunteer with Communities in Schools during work hours. Commissioner Miller noted voters would need to bring photo ID to polls in November.

Commissioner Anderson highlighted important actions that had been taken that night that did not receive much attention, such as the cooperative purchasing of office supplies; providing for street

City Commissioner  
Comments (cont'd)

maintenance; a good audit report; park improvements; and job creation through incentives under the new tax abatement policies.

Commissioner Cooney spoke regarding the Communities in Schools report; the Kalamazoo Valley Museum program on October 14th; and the Muslim Humanitarian Day event on Saturday, September 29<sup>th</sup>. Commissioner Cooney indicated he and Vice Mayor Hopewell would be giving report on their recent trip to Harlem and stated the trip had stretched his imagination regarding what the community could do for young people.

Vice Mayor Hopewell spoke regarding Commissioner Anderson's comments and the good work the City performed every day. Vice Mayor Hopewell encouraged City staff to direct citizens to the entities that were able to provide appropriate services and meet their needs. Vice Mayor Hopewell noted Hispanic American Festival was a success and the Kalamazoo Mall was open to vehicular traffic. Vice Mayor Hopewell offered remarks on his trip to Harlem and stated there were many possibilities for the community.

Adjournment

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on October 29, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Vice Mayor  
Dated: October 29, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, October 12, 2007 at 7:32 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney\*  
Barbara Miller

COMMISSIONERS ABSENT: David Juarez  
Sean McCann

Also present were City Manager Ken Collard, Assistant City Attorney Michael Miller, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Miller, seconded by Commissioner Cooney, moved to excuse the absences of Commissioners Anderson, Juarez, and Vice Mayor Hopewell. With a voice vote, the motion passed.

Review of the October 15<sup>th</sup> Agendas

The City Commission reviewed and discussed the agenda for its Special Meeting on Monday, October 15, 2007.

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, October 15, 2007.

\*Commissioner Anderson arrived at 7:35 a.m.

Item G-1

Regarding Item G-1, construction contract for the West Gateway Project, City Manager Collard requested that this item be moved to the Regular Agenda. Public Services Director Bruce Merchant displayed and reviewed the site plan for the project.

\*\*Vice Mayor Hopewell arrived at 7:36 a.m.

Items G-6 and G-7

Regarding Items G-6 (Education for Employment Agreement with the Kalamazoo Regional Education Service Agency) and G-7 (acceptance of a Dalton Foundation Grant), Vice Mayor Hopewell suggested these items be moved to the Regular Agenda to highlight the opportunities being created for young people.

77634

Item H-1

Regarding Item H-1, contract for Upjohn Park improvements, Parks and Recreation Director Frances Jewell distributed and discussed a site plan that illustrated the scheduled improvements.

Item I-1

Regarding Item I-1, City Manager's Report, City Manager Collard stated he was completing a report on the Care-A-Van contract with Pride Care, Inc. and would present this report on Monday.

Item I-2

Regarding Item I-2, Freedom of Information Act (FOIA) Report, Commissioner Anderson stated the report would include the following elements: an opening statement from himself on behalf of the FOIA Subcommittee; a report by attorney Audrey Forbush on her investigation and findings; and remarks by City Manager Collard on process and procedure issues the FOIA investigation had brought to light. At the request of Commissioner Miller, the Committee of the Whole moved this report to a place on the agenda immediately following Communications.

Item K-1

Regarding Item K-1, a resolution supporting the creation of a U.S. Department of Peace, Commissioner Miller questioned whether this item could be moved to the Consent Agenda. Discussion followed. By consensus, the City Commission moved this item to the Consent Agenda.

Discussion of  
Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Vice Mayor Hopewell suggested that requests for resolutions of support be referred to appropriate City advisory boards and commissions for review and recommendation. Vice Mayor Hopewell also suggested the City Commission be more strategic about the placement of items on the Consent Agenda and Regular Agenda so that Commissioners and the City Administration would have opportunity to highlight the work and accomplishments of the City. Regarding the Public Safety Work Plan, Vice Mayor Hopewell stated he was especially interested in the status of training for officers on non-biased policing.

Commissioner McCann requested an update on the Public Safety Work Plan.

Vice Mayor Hopewell requested statistics on the number of Public Safety Explorers who eventually became Public Safety Officers.

Citizen Comments

Finally, an opportunity was given for citizen comments but no comments were offered.

Robert Weir, City resident, thanked the City Commission for considering the Department of Peace resolution and clarified the placement of this item on the October 15<sup>th</sup> meeting agenda.

Adjournment

The meeting adjourned at 8:36 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on November 12, 2007

Approved by: \_\_\_\_\_

Hannah J. McKinney, Mayor

Dated: November 12, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, October 15, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell\*  
David Anderson  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Don Cooney  
David Juarez

Also present were City Manager Ken Collard, Assistant City Attorney John Kneas, and City Clerk Scott Borling.

Commissioner Miller, seconded by Commissioner McCann moved to excuse the absences of Vice Mayor Hopewell and Commissioners Cooney and Juarez. With a voice vote, the motion passed.

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood Communications

Neighborhood communications were received next.

Representatives of the following neighborhood organizations were present:

- Northside Association for Community Development  
**Mildred Smith**, President  
**Mattie Jordan-Woods**, Executive Director
- Oakwood Neighborhood Association  
**Gary Wager**, President  
**Cheryl Lord**, Executive Director
- Stuart Area Restoration Association  
**Jay Bonsignore**, Board Member  
**Matthew Baldwin-Wilson**, Executive Director

Northside Association for Community Development

The Northside Association for Community Development (NACD) representatives:

- reported on the Urban Farmers Project and stated over 300 pounds of vegetables had been grown.
- reported the Association had received \$38,000 to create a rooftop garden.
- thanked Parks and Recreation Director Frances Jewell and Parks Manager Mark Polega for their work on the new Waterpark on Florence Street. Ms. Jordan-Woods stated NACD had received \$150,000 towards this project and still needed \$20,000.

- indicated the Recycling for Warmth program had replaced 393 windows, 11 furnaces, 60 water heater blankets and glass block windows in basements.
- strongly encouraged the Public Safety Department to return to the original Community Policing model.
- indicated the Association would like to have conversations about building a skating rink or bowling alley on the portion of Butler Court that was vacated in 2006.
- reported that a new 4-week cooking class called Eating Right for Life would begin on October 22<sup>nd</sup> and noted that this class would involve entire families.

In response to a question from Commissioner Miller, Ms. Jordan-Woods stated the skating rink would be a roller skating rink.

Commissioner McCann thanked Ms. Jordan-Woods for sharing her concerns about the Community Police Officer (CPO) program. Commission McCann stated he was concerned that the CPO model had changed and was not having the same effect.

Oakwood  
Neighborhood  
Association  
**77635**

The Oakwood Neighborhood Association representatives:

- discussed the CPO program and noted Oakwood had lost its CPO a couple of years ago.
- expressed concern about children almost being hit by cars turning right at the Oakland Drive/Parkview Avenue intersection.
- \* Vice Mayor Hopewell arrived at 6:22 p.m.
- expressed concern about changes to Metro Transit Route 4 that eliminated coverage for a large portion of Oakland Drive and made trips to the Portage commercial corridor much longer.
- reported the Association had received a grant to fund an after school program for three days per week.
- stated the old Building Blocks sites were being reorganized and reported a Kalamazoo College professor was wanting to do weatherization in these areas.
- noted the Oakwood Neighborhood would celebrate its centennial in 2008 and indicated the Association would partner with area businesses for the annual neighborhood reunion on June 27-29.

In response to a question from Commissioner Cooney, Ms. Lord stated the after school program could handle 12-14 young people.

Stuart Area  
Restoration  
Association  
  
**77636**

The Stuart Area Restoration Association (SARA) representatives:

- distributed copies of the October 2007 edition of the Historic Stuart Neighborhood Newsletter.
- introduced Mr. Baldwin-Wilson as the Association’s new Executive Director.
- reported on the Association’s participation with the Summer Youth Employment Program, the Fall Historic Homes Tour, and the Building Blocks Program.
- stated a proposed zoning overlay ordinance developed by the Association’s Board of Directors had been abandoned because it was very unpopular with residents.
- indicated the problems in the neighborhood continued to be panhandling, suspicious cruisers, and group homes.
- reported that neighborhood representatives attended the A+ Communities Workshop and noted it was critical for the neighborhood to market itself.
- stated there was a renewed emphasis on the Neighborhood Watch program and distributed an example of a tool designed to help neighbors become acquainted with each other.

In response to Commissioner McCann, Mr. Baldwin-Wilson stated he was a 23-year resident of the Stuart Neighborhood and was re-tooling his career to go into the computer field.

In response to a question from Commissioner McCann, Mr. Bonsignore stated the balance in the SARA endowment fund was approximately \$4,000, and a total of \$5,000 was needed to maintain the endowment.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

The meeting adjourned at 6:41 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on November 12, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: November 12, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, October 15, at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: None

Also present were City Manager Ken Collard, Assistant City Attorney John Kneas, and City Clerk Scott Borling.

Invocation

The invocation, given by Pastor Manuel Moguel, Agape Christian Church, was followed by the Pledge of Allegiance.

Proclamations  
**77637**

Mayor McKinney proclaimed October 2007 "Kalamazoo Farmers Market 60<sup>th</sup> Year Celebration." Ms. Pat Roush, Market Master for the Farmers Market, was present to receive the proclamation.

Adoption of the  
Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

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

FOIA  
Subcommittee  
Report  
**77638**

Commissioner David Anderson provided a report and update from the Freedom of Information Act (FOIA) Subcommittee. Commissioner Anderson stated Attorney Audrey Forbush would discuss the City Commission's response to a FOIA appeal from the Kalamazoo Gazette as well as her findings about the City's existing FOIA policies and procedures. Commissioner Anderson stated City Manager Collard would also offer remarks on some administrative issues that became apparent during the investigation.

Attorney Audrey Forbush reported her preliminary review of the FOIA appeal from the Kalamazoo Gazette uncovered further documents for release on July 31<sup>st</sup> with her full and final response to the Gazette coming on August 8<sup>th</sup>. Ms. Forbush explained there were no bright lines when discussing FOIA and that the process for determining whether information was exempt from disclosure was very subjective. Ms. Forbush reported the City's FOIA policies had been in existence for a long time, and she recommended that the City develop one uniform, updated policy for the whole City. Ms. Forbush also stated the Public Safety Department's Mobile Video Recorder (MVR) policy was in line with many of the good policies in state, but this policy needed to be followed-up with regular audits. Ms. Forbush stated that for both the FOIA and MVR policies, enforcement and training was critical, and she suggested that specific employees in each department be trained on handling FOIA requests to ensure that the City Attorney would be confident he or she was receiving

FOIA  
Subcommittee  
Report (cont'd)

**77638**

all of the potentially responsive records and information for a particular request. Ms. Forbush concluded her remarks by emphasizing the importance of auditing for compliance with the FOIA policy.

City Manager Collard stated that the FOIA investigation raised concerns about use of MVR tapes, the receipt and processing Citizen Public Safety Complaints, and the handling of evidence. City Manager Collard indicated that Chief Weston was committed to making changes in these areas and stated Chief Weston was required to report on these issues in 30 and 60 days. City Manager Collard stated behavior outside of professional practices would not be tolerated.

Commissioner Anderson stated the FOIA Subcommittee had operated with an expectation of transparency, trustworthiness and openness, and he thanked City staff for their cooperation.

Commissioner Cooney summarized the report as follows: the point of FOIA was that citizens needed to be informed; the City's FOIA policies needed to be updated; the updated policies needed to be in accordance with best practices; and the City needed to monitor adherence to the policy.

Commissioner McCann asked the following questions: Was there any evidence that there was malfeasance or cover-up? Was Gazette FOIA handled properly the first time? Why were more document released with FOIA appeal than with the original request?

In response to Commissioner McCann's questions, Ms. Forbush stated the difference between the disclosure in response to the original FOIA request and the disclosure in response to the appeal was a matter of interpretation of the exemption provisions of FOIA, specifically the privacy exemption. Ms. Forbush stated there was no clear division between the definitions of "public" and "private" as they related to FOIA.

In response to a question from Commissioner McCann, City Manager Collard stated there was evidence that existed but was unknown and should have been released. City Manager Collard expressed a commitment to publicly share Chief Weston's reports and updates on these matters.

Commissioner Miller stated implementation of training would be a critical and note that four attorneys looking at the same FOIA request would give four different opinions.

In response to a question from Commissioner Juarez, Ms. Forbush stated bad judgment, lack of diligence and mistakes could be misconstrued as a "cover-up."

In response to a question from Commissioner Juarez, City Manager Collard indicated there had to be a degree of trust between the City Manager, Public Safety Chief and the public regarding the reports that would be forthcoming.

FOIA  
Subcommittee  
Report (cont'd)

**77638**

Vice Mayor Hopewell thanked the FOIA Subcommittee and stated the City needed good procedures to implement the new policies.

