

# City of Kalamazoo

## Minutes of the City Commission

### 2008

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

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

#### City Commission Appointees

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

# Kalamazoo City Commission Adopted 2008 Meeting Schedule

## January

3 Committee of the Whole  
7 Business Meeting  
14 Work Session  
18 Committee of the Whole  
22 *Business Meeting*

## February

1 Committee of the Whole  
4 Business Meeting  
11 Work Session  
15 Committee of the Whole  
18 Neighborhood Meeting  
18 Business Meeting  
29 Committee of the Whole

## March

3 Business Meeting  
10 Work Session  
14 Committee of the Whole  
17 Neighborhood Meeting  
17 Business Meeting  
28 Committee of the Whole  
31 Business Meeting

## April

4 Committee of the Whole  
7 Business Meeting  
14 Work Session  
18 Committee of the Whole  
21 Neighborhood Meeting  
21 Business Meeting

## May

2 Committee of the Whole  
5 Business Meeting  
12 Work Session  
16 Committee of the Whole  
19 Neighborhood Meeting  
19 Business Meeting  
30 Committee of the Whole

## June

2 Business Meeting  
9 Work Session  
13 Committee of the Whole  
16 Neighborhood Meeting  
16 Business Meeting  
27 Committee of the Whole  
30 Business Meeting

## July

3 *Committee of the Whole*  
7 Business Meeting  
14 Work Session  
18 Committee of the Whole  
21 Neighborhood Meeting  
21 Business Meeting

## August

1 Committee of the Whole  
4 Business Meeting  
11 Work Session  
15 Committee of the Whole  
18 Neighborhood Meeting  
18 Business Meeting  
29 Committee of the Whole

## September

2 *Business Meeting*  
8 Work Session  
12 Committee of the Whole  
15 Neighborhood Meeting  
15 Business Meeting  
26 Committee of the Whole  
29 Business Meeting

## October

3 Committee of the Whole  
6 Business Meeting  
13 Work Session  
17 Committee of the Whole  
20 Neighborhood Meeting  
20 Business Meeting  
31 Committee of the Whole

## November

3 Business Meeting  
10 Work Session  
14 Committee of the Whole  
17 Neighborhood Meeting  
17 Business Meeting

## December

1 Business Meeting  
8 Work Session  
12 Committee of the Whole  
15 Neighborhood Meeting  
15 Business Meeting  
29 Business Meeting

### Times and Locations

**Business 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 Meetings - 7:30 a.m. in the City Hall Community Room**

**Neighborhood Meetings - 6:00 p.m. in the City Hall Community Room**

**Meetings in *italics* indicate a departure from the normal schedule due to a holiday.**

# Kalamazoo City Commission Final 2008 Meeting Schedule

## January

3 Committee of the Whole  
7 Special Work Session  
7 Business Meeting  
10 Special Work Session  
12 Special Work Session  
14 Work Session  
18 Committee of the Whole  
19 Special Business Meeting  
22 *Business Meeting*

## February

~~1 Committee of the Whole~~  
4 Business Meeting  
11 Work Session  
~~15 Committee of the Whole~~  
18 Neighborhood Meeting  
18 Business Meeting  
29 Committee of the Whole

## March

3 Business Meeting  
~~10 Work Session~~  
14 Committee of the Whole  
17 Neighborhood Meeting  
17 Business Meeting  
28 Committee of the Whole  
~~31 Business Meeting~~

## April

~~4 Committee of the Whole~~  
7 Business Meeting  
~~14 Work Session~~  
18 Committee of the Whole  
21 Neighborhood Meeting  
21 Business Meeting

## May

2 Committee of the Whole  
5 Business Meeting  
~~12 Work Session~~  
~~16 Committee of the Whole~~  
19 Neighborhood Meeting  
19 Business Meeting  
~~30 Committee of the Whole~~

## June

2 Business Meeting  
~~9 Work Session~~  
13 Committee of the Whole  
16 Neighborhood Meeting  
16 Business Meeting  
~~27 Committee of the Whole~~  
30 Business Meeting

## July

3 *Committee of the Whole*  
7 Business Meeting  
~~14 Work Session~~  
18 Committee of the Whole  
21 Neighborhood Meeting  
21 Business Meeting

## August

~~1 Committee of the Whole~~  
4 Business Meeting  
~~11 Work Session~~  
15 Committee of the Whole  
18 Neighborhood Meeting  
18 Business Meeting  
~~29 Committee of the Whole~~

## September

2 *Business Meeting*  
~~8 Work Session~~  
12 Committee of the Whole  
15 Neighborhood Meeting  
15 Business Meeting  
~~26 Committee of the Whole~~  
29 Business Meeting

## October

3 Committee of the Whole  
6 Business Meeting  
~~13 Work Session~~  
~~17 Committee of the Whole~~  
20 Neighborhood Meeting  
20 Business Meeting  
~~31 Committee of the Whole~~

## November

3 Business Meeting  
~~10 Work Session~~  
11 Special Work Session  
14 Committee of the Whole  
17 Neighborhood Meeting  
17 Business Meeting

## December

1 Business Meeting  
~~8 Work Session~~  
12 Committee of the Whole  
15 Neighborhood Meeting  
15 Business Meeting  
29 Business Meeting

### Times and Locations

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

Neighborhood Meetings - 6:00 p.m. in the City Hall Community Room

Meetings in *italics* indicate a departure from the normal schedule due to a holiday.

The Kalamazoo City Commission met as a Committee of the Whole on Thursday, January 3, 2008 at 7:30 a.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 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 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  
January 7<sup>th</sup> Agendas

The City Commission reviewed and discussed the agenda for its Special Meeting on Monday, January 7, 2008.

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, January 7, 2008.

\*Commissioners McCann and Moore arrived at 7:34 a.m.

Item G-6

Regarding Item G-6, a resolution supporting participation in the Southwest Regional Alliance, Commissioner Cooney requested this item be moved to the Regular Agenda.

In response to a question from Commissioner McCann, Deputy City Manager Jerri Barnett-Moore stated the \$15,000 contribution to the Alliance would be funded from working capital, and she reported the City currently spent \$30,000 per year for lobbyist services in Lansing.

City Manager Collard pointed out that the Michigan Municipal League also provided lobbying services for its members. City Manager Collard reviewed the draft budget for the Alliance.

Commissioner McCann requested a copy of the draft budget and questioned whether any funds would be used to support specific political candidates.

In response to Commissioner McCann, Deputy City Manager Barnett-Moore stated she was not aware of language in the proposed resolution regarding support for political candidates.

In response to a question from Commissioner McCann, City Manager Collard stated it was difficult to label the Alliance as either a countywide initiative or a regional initiative. City Manager Collard indicated the

Alliance partners were entities within Kalamazoo County, but certain issues the Alliance would address, such as transportation issues, could have a regional impact.

In response to a question from Commissioner McCann, City Manager Collard indicated the partners in the Alliance would need to work out any disagreements about specific issues to support or oppose, but he did not know details on how disputes would be resolved on a practical level. City Manager Collard noted that his involvement with the Alliance was tangential, as Vice Mayor McKinney had worked closely with community partners to create the Alliance when she was Mayor.

Mayor Hopewell recommended this item be pulled from the January 7<sup>th</sup> meeting agenda and that Commissioners send their questions and concerns to the City Manager, who would forward those questions and concerns to Steward Sandstrom at the Chamber of Commerce for a response. Mayor Hopewell requested that Mr. Sandstrom respond directly to each individual Commissioner.

City Manager Collard stated there was a rift between Southwest Michigan First and the Kalamazoo County Chamber of Commerce, and he expressed hope that the Southwest Michigan Alliance would begin to heal that rift.

Community Issues

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

Citizen Comments

In response to a question from Commissioner Miller, Deputy Public Services Director Bob Wass reviewed a detailed agenda for the January 7<sup>th</sup> Special Meeting.

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

Adjournment

The meeting adjourned at 8:00 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, January 7, 2008 at 5:32 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.

Commissioner Anderson, seconded by Commissioner Cooney, 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.

Review of the FY2008 Proposed Budget

**77728**

City Manager Collard distributed and discussed the following documents: a map entitled *Expenses for City Services By Neighborhoods – 2007; Budget Meeting 12/20/2007 City Commission “Gap Analysis”*; and *Budget Meeting 12/20/2007 City Commission “Gap Analysis”* (sorted).

\*Commissioner McCann arrived at 5:38 p.m.

City Attorney’s FY2008 Proposed Budget Presented and Tentatively Approved

**77729**

Acting City Attorney Schau presented the FY2008 Proposed Budget for the City Attorney’s Office.

Commissioner Anderson, seconded by Vice Mayor McKinney, moved to tentatively approve the FY2008 Proposed Budget for the City Attorney’s Office.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk’s FY2008 Proposed Budget Presented and Tentatively Approved

**77730**

City Clerk Borling presented the FY2008 Proposed Budget for the City Clerk’s Office.

Commissioner Moore, seconded by Commissioner Miller, moved to tentatively approve the FY2008 Proposed Budget for the City Clerk’s Office.

Internal Auditor's  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77731**

With a roll call vote this motion passed unanimously.

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

NAYS: None

Internal Auditor Ann Videtich presented the FY2008 Proposed Budget for the Internal Auditor.

Commissioner Miller, seconded by Commissioner McCann, moved to tentatively approve the FY2008 Proposed Budget for the Internal Auditor.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Transportation  
Department's  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77732**

Transportation Director Bill Schomisch presented the FY2008 Proposed Budget for the Transportation Department.

Commissioner Cooney stated he would not support the Transportation Department Budget as long as Pride Care, Inc. continued to provide the Care-A-Van service.

Discussion followed regarding funding for the Care-A-Van service, and the relationship between the Kalamazoo County Transportation Authority, the Kalamazoo Transit Authority Board, and the City Commission vis-à-vis approval of the Transportation Department budget.

Commissioner Miller, seconded by Commissioner Anderson, moved to tentatively approve the FY2008 Proposed Budget for the Transportation Department.

With a roll call vote this motion passed by a vote of 5-1 with one abstention.

YEAS: Commissioners Anderson, McCann, Miller, Vice Mayor  
McKinney, Mayor Hopewell

NAYS: Commissioner Cooney

ABSTAIN: Commissioner Moore

Motion to Adjourn  
at a Time Specific  
and to Reduce the  
Time for Citizen  
Comments

**77733**

Mayor Hopewell inquired as to the number of individuals present who wished to address the City Commission during Citizen Comments.

Commissioner McCann, seconded by Commissioner Anderson, moved to adjourn the meeting no later than 6:45 p.m.; to temporarily waive the City Commission Rule that granted citizens four minutes to address the Commission during Citizen Comments; and to set a time limit of 90 seconds each for speakers during Citizen Comments.

Citizen Comments

With a voice vote the motion passed.

Next, when given an opportunity to make comments, the following individuals addressed the City Commission:

Michael Evans, City resident, spoke regarding the prosecution of homeless people.

LoriAnne Tennison, City resident, spoke regarding the elimination of a citizen comment period during business meetings.

Max Conrad, City resident, spoke regarding the elimination of a citizen comment period during business meetings, the Kalamazoo County Public Housing Authority, and the Housing Trust Fund.

Adjournment

The meeting adjourned at 6:43 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



Consent Agenda  
(cont'd)

Resolution 08-04

**77738**

**77739**

**77740**

- a recommendation to adopt a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** which is a request from Marcie Ventures Inc. to transfer 1,500 shares of stock of a 2007 Class C–SDM liquor license with a Dance Permit located at 904 Washington, known as the Shortstop Bar, to Darlene Newnum.
- a recommendation to accept a \$1,000 grant from the Michigan Preservation Fund to assist in the costs of preparing and printing a preservation-based development brochure.
- a recommendation to hold until January 22, 2008 approval of the sale of eight properties for \$99 each as a part of the A+ Neighborhoods' Property Sale Program:
  - 726 N. Rose Street to Vernal and Lee Shepherd for the purpose of a lot combination with their property at 722 N. Rose Street.
  - 1208 N. Church Street to Anna Murphy for the purpose of a lot combination with their property at 1212 N. Church Street.
  - 1920 Union Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 1916 Union Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 1015 S. Rose Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 1358 Krom Avenue to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 1916 N. Church Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 3903 Adams Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.

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

With a roll call vote this motion passed unanimously.

City Clerk's Report  
**77741**

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

NAYS: None

City Clerk Borling reported the following items:

- the receipt of minutes from advisory boards and commissions.
- as a requirement for voting, voters would need to show photo identification or sign an affidavit of identification at the polls for the January 15<sup>th</sup> Presidential Primary election.
- the number of absentee ballots sent and received for the Presidential Primary was down compared to previous elections.

In response to Commissioner Miller, City Clerk Borling stated both absentee voters and voters at the polls would need to select a Republican or a Democratic ballot for the Presidential Primary. City Clerk Borling explained the record of voters' ballot selections would be transmitted to the Republican and Democratic Parties following the election, but it would not be available to the public.

In response to a question from Commissioner Moore, City Clerk Borling stated it was his understanding that votes for "Uncommitted" would result in state party delegates being sent to the national party conventions without a mandate to vote for a particular candidate. City Clerk Borling stated the method of translating votes for "Uncommitted" into uncommitted delegates was explained in the Republican and Democratic Party rules.

Policy Item – City  
Attorney Selection  
Process  
**77742**

Mr. Paul Preston of the Michigan Municipal League reviewed the recruitment process for City Attorney candidates. Mr. Preston stated the candidates would meet with City staff during the day on Friday, January 18<sup>th</sup> and give public presentations at a community forum that evening. Mr. Preston stated the City Commission would interview the candidates on Saturday, January 19<sup>th</sup>. Mr. Preston noted citizens who attended the community forum would be asked to complete evaluation forms, the information from which would be presented to the City Commission after the formal interviews.

In response to a question from Commissioner Anderson, Mayor Hopewell stated the City Attorney interviews would be conducted in the Community Room, and the community forum and reception would take place in the City Commission Chambers. Mayor Hopewell requested that the candidate presentations at the community forum be televised by the Community Access Center.

Commissioner Moore stated the City Attorney candidate pool should reflect the diversity of the community and indicated she would be extremely disappointed if there were no minority candidates in the final pool.

Citizen Comments

In response to a question from Commissioner Miller, Mr. Preston stated packets containing the candidates' resumes would be distributed to City Commissioners after the meeting, and he noted the interview questions would not be published prior to the interviews.

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

Ron Coleman, City resident, spoke regarding youth violence and delivered a call for action for the City to work community partners to reduce youth violence. Approximately 12 citizens stood in support of Mr. Coleman's remarks.

Pastor Joseph Anderson, City resident, spoke regarding violence in the black community and the elimination of a citizen comment period from the City Commission Regular Meeting Agenda.

Sheran Pierson, City resident, spoke regarding youth violence among young black men.

Jerry Williams, City resident, suggested a task force be formed to address youth violence and the social and economic needs of Kalamazoo's young people. Mr. Williams also expressed support for the Department of Public Safety.

Yolanda Dunigan, City resident, spoke on behalf of Families of Hope and suggested that the City employ Families of Hope to be surrogate families for Kalamazoo's youth.

Mattie Jordan-Woods, City resident, thanked City Clerk Borling for meeting with her and discussing precinct boundary changes. Ms. Jordan-Woods urged the City to support the Mothers of Hope and Bob Ezell, Director of the Boys and Girls Club of Kalamazoo.

Bob Ezell, City resident and Director of the Boys and Girls Club of Kalamazoo, requested the City's support to address the needs of young people in Kalamazoo. Mr. Ezell suggested that an effective partnership model be developed, which would include: the criminal justice, juvenile justice, and law enforcement community; the educational community; the health care community; concerned citizens; the faith-based community, the business community, and the media.