Commissioner McCann stated he had thought the FOIA controversy signaled a huge lapse in performance and the existence of a large problem, but it seemed there was no serious lapse at all. Commissioner McCann questioned whether there was a major problem at City Hall.

Ms. Forbush stated certain documents were not produced for the Gazette's FOIA request, but it was impossible to determine the motive behind the decisions to withhold those documents. Ms. Forbush suggested it was questionable whether some of the later-released documents were even available for the City Attorney to review at the time of the original request.

In response to a question from Mayor McKinney, Ms. Forbush stated the next steps would be to develop a policy and procedures, and she stated Acting City Attorney Schau was willing to work with the FOIA Subcommittee to develop the policies.

Public Hearing re:  
a Tax Abatement  
for Miller, Canfield,  
Paddock and  
Stone

**77639**

At 7:55 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to approve the application from Miller, Canfield, Paddock and Stone, PLC for a PA 328 Industrial Facilities Tax exemption certificate for three years for personal property, currently estimated at \$534,354 in existing Brownfield Redevelopment Zone Site 36, also known as 277 South Rose Street.

Don Schmidt, representing Miller Canfield Paddock and Stone, PLC, spoke in favor of the resolution.

Yolanda Neals, City resident, expressed concern about giving tax abatements to companies who were able to pay their taxes.

Monica Westover, City resident, expressed opposition to the resolution.

At 8:03 p.m. Mayor McKinney closed the public hearing.

Resolution 07-72  
Approving a Tax  
Abatement for  
Miller, Canfield,  
Paddock and  
Stone

**77639**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** to approve the application from Miller, Canfield, Paddock and Stone, PLC for a PA 328 Industrial Facilities Tax exemption certificate for three years for personal property, currently estimated at \$534,354 in existing Brownfield Redevelopment Zone Site 36, also known as 277 South Rose Street.

Prior to a vote on the motion, Commissioner McCann expressed support for the resolution.

At the request of Commissioner Juarez, Executive Director of the Economic Development Corporation Jerome Kisscorni discussed the proposed abatement.

Commissioner Cooney noted the amount of abated taxes would be \$13,578, not \$500,000.

Vice Mayor Hopewell noted the jobs retained and new jobs created would have a substantial economic impact on the downtown area.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Public Hearing re:  
a Tax Abatement  
for Kalexsyn, Inc.  
(personal property)

**77640**

At 8:09 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to approve an application from Kalexsyn, Inc. for a PA 198 Industrial Facilities Tax (IFT) exemption certificate for three years, with a three-year extension, for personal property valued at \$814,482 for Kalexsyn, Inc. in the BTR Park and in Industrial Development District No. 123.

Bob Gadwood, President and co-founder of Kalexsyn, spoke in favor of the resolution.

At 8:12 p.m. Mayor McKinney closed the public hearing.

Resolution 07-73  
Approving a Tax  
Abatement for  
Kalexsyn, Inc. for  
Personal Property

**77640**

Commissioner Juarez, seconded by Vice Mayor Hopewell, moved to adopt a **RESOLUTION** to approve an application from Kalexsyn, Inc. for a PA 198 Industrial Facilities Tax (IFT) exemption certificate for three years, with a three-year extension, for personal property valued at \$814,482 for Kalexsyn, Inc. in the BTR Park and in Industrial Development District No. 123.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Public Hearing re:  
a Tax Abatement  
for Kalexsyn, Inc.  
(real property)

**77641**

At 8:13 p.m. Mayor McKinney opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to approve an application from Kalexsyn, Inc. for a PA 198 Industrial Facilities Tax (IFT) exemption certificate for six years, with a six-year extension, for real property valued at \$3,200,000 in the BTR Park and in Industrial Development District No. 123.

Yolanda Neals, City resident, expressed opposition to tax abatements for companies that were already established

At 8:15 p.m. Mayor McKinney closed the public hearing.

Resolution 07-74  
Approving a Tax  
Abatement for  
Kalexsyn, Inc. for  
Real Property

**77641**

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** to approve an application from Kalexsyn, Inc. for a PA 198 Industrial Facilities Tax (IFT) exemption certificate for six years, with a six-year extension, for real property valued at \$3,200,000 in the BTR Park and in Industrial Development District No. 123.

Prior to a vote on the motion, Mayor McKinney commended Kalexsyn for its growth.

With a roll call vote this motion passed unanimously.

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

NAYS: None

At 8:17 p.m. Mayor McKinney recessed the meeting.

At 8:27 p.m. Mayor McKinney called the meeting back to order.

Citizen Comments

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

**77642**

Willie Swindle, City resident, distributed and discussed a brochure about the New Beginning Tabernacle of Faith. Mr. Swindle requested a new street light on Vernon Court behind 1926 Portage Street.

Bill Farmer, non-resident, spoke regarding former Human Resources and Labor Relations Director Doreen Brinson.

Bill Webster, non-resident, spoke regarding former Human Resources and Labor Relations Director Doreen Brinson.

Monica Westover, City resident, spoke about the City Commission minutes and requested a copy of a police report that was used against her in court.

Anthony Rinehart, City resident, invited City Commission candidates to attend a candidate forum in Bronson Park on Tuesday, October 16<sup>th</sup>. A written invitation was filed with the papers for this meeting.

Angie Suarez, City resident, spoke about the process for filing nominating petitions at the City Clerk's Office and announced she would be a write-in candidate for City Commissioner.

Jonathan Braun, City resident, spoke regarding the process for filing nominating petitions at the City Clerk's Office and announced he would be a write-in candidate for City Commissioner.

Stacey Meegan, City resident, spoke regarding the process for filing nominating petitions at the City Clerk's Office.

Norine Wafford, City resident, thanked various people for their work in the community and urged citizens to take care of their neighborhoods.

Jerry Williams, City resident, commended Public Safety Officer (PSO) Derrick Thomas and questioned whether citizens could trust Public Safety Chief Dan Weston.

Mary Watson, City resident, discussed the FOIA report and FOIA requests she had made.

Michael Fuller, City resident, spoke about discrimination at the Felpausch grocery store.

LoriAnne Tennison, City resident, spoke regarding homelessness in Kalamazoo.

Citizen Comments  
(cont'd)

Ian Valenzuela, City resident, spoke regarding the condition of City government in Kalamazoo.

Yolanda Neals, City resident, spoke regarding the death of Tyree Sykes and the integrity of Commissioner McCann. Ms. Neals requested that pending FOIA requests from herself, Mary Watson, and Catrina West be honored.

Brad Cosgrove, City resident, spoke about the Care-A-Van program.

Ron Smeltzer, non-resident, spoke about the Care-A-Van program.

Lily Wolfe, City resident, spoke about the Care-A-Van program.

## 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:

**77643**

- a recommendation to approve a contract with Morton Salt Company for the purchase of 8,000 tons of rock salt for a total expenditure of \$316,040.

**77644**

- a recommendation to approve a one-year contract extension for the purchase of sodium hypochlorite from Alexander Chemical Corporation in the amount of \$169,633.75.

## Resolution 07-75

**77645**

- a recommendation to adopt a **RESOLUTION** designating the polling facility locations for the election to be held November 6, 2007 for the purposes of voting for City Commission Candidates, KRESA & Portage Public Schools (portions of Precinct 17, 25 & 26) Bond Issues.

## Resolution 07-76

**77646**

- a recommendation to adopt an **AMENDED RESOLUTION** revising ballot language authorizing a November 6, 2007, general election ballot question for voter approval of a special one-mil replacement levy to finance Metro Transit operations for 2008, specifically, the corrected ballot language replaces the verbiage "of one dollar (\$1.00) ..." with "not to exceed one dollar (\$1.00)" and inserts the word "approximately" before \$1,696,202.

**77647**

- a recommendation to accept funding from Oakwood Neighborhood Association for \$3,105.00 to fund after school enrichment activities 3 days per week for 31 weeks at Oakwood Neighborhood Association.

## Resolution 07-77

**77648**

- a recommendation to adopt a **RESOLUTION** to support the United States Department of Peace Legislation.

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

With a roll call vote this motion passed unanimously.

Construction  
Contract with  
Kalleward Group  
for Upjohn Park  
Improvements  
**77649**

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

NAYS: None

Parks and Recreation Director Frances Jewell described the Upjohn Park improvement project.

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to approve a contract with the lowest responsive bidder, Kalleward Group, Inc., in the amount of \$506,000.00 for improvements to Upjohn Park.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Contract with  
Hoffman Bros.  
Construction re:  
the Western  
Gateway Project  
**77650**

Public Services Director Bruce Merchant reviewed and described the Western Gateway Improvement Project.

Commissioner McCann, seconded by Commissioner Juarez, moved to approve a contract with Hoffman Brothers Construction for the Western Gateway Improvement project including aesthetic improvements to College Park and the traffic island located where W. Michigan Avenue, Oakland Drive and Lovell Street come together in the amount of \$562,529.14.

Mayor McKinney noted she had been part of the group that first discussed the Western Gateway Project, and she commended Kim Cummings and Bill Snyder for their hard work to bring this project to the construction stage.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Partnership with  
KRESA / EFE Law  
Enforcement  
Program  
**77651**

Deputy Public Safety Chief Mike McCaw described the Education for Employment program and the Public Safety Department's partnership with the Kalamazoo Regional Education Service Agency (KRESA).

Vice Mayor Hopewell, seconded by Commissioner Miller, moved to: 1) authorize Public Safety to continue a partnership with Kalamazoo Regional Education Service Agency for the Education for Employment (EFE) Law Enforcement Program for the 2007-08 school year and to authorize the City Manager to sign the Agreement to Operate the KRESA EFE Law Enforcement Program; and, 2) accept funding from KRESA for the EFE Law Enforcement Technical Assistant Position for the 2006-07 school year in the amount of \$2,800.

Vice Mayor Hopewell expressed hope that this program would result in future local recruits for the Public Safety Department.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Dalton Foundation  
Grant for the 2008  
Summer Youth  
Employment  
Program  
  
**77652**

Director Jewell distributed and reviewed the *Summer Youth Employment Program 2007 Annual Report*.

In response to a question from Vice Mayor Hopewell, Director Jewell stated there had been challenges to involving the business community with the Summer Youth Employment Program.

City Manager Collard thanked Director Jewell for filling the Summer Youth Employment Program with a variety of experiences for the participants.

Commissioner Miller, seconded by Commissioner Juarez, moved to accept a grant from the Dorothy U. Dalton Foundation in the amount of \$25,000 for the 2008 Summer Youth Employment Program and authorize the City Manager to sign all appropriate documents.

Prior to a vote on the motion, Commissioner Miller thanked Mayor McKinney for raising funds from private donors for this program.

Vice Mayor Hopewell stated it was important for citizens to hear about the good work the City was doing.

Mayor McKinney commented on the holistic nature of the Summer Youth Employment Program.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's  
Report  
  
**77653**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated September, 2007
- Interim Financial Report for period ending August 30, 2007
- September 2007 Purchasing Report
- Legislative Update, dated October 8, 2007
- A Report on the 2007 Summer Youth Employment Program

City Manager Collard stated the Administration's report on the Care-A-Van service contract was not complete because two elements were not yet available: customer survey results, and a vehicle maintenance report. City Manager Collard indicated a continuing concern was the average

City Manager's  
Report (cont'd)

**77653**

mileage on the Care-A-Van vehicles (165,000 miles). City Manager Collard noted the Federal Transportation Administration's audit findings had been remedied relative to drug and alcohol testing, and staff had reviewed training programs, employee background checks and staffing requirements. City Manager Collard reported it was recently discovered that Pride Care owed the City \$65,000 in delinquent property taxes. Regarding the declaration of a breach of contract, City Manager Collard indicated the City would first need to notify Pride Care of a material breach of the contract and allow sufficient time for correction of the deficiencies before actually declaring the contract to have been breached. City Manager Collard reported he would deliver a presentation on this topic to the Kalamazoo County Transportation Authority Board.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Monica Westover, City resident, spoke regarding the City Commission minutes, former Mayor Robert Jones, and statements in the Gazette about recent shootings.

Robert Weir, City resident, thanked the City Commission for supporting the Department of Peace legislation.

Yolanda Neals, City resident, spoke about opportunities for youth in the City and asked about the final disposition of the Citizens' Public Safety Review and Appeal Board Hearing for her son, Terrance Moore.

Jerry Williams, City resident, spoke regarding the recent deaths of two black individuals by vehicular homicide.

Brad Cosgrove, City resident, spoke regarding Care-A-Van program.

Ron Smeltzer, non-resident, spoke regarding the Care-A-Van program.

Creed Stegall, City resident, expressed appreciation for the City Commission and noted the Commission's accomplishments over the past two years.

City Commissioner  
Comments

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

Commissioner Miller noted Jim Roschek was leaving his position as the Golf Manager for the Kalamazoo Municipal Golf Association (KMGA), and she stated she had inquired about the historic relationship between the City and KMGA.

Commissioner Cooney expressed support for the expansion of the Community Policing and Summer Youth Employment Programs. Commissioner Cooney urged the City Commission to make a decision about the Care-A-Van contract at its next regular business meeting.

Vice Mayor Hopewell expressed support for the Community Policing Program and recommended that the City Manager report on the Public Safety Work Plan on a regular basis.

Closed Session to Discuss Labor Negotiations

**77654**

Commissioner Anderson, seconded by Commissioner Juarez, moved that the City Commission go into closed session to discuss labor negotiations. With a roll call vote this motion passed unanimously.

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

NAYS: None

The City Commission went into closed session at 10:34 p.m.  
The City Commission came out of closed session at 10:44 p.m.

KPSA Contract Approved

**77655**

Vice Mayor Hopewell, seconded by Commissioner Juarez, moved to approve a labor contract with the Kalamazoo Police Sergeants' Association (KPSA) for the period 2006-2009.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Adjournment

The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on November 12, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: November 12, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, October 29, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
David Juarez  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: Mayor Hannah J. McKinney

Also present were City Manager Ken Collard, Deputy City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Anderson, seconded by Commissioner Juarez, moved to excuse the absence of Mayor McKinney. With a voice vote the motion passed.

Invocation

The invocation, given by Reverend Matt Laney, First Congregational United Church of Christ, was followed by the Pledge of Allegiance.

Neighborhoods Coalition  
"Employee of the Year" Award

Vice Mayor Hopewell introduced Gary Wager, President of the Kalamazoo Neighborhoods Coalition, who presented the Kalamazoo Neighborhoods Coalition "City Employee of the Year Award" to Public Services Director Bruce Merchant.

Adoption of the Agenda

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

Commissioner Anderson requested that a resolution related to the Local Officers Compensation Commission be added to the agenda under Policy Items.

In response to a question from Commissioner Cooney, Vice Mayor Hopewell stated citizens who wished to comment on the City Manager's Care-A-Van report would be able to do so during the second opportunity for Citizen Comments.

Communications

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

Citizen Comments

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

Monica Westover, City resident, spoke regarding the retirement of Public Safety Chief Dan Weston and issues with the Oakwood Neighborhood Association.

Michael Fuller, City resident, invited City Commission candidates to attend a candidate forum in Bronson Park on October 30th.

Jerry Williams, City resident, spoke regarding the retirement of Chief Weston, a FOIA request he had submitted, and the

Citizen Comments  
(cont'd)

77656

77657

upcoming City Commission election.

LoriAnne Fuller, City resident, spoke regarding citizens' constitutional rights of due process and the code of conduct for lawyers.

Rob Barnard, City resident, thanked Chief Weston for his years of service to the City of Kalamazoo.

Karen Bradley, City resident, spoke regarding the Care-A-Van program.

Stacey Meegan, City resident, invited City Commission candidates to a candidate forum in Bronson Park on October 30<sup>th</sup>.

Jonathan Braun, City resident, thanked City Commission candidates for their hospitable reception of him at the most recent candidate forum. Mr. Braun also requested that the City waive the park fees for an event in Bronson Park during Homelessness Awareness Week.

Gwen Hillman, City resident, distributed copies of Terrance Moore's first semester report card from Clark University and discussed his success there.

Cathy Lang, City resident, distributed and discussed documents regarding an issue she had with the Public Safety Department in 2003.

Charles Heller, City resident, spoke regarding the lack of balance in recent media reports about the Public Safety Department and his own positive experiences with Public Safety.

Angela Suarez, City resident, invited City Commission candidates to a candidate forum in Bronson Park on October 30<sup>th</sup>.

Ian Valenzuela, City resident, spoke regarding the retirement of Chief Weston and the need for former City employees to be accountable for their actions.

Jeffrey Rush, City resident, spoke regarding his endorsements for City Commissioners.

Michael Seals, Non-resident, expressed concern about the Care-A-Van situation and the Freedom of Information Act investigation. Mr. Seals also spoke about the dismissal of former Human Resources and Labor Relations Director Doreen Brinson. Mr. Seals thanked Commissioner Juarez for his service.

Brad Cosgrove, City resident, spoke regarding the Pride Care, Inc. and the Care-A-Van program.

Tim Tyler, City resident, spoke regarding the Pride Care, Inc. and the Care-A-Van program.

Ron Smeltzer, City resident, spoke regarding the Care-A-Van drivers' strike.

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:

Resolution 07-78

77658

- a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to transfer a Class C liquor license from Flight Café to Miki LLC located inside the Kalamazoo/Battle Creek International Airport.

Consent Agenda  
(cont'd)

**77659**

- a recommendation to accept the COPS Methamphetamine grant award of \$63,928 from the U.S. Justice Department and authorize the City Manager to sign the grant award documents.

**77660**

- a recommendation to approve the following appointments to advisory boards and commissions:
  - the appointment of **Michael D. Bracy** as the representative of the Fairmont Neighborhood Association of the Community Development Act Advisory Committee for a term expiring on March 31, 2010.
  - the appointment of **Wade Eugene Allen** as a member-at-large of the Community Development Act Advisory Committee for a term expiring on March 31, 2010.
  - the appointment of **Kris Kronlein** as a member-at-large of the Community Development Act Advisory Committee for a term expiring on March 31, 2010.

**77661**

- a recommendation to approve the minutes from the following City Commission meetings: the Committee of the Whole Meetings of August 17, September 14, and September 28, 2007; the Special Meetings of August 20 and September 17, 2007; and the Regular Meetings of August 6, August 20, September 17, and October 1, 2007.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk's Report

**77662**

City Clerk Borling reported the following items:

- the receipt of a Report of Determination from the Local Officers' Compensation Commission (LOCC).

Mr. Creed Stegall presented the Report of Determination on behalf of the LOCC.

City Clerk Borling noted the salary increases would take effect automatically on November 16<sup>th</sup>. City Clerk Borling explained the City Commission did not have the ability to change the salary levels, but it could respond by rejecting the LOCC's determination, which would cause the current salary levels to remain in effect.

Commissioner Cooney indicated he would not support a salary increase for an office for which he was a candidate.

City Manager's  
Report

**77663**

City Manager Collard stated he had forwarded several reports to the City Commission over the past several weeks, including a report on the Care-A-Van Service Contract, an update on the Public Safety Work Plan; the City Commission's scorecard, and Chief Weston's resignation announcement.

City Manager Collard reviewed the report on the Care-A-Van service contract. City Manager Collard explained he had only recently come to understand that the City Manager, and not the City Commission, possessed the authority to terminate contracts, and he indicated he would not pursue immediate termination of the Care-A-Van contract as there would be a significant service interruption during the time needed to develop, prepare and implement another service delivery option. City Manager Collard indicated his response would be to direct Pride care to upgrade its service under the existing contract while simultaneously directing City staff to develop a plan for implementing an alternative service option. City Manager Collard stated if Pride Care did not meet the City's criteria for service upgrades, the Care-A-Van contract would be terminated on March 1, 2008, as allowed in the contract. A copy of the written Care-A-Van report was included with the papers for this meeting.

Commissioner Anderson urged the City Administration to work closely with the County Transportation Authority as public transportation was in a transition period in Kalamazoo County.

In response to a question from Commissioner Juarez, City Manager Collard stated he was not knowledgeable about Pride Care's labor/management issues.

Commissioner Cooney reviewed several terms of the Care-A-Van contract that Pride Care had not met and stated there were cumulative cause and grounds for terminating contract immediately.

Discussion followed regarding the effects and result of an immediate termination of the Care-A-Van contract.

Commissioner McCann stated the City Manager's report was reasonable and expressed support for terminating the contract in 90 days. Commissioner McCann suggested the Care-A-Van service be provided directly by the County Transportation Authority and Metro Transit.

Commissioner Miller expressed support for City Manager Collard's decision regarding Pride Care and encouraged him to keep in close contact with the County Transportation Authority.

In response to comments from Commissioner Juarez, Vice Mayor Hopewell stated potential service providers would need more than 30 or 60 days to prepare and present good bids.

Discussion followed regarding Pride Care's responsibility to maintain the Care-A-Van vehicles and the City's vehicle replacement schedule.

In response to a question from Vice Mayor Hopewell, Bob Crandle from New York Commercial Vehicle Consultants explained the work he was

City Manager's Report (cont'd)

**77663**

performing for Pride Care and stated there was evidence that the Care-A-Van vehicles had not been properly maintained in the past. Mr. indicated he would have a final report to Pride Care in three weeks.

In response to a request from Vice Mayor Hopewell, Acting City Attorney Schau explained Section 43(c) of the City Charter placed the authority and responsibility for monitoring contract performance on the City Manager and not the City Commission.

Vice Mayor Hopewell recessed the meeting at 8:52 p.m.  
Vice Mayor Hopewell called the meeting back to order at 9:02 p.m.

City Manager Collard presented a Workplan Update, which included information on the Blueprint for Action, the Five Year Fiscal Plan, the Public Safety Enhancement Work Plan, and the A+ Neighborhoods Work Plan. A written version of City Manager Collards remarks was included with the papers for this meeting.

Commissioner Cooney thanked the City Manager and City staff for their hard work.

In response to a question from Commissioner McCann, City Manager Collard stated the Public Safety Administration was making reasonable progress in most areas of the Public Safety Enhancement Workplan, but he expressed concern about the progress and expectations in the area of community policing.

City Manager Collard Ken reported he had received notice of Chief Weston's retirement effective November 10, 2007, and he commended Chief Weston for his 32 years of service to the community.

Policy Item

Policy Items were considered next.

Resolution 07-79  
Rejecting the  
Determination of  
the Local Officers  
Compensation  
Commission

**77664**

Commissioner Anderson thanked the LOCC for its hard work and research. Commissioner Anderson noted the LOCC's salary determination would automatically take effect unless the City Commission, by a two-thirds majority, adopted a resolution rejecting the determination. Commissioner Anderson read the following resolution into the record:

WHEREAS, on October 16, 2007 the Local Officers Compensation Commission for the City of Kalamazoo filed a *Report of Determination* with the City Clerk regarding the salaries of elected officials in the City of Kalamazoo; and

WHEREAS, the Local Officers Compensation Commission has determined the salaries for the Mayor, Vice Mayor, and City Commissioners shall be increased to the following levels:

Mayor	from \$9,500 to \$9,899 per annum
Vice Mayor	from \$8,000 to \$8,336 per annum
City Commissioners	from \$7,000 to \$7,294 per annum

and;

Resolution 07-79  
Rejecting the  
Determination of  
the Local Officers  
Compensation  
Commission  
(cont'd)

**77664**

WHEREAS, the Kalamazoo City Commission wishes to maintain the current salary levels for the Mayor, Vice Mayor, and City Commissioners; and

WHEREAS, Section 2-323 of the Code of Ordinances provides that the City Commission may reject the determination of the Local Officers Compensation Commission, thereby causing the existing salary levels to prevail.

NOW, THEREFORE, BE IT RESOLVED, that the Kalamazoo City Commission hereby rejects the determination of the Local Officers Compensation Commission as stated in the *Report of Determination* filed with the City Clerk on October 16, 2007; and

BE IT FURTHER RESOLVED, that the City Commission expresses its appreciation to the Local Officers Compensation Commission for its work and fair consideration of compensation levels for elected officials in the City of Kalamazoo.

Commissioner Anderson, seconded by Commissioner McCann, moved to adopt a **RESOLUTION** rejecting the proposed salary increases for elected officials in the city of Kalamazoo.

Prior to a vote on this motion, Commissioner McCann expressed appreciation for the LOCC and agreement with its philosophical approach. However, Commissioner McCann expressed concern that as a Commission candidate he would potentially be voting for himself a pay raise. Commissioner McCann stated the current compensation levels were reasonable, and it was not the right time for a pay increase due to the state of the economy.

Commissioner Miller stated the amount of the salary increases was reasonable, but the timing was wrong.

Vice Mayor Hopewell stated the timing was not right to increase City Commissioners' salaries, but he cautioned that foregoing pay increases year after year would result in the Commission being faced with a large pay increase in ten years in order to bring the salaries to appropriate levels again. Vice Mayor Hopewell suggested the Legislative Committee of the next City Commission work with legislators to change the statute related to the effective date of the LOCC's determinations.

With a roll call vote this motion passed.

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

NAYS: None

ABSTAIN: Commissioner Juarez

## Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

77665

Brad Cosgrove, City resident, spoke regarding the Care-A-Van contract.

Patricia Smith, former Care-A-Van supervisor, spoke regarding the Care-A-Van program.

April Potgiesser, Non-resident, spoke regarding the Care-A-Van program. A copy of Ms. Potgiesser's written remarks were filed with the papers for this meeting.

Jeffrey Rush, City resident, spoke regarding the Care-A-Van program and safety concerns on Metro Transit busses.