Chan Pratt, non-resident and founder of Vision Purpose Destiny, spoke regarding youth violence and the need for parental leadership and responsibility among young people. Mr. Pratt challenged the City to celebrate successful young people and to foster the development of small businesses in the community.

Shawn O'Bryant, City resident, inquired about opportunities for citizen to provide feedback regarding the City Attorney candidates.

Citizen Comments  
(cont'd)

Jean Baraka-Love, City resident, spoke regarding youth violence in Kalamazoo and related her personal experience with youth violence.

Asha Kashad, City resident, spoke regarding poverty and the need to have a change of attitude in order to get out of poverty.

Crystal Parker, City resident, urged the City to take action regarding youth violence.

Creed Stegall, City resident, suggested the Community Relations Board address issues of youth violence and stated the religious community was also responsible for addressing this issue.

Denise Posie, non-resident, spoke regarding youth violence and expressed support for the Kalamazoo community.

Lois Stahl, City resident, requested that businesses be fined for failure to clear snow and ice from their sidewalks. Ms. Stahl suggested the City hire her to enforce this ordinance requirement.

City Commissioner  
Comments

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

Commissioner Moore thanked citizens for being willing to take action against violence in the community. Commissioner Moore stated there was also a substance abuse crisis in the community, and she called on mental health and substance abuse professionals to help address this problem. Commissioner Moore highlighted the need for the City to have an inclusive hiring process and indicated she would be disappointed if the City Attorney candidate pool did not include any minority candidates. Commissioner Moore noted young people were doing wonderful things in the community.

Commissioner Anderson stated the City Commission was very concerned about youth violence. Commissioner Anderson noted the City was one of the worst offenders regarding clearing sidewalks adjacent to its own property. Commissioner Anderson recognized the positive work of Habitat for Humanity in Kalamazoo.

Commissioner Cooney thanked citizens for speaking about youth violence and remarked on the tragedy that had come to Kalamazoo. Commissioner Cooney noted there would be many celebrations over the course of the next week to honor Dr. Martin Luther King Jr., but he stated the recent violence in the community was a complete denial of everything Dr. King represented. Commissioner Cooney urged the City to stand up for its young people, develop a new initiative to address youth violence, and provide resources for the initiative.

Mayor Hopewell stated information on the City Attorney search process was available on the City's website at [www.kalamazoo.org/casearch](http://www.kalamazoo.org/casearch), and citizens would be able to submit proposed questions for City Attorney candidates until midnight on January 15<sup>th</sup> through the following avenues: via phone at 337-8420; and via e-mail to [questions@kalamazoo.org](mailto:questions@kalamazoo.org).

Mayor Hopewell acknowledged the City Commission had been given a call to action and reported that he had asked the City Manager to consider immediate and long term actions to address the problem of youth violence. Mayor Hopewell stated the community had reached a crisis point regarding youth violence and indicated the City would work with community partners to address this issue.

Adjournment

The meeting adjourned at 8:34 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 special meeting of the Kalamazoo City Commission was held on Thursday, January 10, 2008 at 5:30 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, Assistant City Attorney Michael Miller, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Miller, seconded by Commissioner McCann, moved to excuse the absence of Commissioner Cooney. With a voice vote, the motion passed.

Miscellaneous Communications

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

Public Works Division FY2008 Proposed Budget Presented and Tentatively Approved

**77743**

Public Services Director Bruce Merchant presented the FY2008 Proposed General Fund Budget for the Public Services Department, Public Works Division.

Commissioner Anderson, seconded by Vice Mayor McKinney, moved to tentatively approve the FY2008 Proposed General Fund Budget for the Public Services Department, Public Works Division.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Wastewater Division FY2008 Proposed Budget Presented and Tentatively Approved

**77744**

Director Merchant presented the FY2008 Proposed Budget for the Public Services Department, Wastewater Division.

Commissioner Anderson, seconded by Commissioner Miller, moved to tentatively approve the FY2008 Proposed Budget for the Public Services Department, Wastewater Division.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Water Division  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77745**

Director Merchant presented the FY2008 Proposed Budget for the Public Services Department, Water Division.

Commissioner Anderson, seconded by Commissioner McCann, moved to tentatively approve the FY2008 Proposed Budget for the Public Services Department, Water Division.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Major Streets  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77746**

Director Merchant presented the FY2008 Proposed Budget for Major Streets.

Commissioner McCann, seconded by Commissioner Miller, moved to tentatively approve the FY2008 Proposed Budget for Major Streets.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Local Streets  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77747**

Director Merchant presented the FY2008 Proposed Budget for Local Streets.

Commissioner Moore, seconded by Commissioner Miller, moved to tentatively approve the FY2008 Proposed Budget for Local Streets.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Cemeteries Fund  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77748**

Director Merchant presented the FY2008 Proposed Budget for the Cemeteries Fund.

Commissioner McCann, seconded by Commissioner Moore, moved to tentatively approve the FY2008 Proposed Budget for the Cemeteries Fund.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Solid Waste Fund  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77749**

Director Merchant presented the FY2008 Proposed Budget for the Solid Waste Fund.

Commissioner Miller, seconded by Commissioner McCann, moved to tentatively approve the FY2008 Proposed Budget for the Solid Waste Fund.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Community  
Planning and  
Development  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77750**

Community Planning and Development Director Jeff Chamberlain presented the FY2008 Proposed Budget for the Community Planning and Development Department.

Commissioner Moore, seconded by Commissioner McCann, moved to tentatively approve the FY2008 Proposed Budget for the Community Planning and Development Department.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

CDBG Proposed  
PY2008-2009  
Budget Presented  
and Tentatively  
Approved

**77751**

Director Chamberlain presented the PY2008-2009 Proposed Budget for Community Development Block Grant (CDBG) funds.

Commissioner Anderson, seconded by Commissioner Moore, moved to tentatively approve the PY2008-2009 Proposed Budget for Community Development Block Grant (CDBG) funds.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

LDFA FY2008  
Proposed Budget  
Presented and  
Tentatively  
Approved

**77752**

Jerome Kisscorni, Executive Director of the Economic Development Corporation, presented the FY2008 Proposed Budget for the Local Development Finance Authority.

Commissioner Miller, seconded by Commissioner McCann, moved to tentatively approve the FY2008 Proposed Budget for the Local Development Finance Authority.

With a roll call vote this motion passed unanimously.

BRA FY2008  
Proposed Budget  
Presented and  
Tentatively  
Approved

**77753**

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Executive Director Kisscorni presented the FY2008 Proposed Budget for the Brownfield Redevelopment Authority.

Commissioner Moore, seconded by Commissioner McCann, moved to tentatively approve the FY2008 Proposed Budget for the Brownfield Redevelopment Authority.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Mayor Hopewell recessed the meeting at 6:58 p.m.  
Mayor Hopewell reconvened the meeting at 7:06 p.m.

BRA FY2008  
Proposed Budget  
Presented and  
Tentatively  
Approved

**77754**

Executive Director Kisscorni presented the FY2008 Proposed Budget for the Economic Development Corporation.

Commissioner Miller, seconded by Commissioner Moore, moved to tentatively approve the FY2008 Proposed Budget for the Economic Development Corporation.

With a roll call vote this motion passed unanimously.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

DDA FY2008  
Proposed Budget  
Presented and  
Tentatively  
Approved

**77755**

Ken Nacci, President of Downtown Kalamazoo, Inc., presented the FY2008 Proposed Budget for the Downtown Development Authority.

\*Commissioner Cooney arrived at 7:26 p.m.

Commissioner McCann, seconded by Commissioner Anderson, moved to tentatively approve the FY2008 Proposed Budget for the Downtown Development Authority.

With a roll call vote this motion passed, with one abstention.

YEAS: Commissioners Anderson, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

ABSTAIN: Commissioner Cooney

Parking Budget  
Summary  
**77756**

Following the vote, Mr. Nacci distributed and discussed as informational the *2008 Parking Budget Summary*.

KMGGA FY2008  
Proposed Budget  
Presented and  
Tentatively  
Approved  
**77757**

Management Services Director Tom Skrobola and Orlin Loen, President of the Kalamazoo Municipal Golf Association (KMGGA), presented the FY2008 Proposed Budget for the Kalamazoo Municipal Golf Association. Mr. Loen introduced Steve Tyler, the new golf pro for the KMGGA.

Commissioner Anderson, seconded by Commissioner McCann, moved to tentatively approve the FY2008 Proposed Budget for the Kalamazoo Municipal Golf Association.

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

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

NAYS: Commissioners Miller and Moore

Citizen Comments

Next, when given an opportunity to offer comments, the following citizens addressed the City Commission:

Cheryl Lord, City resident, requested that \$1,600 – \$2,000 be added to the FY2008 Parks and Recreation Department budget to fund two staff members for the Oakwood Neighborhood Association’s after school program from September through December.

Gary Wager, City resident, thanked the City Commission for increasing the Oakwood Neighborhood Association’s funding for 2008 and requested the FY2008 Parks and Recreation Department budget be increased to fully fund an after school program in the Oakwood Neighborhood. Mr. Wager noted the difficulty of entering a new fiscal year without City funding due to the City’s budget approval process.

Commissioner  
Comments

Finally, an opportunity was given for miscellaneous comments and concerns from Commissioners.

Commissioner Miller reported Kalamazoo native and Green Bay Packers wide receiver Greg Jennings appeared in the latest issue of Sports Illustrated.

Commissioner Moore announced she would be out of town over the weekend and would not attend the January 12<sup>th</sup> City Commission meeting.

Mayor Hopewell noted many events would be taking place to honor Dr. Martin Luther King Jr.

Adjournment

The meeting adjourned at 7:58 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

A special meeting of the Kalamazoo City Commission was held on Saturday, January 12, 2008 at 9:00 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

COMMISSIONERS ABSENT: Stephanie Moore

Also present were City Manager Ken Collard, Assistant City Attorney John Kneas, and City Clerk Scott Borling.

Commissioners  
Excused

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

Miscellaneous  
Communications

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

Review of FY2008  
Budget

**77758**

City Manager Collard distributed and reviewed the following documents: *City Administration "Gap Analysis"*; and an e-mail message from Public Services Director Bruce Merchant, which addressed questions that had been raised at the January 10<sup>th</sup> special meeting.

\*Commissioner Cooney arrived at 9:06 a.m.

Parks and  
Recreation  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77759**

Parks and Recreation Director Frances Jewell presented the FY2008 Proposed Budget for the Parks and Recreation Department.

Discussion took place regarding the Summer Youth Employment Program and the Eastside Neighborhood Youth/Community Center.

Commissioner Miller, seconded by Commissioner Cooney, moved to tentatively approve the FY2008 Proposed Budget for the Parks and Recreation Department.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Farmers Market  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77760**

Director Jewell presented the FY2008 Proposed Budget for the Farmers Market.

Commissioner Miller, seconded by Commissioner Anderson, moved to tentatively approve the FY2008 Proposed Budget for the Farmers Market.

FY2008 Proposed  
CIP Budget  
Presented and  
Tentatively  
Approved  
  
**77761**

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Engineer Frank Szopo presented the Proposed FY2008 Capital Improvement Program (CIP) Budget, including the General Fund, Water, Wastewater, and Cemetery CIP budgets.

Discussion took place regarding the City's ability to bond for street improvements; the cost for installing an iron removal system to treat all City water; the Bronco Biodiesel project; and the planned redesign of the Water Reclamation Plant.

Commissioner Miller, seconded by Commissioner Anderson, moved to tentatively approve the Proposed FY2008 General Fund Capital Improvement Program (CIP) Budget.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Mayor Hopewell recessed the meeting at 10:46 a.m.  
Mayor Hopewell reconvened the meeting at 10:51 a.m.

Review of EDC  
and BRA Projects  
*77762*  
City Commission  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved  
  
**77763**

Deputy City Manager Jerri Barnett-Moore distributed and reviewed a summary report entitled "Downtown BRA and EDC Projects."

Deputy City Manager Barnett-Moore presented the proposed FY2008 Budget for the City Commission.

Commissioner Miller, seconded by Commissioner Cooney, moved to tentatively approve the City Commission FY2008 Proposed Budget.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Administration  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved  
  
**77764**

Deputy City Manager Barnett-Moore presented the City Administration's FY2008 Proposed Budget.

Commissioner Anderson, seconded by Commissioner Miller, moved to tentatively approve the City Administration's FY2008 Proposed Budget.

With a roll call vote this motion passed unanimously.

Human Resources  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77765**

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

NAYS: None

Jerome Post, Acting Human Resources and Labor Relations Director, presented the FY2008 Proposed Budget for the Human Resources Department. Gap Anaysis – expand training for job replacement. Establish formal wellness program. Enhance employee recognition program. Establish new classification and compensation system for non-union employees.

Discussion took place regarding the position classification system for non-bargaining unit employees; the status of Metro Transit employees after the transfer of the Transportation Department to the Kalamazoo County Transportation Authority; employee participation with Kalamazoo Communities in Schools; and the City’s Affirmative Action policy.

Vice Mayor McKinney, seconded by Commissioner Miller, moved to tentatively approve the Human Resources Department FY2008 Proposed Budget.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Management  
Services  
Department  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77766**

Management Services Director Tom Skrobola presented the FY2008 Proposed Budget for the Management Services Department.

Commissioner Miller, seconded by Commissioner Anderson, moved to tentatively approve the Management Services Department FY2008 Proposed Budget.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Public Safety  
Department  
FY2008 Proposed  
Budget Presented  
and Tentatively  
Approved

**77767**

City Manager Collard provided opening remarks to the Public Safety Department Budget and commended Jim Mallery for his outstanding work as Acting Public Safety Chief.

Acting Chief Mallery presented the proposed FY2008 budget for the Public Safety Department. Acting Chief Mallery described initiatives and community partnerships that had been developed since November 2007. A copy of Acting Chief Mallery’s written remarks were filed with the papers for this meeting.

Public Safety  
Budget (cont'd)

**77767**

Vice Mayor McKinney and Commissioner Cooney requested copies of Acting Chief Mallery's remarks and suggested this information be disseminated to the community.

Commissioner Miller, seconded by Vice Mayor McKinney, moved to tentatively approve the Public Safety Department FY2008 Proposed Budget.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Discussion of Gap  
Analyses and the  
Potential Allocation  
of Undesignated  
Fund Balance

**77768**

Discussion took place regarding the potential use of the Undesignated Fund Balance to address pressing community needs or items identified in the departmental and City Commission Gap Analyses. City Manager Collard explained funds were available for allocation because the City's Undesignated Fund Balance exceeded the target established in the Five-Year Fiscal Plan. By consensus the City Commission decided not to allocate dollars from the Undesignated Fund Balance, with the understanding that the Commission would be able to allocate these funds during the course of the year.

Citizen Comments

Next, when given an opportunity to offer comments, the following citizens addressed the City Commission:

Mattie Jordan-Woods, City resident, commended Acting Chief Mallery for encouraging Public Safety Officers to communicate with the neighborhood associations, but she expressed concern that officers were not assigned to the areas where youth violence was originating. Ms. Jordan-Woods indicated the City was not addressing the young people who were causing the problems.

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 12:48 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

A work session of the Kalamazoo City Commission was held on Monday, January 14, 2008 at 7:00 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  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT: Sean McCann

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

Communications

City Manager Collard announced the City Commission would meet in special session on Saturday, January 19, 2008 at 9:00 a.m. in the City Commission Chambers at City Hall to interview candidates for the City Attorney position.