Dave Pawloski, City resident, spoke regarding the Care-A-Van program and the labor/management issues with Pride Care.

Jerry Williams, City resident, questioned why the City Commission was not able to terminate contracts and commended specific Commissioners for their service.

Stephanie Moore, City resident, spoke regarding the Care-A-Van contract.

Lily Wolfe, City resident, spoke regarding the Care-A-Van program.

Andy Meullman, City resident, described specific breaches of the Care-A-Van contract by Pride Care, Inc.

Ron Smeltzer, City resident, discussed the Care-A-Van contract and the labor/management issues between Pride Care and the striking drivers.

## City Commissioner Comments

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

Commissioner Juarez stated Care-A-Van issue needed to be resolved quickly. Commissioner Juarez offered condolences to Public Safety Lieutenant Tom Hemmingway, whose wife passed away recently. Commissioner Juarez announced he was relocating to Arizona and the current City Commission meeting was his last. Commissioner Juarez thanked City Commissioners and neighborhood leaders for working with him and Commissioner Cooney for mentoring him as a new Commissioner in 2003. Commissioner Juarez expressed confidence that the current City Commissioners would continue to lead the City well.

Commissioner McCann expressed concern about citizens' reaction to recent personnel changes and requested that the City Administration provide as much information as possible about recent personnel changes, especially as they related to the 2003 prostitution sting investigation. Commissioner McCann thanked Chief Weston and Deputy Chief Mike McCaw for their leadership. KDPS outperforms other departments. Commissioner McCann noted the successful Halloween Trail Walk on October 20<sup>th</sup> and wished Commissioner Juarez well in his new endeavors.

Commissioner Miller expressed dismay at the personnel changes in the Public Safety Department over past few weeks.

City Commissioner  
Comments (cont'd)

Commissioner Anderson noted the Holiday Parade would take place on Saturday, November 3<sup>rd</sup> and expressed well-wishes to Commissioner Juarez. Commissioner Anderson stated Chief Weston was a good man and a competent individual.

Commissioner Cooney stated the Care-A-Van situation had lingered too long, and he challenged Pride Care management to agree on a labor contract with the drivers. Commissioner Cooney expressed well-wishes to Chief Weston. Commissioner Cooney stated Commissioner Juarez was the City's first Hispanic Commissioner and noted he had provided a voice for working people and the poor.

Vice Mayor Hopewell reported Mayor McKinney was representing the City at a conference in San Francisco. Vice Mayor Hopewell explained the method for handling contracts was a provision in the City Charter, which could only be changed by a vote of the people. Vice Mayor Hopewell expressed condolences to Lt. Hemmingway and his family, and he expressed appreciation to Commissioner Juarez for his interim service on the City Commission. Vice Mayor Hopewell also expressed appreciation to Chief Weston for his years of service in the Public Safety Department.

Adjournment

The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on November 12, 2007

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: November 12, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, November 2, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson\*  
Don Cooney  
Barbara Miller

COMMISSIONERS ABSENT David Juarez  
Sean McCann

Also present were City Manager Ken Collard, Assistant City Attorney John Kneas, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Miller, seconded by Commissioner Cooney, moved to excuse the absences of Commissioners Anderson, Juarez, and McCann. With a voice vote, the motion passed.

Review of the November 5<sup>th</sup> Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, November 5, 2007.

\*Commissioner Anderson arrived at 7:35 a.m.

Item G-4

Regarding Item G-4, designation of polling locations for the January 15, 2008 Presidential Primary election, the Committee of the Whole removed this item from the agenda and recommended that the proposed precinct changes be considered in time for them to be effective for the election on May 6, 2008.

Item G-7

Regarding Item G-7, a HOME Community Housing Development Organization Grant, Community Planning and Development Director Jeff Chamberlain noted the City was awarding the grant, not accepting it as indicated on the draft agenda.

Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues, but no issues were discussed.

Citizen Comments

Finally, an opportunity was given for citizen comments but no comments were offered.

Adjournment

The meeting adjourned at 7:54a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on November 12, 2007

Approved by: \_\_\_\_\_

Hannah J. McKinney, Mayor

Dated: November 12, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, November 5, 2007 at 7:02 p.m. in the City Commission Chambers at City Hall.

## Roll Call

COMMISSIONERS PRESENT: Mayor Hannah J. McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: David Juarez

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and Deputy City Clerk Virginia Vander Roest.

Vice Mayor Hopewell, seconded by Commissioner Anderson, moved to excuse the absence of Commissioner Juarez. With a voice vote the motion passed.

## Invocation

The invocation, given by Reverend John McNaughton, OSL, was followed by the Pledge of Allegiance.

## Adoption of the Agenda

By unanimous consent the City Commission adopted their meeting agenda as presented.

## Communications

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

## Citizen Comments

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

Deacon Willie Swindle, Jr., City resident, spoke regarding a light on Vernon Street and thanked the City for use of Reed Park.

Fred Lawrence, City resident, spoke regarding the need to improve the City over the next two years.

## 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:

**77666**

- a recommendation to approve a second, one-year contract extension for Cationic Emulsion polymers with Ashland Inc. in the amount of \$287,181.

## Resolution 07-79

**77667**

- a recommendation to adopt a **RESOLUTION** to recommend the application of Sprouting, LLC, for a new Redevelopment Downtown District Class C Liquor License under PA 501 of 2006, located within the city's existing Downtown Development Authority, at 236 South Kalamazoo Mall.

Resolution 07-80  
77668

- a recommendation to adopt a **RESOLUTION** recognizing Northside Economic Potential Group as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.

Resolution 07-81  
77669

- a recommendation to adopt a **RESOLUTION** granting a Payment in Lieu of Taxes to the Kalamazoo County Public Housing Commission for an eleven unit affordable housing development located at 319 Elm Street, pursuant to Section 35-4 of the Kalamazoo City Code.

77670

- a recommendation to accept a \$90,000 grant from the Kalamazoo Community Foundation's Community Redevelopment Fund for support of Phase II of the Western Gateway Project, and authorize the City Manager to sign all related documents on the City's behalf.

77671

- a recommendation to award a HOME Investment Partnership - Community Housing Development Organization grant in the amount of \$45,000 to Kalamazoo Neighborhood Housing Services, Inc. for the construction of four affordable, single-family housing units in the Eastside neighborhood, and authorize the City Manager to sign all related documents for the program as required by the U.S. Department of Housing and Urban Development and the City of Kalamazoo.

77672

- a recommendation to hold until November 19, 2007 approval of the sale of 746 E. Walnut Street to J. T. Mitchell Properties, L.L.C. for the amount of \$628.86.

Vice Mayor Hopewell, seconded by Commissioner Cooney, moved to approve the consent agenda requests.

With a roll call vote this motion passed.

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

NAYS: None

\*Commissioner Anderson abstained from voting on the recommendation to adopt a **RESOLUTION** granting a Payment in Lieu of Taxes to the Kalamazoo County Public Housing Commission for an eleven unit affordable housing development located at 319 Elm Street.

Kalamazoo  
Foundation Grant  
re: Marketplace at  
Washington Sq.

77673

Commissioner Miller, seconded by Commissioner McCann, moved to approve a recommendation to accept a \$35,000 grant from the Kalamazoo Community Foundation's Community Redevelopment Fund to create a local funding pool to assist in the local purchase of the now-vacant housing development known as the Marketplace at Washington Square plat in the Edison Neighborhood, and to authorize the City Manager to sign all related documents on the City's behalf.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's Report

City Manager Collard reported on the Interim Public Safety command structure to be in place while a national search was conducted to replace the Public Safety Chief. In addition, City Manager Collard read a statement regarding recent personnel turnover in response to a request from Commissioner McCann.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Brad Cosgrove, resident, spoke regarding Care-a-Van.

Yolanda Neals, City resident, spoke regarding the temporary Public Safety command structure and requested a final decision from the Citizens Public Safety Review and Appeal Board regarding her son Terrence Moore.

City Commissioner Comments

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

Commissioner McCann wished Commission candidates good luck in the election on November 6, 2007. Commissioner McCann reported on a survey he sent to residents while campaigning and explained the need to move forward over the next two years.

Commissioner Miller reminded voters to bring photo identification with them to the polls.

Commissioner Anderson also wished Commission candidates good luck in the November 6, 2007 City Commission election.

Commissioner Cooney thanked interim Public Safety Chief Mallory and encouraged citizens to vote.

Vice Mayor Hopewell wished interim Public Safety Chief Mallory "good luck." Vice Mayor Hopewell spoke of upcoming challenges and encouraged citizens to vote.

Mayor McKinney thanked interim Public Safety Chief Mallory and his family. Mayor McKinney praised current Commissioners for their ability to work together and expressed pride in their choice of Ken Collard as City Manager.

Adjournment

The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Virginia M. Vander Roest  
Deputy City Clerk

For City Commission approval on November 12, 2007.

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Mayor  
Dated: November 12, 2007

A special meeting of the Kalamazoo City Commission was held on Monday November 12, 2007 at 8:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Hannah McKinney  
Vice Mayor Bobby Hopewell  
David Anderson  
Don Cooney  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT: David Juarez

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioner Excused

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

Board of Canvassers' Report

City Clerk Borling read into the record the following report from the Kalamazoo County Board of Canvassers:

**77674**

The Kalamazoo County Board of Canvassers has certified the following individuals were elected to the Kalamazoo City Commission on November 6, 2007: Bobby J. Hopewell, having received 6,118 votes, was elected Mayor; Hannah J. McKinney, having received 6,064 votes, was elected Vice Mayor; Sean McCann, having received 5,803 votes, was elected City Commissioner; Don Cooney, having received 5,350 votes, was elected City Commissioner; David F. Anderson, having received 5,143 votes, was elected City Commissioner; Barbara Hamilton Miller, having received 4,853 votes, was elected City Commissioner; and Stephanie Lafaye Moore, having received 2,866 votes, was elected City Commissioner.

Approval of City Commission Minutes

**77675**

Commissioner Anderson, seconded by Vice Mayor Hopewell, moved to approve the minutes from the following City Commission meetings: the Committee of the Whole Meetings of October 12 and November 2, 2007; the Special Meeting of October 15, 2007; and the Regular Meetings of September 4, October 15, October 29 and November 5, 2007. With a voice vote this motion passed.

Adjournment  
*Sine Die*

Mayor McKinney adjourned the meeting, *sine die*, at 8:02 p.m.

Oaths of Office

City Clerk Borling administered the Constitutional Oath of Office to newly elected City Commissioners David F. Anderson, Don Cooney, Sean McCann, Barbara Hamilton Miller, and Stephanie Lafaye Moore; newly elected Vice Mayor Hannah J. McKinney; and newly elected Mayor Bobby J. Hopewell.

At 8:07 p.m. Mayor Hopewell called to order the first meeting of the 47<sup>th</sup> City Commission of the City of Kalamazoo.

Roll Call

COMMISSIONERS PRESENT: Mayor Bobby Hopewell  
Vice Mayor Hannah McKinney  
David Anderson  
Don Cooney  
Sean McCann  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT: None

Invocation

The invocation, given by Elder Ronnie Coleman, Fellowship Church of God in Christ, was followed by the Pledge of Allegiance.

Introduction of  
Guests

Mayor Hopewell noted the presence of the following guests:

Lance Ferraro, former City Commissioner  
Nassim Ansari, Kalamazoo County Commissioner  
Larry DeShazor, Councilmember, City of Portage  
Robert B. Jones, State Representative and former Mayor  
Don Gilmer, Kalamazoo County Administrator  
Tom George, State Senator  
Deb Buchholtz-Hiemstra, Vice Chair, Kalamazoo County Board of Commissioners  
Linda Teeter, former City Commissioner  
Claudette Reid, Councilmember, City of Portage  
Ed Sackley, Councilmember, City of Portage  
Eva Ozier, former Kalamazoo County Commissioner  
David Buskirk, Chair, Kalamazoo County Board of Commissioners  
Rob Barnard, Kalamazoo County Commissioner  
Peter Battani, Kalamazoo County Deputy Administrator  
Carolyn Alford, Kalamazoo County Commissioner  
Jack Urban, Kalamazoo County Commissioner  
Al Heilman, former Vice Mayor and City Commissioner  
Ann Hannon, former Kalamazoo County District Court Judge  
Dan McGlenn, former Kalamazoo County Commissioner  
Alexander Lipsey, Kalamazoo County Circuit Court Judge, former State Representative, and former Vice Mayor and City Commissioner  
Peter Strazdas, Mayor, City of Portage  
Mary Balkema, Kalamazoo County Treasurer and former City Commissioner

Gift Presented to  
Former City  
Commissioner  
Balkema

Mayor Hopewell and Vice Mayor McKinney presented a gift to former City Commissioner Mary Balkema in recognition of her service on the Kalamazoo City Commission from November of 2001 through May of 2007.