City Manager Collard invited citizens to attend a community reception for City Attorney candidates on Friday, January 18, 2008 at 6:00 p.m. in the City Commission Chambers at City Hall.

City Manager Collard announced he had named Jerome Post the new Human Resources and Labor Relations Director.

City Manager Collard announced representatives from the Police Executive Research Forum (PERF) would meet with groups of City staff and Kalamazoo citizens on January 23<sup>rd</sup>, 24<sup>th</sup>, and 25<sup>th</sup> to gain input regarding Public Safety Chief position profile. City Manager Collard stated there would be a community forum with PERF representatives at 6:00 p.m. on January 24<sup>th</sup>.

Public Hearing re:  
FY2008 Budget

**77769**

At 7:05 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding the FY2008 Proposed Budget.

No citizens addressed the City Commission.

Motion to Close  
the Public Hearing  
and Schedule  
Final Approval of  
the FY2008  
Budget

**77769**

At 7:06 p.m. Commissioner Miller, seconded by Commissioner Anderson, moved to close the public hearing and schedule final consideration of the FY2008 Budget for Tuesday, January 22, 2008.

Prior to a vote on the motion, City Manager Collard reported the proposed budget included funds for a 2.5% pay increase for non-bargaining unit employees.

City Manager Collard noted the budget adoption resolution would include a statement allowing budgeted funds to be used for employee celebrations and gifts.

Commissioner Cooney noted funds were still available for the Commission to allocate, and he expressed confidence that the Mayor and

City Manager would bring forward a plan to address youth violence in the near future.

With a roll call vote, the motion passed unanimously.

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

NAYS: None

Commissioner Excused

Commissioner Miller, seconded by Commissioner Cooney, moved to excuse the absence of Commissioner McCann. With a voice vote, the motion passed.

Mayor Hopewell stated the budget was a guide and indicated he would like to have a retreat to discuss broader issues and priorities in the community.

Vice Mayor McKinney stated she would like well defined objectives for the proposed retreat. Vice Mayor McKinney stated City employees would base their actions on the budget and indicated she was uncomfortable with the description of the budget as a "guide."

Mayor Hopewell discussed the status of the budget and noted it was subject to change as needs surfaced.

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.

Mayor Hopewell suggested the Commission consider cancelling the Committee of the Whole meeting on January 18<sup>th</sup>.

Commissioner Moore urged people to vote in the Presidential Primary election on January 15<sup>th</sup>.

Adjournment

The meeting adjourned at 7:17 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

The Kalamazoo City Commission met as a Committee of the Whole on Friday, January 18, 2008 at 7:30 a.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.

Review of the  
January 22<sup>nd</sup>  
Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, January 22, 2008.

Item G-10

Regarding Item G-10, resolution supporting the City's participation in the Southwest Regional Alliance, Steward Sandstrom from the Kalamazoo Regional Chamber of Commerce was present to answer questions.

Commissioner Cooney expressed support for the general idea of the Alliance but expressed concern that the Alliance would pursue federal funds without reference to work being done by other organizations and collaborative partners in the region.

Mr. Sandstrom stated the priorities of the Alliance would be Transportation, Higher Education, and the Environment, and the Alliance would work with community partners on these issues.

Commissioner McCann asked Mr. Sandstrom several questions regarding the priorities of the Chamber of Commerce relative to the priorities of the Alliance and the Alliance's proposed budget. Commissioner McCann also asked questions about the relationship between Southwest Michigan First and the Alliance.

In response to Commissioner McCann, Mr. Sandstrom stated the Chamber of Commerce shared the Alliance's priorities but also had priorities of its own, as was the case with every member of the Alliance. Mr. Sandstrom explained the members of the Alliance would set the priorities for the Alliance, with no one member having a greater voice than the others. Mr. Sandstrom stated disagreements over priorities would be settled by discussion around the table. Mr. Sandstrom indicated Southwest Michigan First was welcome to be a member of the Alliance, and he highlighted the importance of having multiple jurisdictions from the region agree on a lobbying agenda.

In response to a question from Commissioner McCann, Mayor Hopewell stated the relationship between the City Commission and its Alliance representative would be similar to the relationship between the City

Commission and its representative on the Regional Water and Wastewater Commission. Mayor Hopewell remarked that the Alliance's priorities had been identified as Transportation, Higher Education, and the Environment, and he noted that members of the Alliance looked to the people most involved with specific priorities as the experts on those priorities.

Vice Mayor McKinney stated the Alliance would give the City recognition and a voice in Washington, and it would put the City in a position to hear about opportunities related to the Alliance's priorities.

Commissioner McCann expressed disagreement with the Alliance's statement about the Environmental Protection Agency's clean air standards. Commissioner McCann indicated this position was a "breaker" for him.

Commissioner Cooney thanked Mr. Sandstrom and stated formation of the Alliance would give a region an advantage when dealing with the federal government.

Discussion followed between Commissioner Moore and Mayor Hopewell regarding the Alliance's approach to seeking grant funds for youth violence.

Community Issues

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

Mayor Hopewell reminded Commissioners that appointee evaluations had been distributed. Mayor Hopewell remarked that he had given interviews with reporters from Kansas City and Pittsburg regarding the Kalamazoo Promise.

Citizen Comments

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

Adjournment

The meeting adjourned at 8:23 a.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 special meeting of the Kalamazoo City Commission was held on Saturday, January 19, 2008 at 9:05 a.m. in the City Commission Chambers at City Hall. The purpose of the meeting was to interview candidates for the City Attorney position.

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.

City Attorney  
Interviews  
**77770**

The City Commission interviewed candidates for the City Attorney position, with each Commissioner asking the candidates a series of questions.

Mayor Hopewell asked candidates the following questions:

- Why have you applied for the position of City Attorney? Please list the skills, qualities, and attributes you possess that you believe would ensure your success as City Attorney and department director.
- What do you believe is the role of the City Attorney in relation to the City Commission and to the administrative staff of the City? Please provide us with examples of how you translated your understanding of these roles into specific action.
- Describe your experience working with a diverse community, and what particular skills do you need to work in such a community?

Vice Mayor McKinney asked candidates the following questions:

- Please describe your civil and criminal litigation experience. How many jury trials have you handled to verdict? Indicate the nature and date of the last few. What priority will you place on prosecution of ordinance violations?
- How would you go about quickly establishing credibility with the legal team? Although the city has an existing legal team, what skills, abilities and qualities would you look for if you had the opportunity to build a new team and why?
- Describe what role you have had in managing, hiring, and possibly disciplining staff. How do you motivate your staff?

City Attorney  
Interviews (cont'd)

**77770**

Commissioner McCann asked candidates the following questions:

- How do you feel with the Public Safety Department's need to carry out its investigative function while balancing the community's right to know under the FOIA? What is your philosophy as it pertains to carrying out the requirements of the Act?
- First, describe for us the most satisfying and, secondly, the most difficult professional experience you have had. What did you learn from the most difficult experience?
- Public service requires a certain level of commitment. How do you show your commitment to the community in which you work? How would you apply that to the City of Kalamazoo? Would that level of commitment include establishing residency in the City of Kalamazoo?

Commissioner Cooney asked candidates the following questions:

- Describe your experience working with a law enforcement agency. Did you ever experience an instance when that agency wanted to pursue a course of action that you opposed. What did you do, and what was the outcome?
- Have you ever dealt with discrimination complaints against the city or county? Explain how you handled such complaints and give an example of how you handled a particular complaint, and what was the outcome?

Commissioner Anderson asked candidates the following questions:

- How would your subordinates or peers describe your management, communication and leadership style? What experience and training has influenced you to become the type of leader that you are today?
- Provide us with examples of when you have been pro-active in your advice to a City Commission or other governing board. How will you follow the direction of the City Commission versus your own beliefs and ideas?

Commissioner Miller asked candidates the following questions:

- Please describe how much experience you have had dealing with the media and your relationship with them.
- Please describe for us what you will do in your first 90 days on the job.
- During your career, have you ever worked with any current City of Kalamazoo employee? If so, please explain the nature of the work and the reporting relationship.

Clyde Robinson  
Interview  
**77770**

Mr. Clyde Robinson presented his qualifications for the City Attorney position and answered the questions asked by City Commissioners.

When provided an opportunity to make final remarks, Mr. Robinson shared an anecdote to highlight his character and ethics and described a City Commission Handbook he had created for the Battle Creek City Commission. Mr. Robinson indicated his intent to publish an informal newsletter on developments in municipal law for City Commissioners and City staff. Mr. Robinson thanked the City Commission for considering him as a candidate for the City Attorney position.

The meeting recessed at 10:25 a.m.  
The meeting reconvened at 10:38 a.m.

Raymond Branch  
Interview  
**77770**

Mr. Raymond Branch presented his qualifications for the City Attorney position and answered the questions asked by the City Commission.

When provided an opportunity to ask the City Commission questions, Mr. Branch expressed appreciation to City Commission for consideration as a candidate for the City Attorney position.

The meeting recessed at 11:19 a.m.  
The meeting resumed at 12:13 p.m.

Nancy Mullett  
Interview  
**77770**

Ms. Nancy Mullett presented her qualifications for the City Attorney position and answered the questions asked by the City Commission.

When provided an opportunity to ask the City Commission questions, Ms. Mullett stated she enjoyed the interview process and had enjoyed seeing the City.

Discussion of the  
Selection Process

In response to a question from Vice Mayor McKinney, Mr. Paul Preston of the Michigan Municipal League stated he had compiled, in rough form, the responses from citizens' evaluations of the candidates at the Community Forum.

In response to a question from Mayor Hopewell, Acting City Attorney Schau indicated he had not prepared a written report on the meetings between candidates and staff in the City Attorney's Office, but he was willing to do this or otherwise provide feedback on the candidates if requested.

Discussion followed regarding the process for selecting one of the City Attorney candidates. Multiple Commissioners expressed a desire to have all available information, and to have time to review this information, prior to deliberating and voting on the question.

**77771**

Mr. Preston distributed raw data on the results of the Community Forum evaluations and stated a more fully developed report of the results, including citizens' written comments, would be available shortly.

Consideration of  
Candidates  
Postponed  
**77772**

By consensus, the City Commission postponed consideration of candidates for the City Attorney position until its Regular Meeting on Tuesday, January 22<sup>nd</sup>.

Mayor Hopewell stated this item would be placed on the January 22<sup>nd</sup> meeting agenda under Policy Items and requested that complete results from the Community Forum evaluations be distributed to Commissioners as soon as possible.

Citizen Comments

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

Mattie Jordan-Woods, City resident, thanked the City Commission for postponing the selection of a City Attorney until Tuesday, January 22<sup>nd</sup>.

City Commissioner Comments

Next, an opportunity was given for miscellaneous comments and concerns of City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 1:15 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 Tuesday, January 22 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.

Commissioner Excused

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

Invocation

The invocation, given by Reverend Bill Fuerstenau, First Presbyterian Church, was followed by the Pledge of Allegiance.

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

Introduction of Guests  
**77773**

Mayor Hopewell introduced Kalamazoo County Treasurer Mary Balkema, who discussed the issue of property tax foreclosure. Treasurer Balkema distributed brochures and invited interested citizens to attend a Foreclosure Fair on January 29<sup>th</sup> at the office of the Northside Association for Community Development (NACD).

Adoption of the Agenda

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

Mayor Hopewell added discussion of the City Attorney candidates to the meeting agenda under Policy Items.

Communications

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

Public Hearing re: a Tax Abatement for Beckan Industries  
**77774**

At 7:09 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to approve the application from Beckan Industries, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$144,137 in existing Industrial Development District No. 88 located at 860 Gibson Street, with a first year abatement of approximately \$800 in city property taxes.

Shawn Brown, non-resident and President of Beckan Industries, spoke in favor of the tax abatement.

At 7:10 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-05  
Approving a Tax  
Abatement for  
Beckan Industries

**77774**

Commissioner Cooney, seconded by Commissioner McCann, moved to adopt a **RESOLUTION** to approve the application from Beckan Industries, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$144,137 in existing Industrial Development District No. 88 located at 860 Gibson Street, with a first year abatement of approximately \$800 in city property taxes..

With a roll call vote this motion passed unanimously.

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

NAYS: None

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:

**77775**

- a recommendation to approve a sole source contract with Safety Vision, Inc. for the purchase of video camera equipment and software upgrades for a total of 30 Metro Transit fleet vehicles in the amount of \$141,138.

**77776**

- a recommendation to approve a 12 month maintenance contract with Intergraph Public Safety for the maintenance of the city's computer-aided dispatching, records management systems and mobile data computing systems in the amount of \$128,616.48.

**77777**

- a recommendation to approve a 12 month maintenance contract with Motorola, Inc. for the continued maintenance of the Department of Public Safety's 8000 MHz digital radio system in the amount of \$111,957.72.

Resolution 08-06

**77778**

- 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: a) 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; b) cancel existing outdoor service (1 area); and, c) request a new outdoor service (1 area) and request a new additional bar permit (for a total of 2 bars).

**77779**

- 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.

**77780**

- a recommendation to authorize the City Manager to sign a proposed Temporary Access Agreement granting Balkema Excavating, Inc. temporary access to perform environmental testing on the city's right-of-way.

Consent Agenda  
(cont'd)

**77781**

- a recommendation to authorize the City Manager to sign a proposed Temporary Access Agreement granting Johnstons' Enterprises, L.L.C. temporary access to perform environmental testing on the city's right-of-way.

**77782**

- a recommendation to authorize the City Manager to sign the Termination of Restrictions terminating conditions contained in the September 14, 1944 deed from the city to Western Michigan College of Education (now Western Michigan University) that limited the use of property "for educational and recreational purposes and for such other public purposes as it may deem desirable".

**77783**

- a recommendation to approve the sale of eight properties for \$99 each as a part of the A+ Neighborhoods' Property Sale Program:
  - 726 N. Rose Street to Vernal and Lee Shepherd for the purpose of a lot combination with their property at 722 N. Rose Street.
  - 1208 N. Church Street to Anna Murphy for the purpose of a lot combination with their property at 1212 N. Church Street.
  - 1920 Union Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 1916 Union Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 1015 S. Rose Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 1358 Krom Avenue to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 1916 N. Church Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.
  - 3903 Adams Street to Kalamazoo Valley Habitat for Humanity for the purpose of construction of a new, owner-occupied home.

Resolution 08-07

**77784**

- a **RESOLUTION** to support the City's participation in the Southwest Regional Alliance, a regional initiative to promote economic development through a common legislative agenda in an amount not-to-exceed \$15,000; and to authorize the City Manager to sign all documents on behalf of the City of Kalamazoo.

Consent Agenda  
(cont'd)

**77785**

- a recommendation to approve minutes from the following City Commission meetings: the December 14, 2007 and January 3, 2008 Committee of the Whole meetings, the December 27, 2007 special meeting and the December 17, 2007 Regular Meeting.

Vice Mayor McKinney, seconded by Commissioner Anderson, 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.

Approval of the  
FY2008 Budget

Commissioner McCann, seconded by Commissioner Miller, moved to take the following actions regarding the City's Proposed FY2008 Budget:

Resolution 08-08

**77786**

- adopt a **RESOLUTION** for the annual appropriation for the year 2008, to set forth the number of mills to be levied, to approve an interim appropriation for the year 2009 and to establish policies for the administration of the budget.

**77787**

- approve the FY2008 Proposed Brownfield Redevelopment Authority Budget.

**77788**

- approve the FY2008 Proposed Economic Development Corporation Budget.

**77789**

- approve the FY2008 Proposed Local Development Finance Authority Budget.

**77790**

- approve the FY2008 Proposed Downtown Development Authority Budget and two-mill tax levy.

**77791**

- approve the FY2008 Proposed Kalamazoo Historic Preservation Commission Budget.

**77792**

- approve \$234,500 of City of Kalamazoo general funds for the operational support of eight core neighborhood associations for the period of January 1 through December 31, 2008; and, authorize the City Manager to sign and execute all contracts with each of the recipient neighborhood associations.

**77793**

- approve the FY 2008 Proposed Kalamazoo Municipal Golf Association Budget and fees.

Resolution 08-09

**77794**

- adopt a **RESOLUTION** to set the FY 2008 Parks and Recreation Fees.

Resolution 08-10

**77795**

- adopt a **RESOLUTION** to set the FY 2008 Special Event Fees.

Approval of the  
FY2008 Budget  
(cont'd)

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

Ron Smeltzer, non-resident, spoke regarding the Metro Transit budget and the Care-A-Van service.

Brad Cosgrove, City resident, spoke regarding the Care-A-Van service.

City Manager Collard clarified that the Metro Transit Budget contained funds for the existing Care-A-Van service but not for expanded Care-A-Van service.

Commissioner Anderson noted Commissioners and staff had spent many hours developing, studying and reviewing the budget, and he thanked everyone for their hard work.

Commissioner Cooney commended staff for their work on budget but expressed dismay that there were many issues such as inadequate housing, poverty, and youth violence that the City did not have the resources to address. Commissioner Cooney stated changes needed to take place at the national level to give cities the resources to deal with these problems. Commissioner Cooney stated he would vote to approve the budget, but he noted he did not support continued funding of the Pride Care contract for Care-A-Van service in the Metro Transit budget.

Commissioner Miller thanked Acting Public Safety Chief Jim Mallery, Acting City Attorney Randy Schau, and Human Resources and Labor Relations Director Jerome Post for presenting their department budgets well even though they had been serving in an acting capacity.

Vice Mayor McKinney expressed support for the proposed budget, but noted the City was living on a "knife edge" with large elements of the budget dependent on funding sources controlled by the state and federal governments. Vice Mayor McKinney stated the FY2008 Budget provided as much stability as the Manager and Commission was able to give.

Commissioner Moore commended the City Manager and his staff for their work on the budget. Commissioner Moore stated Commissioners knew they must continue the work of meeting needs and solving problems in the community even though the City did not have the resources to address all of the community's issues. Commissioner Moore expressed opposition to continued funding of the Pride Care contract.

Mayor Hopewell noted this was the second year the City was not reducing its budget. Mayor Hopewell discussed the importance of developing partnerships and finding additional resources to accomplish the work of the people. Mayor Hopewell stated the number of "acting" department heads reflected the "newness" in both City and community leaders, and he spoke of the creativity that resulted from new leadership.

Approval of the  
FY2008 Budget  
(cont'd)

With a roll call vote the motion to adopt the FY2008 Budget passed unanimously.

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

NAYS: None

\*At the time of the vote Commissioner Cooney indicated he was not voting to approve the Metro Transit Budget.

City Manager's  
Report

City Manager Collard provided the following reports and updates:

**77796**

- Departmental Reports and Project Updates
- CITYLink newsletter dated November/December 2007
- Interim Financial Report for period ending November 30, 2007
- December 2007 Purchasing Report
- 2007 Year End Legislative Summary

Discussion of City  
Attorney  
Candidates and  
Selection of City  
Attorney

Commissioner Anderson presented highlights of the City Attorney recruitment and selection process and noted that Commissioners had received the results of the citizen surveys from the Community Forum. Commissioner Anderson reviewed the City Attorney job description and highlighted the following requirements: knowledge of municipal law and administration of a municipal law office; skill in supervising staff members; and five years of municipal legal experience, with 3 years of progressively responsible management experience. Commissioner Anderson noted supervisory and management experience was important in light of the existing level of experience and expertise in the City Attorney's Office. Commissioner Anderson stated Clyde Robinson's knowledge, experience and skills most closely matched the requirements of the job description.

**77797**

Commissioner Miller expressed support for both Nancy Mullett and Clyde Robinson.

Commissioner Cooney expressed support for both Ms. Mullett and Mr. Robinson, and he indicated the City needed to improve its performance with regard to diversity in job applicant pools.

Vice Mayor McKinney stated both Ms. Mullett and Mr. Robinson displayed integrity and would do a good job as City Attorney, but she expressed support for Mr. Robinson as the best candidate. Vice Mayor McKinney noted the primary job of the City Attorney was to give legal opinions and advice, and she highlighted Mr. Robinson's interview statement that his opinions would be legal opinions based on the facts at hand. Vice Mayor McKinney also noted Mr. Robinson's experience managing a municipal law office.

Commissioner McCann expressed support for both Mr. Robinson and Ms. Mullett. Commissioner McCann highlighted Mr. Robinson's experience and Ms. Mullett's high scores with citizens during the Community Forum. Commissioner McCann stated the difference in experience between the two candidates was not significant to him, but he indicated a preference for Mr. Robinson.

Selection of Clyde  
Robinson as City  
Attorney  
**77797**

Mayor Hopewell expressed support for Ms. Mullett. Mayor Hopewell stated a candidate's experience and ability to "hit the ground running" was not necessarily important for a department that was trying to move differently, and he noted City Manager Collard did not have experience as a City Manager when the City Commission hired him. Mayor Hopewell indicated Mr. Robinson would be his second choice.

Commissioner Anderson, seconded by Commissioner Miller, moved that the Administrative Committee, with the assistance of outside counsel, enter into negotiations with Clyde Robinson for the position of City Attorney, with the understanding that once tentative agreement is reached on that contract, it will be presented to the commission for final approval.

With a roll call vote this motion passed by a vote of 4-2, with one abstention.

AYES: Commissioners Anderson, McCann, Miller, and Vice Mayor McKinney

NAYS: Commissioner Cooney and Mayor Hopewell

ABSTAIN: Commissioner Moore

Announcement re:  
Public Safety  
Search Process  
**77798**

City Manager Collard read into the record the following letter regarding opportunities for citizen participation in the search process for a new Public Safety Chief:

Dear Friend of the Community:

As you may know, the City is in the process of selecting a new Public Safety Chief. Efforts are under way to design a process to recruit and select our next Chief. We have contracted with the Police Executive Research Forum (PERF) to assist us with this effort.

It is apparent to me that the outcome of this hiring process when coupled with the selection of both a new Deputy Chief and Major of Professional Standards affords us a unique opportunity to refocus and reframe the relationship between the department and the community.

As City Manager, I am responsible for hiring a new Public Safety Chief. However, since this position serves the entire community, I am soliciting the community's thoughts and ideas about the qualifications and character our new Chief should possess.

As concerned citizens, business owners and community leaders, you have unique insights into our community. That is why I would like to personally invite you to one of the community public meetings listed below. Your input is important as we go about searching for a new Chief.

Announcement re:  
Public Safety  
Search Process  
(cont'd)

**77798**

The community meetings will be held in the City Hall Commission Chambers located at 241 W. South Street, Room 201, on the following dates:

Wednesday, January 23<sup>rd</sup> .....11:30 a.m. – 1:30 p.m.

Wednesday, January 23<sup>rd</sup> .....4:00 p.m. – 6:00 p.m.

Thursday, January 24<sup>th</sup> .....11:30 a.m. – 1:30 p.m.

Thursday, January 24<sup>th</sup> .....6:00 p.m. – 8:00 p.m.

As we gather input from the community at these public meetings, we will use it to develop a profile of the qualifications a prospective candidate should possess to best serve the citizens of Kalamazoo.

I look forward to hearing what Kalamazoo would like to see in a Chief, and I hope you can join us at one of the public meetings. If you cannot attend one of the meetings, please pass the word onto your friends, neighbors, co-workers or others who might be interested. Also, you can visit our website at [www.kalamazoo.org/pscsearch](http://www.kalamazoo.org/pscsearch) or call in your thoughts to our hotline at 337-8420.

In response to a question from Commissioner Anderson, City Manager Collard stated the goal of the search process timeline was to have a new Chief selected by the end of April.

Citizen Comments

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

Brad Cosgrove, City resident, spoke regarding Pride Care Ambulance and the Care-A-Van service.

Ron Smeltzer, City resident, spoke regarding Pride Care Ambulance and the Care-A-Van service.

Jonathan Braun, City resident, voiced opposition to the recent elimination of a citizen comment period at City Commission meetings and expressed support for Commissioner Moore.

Joshua Arnold, City resident, voiced opposition to the recent elimination of a citizen comment period at City Commission meetings.

Michael Fuller, City resident, voiced opposition to the recent elimination of a citizen comment period at City Commission meetings.

Jim Butterson, City resident, expressed support for Commissioner Moore and expressed opposition to the recent elimination of a citizen comment period at City Commission meetings.

Citizen Comments  
(cont'd)

LoriAnn Tennison, City resident, voiced opposition to the recent elimination of a citizen comment period at City Commission meetings.

Jerry Williams, City resident, spoke about the Care-A-Van service contract and suggested the City Charter be amended to grant the City Commission authority to revoke contracts. Mr. Williams requested information on the process for amending the City Charter.

Jeffrey Rush, City resident, spoke about making Kalamazoo a Community of Justice.

**77799**

Pastor Milton Wells of Open Door Ministries discussed the Michigan Department of Transportation's (MDOT) Road Construction Apprenticeship Readiness Program (RCAR) and asked the City Commission to support swift funding of the program in Southwest Michigan. Information distributed by Pastor Wells was filed with the papers for this meeting.

Linda McDonald, non-resident and pastor of North Presbyterian Church, discussed the RCAR program and invited City Commissioners to attend the Michigan Transportation Commission (MTC) meeting on January 31<sup>st</sup> and urge the MTC to fast track the funding for RCAR.

City Commissioner  
Comments

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

Commissioner Moore thanked students at Western Michigan University, Kalamazoo College, Kalamazoo Valley Community College, and high school seniors for participating in activities that celebrated Martin Luther King, Jr. Commissioner Moore encouraged residents to join the Living Well Fitness Center on Paterson Street. Commissioner Moore noted less than ½ of 1 percent of construction workers were minorities, and she declared her intent to attend the Michigan Transportation Commission Meeting on January in support of the RCAR program.

Mayor Hopewell noted many activities of the past week that celebrated the life and legacy of Martin Luther King, Jr. Mayor Hopewell stated the City Commission would always give citizens the opportunity to speak.

Adjournment

The meeting adjourned at 8:40 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

A regular meeting of the Kalamazoo City Commission was held on Monday, February 4, 2007 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call	<p>COMMISSIONERS PRESENT: Mayor Bobby J. Hopewell Vice Mayor Hannah McKinney David Anderson Don Cooney Sean McCann Barbara Miller Stephanie Moore</p> <p>COMMISSIONERS ABSENT: None</p> <p>Also present were City Manager Ken Collard, Acting City Attorney Randy Schau, and City Clerk Scott Borling.</p>
Invocation	The invocation, given by Commissioner Moore, was followed by the Pledge of Allegiance.
Introduction of Guests	City Manager Collard recognized the presence of his son Jeff and grandson Jackson.
Proclamations <b>77800</b>	Commissioner Miller, on behalf of Mayor Hopewell, read a proclamation "Supporting the 15 <sup>th</sup> Annual Kalamazoo County Walk for Warmth." Kalamazoo County Clerk Tim Snow was present to receive the proclamation. Kalamazoo County Commissioner Carolyn Alford distributed registration forms and pledge sheets to the City Commissioners.
<b>77801</b>	Mayor Hopewell read a proclamation "Honoring Alpha Kappa Alpha Sorority, Inc. for 100 Years of Service." Ms. Rikki Saunders, Vice President, 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.
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 08-11 <b>77802</b>	- a recommendation to adopt a <b>RESOLUTION</b> setting the Program Year 2008 Community Development Block Grant and HOME fund public hearing for March 3, 2008.
<b>77803</b>	- a recommendation to authorize the City Attorney's Office to "accept or reject" a Circuit Court mediation recommendation in the case of City of Kalamazoo v. Stephan and Wiesje Piller.

**77804**

- a recommendation to approve minutes from the following City Commission meetings: January 18, 2008 Committee of the Whole, December 17, 2007 and January 19, 2008 Special meetings, January 14, 2008 Work Session and January 7, 2008 Regular meeting.

Commissioner McCann, seconded by Commissioner Miller, 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.

Ordinance 1836  
re: Wastewater  
Service Rates

**77805**

Commissioner Miller, seconded by Commissioner McCann, moved to approve a recommendation to adopt an **ORDINANCE** to amend certain sections of Chapter 28 of the Kalamazoo Code to change the rates charged for wastewater service.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Presentation re:  
Proposed Polling  
Location Changes

**77806**

City Clerk Borling presented a report on proposed polling location changes. A copy of City Clerk Borling's remarks was filed with the papers for this meeting.

In response to a question from Commissioner Cooney, City Clerk Borling explained the proposed polling location changes, in and of themselves, would not eliminate potentially long lines at the polls on November 4<sup>th</sup>. However, adequate polling facilities were a foundational element of the plan to address long lines and other Election Day issues for the Presidential Election.

In response to questions from Commissioner Moore, City Clerk Borling explained that staff dedicated to directing voters would be stationed in polling locations with multiple precincts. City Clerk Borling indicated a call center would be established for the Presidential Election to handle the high volume of calls from voters and poll workers, but a new phone number would not be used. City Clerk Borling explained a voter education plan was in place to address the challenge of voters in transient populations. City Clerk Borling stated parking at the Bernhard Center at on Western Michigan University's (WMU's) campus would not be an issue as WMU routinely bagged the parking meters for voters on election day, and many of the voters moving to the Bernhard Center were students who already had made parking arrangements.

Resolution 08-12  
Designating  
Polling Facilities  
**77806**

Commissioner Miller, seconded by Commissioner McCann, moved to approve a recommendation to adopt a **RESOLUTION** designating the polling facility locations for the City’s 27 voting precincts to be used during the election on May 6, 2008 and for each election thereafter.

Prior to a vote on the motion, Kalamazoo County Clerk Tim Snow spoke in favor of the motion.

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  
**77807**

City Clerk Borling reported the following items:

- the receipt of a letter from Downtown Kalamazoo Incorporated giving official notice of parking rate increases that would take effect on March 1, 2008.
- the receipt of minutes from the following advisory boards and commissions:

Community Development Act Advisory Committee

- Thursday, January 10, 2008

Environmental Concerns Committee

- Wednesday, December 19, 2007
- Wednesday, January 16, 2008

Friends of Recreation Board

- Tuesday, September 25, 2007
- Tuesday, November 27, 2007

Kalamazoo Historic Preservation Commission

- Tuesday, November 13, 2007
- Tuesday, December 11, 2007

Parks and Recreation Advisory Board

- Tuesday, November 06, 2007
- Tuesday, December 04, 2007

Planning Commission

- Thursday, January 03, 2008

Zoning Board of Appeals

- Thursday, November 08, 2007

City Clerk's Report  
(cont'd)

**77807**

- approval of the following special events in the month of January:
  - a request from the Power Branch, Inc. Division of Interact of Michigan to use Bronson Park for a Mental Health Awareness Festival on Saturday, May 2, 2008 from 10:00 a.m. to 5:00 p.m., with the actual event taking place from 12:00 noon to 4:00 p.m.
  - a request from Eagle Take Flight Promotions to use Milham Park on Saturday, June 28, 2008 from 5:00 a.m. to 6:00 p.m. for the annual "Art in the Park" craft show.
  - a request from Mt. Zion Baptist Church to use LaCrone Park on Sunday, July 22, 2008 from 7:00 a.m. to 5:00 p.m. for a worship service, youth conference, concert, and picnic.
  - a request from The Dream Center to use Bronson Park on Friday, August 1 and Saturday, August 2, 2008 from 10:00 a.m. to 9:00 p.m. each day for the tenth annual Dream Center Community Festival. The request also includes closure of South Street between Park and Rose Streets on Saturday.
  - a request from State Representative Lorence Wenke to use Bronson Park on Thursday, September 11, 2008 from 4:00 p.m. to 8:00 p.m. for a "September 11<sup>th</sup> commemorative event."