Resolution  
Honoring Former  
Commissioner  
David Juarez

Commissioner McCann, seconded by Commissioner Cooney, moved to adopt a **RESOLUTION** honoring former Commissioner David Juarez for dedication and service to the City of Kalamazoo. With a voice vote, the motion passed.

**77676**

## Citizen Comments

Andrea Juarez, daughter of David Juarez, was present to accept the resolution and a gift on his behalf.

Next, an opportunity was given for citizen comment.

Michael Evans, City resident, spoke regarding the voucher program administered by the Kalamazoo County Public Housing Commission.

Isaac Rose, residency unknown, wished the new Commission well and congratulated Commissioner Moore on her election.

Reverend Brenda Clark, City resident, spoke regarding the voucher program administered by the Kalamazoo County Public Housing Commission.

LoriAnne Tennison, City resident, spoke regarding the recent death of a homeless woman at the Kalamazoo County Courthouse.

Michael Fuller, City resident, described the homeless shelters in Kalamazoo.

Ian Valenzuela, City resident, spoke regarding the death of homeless people in Kalamazoo.

Jonathan Braun, City resident, spoke regarding the recent death of a homeless woman at the Kalamazoo County Courthouse and noted this was Homelessness Awareness Week.

Robert Schellenberg, City resident, spoke regarding a "New Deal" for Kalamazoo.

Avery Evans, City resident, congratulated Commissioner Moore on her election.

Jeffrey Rush, non-resident, requested the results from the election be thrown-out and new election be held in 60 days. Mr. Rush expressed objections to the amount of money candidates had spent on their campaigns and to the involvement the political parties in this non-partisan election.

Robert Jones, City resident, congratulated the Commissioners and encouraged them to keep the faith as they served the community.

David Buskirk, City resident, welcomed the City Commissioner to office and noted the job of the Commissioners was to represent the people.

Peter Strazdas, non-resident, spoke regarding the relationship between the cities of Kalamazoo and Portage.

Citizen Comments  
(cont'd)

Al Heilman, City resident, congratulated the City Commission and urged Commissioners to read the City Charter frequently.

Addis Moore, City resident, congratulated the new City Commission and urged the Commission to work and have dialogue with the community.

Brain Schaff, City resident, congratulated Commissioners on their re-election.

Additional Citizen  
Comments

Following the first citizen comment period, citizens were offered another opportunity to address the City Commission.

Jeffrey Rush, non-resident, offered comments to specific Commissioners.

Stephanie Prevo, non-resident, thanked City Commissioners for their work and expressed concern about the credentials of specific City staff members.

City Commissioner  
Comments

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

Commissioner Moore stated it was an honor and privilege to sit on the City Commission. Commissioner Moore thanked the following individuals and organizations: Families of Hope; County Commissioner Carolyn Alford; Mattie Jordan-Woods, Executive Director of the Northside Association for Community Development; Mt. Zion Baptist Church and Pastor Addis Moore; Anna Whitten; her husband, Galloway Moore III; her mother, Gwen Hillman; the United Auto Workers; the Kalamazoo Homebuilders Association; her children; her brother, Beryl Wilson; her sister, Yolanda Neals; and former City Commissioners David Juarez and Linda Teeter. Commissioner Moore encouraged people to become involved with their neighborhood associations and stated the Kalamazoo community needed to move forward together.

Commissioner Miller thanked state and local government officials for their attendance and support, and she thanked the citizens of Kalamazoo for her reelection.

Commissioner Anderson compared an election to a pick-up basketball game where friends opposed each other during the contest but resumed their friendship after the game. Commissioner Anderson noted the importance of having a vision for the City of Kalamazoo's future, and he stated he was looking forward to working with the other Commissioners.

Commissioner Cooney thanked the City Commission candidates who lost for running good campaigns. Commissioner Cooney congratulated Vice Mayor McKinney for her effective leadership over the past two years and expressed support for Mayor Hopewell. Commissioner Cooney stated the Kalamazoo community pulled together during the Great Depression to help those in need, and the City needed to pull together to face the current opportunities and challenges. Commissioner Cooney offered the following quote from Robert Kennedy: "Not to participate in the great

City Commissioner  
Comments (cont'd)

events of your time is not to have lived.” Commissioner Cooney stated great events played out at the local level, and he identified the following challenges for Kalamazoo: the challenge of poverty and inequality, the challenge of diversity, and the challenge of how to together in an age of globalization.

Commissioner McCann thanked people who contributed to his campaign and thanked the voters for re-electing him. Commissioner McCann stated he was looking forward to working with the other Commissioners and the Appointees to move the community forward. Commissioner McCann noted this week was Kalamazoo Promise Week, and he expressed appreciation for military veterans in light of Veterans’ Day.

Vice Mayor McKinney noted several citizens had made negative or hostile remarks earlier in the meeting, and she expressed the need for grace and civility as City officials and citizens worked together to address problems in the community. Vice Mayor McKinney stated cooperation would not happen if people continued to teach each other down. Vice Mayor McKinney remarked that she was sitting next to Commissioner Cooney, another college professor, and she presented Mayor Hopewell with the door opener for the City Hall garage.

Mayor Hopewell thanked his family, his campaign team, and the City Administration and City staff. Mayor Hopewell offered congratulations and thanks to his fellow Commissioners, all the City Commission candidates, and Vice Mayor McKinney. Mayor Hopewell offered remarks on his perspective of the next two years. Mayor Hopewell’s written remarks were filed with the papers for this meeting.

Adjournment

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 3, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 3, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, November 16, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

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

COMMISSIONERS ABSENT Vice Mayor Hannah McKinney

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioner Excused

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

Review of the November 19<sup>th</sup> Agendas

The City Commission reviewed and discussed the agenda for its Special Meeting on Monday, November 19, 2007.

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, November 19, 2007.

Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues, but no issues were discussed.

Citizen Comments

Finally, an opportunity was given for citizen comments but no comments were offered.

Adjournment

The meeting adjourned at 7:43 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 3, 2007

Approved by: \_\_\_\_\_

Bobby J. Hopewell, Mayor

Dated: December 3, 2007

A special meeting of the Kalamazoo City Commission was held on Monday, November 19, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT:

Mayor Bobby 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, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood communications were received next.

Neighborhood Communications

Representatives of the following neighborhood organizations were present:

- Edison Neighborhood Association  
**David Kinsey**, President  
**Tammy Barnard**, Executive Director
- Oakland Drive/Winchell Neighborhood  
**Larry Ross**, President

Edison Neighborhood Assoc.

The Edison Neighborhood Association representatives:

- congratulated Commissioners on their election.
- noted the need for expanded community policing efforts and offered their support during the hiring process for a new Public Safety Chief.
- expressed excitement about emerging possibilities for the Collins Street development.
- expressed concern about the lack of development of the Déjà vu site and requested that the City incentivize development activities at this site and along the Portage Street corridor.
- reported the Community Development Act Advisory Committee had reviewed applications for the City Commission initiative funds. Mr. Kinsey encouraged the Commission to support the application of the Boys and Girls Club.

In response to Commissioner McCann, Mr. Kinesy stated the Bryant Street property had not been developed.

Oakland Drive /  
Winchell Avenue  
Neighborhood  
Association

In response to a question from Commissioner McCann, Ms. Barnard stated Gretchen Mayo and Jennifer Haba were the Community Police Officers for the Neighborhood, but she noted the CPO's functioned more like a Tactical Response Unit than the original Neighborhood Liaison Officer program.

The Oakland Drive/Winchell Association representative:

- noted the Association met monthly at Winchell School.
- thanked the City Commission for addressing the PCB situation at the Allied Paper Mill site.
- discussed the importance of the platted parks in the neighborhood.
- stated residents were concerned about traffic, especially around Winchell School.
- stated the Association was pleased the Oakland Drive was not being widened.

In response to a question from Commissioner McCann, Mr. Ross gave a brief history of his involvement with the Association.

In response to a question from Commissioner McCann, Mr. Ross stated residents whose property backed up to the Whispering Pines development thought the buffer zone between the old and the new homes was insufficient.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

Commissioner  
Comments

Finally, an opportunity was given for miscellaneous comments and concerns from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 6:20 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 3, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 3, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, November 19, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor Bobby 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, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Invocation

The invocation, given by Pastor Dr. Louis J. Felton, Galilee Baptist Church, was followed by the Pledge of Allegiance.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

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

Citizen Comments

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

Monica Westover, City resident, spoke regarding the ongoing investigation of the Public Safety Department. Ms. Westover read the lyrics to the song "Man in Black" by Johnny Cash.

Brad Cosgrove, City resident, discussed a letter sent to Pride Care employees regarding their right to organize themselves in a labor union.

Dr. Pablo Pastrana-Perez, City resident, expressed concern about Kalamazoo Valley Community Church's planned expansion near Benton Drive in the City of Portage. Dr. Pastrana-Perez noted a portion of the City of Kalamazoo would be affected by anticipated traffic congestion on Vincent Drive and Angling Road.

Paul Kirschner, City resident, expressed concern about traffic volume and congestion that would result from the proposed expansion of the Kalamazoo Valley Community Church.

Jerry Williams, City resident, congratulated City Commissioners on their election and encouraged them to keep their campaign promises.

## 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:

**77677**

- a recommendation to approve a three-year term contract with Consumers Energy Company for the reading of water and sewer meters in the amount not to exceed \$351,674.

**77678**

- a recommendation to approve a change order with Knapp Energy for gasoline and diesel fuel in the amount of \$155,000.

## Resolution 07-83

**77679**

- a recommendation to adopt a **RESOLUTION** to recommend the application of Mangia Mangia Restaurant for a new Downtown District (Redevelopment) Class C Liquor License under PA 501 of 2006, located within the city's existing Downtown Development Authority, at 209 South Kalamazoo Mall.

**77680**

- a recommendation to authorize the City Manager to sign an easement with AT&T for the placement and maintenance of communications lines and equipment.

**77681**

- a recommendation to approve a conditional loan commitment to SPROUTING, LLC in the amount of \$40,000 from the city's Small Business Revolving Loan Fund to acquire equipment and provide working capital associated with the start up of a new downtown restaurant, with a proposed location of the new business will be 236 South Kalamazoo Mall, which is in the city's central business district.

**77682**

- a recommendation to offer for first reading an ORDINANCE to rezone 213 S. Drake Road, the north 40 feet of the west 175 feet of 221 S. Drake Road, and 4707 Stonebrook Street from Zone RS-5 (Residential, Single-Dwelling District) to Zone CO (Commercial Office District); and schedule a public hearing for December 3, 2007.

**77683**

- a recommendation to approve the sale of 746 E. Walnut Street to J. T. Mitchell Properties, L.L.C. for the amount of \$628.86.

**77684**

- a recommendation to approve the following appointments to advisory boards and commissions:
  - the appointment of **Kevin Ford** as a member of the Community Relations Board (CRB) for a term expiring on January 1, 2011.
  - the appointment of **Larry Lee Ross** as a member of the Parks and Recreation Advisory Board for a term expiring on January 1, 2010.

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

Amendment to the  
Zoning Code re:  
Parking Exempt  
District  
**77685**

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Planner Keith Hernandez discussed the proposed expansion of the  
Parking Exempt District.

Commissioner McCann, seconded by Commissioner Moore, offered for  
first reading an ORDINANCE to approve an amendment to Figure 6.1 of  
the Zoning Ordinance to expand the boundaries of the Parking Exempt  
District of the Central Business District, and moved to schedule a public  
hearing for December 3, 2007.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's  
Report

City Manager Collard read the following statement into the record  
regarding the property tax obligations of Pride Care, Inc:

Statement re:  
Pride Care Tax  
Arrearage  
**77686**

At several recent Commission meetings I have made statements  
to the effect that Pride Care Ambulance owes approximately  
\$65,000 for unpaid personal property taxes. After further review,  
the City has determined that these statements, while accurately  
representing the tax records, were indeed inaccurate and  
incomplete. This statement will correct that record. As to the  
dollar amount involved, the amount due is approximately \$35,000.  
Further, the City sent tax statements to incorrect addresses from  
2002-2006, and as a result Pride Care did not receive the tax  
statements. Pride Care and the City have agreed to a payment  
schedule, which calls for all outstanding tax obligations to be  
satisfied within the next two weeks. We have every confidence  
that the payment schedule will be completed successfully. The  
City acknowledges its error in overstating the unpaid balance. It is  
indeed unfortunate that I did not have more timely information  
relative to the incorrect mailings and the impact that our errors had  
on Pride Care's non-payment of taxes. Pride Care is to be  
commended for promptly making payments to meet its  
outstanding tax obligations.

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated October, 2007
- 3<sup>rd</sup> Quarter 2007 Employment Activity Report
- October 2007 Purchasing Report

Citizen Comments

Commissioner McCann noted the City's website had received three awards.

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Brad Cosgrove, City resident, spoke regarding the tax arrearage of Pride Care, Inc and the condition of Care-A-Van vehicles.