Citizen Comments

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

**77808**

Ron Smeltzer, non-resident, spoke regarding expansion of the Care-A-Van service as described in a Kalamazoo Gazette article from January 29<sup>th</sup>. A copy of the article was filed with the papers for this meeting.

Beth Lewis, City resident, spoke regarding various holidays and festivals and a late rent payment.

City Commissioner  
Comments

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

Commissioner Moore noted recent deaths of Marilyn K. Stover, and Tonya Ayers and extended condolences to the families. Commissioner Moore urged citizens to attend the foreclosure fairs taking place in the coming weeks.

Commissioner Miller encouraged Commissioners to participate in the Walk for Warmth on February 23<sup>rd</sup>.

Commissioner Anderson invited citizens to attend the upcoming foreclosure fairs and the community forums regarding community policing.

Commissioner Cooney expressed condolences to family of Tonya Ayers. Commissioner Cooney noted the Commission had set a public hearing for the 2007-2008 CDBG Budget and remarked on the reduction of these funds over the past few years. Commissioner Cooney reported that President Bush's proposed 2008-2009 Federal Budget would reduce CDBG funding again, and he expressed hope that Congress would reject this proposal.

Adjournment

The meeting adjourned at 7:53 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

A Work Session of the Kalamazoo City Commission was held on Monday, February 11, 2008 at 7:00 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.

Commissioners Excused

Commissioner Moore, seconded by Commissioner Anderson, moved to excuse the absence of Commissioner Cooney. With a voice vote, the motion passed.

Communications

City Manager Collard noted the City Clerk's Office was accepting applications for membership on various advisory boards and commissions.

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

Employment Agreement with Clyde Robinson for the Position of City Attorney

Commissioner Miller seconded by Vice Mayor McKinney, moved to waive City Commission Rule #4 and authorize the Mayor, on behalf of the City of Kalamazoo, to sign an employment agreement with Clyde Robinson for the position of City Attorney.

**77809**

Prior to a vote on the motion and in response to a question from Commissioner Miller, Mayor Hopewell stated Mr. Robinson would start his employment in six weeks.

With a roll call vote the motion passed unanimously.

AYES:

Commissioners Anderson, Cooney, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell.

NAYS:

None

Discussion of 13<sup>th</sup> Check

City Manager Collard summarized the recent debate surrounding the issuance of a 13<sup>th</sup> Check to retirees and recommended expansion of the benefit based on new criteria.

**77810**

Management Services Director Tom Skrobola reviewed current eligibility criteria for the 13<sup>th</sup> Check and discussed the following proposed new criteria: an annual pension income cap of \$20,000 with no cost of living adjustment (COLA); the recipient must be at least 70 years of age; and the recipient must have at least 25 years of service. Director Skrobola stated the new criteria would reduce the number of 13<sup>th</sup> Check recipients by two-thirds and the cost of the 13<sup>th</sup> Check program by one-half.

Discussion of 13<sup>th</sup>  
Check (cont'd)

**77810**

Commissioner McCann observed the 13<sup>th</sup> Check program under the current criteria was a closed program, the cost of which would decrease to zero over time as pensioners passed away.

In response to a question from Commissioner McCann, City Manager Collard stated the original intent of the 13<sup>th</sup> Check was to supplement historically low pensions.

Vice Mayor McKinney and Commissioner Cooney explained the 13<sup>th</sup> Check was an experimental program designed to help retirees with escalating healthcare costs, and the City Commission did not consider the unfunded retiree healthcare liability at the time the program was initiated.

In response to questions from Commissioner Cooney, City Manager Collard indicated City staff members were confident that pension funds could be used to address the unfunded retiree healthcare liability without changes to current laws or regulations.

In response to a question from Commissioner Miller, Director Skrobola reported a group of Retirement Investment Committee (RIC) members had assisted with the review of the 13<sup>th</sup> Check program and the plan to address unfunded retiree healthcare liability. Director Skrobola indicated the entire RIC would review these issues in 2008.

In response to a question from Mayor Hopewell, Director Skrobola indicated the timeline for addressing the retiree healthcare issue was to obtain the necessary reviews and approvals so that the first elements of the plan could be in place by the end of the year.

Commissioner Cooney related that some retirees believed they should share in the success of the pension fund.

City Manager Collard stated employees' pension contributions were mandatory payments to guarantee a benefit as defined by City ordinance and collective bargaining agreements. City Manager Collard noted the RIC had counseled the City in the past to keep the Retirement System's expenses to a minimum.

Commissioner Anderson noted the City would still be liable to provide pension benefits even if the pension fund investments had performed poorly.

Discussion of Tax  
Installment Plan

**77811**

Director Skrobola distributed spreadsheets entitled "2007 City Tax Calendar" and "2007 Delinquent Tax and Foreclosure Calendar" and discussed proposed state legislation that would reduce the City's tax installment payment program from 12 months to 6 months.

City Manager Collard reported one out of every eight City taxpayers used the installment plan, and the value of these properties was 10% higher than average.

Discussion of Tax  
Installment Plan  
(cont'd)

**77811**

In response to a question from Mayor Hopewell, Director Skrobola stated the primary users of the installment plan were residential property owners.

In response to a question from Commissioner Anderson, Director Skrobola explained the proposed changes would reduce the number of installments for personal property taxes also, but delinquent personal property taxes would not be turned over to the County Treasurer.

Commissioner Miller expressed support for the proposed legislation.

In response to a question from Commissioner Cooney, City Treasurer Wade Carlson stated his office would inform installment plan users of the changes to the plan through messages on tax bills and installment payment notices.

Citizen Comments

**77812**

Next, when given an opportunity to make comments, the following citizens addressed the City Commission.

Al Sarquiz, non-resident and representative of the United Retired Governmental Employees (URGE), discussed the history of the 13<sup>th</sup> check, inflation patterns since the institution of the 13<sup>th</sup> Check in 2001, and the sizeable increase in the pension fund from 2001 – 2006. A copy of Mr. Sarquiz’s written remarks was filed with the papers for this meeting.

Larry Newmeyer, non-resident and legal counsel for URGE, expressed concern about the legality of using pension funds to address retiree healthcare liability. Mr. Newmeyer reported there had been considerable discussion of this issue with City Attorney’s Office.

Dennis Anderson, City resident and a former detective for the Kalamazoo Department of Public Safety (KDPS), spoke regarding a City Manger Collard’s management of the Public Safety Department and his treatment of KDPS senior staff.

Commissioner  
Comments

Commissioner Moore expressed support for City Manager Collard.

Commissioner Miller wished Vice Mayor McKinney “Happy Birthday.”

Commissioner Anderson recognized the presence of Clyde Robinson, the new City Attorney.

Mayor Hopewell noted KDPS had been recognized for its good work recently, and he commended City Manager Collard for addressing the needs and concerns of the community.

Adjournment

The meeting adjourned at 8:13 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on April 7, 2008

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

Bobby J. Hopewell, Mayor

Dated: April 7, 2008

A neighborhood meeting of the Kalamazoo City Commission was held on Monday, February 18, 2008 at 6:00 p.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 Cooney, seconded by Commissioner Miller moved to excuse the absences of Vice Mayor McKinney and Commissioner Moore. With a voice vote, the motion carried.

Miscellaneous Communications

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

Neighborhood and student communications were received next.

Neighborhood Communications

Representatives of the following neighborhood and student organizations were present:

Eastside Neighborhood Association

**Frank Barrett**, President

**Mike Seals**, Treasurer

**Pat Taylor**, Executive Director

**Rev. Milton Wells**, Board Member

Parker-Duke Association

**Charles Heller**, President

Kalamazoo College Student Association

**Keyontay Humphries**, President

**Alexander Morgan**, Member

Western Student Association

**Chris Praedel**, President

**Josh Emerick**, Political Affairs Chair

**Martin Petela**, Senator

Eastside Neighborhood Association

The Eastside Neighborhood Association representatives:

- stated the Board of Directors was focusing its attention on the Association's strategic plan in 2008.
- reported Kalamazoo Neighborhood Housing Services had raised the rent for the neighborhood center from \$450 to \$700 per month. Mr. Barrett stated Kalamazoo Community Foundation (KCF) and

Eastside  
Neighborhood  
Association  
(cont'd)

- the Local Initiative Support Corporation (LISC) were providing the funds for the increased rent payments for 18 months.
- thanked the City and KCF for funding that had stabilized the Association's finances.
- expressed concern about the appearance of the gateways into neighborhood.
- stated the Board of Directors was recruiting a person to spearhead work on the economic development component of the strategic plan.
- indicated a feasibility study for the new youth center had been completed with encouraging results.
- announced a meeting would take place on Friday, February 29<sup>th</sup> to form a capital campaign committee to raise funds for the youth center.
- reported work continued on the development of a neighborhood comprehensive plan
- announced Neighborhood information was available on a new website: [www.eastsideassociation.com](http://www.eastsideassociation.com)
- stated the Association was working with the Community Action Program to develop a home weatherization program for both renters and homeowners.
- indicated the town hall meeting with the Community Relations Board (CRB) had been very helpful and had clarified the role of the CRB.
- reported the following activities and programs: continuation of the Building Blocks program; the offering of art, drama and tutoring as part of the youth program; continued networking with the Oakwood, Fairmont, Northside Neighborhoods; and the hosting of a monthly Senior Tea to foster interaction and communication with neighborhood seniors.

In response to a question from Commissioner Anderson, Reverend Wells stated it was possible a separate non-profit organization would be formed to raise funds for the new youth center.

\*Commissioner Moore arrived at 6:15 p.m.

Parker-Duke  
Association

The Parker-Duke Association representatives:

- thanked students from Kalamazoo College and WMU for their support of the community with regard to the PCB issue in 2007.

Kalamazoo  
College Student  
Association

- stated the only group home in the neighborhood was recently vacated for renovations and asked the City to monitor this situation.
- reported timber from a wooded lot in the Neighborhood was harvested recently with two negative consequences: damaged to trees, causing them to fall on neighboring property; and downed branches left on ground. Mr. Heller questioned whether the Code of Ordinances addressed timber harvesting in the City.

The Kalamazoo College (K-College) Student Association representatives:

- thanked the City Commission and City staff for working with students on PCB issue in 2007.
- expressed a desire to see K-College flags on utility poles around the City and enquired about the process for accomplishing this goal.
- requested more traffic signage directing people to the College.
- requested more police patrols in the College Park area.
- reported the Guilds Initiative was coming to campus in April and explained the initiative would bring together students, faculty, alumni, and community members to discuss four topics: business; health; justice and peace; and sustainability.
- noted the involvement of K-College students in the Community Action Program and at the Kalamazoo County Juvenile Home.

Commissioner Cooney commended the K-College students for their involvement at Woodward Elementary School and noted he had met a K-College alumnus at a recent meeting of the American Friends Service Committee. Commissioner Cooney invited students to attend a February 27<sup>th</sup> presentation on the influence of Bob Marley by Dr. Kwame Dawes, Distinguished Poet In Residence at the University of South Carolina.

WMU Student  
Association

The Western Student Association (WSA) representatives:

- thanked Mayor Hopewell for visiting the WSA at the beginning of the year to discuss the community and student government.
- stated the Association was working to have substantial student, faculty, and staff involvement on WMU Day at the Capitol in Lansing.
- expressed concern about violence in the community and requested that students be included in the conversation and solution.
- expressed concern about condition of Howard Street and other roads leading into campus and stated the large potholes were a poor reflection on the community.

WMU Student  
Association  
(cont'd)

- reported that students were walking in the street on West Michigan Avenue, Howard Street and Kendall Avenue because the sidewalks were not cleared and asked that the City address the situation before students were injured.
- described the "100 Points of Pride" contest and asked Commissioners to submit their thoughts on why Kalamazoo was a great community.

In response to a question from Commissioner Anderson, Mr. Praedel reported WSA was spearheading an initiative called Student Associations of Michigan to lobby for increased funding for higher education in the state budget.

Commissioner Cooney suggested students become involved with the Kalamazoo Communities in Schools program and noted the "Alternative Spring Break" program sent WMU students to volunteer in homeless shelters and community centers.

Mayor Hopewell and Commissioner McCann congratulated Mr. Praedel on his successful presidency.

Citizen Comments

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

Commissioner  
Comments

Finally, an opportunity was given for miscellaneous comment and concerns from City Commissioners, but no comments were made.

Adjournment

The meeting adjourned at 6:45 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

A regular meeting of the Kalamazoo City Commission was held on February 18, 2008 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 Daniel Cunningham, Great Faith Ministries, 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 Miller requested that Item F10, allocation of funds to the Boys and Girls Clubs, be moved from the Consent Agenda to the Regular Agenda for discussion.

Communications

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

Consent Agenda

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

**77813**

- a recommendation to approve the purchase of tires, tubes and miscellaneous repair services through the State of Michigan contract with Goodyear Tire & Rubber Company at a total cost not to exceed \$322,500.

**77814**

- a recommendation to approve a contract with Aggregate Industries for the purchase of asphalt paving materials in the amount of \$305,750.

**77815**

- a recommendation to approve the purchase of ten new Ford Crown Victoria police vehicles and one Ford Fusion SE from Signature Ford in the amount of \$228,087.

Resolution 08-13

**77816**

- a recommendation to adopt a RESOLUTION appointing Thomas C. Skrobola, 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 that have past due real and/or personal property taxes.

Resolution 08-14

**77817**

- a recommendation to adopt a RESOLUTION of Intent to apply for annual financial operating assistance from the State of Michigan Department of Transportation for FY2009.

**77818**

- a recommendation to offer for first reading an ORDINANCE to rezone 2707, 2715, 2725 and 2729 W. Michigan Avenue, 1030 and 1102 Lafayette Avenue, and 1035 Euclid Street from Zone CN-1 (Commercial, Neighborhood District) to Zone CC (Commercial, Community District), and to rezone 1103 Euclid Street from Zone RM-15C (Residential, Multi-Dwelling District-Campus Area) to Zone CC; and, to schedule a public hearing for March 3, 2008.

**77819**

- a recommendation to adopt an amended Citizen Participation Plan regarding all activities funded or assisted by the U.S. Department of Housing and Urban Development.

**77820**

- a recommendation to authorize the City Manager to sign a "Uniform Video Service Local Franchise Agreement" with Michigan Bell (dba AT&T).

**77821**

- a recommendation to accept a grant from the Gary Sisters Foundation for \$1,000 to help support the Middle School Archery League and the Parent Teen Archery Program.

**77822**

- a recommendation to approve the following appointments and re-appointments to advisory boards and commissions:
  - the appointment of **H. Charles Kiplinger** to the Board of Review for Assessments for a partial term expiring on March 31, 2009.
  - the appointment of **Carl G. Czuchna** to the Board of Review for Assessments for a partial term expiring on March 31, 2010.
  - the re-appointment of **Erin Seaverson** to the Historic Preservation Commission for a term expiring on March 31, 2011.
  - the re-appointment of **Claire Milne** to the Historic Preservation Commission for a term expiring on March 31, 2011.
  - the appointment of **Damien Garylee McCormick** to the Parks and Recreation Advisory Board for a term expiring on January 1, 2011.
  - the re-appointment of **Terry Kuseske** to the Planning Commission for a term expiring on March 31, 2011.
  - the re-appointment of **Bertha Stewart** to the Planning Commission for a term expiring on March 31, 2011.

Consent Agenda  
(cont'd)

**77823**

- a recommendation to accept the following results of the Kalamazoo Municipal Golf Association election held on November 20, 2007:
  - the re-election of **Orlin Loen** for a three-year term expiring on December 31, 2010.
  - the re-election of **Teresa Snook** for a three-year term expiring on December 31, 2010.
  - the election of **Bob Cavanaugh** for a three-year term expiring on December 31, 2010.

**77824**

- a recommendation to hold until March 3, 2008 to authorize the City Manager to sign a Quit Claim Deed granting Georgia-Pacific Corporation title to a parcel of land on King Highway adjacent to their landfill.

Commissioner Miller, 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, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Allocation of Funds to the Boys and Girls Club for a Plan to Mitigate Youth Violence

**77825**

Commissioner Cooney, seconded by Commissioner Moore, moved to approve the allocation of \$15,000 to the Boys and Girls Clubs of Greater Kalamazoo to develop plans, programs, and processes to engage community children, youth, and families to begin to mitigate problems that contribute to youth violence in the City of Kalamazoo.

Prior to a vote on this motion, and in response to a question from Commissioner Miller, City Manager Collard stated the \$15,000 allocation would fund the development of an action plan by Human Ecology Management (H.E.M.). City Manager Collard indicated this dollar amount would cover all three elements of the proposal from H.E.M.: review, analysis and evaluation; training and orientation; and community awareness materials.

Commissioner Miller expressed both support for the motion and concern about short timeframe for City Commission review.

In response to questions from Mayor Hopewell, City Manager Collard stated the City Commission Initiatives Fund would be the source for the allocation. City Manager Collard noted the Community Development Act Advisory Committee (CDAAC) typically reviewed requests for Initiative Fund dollars, and the Boys and Girls Club allocation would be reported to CDAAC in the near future. City Manager Collard indicated the proposal from H.E.M. would support the Public Safety Work Plan.

Allocation of Funds to the Boys and Girls Club for a Plan to Mitigate Youth Violence (cont'd)

77825

Commissioner Moore thanked Bob Ezell of the Boys and Girls Clubs for his work in developing a written proposal. Commissioner Moore expressed strong support for the motion and noted the work being done by H.E.M. would benefit the entire community, not just the Boys and Girls Clubs.

With a roll call vote the motion to allocate funds passed unanimously.

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

NAYS: None

Presentation on the I-94 Business Loop Gateway Plan

77826

Community Planning and Development Director Jeff Chamberlain presented highlights of the I-94 Business Loop Gateway Plan. Director Chamberlain reported development of the Plan was a collaborative effort between the City, Kalamazoo County, and Kalamazoo Township. Director Chamberlain indicated the total cost to implement the plan would be \$1.6 million, half of which would be funded by a grant from the Michigan Department of Transportation (MDOT). Director Chamberlain stated the City, County and Township were asked to contribute \$256,800 each over three years (\$86,500 per year) as a local match to the grant. Director Chamberlain noted these contributions would be subject to the annual budget processes of the three partnering jurisdictions.

Commissioner Miller expressed support for the motion and appreciation for the collaborative effort.

In response to a question from Commissioner Miller, Director Chamberlain stated MDOT appreciated having a single plan so that improvements now and in the future would be consistent along the entire Business Loop corridor.

Resolution 08-15 Endorsing the I-94 Business Loop Gateway Plan

77827

Commissioner Miller, seconded by Commissioner Moore, moved to approve a recommendation to adopt a **RESOLUTION** to endorse the I-94 Business Loop Gateway Plan and to commit grant matching funds from the Capital Improvement Program of \$85,600 per year for three years, beginning in 2009, subject to annual budget approval.

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

77828

City Clerk Borling reported the following items:

- the City Commission received as informational a REVISED letter and rate schedule from Downtown Kalamazoo Incorporated giving official notice of parking rate increases that will take effect on March 1, 2008.

City Manager's  
Report**77829**

- the City Commission received a request from Mr. Dan Mitler to revise or amend Section 22-41 of the Code of Ordinances concerning drug paraphernalia and that the City Commission look into providing funding for a needle/syringe exchange program.

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated February 2008
- Legislative Update, dated January 31, 2008
- 4<sup>th</sup> Quarter 2007 Employment Activity Report

City Manager Collard noted the success of "Crime Fighter Meetings" organized by Acting Public Safety Chief Jim Mallery.

## Citizen Comments

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

Jeffrey Rush, City resident, expressed concern about the conduct of Public Safety Officers in the vicinity of the Kalamazoo Gospel Mission.

Dan Mitler, City resident, requested that the City Commission amend Section 22-41 of the Code of Ordinances to make it possible for needle exchange programs to operate within the City.

**77830**

Patricia Aldering, City-resident and Area Representative for Dogs Deserve Better, encouraged the City Commission to adopt a dog tethering ordinance. A copy of Ms. Aldering's written remarks was filed with the papers for this meeting.

City Commissioner  
Comments

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

Commissioner Moore thanked organizers of local events for Black Heritage Month. Commissioner Moore suggested the City send an e-mail alert or offer another means of informing citizens when the City Commission agendas were available. Commissioner Moore expressed opposition to needle exchange programs and suggested Mr. Mitler do more research and talk with local service organizations about such programs.

Commissioner Miller wished City Manager Collard "Happy Birthday" and invited Commissioners and staff to participate in the Walk for Warmth on February 23<sup>rd</sup>. Commissioner Miller thanked Acting Chief Mallery for his visibility in the community.

Commissioner Anderson highlighted the following items from the Consent Agenda: the cooperative purchase of tires and police vehicles; the saving of \$60,000 on the purchase of asphalt due to the relocation of an asphalt company to the former City Yards site; and the City's citizen participation process for Community Development Block Grant funds. Commissioner Anderson noted Metro Transit had begun using B-5 Biodiesel in its vehicles. Commissioner Anderson noted the Community Relations Board

City Commissioner  
Comments (cont'd)

(CRB) had concluded a series of Community Forums to seek input on the definition of community policing, and he thanked CRB members and citizens for the success of these forums. Commissioner Anderson emphasized the importance of a healthy downtown for the surrounding region and reported 250 people had attended the State of the Downtown Event, including Portage Mayor Pete Strazdas, several County Commissioners.

Commissioner Cooney noted the importance of the funds allocated for a plan to address youth violence, and he acknowledged the efforts of the following groups to address this problem: the Public Safety Department; the Eastside Neighborhood Association; the Douglas Community Center; and the Mothers of Hope. Commissioner Cooney thanked Bob Ezell of the Boys and Girls Clubs for his work on the youth violence plan.

Commissioner McCann wished City Manager Collard "Happy Birthday" and expressed condolences to the families of gun violence victims in Chicago and St. Louis.

Vice Mayor McKinney invited citizens to participate in the Walk for Warmth.

Mayor Hopewell reported he had participated in the following events: a celebration of the 100<sup>th</sup> Anniversary of Alpha Kappa Alpha Sorority; the presentation of a Key to the City to King Mwami Nigeli V, Titular King of Rwanda; and the State of the Downtown Event. Mayor Hopewell noted only 2% of downtown residential properties were available for lease or purchase. Mayor Hopewell announced he intended to give a State of City address on March 31<sup>st</sup> and a State of City presentation to the Kalamazoo Rotary on April 7<sup>th</sup>. Mayor Hopewell asked City Manager Collard and Acting Chief Mallery to consider retrofitting the City's police cruisers with a hybrid conversion package that was available.

Adjournment

The meeting adjourned at 7:54 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

The Kalamazoo City Commission met as a Committee of the Whole on Friday, February 29, 2008 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Vice Mayor Hannah McKinney  
David Anderson  
Don Cooney\*  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT Mayor Bobby Hopewell  
Sean McCann

Also present were Deputy City Manager Jerri Barnett-Moore, Assistant City Attorney Michael Miller, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Miller, seconded by Commissioner Anderson, moved to excuse the absences of Mayor Hopewell and Commissioners Cooney and McCann.

Review of the March 3<sup>rd</sup> Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, March 3, 2008.

**77831**

Item E-2

Regarding Item E-2, rezoning of properties on West Michigan and Lafayette Avenues and Euclid Street, Deputy City Manager Barnett-Moore reported this item would be removed from the agenda through mutual agreement of the property owner and City staff. Deputy City Manager Barnett-Moore stated the public hearing would be re-scheduled for a future date.

Addition of New Item F-4

Deputy City Manager Barnett-Moore stated consideration of a contract for the purchase of Sodium Hexametaphosphate would be added to the Consent Agenda as Item F-4.

\*Commissioner Cooney arrived at 7:37 a.m.

Item F-8

Regarding Item F-8, initiative funding for Kalamazoo Communities in Schools (KCIS) and the Summit on Racism, discussion took place about the length of time individual organizations received initiative funding. Commissioner Anderson suggested the City Commission develop a policy addressing the purpose of its initiative funds (to fund operational expenses, start-up expenses, etc...), the length of time an organization was eligible to receive funding for the same activities, and a schedule for reviewing current funding recipients prior to approving additional allocations. Commissioner Cooney noted the importance of funding youth initiatives and suggested KCIS give a presentation at Monday's meeting. Discussion followed. In response to a suggestion from Vice Mayor McKinney, Deputy City Manager Barnett-Moore stated the Administration would meet with representatives from KCIS and the Summit on Racism to discuss their current and future funding sources.

Item F-9

Regarding Item F-9, allocation of City Commission initiative funds, discussion took place regarding the nature of the services to be provided by Vineyard Outreach Ministry and the use of public funds by faith-based organizations.

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 7:54 a.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

A regular meeting of the Kalamazoo City Commission was held on Monday, March 3, 2008 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  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT:

Sean McCann

Also present were Deputy City Manager Jerri Barnett-Moore, Acting City Attorney Randy Schau, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Moore seconded by Commissioner Miller, moved to excuse the absence of Commissioner McCann. 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 its meeting agenda with the following changes:

**77832**

Deputy City Manager Barnett-Moore requested that Item F9, allocation of funds for Kalamazoo Communities in Schools and the Summit on Racism, be removed from the agenda.

Communications

Deputy City Manager Barnett-Moore invited the public to attend meetings of various boards and commissions.

Presentations re: CDBG Allocations

David Thomas, Neighborhood Development Manager, provided an introduction to the CDBG program, the City of Kalamazoo's application process, and the selection criteria.

**77833**

David Kinsey, Chair of the Community Development Act Advisory Committee (CDAAC), presented the recommended CDBG allocations. Mr. Kinsey reported the federal government had reduced the City's CDBG funding by 3% for PY2008-2009, and he stated the Committee's recommendations were aligned with the City's Consolidated Plan. City's Working under priorities of Consolidated Plan. Mr. Kinsey described the application review process in detail and thanked CDAAC members for their service.

Public Hearing re: CDBG Funding Recommendations

At 7:21 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding approval of 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 2008 program year.

**77833**

Public Hearing re:  
CDBG Funding  
Recommendations  
(cont'd)

**77833**

Mattie Jordan-Woods, City resident and Executive Director of the Northside Association for Community Development (NACD), thanked CDAAC and the City Commission for supporting NACD's home heating program.

Tim Lemanski, City resident and President of Kalamazoo Neighborhood Housing Services (KNHS), spoke in support of the recommended allocations.

Yeshwua Israel, City resident and President of the Mt. Zion Safe House, spoke in favor of the recommended allocations. A brochure on the Mt. Zion Safe House was filed with the papers for this meeting.

Bob Ells, non-resident and President of the Fair Housing Center of Southwest Michigan, expressed support for the recommended CDBG allocations.

Sonja Dean, City resident and representative of Local Initiatives Support Corporation (LISC), thanked CDAAC and the city Commission for CDBG funding support.

Laura Geist, non resident and representative of the Kalamazoo YWCA, thanked CDAAC and the City Commission for CDBG funding support.

Mike Childress, City resident and program director for Open Door/Next Door shelters, thanked CDAAC and the Commission for CDBG funding support.

At 7:34 p.m. Mayor Hopewell closed the public hearing.

Approval of CDBG  
Funding  
Recommendations

**77833**

Commissioner Moore, seconded by Commissioner Cooney, 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 2008 program year; and, authorize the City Manager to sign and submit all appropriate documents.

Prior to a vote on the motion, Commissioner Anderson commended City staff and the non-profit organizations that tried to address needs in the community on a daily basis.

Commissioner Moore thanked City staff for their good work and expressed regret that Legal Aid of West Michigan would not receive funding for foreclosure relief.

Commissioner Cooney noted the excellent work and dedication of CDAAC and stated it was impressive to hear about the non-profit organizations at work in the community.

Approval of CDBG  
Funding  
Recommendations  
(cont'd)

**77833**

Vice Mayor McKinney pointed out that the City used CDBG funds wisely and stated it had been difficult to watch the federal government reduce the City's CDBG funding over the past several years.

Mayor Hopewell stated task of reviewing and selecting applications for funding was difficult, but CDAAC had done well. Mayor Hopewell noted other cities were lamenting the federal government's disinvestment in cities.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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:

**77834**

- a three year contract with AT&T for telephone switch service, local and long distance service and data circuits in the amount of \$606,300.

**77835**

- an agreement with the Michigan Department of Transportation for the construction of the section of the Kalamazoo River Valley Trailway from Westnedge Avenue to the Kal-Haven trailhead at H Avenue; the city's portion of the project is \$465,300.

**77836**

- a sole source purchase of water meters from Etna Supply Company for \$150,000.

**77837**

- a one-year contract with Alexander Chemical Corporation for the purchase of Sodium Hexametaphosphate in the amount of \$117,040.

Resolution 08-16

**77838**

- adoption of a **RESOLUTION** delegating the authority to conduct public hearings regarding any future amendments to the City of Kalamazoo's Brownfield Plan to the City of Kalamazoo Brownfield Redevelopment Authority.

Resolution 08-17

**77839**

- adoption of a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to transfer all stock in 2007 Class C-SDM liquor license with an official food permit located at 250 E. Michigan, the Green Top Tavern, thru transfer of all 5,000 shares from existing stockholder, M.L. Kreeger revocable trust; James V. Lunarde, successor trustee to new stockholder Steven W. Lee trust; Michael J. Lee, successor trustee.

**77840**

- HOME Community Housing Development Organization funds in the amount of \$44,385 for the Kalamazoo Area Housing Corporation toward project coordination and predevelopment activities associated with the renovation of the Rickman House,

and authorization for the City Manager to sign and execute all contracts and documents associated with this project.

77841

- renewal of a HOME Investment Partnerships Program Agreement between the City of Kalamazoo and Housing Resources, Inc. through May 31, 2009 to conduct the Family Self-Sufficiency Program in an amount not to exceed \$200,000, and authorization for the City Manager to sign and execute all contracts and documents associated with this project.

77842

- acceptance of the recommendations of the Community Development Act Advisory Committee and the City Administration for funding of various local agencies which provide supplemental summer youth programming (\$62,310) and other community programming (\$17,690) in the total amount of \$80,000 funded through the City Commission Initiative Fund; and authorization for the City Manager to sign and execute all associated contracts and documents.