Norris McCaskey, City resident, stated he experienced verbal abuse and retaliation by a City employee.

Gilbert Bell, City resident, spoke regarding a young man who was recently convicted by a jury that contained just one person of color.

Rev. J. Louis Felton, City resident, invited Commissioners to the Community Thanksgiving Service at the First United Methodist Church. Rev. Felton urged the City Commission to institute rules governing the conduct of citizens who addressed the Commission.

City Commissioner Comments

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

Commissioner Moore reported she had attended the following events: the groundbreaking ceremony for Kalexsyn, Inc.; Promise Week celebrations; Parent Appreciation Night at Galilee Baptist Church; and a workshop for high school students on applying for scholarships. Commissioner Moore congratulated Christina McGinnis on the release of her children's book entitled, "Forever Friends." Commissioner Moore invited citizens to attend the tree lighting ceremony in Bronson Park on Friday, November 23<sup>rd</sup>.

Commissioner Miller welcomed Western Michigan University students to the meeting.

Commissioner Cooney encouraged area businesses to be involved with the schools through the Kalamazoo Communities in Schools Foundation. Commissioner Cooney stated that, despite the Kalamazoo Promise, many young people did not attending college or were dropping out of college after one or two semesters due to the lack of necessary skills. Commissioner Cooney urged the community to dedicate resources to support young people and their families.

Commissioner McCann thanked the residents of the Angling Road area for raising concerns about the expansion of Kalamazoo Valley Community Church and asked the City Manager or staff to follow-up with these residents. Commissioner McCann noted the United Way campaign had concluded, and he thanked the community for its generosity. Commissioner McCann remarked on the recent groundbreaking for Kalexsyn's new facility and noted the City's role in creating the Business, Technology and Research Park. Commissioner McCann encouraged citizens to shop downtown and to shop locally during the holiday season.

Mayor Hopewell reported he had discussed the Kalamazoo Valley Community Church expansion with Portage Mayor Pete Strazdas, and he stated the two cities would work together on this issue. Mayor Hopewell stated he had had visited area schools several times in the past two weeks and had attended the ribbon-cutting ceremony for the opening of the westbound lanes of I-94 near U.S. 131. Mayor Hopewell invited citizens to attend the tree lighting ceremony in Bronson Park and asked Commissioners for input regarding committee assignments.

Adjournment

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 3, 2007

Approved by: \_\_\_\_\_  
Bobby Hopewell, Mayor  
Dated: December 3, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, November 30, 2007 at 7:32 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Bobby Hopewell  
Vice Mayor Hannah McKinney  
Don Cooney\*  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT: David Anderson  
Sean McCann

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Miller, seconded by Vice Mayor McKinney, moved to excuse the absences of Commissioners Anderson, Cooney and McCann. With a voice vote, the motion passed.

Review of the December 3<sup>rd</sup> Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, December 3, 2007.

\*Commissioner Cooney arrived at 7:34 a.m.

Item H-1

Regarding Item H-1, Portage Street Streetscape Master Plan, Community Planning and Development Director Jeff Chamberlain described the process used to develop the Plan and stated the single largest expense would be placing utility lines underground. Director Chamberlain stated the Washington Square area would be targeted for improvement first.

In response to a question from Vice Mayor McKinney, Director Chamberlain stated the Plan did not call for a Tax Increment Financing (TIF) District, but the door was open for various funding options.

Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Commissioner Miller stated she was having difficulty finding the City Manager's Reports in the agenda packets.

Citizen Comments

Finally, an opportunity was given for citizen comments but no comments were offered.

Adjournment

The meeting adjourned at 7:47 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 17, 2007

Approved by: \_\_\_\_\_

Bobby J. Hopewell, Mayor

Dated: December 17, 2007

A regular meeting of the Kalamazoo City Commission was held on Monday, December 3, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

Mayor Bobby Hopewell  
Don Cooney  
Sean McCann  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT:

Vice Mayor Hannah McKinney  
David Anderson

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Moore, seconded by Commissioner Miller, moved to excuse the absences of Vice Mayor McKinney and Commissioner Anderson.

Invocation

The invocation, given by Reverend Bryan Craddock, Associate Pastor, Calvary Bible Church, was followed by the Pledge of Allegiance.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

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

Public Hearing re:  
the Rezoning 213  
S. Drake Rd., 221  
S. Drake Road,  
and 4707  
Stonebrook Street

At 7:04 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt an ORDINANCE to rezone 213 S. Drake Road, the north 40 feet of the west 175 feet of 221 S. Drake Road, and 4707 Stonebrook Street from Zone RS-5 (Residential, Single-Dwelling District) to Zone CO (Commercial Office District).

**77687**

Dan Jaqua, non-resident, spoke in favor of the ordinance.

At 7:07 p.m. Mayor Hopewell closed the public hearing.

Ordinance 1833  
Rezoning 213 S.  
Drake Road, 221  
S. Drake Road,  
and 4707  
Stonebrook Street

Commissioner Cooney, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** to rezone 213 S. Drake Road, the north 40 feet of the west 175 feet of 221 S. Drake Road, and 4707 Stonebrook Street from Zone RS-5 (Residential, Single-Dwelling District) to Zone CO (Commercial Office District).

**77687**

With a roll call vote this motion passed unanimously.

AYES:

Commissioners Cooney, McCann, Miller, Moore, Mayor Hopewell

NAYS:

None

Public Hearing re:  
Expansion of the  
Parking Exempt  
District

**77688**

At 7:08 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt an **ORDINANCE** to approve an amendment to Figure 6.1 of the Zoning Ordinance to expand the boundaries of the Parking Exempt District of the Central Business District.

Steve Deisler, Vice President for Downtown Planning and Development at Downtown Kalamazoo Inc., spoke in favor of the ordinance.

At 7:09 p.m. Mayor Hopewell closed the public hearing.

Ordinance 1834  
Amending Fig. 6.1  
of Zoning Code to  
Expand the  
Parking Exempt  
District

**77688**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** to approve an amendment to Figure 6.1 of the Zoning Ordinance to expand the boundaries of the Parking Exempt District of the Central Business District.

With a roll call vote this motion 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:

Monica Westover, City resident, spoke regarding the arrest of Terrance Moore in 2006 and corruption in City government.

Brad Cosgrove, City resident, spoke regarding the safety of the Care-A-Van vehicles.

Pam Kingery, non-resident and Executive Director of the Kalamazoo Communities in Schools Foundation, thanked City Manager Collard for allowing City employees to spend an hour of work time volunteering in Kalamazoo Public Schools.

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:

Resolution 07-84

**77689**

- a recommendation to adopt a **RESOLUTION** scheduling a hearing on December 17, 2007 to consider a request to the State Tax Commission that it revoke Industrial Facilities Tax Exemption Certificate No. 2000-364 granted to Discount Laser Supply, Inc.

Resolution 07-85

**77690**

- a recommendation to adopt a **RESOLUTION** recognizing Susan G. Komen for the Cure, Southwest Michigan Affiliate, as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.

Resolution 07-86

**77691**

- a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION**, which is a request from Nagsak Company of Portage to: 1) transfer the ownership of a 2007 Class C-SDM liquor license with a Dance and Entertainment Permit, Direct Connection-1, and Outdoor Service from 340 E. Michigan, Kalamazoo Michigan to 2636 W. Michigan, Kalamazoo, Michigan; 2) Cancel existing outdoor service (one area); and, 3) requests a new outdoor service (1 area) and request to cancel dance permit and cancel direct connect and request new additional bar permit (for a total of 2 bars).

Resolution 07-87

**77692**

- a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to transfer ownership of a Class C liquor license with a Dance and Entertainment permit with two bars located at 241 East Kalamazoo Suite 101.

**77693**

- a recommendation to authorize the City Manager to sign a METRO Act Permit involving Sprint Communications Company LP.

**77694**

- a recommendation to authorize the City Manager to sign a METRO Act Permit involving Arialink Telecom, LLC.

**77695**

- a recommendation to offer for first reading a revision to the PENSION ORDINANCE (Sections 2-223 – 2-264) by first repealing it, then adopting a different version (with the same numbered sections). The resulting changes will not affect the amount of money paid into the system by the City or its employees, nor the amount of money received by beneficiaries, including retirees, but will ensure that the plan is “qualified” for taxation purposes.

**77696**

- a recommendation to approve minutes from the following City Commission meetings: the Committee of the Whole Meeting of November 16, 2007; the Special Meetings of November 12 and November 19, 2007; and the Regular Meeting of November 19, 2007.

**77697**

- a recommendation to hold until December 17, 2007 to adopt a RESOLUTION to vacate the south 763.70 feet of Lafayette Avenue, plus a right-of-way located south of Lafayette Avenue, with the following conditions: a) An easement will be provided to the city for the underground utilities in the property to be vacated; b) An easement will be provided to the city for future storm water facilities; c) An easement will be provided to the city for access to the east side of the Knollwood Park; and d) The existing trees on the east side of the Knollwood Park will remain.

Commissioner Miller, seconded by Commissioner Cooney, moved to approve the consent agenda requests.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Presentation re:  
the Portage Street  
Streetscape  
Master Plan  
**77698**

Community Planning and Development Director Jeff Chamberlain described the purpose of the Portage Street Streetscape Master Plan and the process used to develop the Plan. Director Chamberlain noted a significant element of the Plan was a proposal to bury the overhead utility lines, and he stated this element was responsible for a large portion of the \$12.7 million project cost. Community Planning and Development Director indicated the Commission's endorsement of the Master Plan would allow DKI and the Edison Mainstreet Project committees to begin fund raising efforts for the project.

In response to a question from Commissioner Miller, Director Chamberlain stated the consultants had identified areas where it was feasible for trees to be planted and had identified species of trees that were suitable for an urban environment.

In response to a question from Commissioner Miller, Director Chamberlain stated the Master Plan included lighting improvements that would address the issues of aesthetics and security.

Resolution 07-88  
Endorsing the  
Portage Street  
Streetscape  
Master Plan  
**77698**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** to endorse the Portage Street Streetscape Master Plan.

Prior to a vote on the motion, the following citizens addressed the City Commission:

Steve Deisler, Vice President for Downtown Planning and Development at DKI, spoke in favor of the resolution.

Jim Escamilla, City resident and Chair of the Edison Mainstreet Project, spoke in favor of the resolution.

Commissioner Cooney commended the participants who helped develop the Plan. Commissioner Cooney stated the relocation of Déjà Vu had not triggered the physical revitalization of the Edison Neighborhood as anticipated, and the implementation of the Portage Street Streetscape Master Plan would be a tremendous boost for the Neighborhood.

Commissioner Moore expressed support for the resolution and noted the streetscape improvements would make the Edison Neighborhood more comparable to the rest of the City.

Commissioner Miller expressed support for the resolution and suggested that the beauty of the landscaping could possibly make burying the overhead utility lines unnecessary.

Mayor Hopewell expressed optimism about the development of the Portage Street Corridor.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk's Report  
77699

City Clerk Borling reported the following items:

- the lawsuit Cheryl Minor v City of Kalamazoo-Metro Transit, Dorian Brinson and John Buchtrup, Individually, severally and jointly was received and referred to the City Attorney's Office.
- the receipt of minutes from the following advisory boards and commissions:
  - Community Development Act Advisory Committee
    - Thursday, October 11, 2007
  - Dangerous Buildings Board
    - Thursday, October 04, 2007
  - Environmental Concerns Committee
    - Wednesday, August 15, 2007
    - Wednesday, September 19, 2007
    - Wednesday, October 17, 2007
    - Wednesday, November 14, 2007
  - Friends of Recreation Board
    - Tuesday, October 23, 2007
  - Housing Board of Appeals
    - Thursday, August 23, 2007
  - Kalamazoo Historic District Commission
    - Tuesday, October 16, 2007
  - Kalamazoo Historic Preservation Commission
    - Tuesday, October 09, 2007
  - Parks and Recreation Advisory Board
    - Tuesday, October 02, 2007
  - Planning Commission
    - Thursday, November 01, 2007
  - Zoning Board of Appeals
    - Thursday, October 11, 2007
- absentee ballot applications for the January 15<sup>th</sup> Presidential Primary election were mailed to permanent absentee voters on Thursday, November 29<sup>th</sup>.

City Clerk's Report  
(cont'd)

**77699**

- it was mandatory that absentee voters indicate their party selection when applying for an absent ballot for the Presidential Primary.
- Kalamazoo County's ballots for the January 15<sup>th</sup> Presidential Primary went to press on Sunday, December 2<sup>nd</sup>, and it was anticipated that the City Clerk's Office would take delivery of ballots by the end of the week.
- the close of registration for the January 15<sup>th</sup> Presidential Primary would be December 17<sup>th</sup>.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

City Commissioner  
Comments

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

Commissioner Moore spoke regarding Ativa Walker, a 2007 graduate of Phoenix High School, who was attending barber school and mentoring other young people.