77843

- authorization for the City Manager to sign a Quit Claim Deed granting Georgia-Pacific Corporation title to a parcel of land on King Highway adjacent to their landfill.

77844

- authorization for the City Attorney's Office to "accept or reject" a Circuit Court mediation award in the case of *Gloria Woodruff v City of Kalamazoo*.

77845

- a recommendation to hold until March 17, 2008 approval of a request for \$100,000 to purchase one-acre of property at 265 E. Kilgore Road, Portage from Kilgore Office Park Associates, L.L.C. to allow the City to replace a Water Pumping Station and increase the size of the well field.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk's Report

City Clerk Borling reported the following items:

77846

- the City Commission received as informational a letter from the Michigan Department of Environmental Quality (MDEQ) announcing the approval of a request from ARVCO Container Corporation for renewal of its Clean Corporate Citizen designation.
- the City Commission received as informational a letter from U.S. Representative Fred Upton in response to Resolution 07-77, in which the City Commission supported the creation of a U.S. Department of Peace.

City Clerk's Report  
(cont'd)

77846

- the receipt of minutes from the following advisory boards and commissions:
  - Community Development Act Advisory Committee
    - Thursday, December 13, 2007
  - Community Relations Board
    - Thursday, October 11, 2007
    - Thursday, November 08, 2007
    - Thursday, December 13, 2007
  - Dangerous Buildings Board
    - Thursday, November 08, 2007
  - Kalamazoo Historic District Commission
    - Tuesday, November 20, 2007
  - Planning Commission
    - Thursday, December 06, 2007
    - Thursday, February 07, 2008
  - Parks and Recreation Advisory Board
    - Tuesday, January 08, 2008
  - Zoning Board of Appeals
    - Thursday, January 10, 2008
    - Wednesday, February 27, 2008
- approval of the following special events in the month of February:
  - a request from Irish American Club of Kalamazoo to use city streets on Saturday, March 15, 2008 at 11:00 a.m. for the Annual St. Patrick's Day Parade.
  - a request from the Knights of Columbus to conduct a Tag Day on the Kalamazoo Mall, Saturday, March 15, 2008.
  - a request from the Hackett Boys Basketball and Cross Country Teams to use city streets on Saturday, March 29, 2008 for a Shamrock 5K to help benefit the two programs and the Ark.
  - a request from the Housing Resources, Inc. to use city streets on Saturday, March 29, 2008 from 9:00 a.m. to 12:00 p.m. for the annual "Walk for the Homeless."
  - a request from Borgess Health Alliance to use Spring Valley Park and City Streets on Saturday, April 26, 2008 from 8:00 to 11:30 a.m. for the annual Borgess Run for the Health of It.
  - a request from March of Dimes to use city streets on Saturday, May 3, 2008 at 8:30 a.m. for the annual March for Babies event.

City Clerk's Report  
(cont'd)

**77846**

- a request from Arthritis Foundation/Michigan Chapter to use city sidewalks on Saturday, May 10, 2008 from 10:00 a.m. to 11:30 a.m. for a fundraiser Arthritis Walk.
- a request from Specialized Language Development (SLD) Learning Center to hold a walkathon in Spring Valley Park, May 12, 2007, from 8:00 am-noon.
- a request from the United Veterans' Council to use city streets on Monday, May 26, 2008 at 10:00 a.m. for the annual Memorial Day Parade.
- a request from MRC Industries, Inc. to use city streets on Friday June 13, 2008 at 6:30 p.m. and Saturday, June 14, 2008 at 7:30 a.m. for the 30<sup>th</sup> Annual Kalamazoo Klassic and Kids Klassic foot races.
- a request from DKA Charities (DKAC) to use Edwards Street between Water Street and Kalamazoo Avenue for the following events in 2008 at the Arcadia Creek Festival Site:
 

Race for the Cure	May 16-17
Dionysos Greek Festival	June 4 to June 9
Island Fest	June 19-23
Kalamazoo Blues Festival	July 9-14
Taste of Kalamazoo	July 16-21
Black Arts Festival	July 24-28
Ribfest	August 6-11
Irish Festival	September 18-22
- a request from Mt. Zion Baptist Church to use LaCrone Park starting at 9:00 a.m. on Friday, August 22, 2008 through Sunday, August 24, 2008 at 5:00 p.m. for worship, youth conference, concert and picnic activities.
- a request from the Alzheimer's Association to use Bronson park and city streets on Saturday, September 13, 2008 from 9:00 a.m. to 11:00 a.m. for the annual Alzheimer's Memory Walk."
- a request from the Kalamazoo Pagan Pride Day Committee to use Milham Park, Sunday, September 14, 2008 for a Pagan Pride Day event from 9:00 a.m. to 6:00 p.m.

Citizen Comments

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

Monica Westover, non-resident, stated she had received information under the Freedom of Information Act that showed she was not involved in an incident for which she was arrested in 2006.

Citizen Comments  
(cont'd)

Asha Kashad, City resident, spoke regarding the harassment of homeless people by Public Safety Officers (PSO's) at the Kalamazoo Transportation Center.

Jonathan Braun, City resident and President of the Kalamazoo Homeless Action Network (KHAN), spoke regarding the harassment of homeless people by PSO's at the Kalamazoo Transportation Center.

Joshua Arnold, City resident and member of KHAN, stated KHAN members were distributing response cards to poor and homeless people as the result of harassment by PSO's at the Kalamazoo Transportation Center.

Stacey Merrick, City resident and KHAN board member, spoke regarding the harassment of homeless people by PSO's at the Kalamazoo Transportation Center.

Michael Fuller, City resident and KHAN board member, spoke regarding the harassment of homeless people by PSO's at the Kalamazoo Transportation Center.

Richard VanAntwerp, City resident and KHAN member, spoke regarding the harassment and profiling of homeless people by PSO's at the Kalamazoo Transportation Center.

Tom Borowski, City resident, spoke regarding the tax assessment on a home he recently bought in the City.

Dorris Jackson, City resident, stated she had enjoyed her terms of service on CDAAC.

**77847**

Vincent Miller, non-resident, requested the City Commission review the Parks and Recreation Department's policy of giving City residents preferential sign-up opportunities for City recreation programs. Written materials provided by Mr. Miller were filed with the papers for this meeting.

City Commissioner  
Comments

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

Commissioner Moore offered apologies to Ms. Westover and requested that staff bring about final a resolution to Ms. Westover's issues with the City. Commissioner Moore thanked Acting Public Safety Chief Jim Mallery for increased patrols at the Kalamazoo Transportation Center but emphasized the need for protection of citizens' rights. Commissioner Moore congratulated the Kalamazoo Central High School men's basketball team for its success in the playoffs. Commissioner Moore expressed concern that her one-on-one meetings with the City Manager Collard had been cancelled and not rescheduled.

Commissioner Miller thanked City Clerk Borling for disseminating information on the precinct boundary and polling location changes.

City Commissioner  
Comments (cont'd)

Commissioner Cooney requested a copy of the Kalamazoo Transportation Center Rules and noted the need for balance between enforcing the law and preserving peoples' rights. Commissioner Cooney highlighted recent announcements about the creation of new jobs in Kalamazoo asked if there was a way for City residents to have first opportunity to get these jobs. Commissioner Cooney stated many Western Michigan University students were participating in Alternative Spring Break and contributing to communities around the country.

Vice Mayor McKinney expressed support for the City's policy of giving City residents first opportunity to register for City recreation programs. Vice Mayor McKinney suggested residents from other jurisdictions contact their local governing bodies if they wanted similar programs. Vice Mayor McKinney congratulated City Manager Collard on birth of new grandchild and noted she would be moderating a discussion with NeighborWorks about the impact of the housing crisis on people and places.

Mayor Hopewell discussed his recent trip to Austin, Texas.

Adjournment

The meeting adjourned at 8:27 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on April 7, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: April 7, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, March 14, 2008 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 Anderson, moved to excuse the absences of Vice Mayor McKinney and Commissioners Cooney and Moore.

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

Review of the March 17<sup>th</sup> Agendas

The City Commission reviewed and discussed the agenda for its Regular Neighborhood Meeting on Monday, March 17, 2008.

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

The City Commission reviewed and discussed the agenda for its Regular Business Meeting on Monday, March 17, 2008.

Mayor Hopewell announced he would deliver the State of the City Address on March 31<sup>st</sup> at 7:00 p.m. in the City Commission Chambers at City Hall. Mayor Hopewell stated the Regular City Commission Meeting scheduled for this date and time would be cancelled.

Item F-2

Regarding Item F-2, contract for sidewalk construction, Commissioner Anderson requested that the City develop a plan to keep sidewalks clear of snow on main arteries, such as West Main Street, West Michigan Avenue, and Gull Road during the 2008-2009 winter season.

Item F-9

Regarding Item F-9, the purchase of property on Kilgore Road for a pumping station, Commissioner Miller expressed concern about the high price for the property.

Item G-1

Regarding Item G-1, Neighborhood Enterprise Zones, Community Planning and Development Director Jeff Chamberlain described the proposed Neighborhood Enterprise Zones and noted this initial approval was the first step in a lengthy process.

Discussion followed regarding the flexibility of the NEZ incentives, the assumptions made in the fiscal analysis, and the balance between

providing a meaningful incentive versus tax revenue reductions to the City's General Fund.

Community Issues

In response to Commissioners' questions and comments, Director Chamberlain stated he would try to find answers to the following questions: whether the NEZ districts could be dissolved prior to their approved sunset dates; and whether the NEZ certificates were issued to the property or to the owner of the property (i.e., were the certificates transferable from one owner to another).

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

Commissioner Moore expressed concern about loitering by young people along the North Westnedge Avenue corridor, especially in the vicinity of the strip mall at the North Westnedge/Ada Street/Frank Street intersection. Commissioner Moore requested a plan from City departments for dealing with loitering, and she requested the City initiate a conversation with the Northside Economic Potential Group (NEPG) regarding the strip mall property. Commissioner Moore stated she would work with neighborhood residents regarding plans developed by the City. Commissioner Moore noted the Polar Bear store was under new ownership, and loitering at this location had been reduced significantly.

Acting Public Safety Chief Jim Mallery reported senior staff at the Public Safety Department had developed a plan for dealing with loitering on the Northside, and the plan was ready for implementation when the need arose.

In response to a question from Commissioner Anderson, Acting City Attorney Schau explained loitering laws were enforceable if people were in the street or on private property, but it was difficult to enforce loitering laws for people who were standing on the sidewalk, unless those people were engaged in other illegal activities.

Citizen Comments

Commissioner Moore suggested the City meet with neighborhood residents to report the existence of an anti-loitering plan and to assure residents the situation would be dealt with.

Finally, when given an opportunity for make comments, the following citizens addressed the City Commission:

Matthew Yokum, non-resident and a representative from the Michigan Organizing Project (MOP), reported MOP representatives would be attending the Business Meeting on March 17<sup>th</sup> and asking the City Commission to adopt a resolution supporting immigration reform in the following areas: immigration raids; drivers' licenses; marriage licenses; and "match letters."

Adjournment

The meeting adjourned at 8:22 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on April 7, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: April 7, 2008

A Neighborhood Meeting of the Kalamazoo City Commission was held on Monday, March 17, 2008 at 6:00 p.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 Anderson and Moore. With a voice vote, the motion passed.

Miscellaneous  
Communications

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

\*Commissioner Moore arrived at 6:01 p.m.

Neighborhood  
Communications

Neighborhood communications were received next.

Representatives of the following neighborhood organizations were present:

Fairmont Neighborhood Association

**Joy Russcher**, President

Whites/Edgemoor/Bronson Association

**Linda Wienir**, President

**Rock Bartley**, Member

**Val Opdyke**, Member

**Jim Ratliff**, Member

Fairmont  
Neighborhood  
Association

The Fairmont Neighborhood Association representative:

- thanked the City Commission for appropriating funds to support the neighborhood associations.
- welcomed new members to the Association's Board of Directors.

\*\*Commissioner Anderson arrived at 6:03 p.m.

- expressed interest in acquiring Public Safety Station #5 and requested information on future of this facility.
- reported the Association was planning a program for teens and was utilizing input from neighborhood teens in the planning process.

- noted crime rates had risen due to an increase in occupancy rates at Foxridge Apartments.
- reported continued collaboration between the Association and The Friends of Kalamazoo Dog Park

In response to a question from Commissioner Anderson, Ms. Russcher stated there had not been many problems with the Western Michigan University property on Blakeslee Avenue.

In response to a question from Commissioner Moore, Ms. Russcher stated the Association wanted to beautify the Douglas Avenue corridor, especially the intersection of Douglas and North Streets. Ms. Russcher indicated the Association had tried to work with businesses at this intersection, with mixed success.

Whites/Edgemoor/  
Bronson  
Association

The Whites Road/Edgemoor/Bronson (WEB) Association representatives:

- reported 255 families lived in the WEB Neighborhood.
- requested that the City fix a low lying area on Cloister Court, which collected water and created a deep lake in the middle of the road during rainstorms or the spring thaw.
- expressed concern about the addition of ground equipment to power cell phone antennae on the Edgemoor Water Tower. Mr. Bartley stated this equipment was an eyesore and created considerable noise.
- distributed and discussed a pamphlet regarding the Stewards of Kleinstuck Preserve.
- expressed concern about trash and garbage on the sidewalks in the block of Water Street under the Radisson Parking Ramp.
- reported the Planning Commission had recently approved the construction of new mixed income housing and noted the influence of the Kalamazoo Promise on the housing market.
- thanked the City Commission for dealing with the PCB issue at the Allied Paper Mill site in 2007.

**77848**

In response to a question from Commissioner Cooney, Mr. Bartley stated the problem with the Edgemoor Water Tower was the multiplication of ancillary equipment on the ground under the water tower.

City Manager Collard indicated staff would review the water tower lease agreements to verify compliance.

Citizen Comments

When given an opportunity to make comments, the following citizens addressed the City Commission:

Vincent Miller, non-resident, spoke in opposition to preferential opportunities for City residents to register their children for the City's minicamp at King-Westwood Elementary School.

Citizen Comments  
(cont'd)

Brian Schaff, City resident, spoke regarding the acquisition of Public Safety Station #5 by the Fairmont Neighborhood Association.

Mattie Jordan-Woods, City resident, requested that the City address the problem of youth loitering along the North Westledge Avenue corridor and requested that the Northside Neighborhood not be the location of a City-sponsored neighborhood block party unless the City was sponsoring block parties in every neighborhood.

City Commissioner  
Comments

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

Adjournment

The meeting adjourned at 6:37 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on April 7, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: April 7, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, March 17, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

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

COMMISSIONERS ABSENT: Vice Mayor Hannah McKinney

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

Commissioner Excused

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

Invocation

The invocation, given by The Reverend Doctor Wayne A. Price, Westwood United Methodist Church, was followed by the Pledge of Allegiance.

Introduction of Guests – KCTA Annual Report  
**77849**

Mayor Hopewell introduced Ms. Linda Teeter, Chair of the Kalamazoo County Transportation Authority (KCTA), Mr. Terry Kuseske, KCTA member, and Mr. Dale Hein, KCTA Project Manager. Ms. Teeter distributed and discussed the KCTA Annual Report for 2007.

City Commissioners thanked the KCTA for its work.

Proclamations  
**77850**

Commissioner Anderson, on behalf of Mayor Hopewell, proclaimed the week of March 24-30, 2008 “National Community Development Week.” Community Planning and Development Director Jeff Chamberlain was present to accept the proclamation.