Commissioner Miller thanked City Clerk Borling for providing information on the Presidential Primary and commended the Public Safety Department for its quick response to a recent breaking-and-entering call on Northampton Avenue. Commissioner Miller noted the beginning of a fundraising campaign for the new Public Safety Regional Training Center.

Commissioner Cooney commended the Public Safety Department for its handling of a recent hostage situation in the Knollwood Neighborhood. Commissioner Cooney announced volunteers were needed to help pack and distribute baskets of food for the Greater Kalamazoo Area Holiday Food Drive.

Commissioner McCann expressed dismay that the National Debt was increasing at the rate of \$1 million per minute and noted the City of Kalamazoo was required to have a balanced budget. Commissioner McCann remarked on a recent article in the Detroit Free Press that highlighted the Edison Environmental Academy.

Mayor Hopewell congratulated Inspector Shannon Bagley on his recent promotion. Mayor Hopewell encouraged citizens to help with the Greater Kalamazoo Area Holiday Food Drive on Saturday, December 15<sup>th</sup>. Mayor Hopewell reported the Administrative Committee was reviewing Commissioners' requests for committee assignments and stated the assignments would be made in the near future. Mayor Hopewell announced the Administrative Committee would be meeting on Thursdays at 4:00 p.m.

Adjournment

The meeting adjourned at 7:48 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 17, 2007

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 17, 2007

The Kalamazoo City Commission met as a Committee of the Whole on Friday, December 14, 2007 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

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

COMMISSIONERS ABSENT Vice Mayor Hannah McKinney

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Miller, seconded by Commissioner Cooney, moved to excuse the absences of Vice Mayor McKinney and Commissioners McCann and Moore. With a voice vote, the motion passed.

Review of the December 17<sup>th</sup> Agendas

The City Commission reviewed and discussed the agenda for its Special Meeting on Monday, December 17, 2007.

\*Commissioner Moore arrived at 7:32 a.m.

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, December 17, 2007.

Item G-1

Regarding Item G-1, purchase of gasoline and diesel fuel, Commissioner Anderson questioned whether bio-diesel fuel was available from Knapp Energy. In response to Commissioner Anderson, Purchasing Director Nick Lam stated biodiesel was available through Knapp Energy, but the Public Safety Department had expressed concerns about the reliability of this type of fuel and its use in fire apparatus. Public Services Director Bruce Merchant stated the division of fueling locations by fuel type would create potential difficulties.

\*\*Commissioner McCann arrived at 7:37 a.m.

Item G-4

Regarding Item G-4, dedication of a right-of-way through the Kendall Wellfield, Commissioners Cooney and Moore requested that the City Commission discuss and respond to a letter from the National Association for the Advancement of Colored People (NAACP), which asked the City Commission to reverse its decision to release \$2 million to Kalamazoo Public Schools for infrastructure improvements related to the construction of a new middle school in the Arcadia Neighborhood. Commissioners Cooney and Moore stated the City Commission did not have complete and accurate information when it made this decision, and they suggested the Commission reconsider the release of funds.

Item G-8

Regarding Item G-8, designation of polling facilities for January 15<sup>th</sup> Presidential Primary Election, Commissioner Moore requested that City Clerk Borling consider how to educate voters regarding the unique aspects of this election.

City Clerk Borling indicated his staff would be issuing media releases on various aspects of the Presidential Primary in the near future, and he stated he would make remarks on this subject during the City Clerk's Report on December 17<sup>th</sup>.

Community Issues

Next, an opportunity was given for City Commissioners to discuss community issues.

Commissioner Moore noted the Loy Norrix/Kalamazoo Central High School basketball game was successful and peaceful, and she commended the large number of parents participated in parent/teacher conferences.

Citizen Comments

Finally, an opportunity was given for citizen comments but no comments were offered.

Adjournment

The meeting adjourned at 8:01 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on January 22, 2008

Approved by: \_\_\_\_\_

Bobby J. Hopewell, Mayor

Dated: January 22, 2008

A special meeting of the Kalamazoo City Commission was held on Monday, December 17, 2007 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

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, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Miscellaneous Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood communications were received next.

Neighborhood Communications

Representatives of the following neighborhood organizations were present:

- Downtown Citizens Council  
**Jon Reeves**, Chairperson  
**Kevin Brown**, Secretary
- Parkwyn Village Association  
**Patricia Williams**, Board Member
- Vine Neighborhood Association  
**Stephen Walsh**, Executive Director

Downtown Citizens Council

The Downtown Citizens Council representatives:

- stated the Council was formed in 2006 because the number of residents in the downtown area exceeded 200.
- noted there were two vacancies on the Council.
- stated there was an event for downtown residents on November 14<sup>th</sup> at which surveys were distributed.
- reported survey results were still being gathered but stated the surveys already collected indicated the following:
  - residents considered downtown moderately to very safe and indicated that the perception of crime was not an issue.
  - residents would like a pharmacy, hardware store, drycleaner, small grocery store, and bookstore with movie rental in the downtown area.

Downtown Citizens Council (cont'd)

- residents felt the downtown was becoming a neighborhood.
- residents were concerned about car alarms sounding during the night and garbage trucks emptying trash containers early in the morning.
- residents requested more longterm parking, bike racks in parking ramps, adjustments for handicapped, a cleaner downtown, a year-round version of Holly-Jolly-Trolley, and more communications regarding construction projects.

In response to a question from Commissioner Miller, Mr. Reeves stated some downtown properties had dumpsters for recycling and some did not. Mr. Reeves noted, however, that the recycling containers currently in use were not able to handle plastic.

In response to a question from Mayor Hopewell, Mr. Reeves stated the Council would be involved in the Comprehensive Plan revision process and reported the Council had been kept well-informed by City and DKI staff.

Parkwyn Village Association

The Parkwyn Village Neighborhood Association representative:

- thanked City Commission for installing a left-hand turn signal at the intersection of Oakland drive and Winchell Avenue and for eliminating a hedgerow at the corner of Parkview Avenue and Wellington Road.
- expressed concern about westbound vehicles that entered the lane to turn left into Parkview Hills just before Wellington Road. Ms. Williams stated these vehicles hindered eastbound traffic from turning left onto Wellington. Ms. Williams requested that arrows be painted in the turn lane.
- stated the deer population in the area had increased since the development of the Business, Technology and Research (BTR) Park and expressed concern that the deer were damaging the flora.

In response to a question from Commissioner McCann, Ms. Williams stated several residents were making significant improvements to their properties.

Vine Neighborhood Association

The Vine Neighborhood Association representatives:

- expressed support for a proposed dual language school at the former Vine Elementary School and read a letter from Vine Neighborhood Association Board Chair Julie DeLuca regarding the proposed school.
- reported there were 200 school-age children in the Vine Neighborhood and stated the creation of a school in the neighborhood would help attract new residents and retain current residents.

Vine  
Neighborhood  
Association  
(cont'd)

In response to a question from Commissioner Moore, Mr. Walsh stated the Association was seeking the blessing of the Commission regarding its campaign for a new school in the neighborhood.

In response to a question from Commissioner McCann, Mr. Walsh stated many residents were concerned about the neighborhood and thought it was "on the edge," but he would not characterize the neighborhood this way.

In response to a question from Commissioner Cooney, Mr. Walsh stated the Association was concerned about the effects of foreclosures, especially opportunistic landlords. Mr. Walsh indicated he directed residents facing foreclosure to Kalamazoo Neighborhood Housing Services.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

The meeting adjourned at 6:27 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on February 4, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: February 4, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, December 17, 2007 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, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Invocation

The invocation, given by Pastor Ervin Armstrong, Associate Pastor, Christian Life Center, was followed by the Pledge of Allegiance.

Introduction of  
Guests

Mayor Hopewell recognized the presence of former City Commissioner Linda Teeter.

**77700**

City Manager Collard recognized the following 2007 "All Star" Winners.

Individuals: Lisa Brown, Management Services  
James Cornell, Harrison Facility  
John DePierre, Public Safety Department  
Vickie Hassiel, Stockbridge Facility  
Erica Hicks, Human Resources  
Leslie Neuman, Parks & Recreation  
Jerome Post, Human Resources

Teams: *Brownfield Redevelopment Team*  
Marc Hatton, Eric Kemmer, John Kneas

*CP&D Neighborhood Development Team*  
Claudette Cobbs, Gracia Mason, David Thomas

*Public Safety Crime Lab*  
Tracy Cochran, Tyler Fall, Gary Latham, Jerry Luedecking,  
Tod Neldon, David Thomas

*Well Head Protection Project (WHPP)*  
John Paquin, Mark Stevens

Proclamation

**77701**

Mayor Hopewell proclaimed the 75<sup>th</sup> Anniversary of the Kalamazoo Jaycees for 2007. Ms. Lisa Kukulski, 2007 President of the Kalamazoo Jaycees, and Jaycees member Mike Salerno accepted the proclamation.

Adoption of the  
Agenda

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

Commissioner Cooney requested that Item G-4, dedication of a right-of-way through the Kendall wellfield, be moved from the Consent Agenda to the Regular Agenda.

Communications

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

Public Hearing re:  
Revocation of a  
Tax Abatement  
Certificate for  
Discount Laser  
Supply, Inc.

At 7:21 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt a **RESOLUTION** requesting that the State Tax Commission revoke Industrial Facilities Tax Exemption Certificate No. 2000-364 granted to Discount Laser Supply, Inc.

**77702**

At 7:22 p.m. Mayor Hopewell closed the public hearing.

Resolution 07-89  
Revoking IFT  
Exemption  
Certificate 2000-  
364 for Discount  
Laser Supply, Inc.

Commissioner Anderson, seconded by Commissioner Moore, moved to adopt a **RESOLUTION** requesting that the State Tax Commission revoke Industrial Facilities Tax Exemption Certificate No. 2000-364 granted to Discount Laser Supply, Inc.

**77702**

With a roll call vote this motion 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:

Monica Westover, City resident, spoke about unfulfilled Freedom of Information Act (FOIA) requests and ongoing issues with the Kalamazoo Department of Public Safety (KDPS).

Mattie Jordan-Woods, City resident and Executive Director of the Northside Association for Community Development (NACD), thanked the American Red Cross A.M. Todd Family Health Center for hosting a Christmas Party for area youth held over the weekend. Ms. Jordan-Woods also thanked eight teenagers who helped with the party and noted the community needed to recognize the positive contributions of teens.

Asha Kashad, City resident, spoke regarding his own mental illness and offered hope to those who were diagnosed with Serious and Persistent Mental Illness (SPMI).

Thomas Shaffer, Non-resident, requested a meeting with the Mayor to discuss zoning issues related to downtown development. Mr. Shaffer stated he was conducting research on zoning and economic development issues and indicated he would like to present a report to the City Commission on this topic.

- 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:
- 77703** - a recommendation to approve a one-year contract extension with Knapp Energy, Inc. for gasoline and diesel fuel in the amount of \$845,600.
- 77704** - a recommendation to approve a one-year contract renewal for Metro Transit fleet liability insurance with the Michigan Transit Pool at an annual deposit premium of \$266,764 payable in four equal installments to Macatawa Bank, the MTP financial representative.
- 77705** - a recommendation to approve a two-year contract with Consumer Concrete Corporation for miscellaneous aggregates and road gravel in the amount of \$178,260.76.
- Resolution 07-90
- 77706** - a recommendation to adopt a **RESOLUTION** setting a public hearing to consider the proposed fiscal year 2008 budget for the City of Kalamazoo on Monday, January 14, 2008.
- Resolution 07-91
- 77707** - a recommendation to adopt a **RESOLUTION** for the purpose of authorizing the transfer of \$5,000 to the Legal Defense Fund of the Michigan Municipal League in support of filing an intervention in Michigan Public Services Commission Case No. U-15245.
- Resolution 07-92
- 77708** - a recommendation to adopt a **RESOLUTION** to vacate the south 763.70 feet of Lafayette Avenue, plus a right-of-way located south of Lafayette Avenue, with the following conditions: a) An easement will be provided to the city for the underground utilities in the property to be vacated; b) An easement will be provided to the city for future storm water facilities; c) An easement will be provided to the city for access to the east side of the Knollwood Park; and d) The existing trees on the east side of the Knollwood Park will remain.
- Resolution 07-93
- 77709** - a recommendation to adopt a **RESOLUTION** designating the polling facility locations for the election to be held January 15, 2008, for the purpose of voting for Presidential Primary Candidates and to consider a millage request from Comstock Public Schools (portions of Precincts 10 & 17).
- Resolution 07-94
- 77710** - a recommendation to adopt a performance and indemnification **RESOLUTION** designating the City Clerk and Deputy City Clerk as City officials authorized to apply to the Michigan Department of Transportation for a permit to place banners on the South Westnedge pedestrian overpass during the period from January 1, 2008 to December 31, 2008.
- Resolution 07-95
- 77711** - a recommendation to adopt a **RESOLUTION** approving and establishing the schedule of regular City Commission meetings for the 2008 calendar year.

Consent Agenda  
(cont'd)

Resolution 07-96  
**77712**

- a recommendation to adopt a **RESOLUTION** recognizing the Volunteer Services of Greater Kalamazoo as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.

Resolution 07-97  
**77713**

- a recommendation to adopt a **RESOLUTION** recognizing Great Lakes Acoustic Music Association as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.

**77714**

- a recommendation to authorize the City Manager to execute Second Amendments as they relate to existing water tower lease agreements with Verizon Wireless for Mt. Olivet, N. Dartmouth, and Edgemoor tanks.

**77715**

- a recommendation to approve a five-year extension of a lease with Off-Site Kalamazoo, LLC in the annual amount of \$36,900 (\$184,500 over five years) to house the City's Records Center and Archives.

**77716**

- a recommendation to approve the assignment of Commissioners to various boards, commissions, committees and sub-committees.

**77717**

- a recommendation to approve amendments to the FY2007 Budget in the General Fund and the Capital Improvement Fund.

**77718**

- a recommendation to approve a request from the New Year's Fest of Kalamazoo, to publicly display fireworks at the Radisson Parking Structure on Monday, December 31, 2007 at midnight as a part of the annual New Year's festivities.

**77719**

- a recommendation to authorize settlement, by payment of \$15,000, of a personal injury claim brought by Jeremy Hazelhoff (*attorney client confidential communication*).

**77720**

- a recommendation to approve the following appointments and re-appointments to advisory boards and commissions:
  - the appointment of **James Allan Nicolow** to the Environmental Concerns Committee for a partial term expiring on January 1, 2009.
  - the appointment of **Keely Anne Novotny** to the Environmental Concerns Committee for a three-year term expiring on January 1, 2011.
  - the re-appointment of **Fred Decker** to the Historic District Commission for a term expiring on January 1, 2011.
  - the re-appointment of **Nelson Nave** to the Historic District Commission for a term expiring on January 1, 2011.

Consent Agenda  
(cont'd)

**77721**

- the re-appointment of **Gary Wager** to the Parks and Recreation Advisory Board for a term expiring on January 1, 2011.

- a recommendation to approve minutes from the following City Commission meetings: the November 30, 2007 Committee of the Whole meeting and the December 3, 2007 Regular Meeting.

Commissioner McCann, seconded by Vice Mayor McKinney, 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

Regular Agenda

Regular Agenda items were considered next.

Resolution 07-98  
Dedicating a New  
R-O-W Through  
Kendall Wellfield  
for the Arboretum  
Roadway

Commissioner Anderson seconded by Commissioner Miller moved to adopt a **RESOLUTION** regarding dedication of a new right-of-way through the northwest corner of the Kendall Wellfield for the easterly portion of the Arboretum Roadway, subject to certain restrictions.

**77722**

Prior to a vote on this motion, Commissioner Cooney referenced a letter the Commission had received recently from Phillip Micklin and echoed Mr. Micklin's concerns about the Arboretum Roadway. Commissioner Cooney indicated he wanted the new Kalamazoo Public Schools (KPS) middle school to be built on the eastside of the City and stated he had been misinformed about the amount of land needed for the new school. Commissioner Cooney requested that there be renewed dialogue about the construction of a new facility for the Eastside Neighborhood Youth Center.

Commissioner Moore referenced a letter from the NAACP and expressed concern about the KPS middle school site selection process. Commissioner Moore stated the City Commission could not leave the Eastside Neighborhood "hanging" and suggested that a new facility for the Youth Center be a top priority for the Commission and the community. Commissioner Moore also

Mayor Hopewell urged Commissioners to be cautious when they received correspondence and to consider that a single letter represented just one side of a multi-faceted issue. Mayor Hopewell stated the City needed to work with KPS and other community partners to address the needs in the Eastside Neighborhood.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Ordinance 1835  
Repealing and  
Adopting Sections  
2-223 – 2-264 of  
the City Code (the  
Pension Ord.)

**77723**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt a **PENSION ORDINANCE** (Sections 2-223 – 2-264) by first repealing it, then adopting a different version (with the same numbered sections). The resulting changes will not affect the amount of money paid into the system by the City or its employees, nor the amount of money received by beneficiaries, including retirees, but will ensure that the plan is “qualified” for taxation purposes.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk’s Report

**77724**

City Clerk Borling reported the following:

- correspondence from the Michigan Department of Treasury regarding fiscal distress indicators for the City of Kalamazoo was received and referred to the City Manager’s Office.
- on Friday, December 14<sup>th</sup> the Clerk’s Office mailed approximately 1,100 absentee ballots to voters for the January 15<sup>th</sup> Presidential Primary Election.
- all voters who wanted to cast a ballot in the Presidential Primary Election would need to choose, in writing, either a Republican or a Democratic ballot.

City Manager’s  
Report

**77725**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- November 2006 Purchasing Report
- Employees’ Retirement System Report for period ending September 30, 2007
- Legislative Update, dated December 10, 2007

Mayor Hopewell requested information on the diversity of students in the Public Safety track of the Kalamazoo Regional Education Service Agency’s (KRESA’s) Education for Employment Program.

Amendments to  
City Commission  
Rules

**77726**

Commissioner Miller seconded by Commissioner Anderson moved to adopt amended City Commission Rules, the only amendments being those that relate to citizen comments.

Prior to a vote on the motion, the following citizens addressed the City Commission:

Beth Lewis, City resident, spoke in opposition to the motion.

Commissioner Miller expressed support for the rule amendments.

Amendments to  
City Commission  
Rules (cont'd)

**77726**

Commissioner Moore expressed opposition to the motion and stated local government was the only venue in which for citizens could have their voices heard. Commissioner Moore stated members of the community needed to step forward to help the Commission address issues in the community, and the Commission needed to take advantage of every opportunity for listening to citizens. However, Commissioner Moore noted, the proposed amendments to the City Commission rules gave the impression that the City Commission was not affording citizens every opportunity to speak.

Commissioner Anderson stated the Commission was not limiting the time citizens could speak, and the Commission would remain open to input. Commissioner Anderson recommended service on advisory boards and commissions as a way for citizens to be involved and have input with their local government.

Vice Mayor McKinney stated having two public comment times was a good idea philosophically, but she noted the purpose of the meeting was to conduct business. Vice Mayor McKinney pointed out that the Commission had allocated over \$4 million in tax dollars earlier in the meeting, and she expressed concern that on a routine basis neither citizens nor Commissioners offered comments on the business items under consideration. Vice Mayor McKinney stated the proposed rule changes would make it easier for citizens and Commissioners to focus on the real work of the Commission.

Commissioner Cooney stated the City Commission needed to focus on business at its meeting, but he also noted the Commission needed to listen to the people. Commissioner Cooney explained that under the amended rules citizens would still have the opportunity to speak to any agenda item, and they would have the ability to address any other topic at the end of the meeting. Commissioner Cooney recommended that the Commission think of other ways to gain input from the community and suggested that City Commissioners and advisory board members go to regularly scheduled meetings of neighborhood organizations. Commissioner Cooney indicated he was not enthusiastic about proposed amendments to the rules, but he was willing to give them a try.

Commissioner McCann stated much can be said in four minutes, and eight minutes is too much. Commissioner McCann indicated he was not quick to change traditions, but City Commissioners and city staff were very accessible outside of formal meetings. Commissioner McCann noted the City Commission Rules could be changed again if the proposed amendments did not work.

Mayor Hopewell suggested City Commissioners and City staff be creative and consider other ways to get input from the community. Mayor Hopewell noted the importance of directing people to the right places and organizations for information or services.

Amendments to  
City Commission  
Rules (cont'd)

**77726**

With a roll call vote this motion passed by a vote of 6-1.

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

NAYS: Commissioner Moore

Mayor Hopewell noted that the City Commission meeting guidelines, published on the last two pages of the agenda, had been changed to require that citizens displaying signs and placards do so on the side aisles and at the rear of the Commission Chambers.

Citizen Comments

When given a final opportunity for citizen comments, the following citizens addressed the City Commission:

Beth Lewis, City resident, expressed opposition to the amended City Commission Rules regarding citizens' comments and spoke about a recent break-in at her house.

Callie Robbins, Non-resident, thanked the City for partnering with KRESA to offer Public Safety training through the Education for Employment Program. Ms. Robbins stated her son, who was in the program, intended to go to college and then work for KDPS.

Phillip Micklin, City resident, referred to a letter he had submitted to the City Clerk on December 3<sup>rd</sup> and expressed opposition to the construction of Arboretum Drive.

City Commissioner  
Comments

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

Commissioner Moore congratulated Vanessa Norris of On-Site Body Care for the success of her Sisters on the Move open-house for women who owned small businesses. Commissioner Moore congratulated Mattie Jordan-Woods and NACD on the successful Christmas party for area youth. Commissioner Moore noted Angela Anderson of Neighborhood Advisory Council had coordinated a program in the Edison Neighborhood regarding home weatherization. Commissioner Moore thanked KPS parents for attending parent/teacher conferences.

Commissioner Miller thanked Barb Blissett for publishing the Sister City Connection newsletter.

Commissioner Cooney reported 52 young people were participating in the after school program at Washington Writers Academy. Commissioner Cooney thanked the community partners who participated in the program, and he stated facilities such as schools should remain open in evenings for programming. Commissioner Cooney expressed deep sorrow for the shooting death of Anthony Potts, Jr. over the weekend.

Commissioner McCann encouraged citizens to shop locally during the holiday season.

Mayor Hopewell advised residents to keep their sidewalks clear of snow and ice. Mayor Hopewell offered condolences to the Potts family on behalf of the City Commission.

Adjournment

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on January 22, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: January 22, 2008

A work session of the Kalamazoo City Commission was held on Thursday, December 20, 2007 at 6:00 p.m. in the Community Room at City Hall. The purpose of the work session was to review the FY2008 Budget.

Roll Call

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

COMMISSIONERS ABSENT: Vice Mayor McKinney

Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioners  
Excused

Commissioner Anderson, seconded by Commissioner Miller, moved to excuse the absences of Vice Mayor McKinney and Commissioner Cooney.

Miscellaneous  
Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Presentation re:  
the Proposed  
FY2008 Budget

City Manager Collard delivered a PowerPoint presentation on the FY2008 budget. A copy of this presentation was included with the papers for the meeting.

**77727**

\*Commissioner Cooney arrived at 6:33 p.m.

City Commission  
"Gap Analysis"

Following City Manager Collard's presentation, City Commissioners complete a "Gap Analysis" by listing the following priorities and items for future consideration and potential funding:

Commissioner Miller

- Reducing the City's reliance on Tax Anticipation Notes (TANS)
- Funding retiree healthcare
- Resurfacing Cork Street
- Implementing wireless technology
- Supporting the Eastside Community Center
- Business retention, expansion, and recruitment
- Streamlining the City's forms and application processes for businesses

Commissioner Cooney

- Leveraging funds for the Eastside Community Center
- Poverty reduction
- Addressing the problem of youth violence
- Supporting the Kalamazoo Promise
- Utilizing the community policing model to prevent crime
- Functioning as a catalyst to bring groups together and leverage resources to address community issues

City Commission  
 "Gap Analysis"  
 (cont'd)

Commissioner Moore

Job creation/job funding, especially for people 18-29 years of age  
 Support for neighborhoods re: quality of life issues  
 Housing assistance/foreclosure intervention/sustaining home ownership  
 A pilot program to "expunge" the criminal stigma

Commissioner Anderson

Aligning the City's mission with its vision  
 Linking community benefits to regular City contracting procedures  
 Tightening-up feedback loops and performance indices for citizen participation and City services  
 Aligning City resources with the resources of other community organizations  
 Enhancing community partnerships

Commissioner McCann

Addressing staffing issues and pressures  
 Youth and youth violence  
 Community policing  
 Improving the condition of the City's housing stock  
 Poverty reduction  
 Considering the long term outlook for the Kalamazoo Promise and what that means for the City  
 Thinking about the long term needs of the City organization  
 Infrastructure needs  
 Leveraging funds and engaging in partnerships  
 Neighborhood Improvement Zones

Mayor Hopewell

Performing a GAP analysis of the City's plans and strategies  
 Reinstating the CLOCK program  
 Public Safety retention, promotion, recruitment  
 Taking City Hall into the Community  
 Making efforts as an organization to be environmentally friendly  
 Allocating initiative funds to each Commissioner for distribution to organizations at their individual discretion  
 Expanding the funding base and for the Summer Youth Employment

Discussion took place regarding the Gap Analysis items. City Manager Collard stated he would review these items and take them under advisement as the budget adoption process continued.

Mayor Hopewell expressed a desire have a priority setting retreat in the 1<sup>st</sup> quarter of 2008.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

City Commissioner Comments

Finally, an opportunity was given for miscellaneous comments and concerns of City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on March 17, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: March 17, 2008