**77851**

Mayor Hopewell read a proclamation honoring the Minority Business Alliance of Southwest Michigan-KidBiz Young Entrepreneurs. Ms. Erma Gordon, Director of the Minority Business Association, was present to receive the proclamations on behalf of the KidBiz Young Entrepreneurs.

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.

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:

**77852**

- a recommendation to approve a three-year contract with West Shore Fire for the purchase of fire turnout gear in the amount of \$105,000.

Consent Agenda  
(cont'd)

**77853**

- a recommendation to approve a change order with Peters Construction Company for a new sidewalk along the west side of Oakland Drive, between Howard and Ottawa Streets in the amount of \$100,078; approve increasing the city's 2008 sidewalk placement CIP budget by \$34,117; and, approve a carry forward in the amount of \$10,961.

Resolution 08-18

**77854**

- a recommendation to adopt a **RESOLUTION** to amend a January 7, 2008 recommendation to approve the application of EMDAC, LLC (Mangia Mangia Restaurant) for a Downtown District (Redevelopment) new Class C license to include Sunday sales and outdoor service permits under PA 501 of 2006.

Resolution 08-19

**77855**

- a recommendation to adopt a **RESOLUTION** to authorize and direct the Historic Preservation Coordinator to apply for a rehabilitation planning grant from the Michigan State Historic Preservation Office Certified Local Governments Grant Program in the amount of \$23,500 to be used to prepare specifications for the first phase of repairs for the State Hospital Water Tower.

Resolution 08-20

**77856**

- a recommendation to adopt a **RESOLUTION** supporting proposed legislation, to be introduced by the State Legislature, to amend section 211.89 of the Michigan Code.

**77857**

- a recommendation to approve an allocation to Kalamazoo Communities in School in the amount of \$100,000 and Summit on Racism in the amount of \$15,000.

**77858**

- a recommendation to accept the Project Safe Neighborhoods sub-recipient grant award of \$55,000 for the purpose of supporting a gun/gang violence investigator.

**77859**

- 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 N. Dartmouth water tower, said execution to occur, however, only when the City Manager is satisfied that the City has reached a separate agreement with Clearwire for the use of Clearwire's services.

**77860**

- a recommendation to approve a request for \$100,000 to purchase one-acre of property from Kilgore Office Park Associates, L.L.C for property located at 265 E. Kilgore Road, Portage, to allow the City to replace a Water Pumping Station and increase the size of the well field.

**77861**

- a recommendation to approve a request from Phoenix Properties and American Village Development, Inc. to change the name of Arboretum Circle to Emajeau Circle.

**77862**

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

Consent Agenda  
(cont'd)

**77862**

- the re-appointment of **Robert Salisbury** to the Employees' Retirement System Investment Committee and the Perpetual Care Investment Committee for a term expiring on March 31, 2011.
- the re-appointment of **Adrian Edward Edwards** to the Employees' Retirement System Investment Committee and the Perpetual Care Investment Committee for a term expiring on March 31, 2011.
- the re-appointment of **Bill Steinmann** to the Environmental Concerns Committee for a term expiring on January 1, 2011.
- the re-appointment of **Michelle Marie Richards** to the Environmental Concerns Committee for a term expiring on January 1, 2011.
- the re-appointment of **William Hughes** to the Environmental Concerns Committee for a term expiring on January 1, 2011.
- the re-appointment of **Mary Viegelahn Hamlin** to the Friends of Recreation Board for a term expiring on March 1, 2011.
- the re-appointment of **Mike Schlack** to the Friends of Recreation Board for a term expiring on March 1, 2011.
- the re-appointment of **Karl Freed** to the Zoning Board of Appeals for a term expiring on March 31, 2011.
- the re-appointment of **Karl Guenther** to the Zoning Board of Appeals for a term expiring on March 31, 2011.

**77863**

- a recommendation to approve minutes from the following City Commission meetings: the Budget Work Sessions on December 20, 2007, January 7, 2008, January 10, 2008, and January 12, 2008; the Committee of the Whole Meeting on February 29, 2008; the Neighborhood Meeting on February 18, 2008; and the Business Meetings on January 22, 2008; February 4, 2008; and February 18, 2008.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Presentation and Discussion re: Neighborhood Enterprise Zones

Neighborhood Planner Andrea Augustine delivered a presentation on the proposed Neighborhood Enterprise Zones (NEZ). Ms. Augustine recommended commencement of a pilot program that would establish a Homestead NEZ in the Vine Neighborhood and a New Construction NEZ in the Edison Neighborhood.

**77864**

Commissioner Anderson expressed support for a New Construction NEZ in the Edison Neighborhood but concern about a Homestead NEZ in the Vine Neighborhood. Commissioner Anderson stated the Vine Neighborhood NEZ would result in guaranteed reductions to General Fund revenue without a guarantee that the NEZ incentive was driving an increase in owner occupancy. Commissioner Anderson questioned whether the zones should sunset after one or two years, given that this was a pilot program, and he questioned whether the life of NEZ certificates could be shorter than 12 years and still provide a meaningful incentive.

In response to Commissioner Anderson, Ms. Augustine stated the recommended life spans for the zones and certificates were the best guess of City staff relative to the amount of time needed to create an incentive. Ms. Augustine explained that the designation of the NEZ program as a "pilot" was due to the limited scope of the program (i.e., the number of zones created), not the life span of the zones or certificates. Ms. Augustine noted the estimated impact to the General Fund from the Vine NEZ was based on the assumption that one-half of the rental properties sold every year would be converted to owner occupied housing as a result of the NEZ incentive. Ms. Augustine stated this conversion rate was an aggressive assumption.

Commissioner Miller expressed support for the NEZ pilot program.

Commissioner Cooney expressed support for the locations of the proposed NEZ's but suggested further discussion take place regarding the life span of the zones and length of the certificates.

Commissioner Moore expressed support for the NEZ pilot program.

In response to a question from Commissioner Anderson, City Manager Collard explained the recommended action was for the Commission to approve the proposed boundaries and give authorization to proceed with the project. City Manager Collard clarified that staff was requesting approval of the concept, and there was a clear understanding that Commissioners would have input regarding NEZ parameters as the process moved forward.

Commissioner McCann expressed support for the NEZ pilot project.

In response to questions from Commissioner Anderson and Mayor Hopewell, Ms. Augustine stated the Renaissance Zones in the City had not been a successful neighborhood revitalization tool, and a study of NEZ best practices had shown the key to successful NEZ's was combining this incentive with other incentives or programs.

Commencement of  
Neighborhood  
Enterprise Zone  
Process Approved  
**77864**

Commissioner Miller, seconded by Commissioner Moore, moved to approve a recommendation to approve the commencement of the Neighborhood Enterprise Zone process, including tentative approval of the proposed boundaries for two pilot zones (in the Vine and Edison Neighborhoods).

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's  
Report  
**77865**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates

Citizen Comments

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

Mattie Jordan-Woods, City resident, spoke about the reputation of the Northside Neighborhood, and she invited City residents to attend a meeting at the Northside Association for Community Development (NACD) on Tuesday, March 25<sup>th</sup> at 6:00 p.m. to discuss the issue of young people loitering along the North Westnedge Avenue corridor.

Jonathan Braun, City resident and President of the Kalamazoo Homeless Action Network (KHAN), spoke regarding injustices suffered by undocumented immigrants.

Joshua Arnold, City resident and KHAN member, spoke regarding social justice for all people.

Stacey Merrick, City resident and KHAN member, spoke regarding the rights of immigrants.

Azeneth Rodriguez, City resident, introduced speakers who would address concerns of the immigrant community.

George White, non-resident and President of the Kalamazoo Chapter of the National Action Network, spoke regarding the destruction of families by Immigration and Customs Enforcement (ICE) raids.

John McNaughton, City resident, spoke regarding the injustices suffered by undocumented immigrants.

Larry Provancher, non-resident, expressed concern about new drivers' license regulations that would prohibit undocumented immigrants from obtaining licenses. Mr. Provancher stated the new regulations would cause many people to lose their drivers' licenses, which could lead to deportation.

Citizen Comments  
(cont'd)

Father Mike Hazzard, City resident and parish priest at St. Joseph's Catholic Church, spoke regarding the requirement for a couple to provide Social Security Numbers in order to get a marriage license.

Juan Marcos, City resident, spoke regarding "no match" letters sent out by the Department of Homeland Security.

Shirley Heibert, non-resident, spoke regarding the important role of immigrants in the local economy.

**77866**

Azeneth Rodriguez, City resident, distributed a *Proposed Resolution of Support for Immigrant Residents of Kalamazoo* and urged City Commissioners to sign individual pledges of support for immigration reform.

City Commissioner  
Comments

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

Commissioner Moore thanked and congratulated Erma Gordon for her success with the young minority entrepreneurs. Commissioner Moore invited City residents to attend a meeting at the NACD offices on Tuesday, March 25<sup>th</sup> at 6:00 p.m. to discuss the issue of young people loitering along the North Westnedge Avenue corridor. Commissioner Moore invited citizens to attend Good Friday services and noted she would be out of town the rest of the week. Commissioner Moore expressed support for the citizens who spoke regarding immigration reform.

Commissioner Cooney stated the federal government had failed to develop a sensible, reasonable immigration policy, and he expressed support for the resolution presented by citizens. Commissioner Cooney noted March 19<sup>th</sup> was the anniversary of the beginning of the War in Iraq.

Commissioner McCann congratulated the Kalamazoo Christian High School men's basketball team for winning the state championship.

Adjournment

The meeting adjourned at 8:42 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on April 7, 2008

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

Bobby J. Hopewell, Mayor  
Dated: April 7, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, March 28, 2008 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Hopewell  
Vice Mayor Hannah McKinney  
David Anderson  
Don Cooney\*  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT Sean McCann

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

Commissioners Excused

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

Review of the April 7<sup>th</sup> Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, April 7, 2008.

Discussion took place regarding the Committee of the Whole Meeting scheduled for Friday, April 4, 2008. By consensus the City Commission cancelled this meeting.

\*Commissioner Cooney arrived at 7:35 a.m.

Item F-3

Regarding Item F-3, contract for water drilling, Public Services Director Bruce Merchant explained the work covered by the contract was performed in 2007, and due to a staff oversight the work was approved without a contract being in place. Director Merchant and City Manager Collard apologized for this error and indicated there was no intention to bypass the approvals required in the City Commission's Purchasing Policy.

Community Issues

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

Update on KTC Security Issues

**77867**

Transportation Director Bill Schomisch and Public Safety Captain Brian Uridge distributed and discussed a summary report entitled *Kalamazoo Transportation Center Security Issues and Action Steps, March 28, 2008*. Director Schomisch noted the written report indicated Kalamazoo Public Schools (KPS) had sent letters to parents, but it was uncertain whether the letters had been sent.

In response to a question from Mayor Hopewell, Captain Uridge explained the Public Safety Officer (PSO) assigned to the Kalamazoo Transportation Center (KTC) would fill a minimum staffing position, and the dollars transferred from Metro Transit to the Public Safety Department would fund overtime hour for officers that needed to be called in.

Update on KTC  
Security Issues  
(cont'd)

**77867**

Discussion took place regarding proposed changes to the loitering ordinance; the cooperation of Downtown Kalamazoo Incorporated and the Kalamazoo Gospel Mission; the assignment and of a PSO to the KTC and the funding of this position; the need for community outreach and education efforts; and the role and responsibilities of KPS relative to student behavior at the KTC.

Commissioner Moore expressed support for a police presence at the KTC but recommended the development of creative punishments that would make young offenders give back to the community rather than giving them a criminal record.

In response to a question from Mayor Hopewell, Director Schomish reported there were problems with transient people at the KTC prior to removal of the Public Safety Station from the facility, but the problem with students was relatively new.

In response to a question from Commissioner Moore, Director Schomish stated each Metro Transit bus would be outfitted with a four-camera system by the end of April, and additional cameras would be installed in the KTC, including in the sink areas of the restrooms.

Other Community  
Issues

Commissioner Moore noted a fundraising dinner would take place on April 5<sup>th</sup> for Interfaith Strategy for Action and Advocacy in the Community (ISAAC).

Commissioner Cooney requested that the immigration reform resolution presented to the City Commission on March 17<sup>th</sup> be added to the April 7<sup>th</sup> meeting agenda.

Mayor Hopewell suggested the immigration reform resolution be referred to the Community Relations Board (CRB) and City Attorney's Office for review and recommendation.

Commissioner Anderson indicated he would request the resolution be added to the April 10<sup>th</sup> CRB meeting agenda.

Citizen Comments

Finally, when given an opportunity to offer comments, the following citizens addressed the City Commission:

**77868**

Larry Provancher, non-resident, distributed and discussed a proposed resolution supporting immigration reform.

**77869**

Pat Hanavan, non-resident and representative of the Michigan Organizing Project (MOP), requested the City Commission adopt a resolution supporting immigration reform and declare "Kalamazoo to be a 'welcoming city' that celebrates its diversity." A copy of Ms. Hanavan's written remarks was filed with the papers for this meeting.

Adjournment

The meeting adjourned at 8:20 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on April 7, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: April 7, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, April 7, 2008 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 Public Services Director Bruce Merchant, Public Services Director, City Attorney Clyde Robinson, and City Clerk Scott Borling.

## Invocation

The invocation, given by Pastor Steve Griffin, Christian Life Center, was followed by the Pledge of Allegiance.

Proclamations  
**77870**

Commissioner Moore, on behalf of Mayor Hopewell, proclaimed April 2008 "Fair Housing Month." Ms. Theresa Hochmuth, 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:

At the request of a citizen, Item F-5 (13<sup>th</sup> Check Ordinance) was moved from the Consent Agenda to the Regular Agenda.

## Communications

Public Services Director Merchant invited the public to attend meetings of various boards and commissions.

\*City Manager Collard arrived at 7:11 p.m.

## 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:

**77871**

- a recommendation to approve the 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 \$1,313,250.

**77872**

- a recommendation to approve a contract extension with Maintenance Masters for mowing tall grass/weed nuisance violations and for City owned Cemetery property maintenance in the amount of \$188,014.

**77873**

- a recommendation to approve a one-year contract with Consumers Concrete Corporation for ready mixed concrete to be used for roadway, sidewalk, and other construction project needs in the amount of \$142,474.50.

- 77874** - a recommendation to approve a contract with Peerless-Midwest for well drilling services performed at the Water Department Well Field #3 located at Balch Street and Park Street in the amount of \$128,689.30.
- 77875** - a recommendation to offer for first reading an ORDINANCE to rezone 325 and 401 N. Sage Street from Zone CO (Commercial, Office District) to Zone CC (Commercial, Community District); and, schedule a public hearing for April 21, 2008.
- Resolution 08-21  
**77876** - a recommendation to adopt a **RESOLUTION** to set a public hearing on April 21, 2007 to consider an application from Sweet Manufacturing, Inc. for a PA 198 Industrial Facilities Tax exemption certificate for three + three years for personal property valued at \$248,500 in existing Industrial Development District (IDD) No. 89 located at 3421 South Burdick Street, with a first year abatement of approximately \$1,361 in city property taxes.
- Resolution 08-22  
**77877** - a recommendation to adopt a Notice of Intent **RESOLUTION** for the issuance of General Obligation Limited Tax Bonds for capital improvements in an amount not to exceed \$4.5 million for the purpose of financing capital projects included in the Fiscal Year 2008 Capital Improvement Program.
- 77878** - 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 2008/2009 Winter Season.
- 77879** - 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 17 & 18, 2008 and the Kiracofe Memorial Softball Tournament, July 11-13, 2008.
- 77880** - a recommendation to approve a request from the Kalamazoo Country Club for a permit to publicly display fireworks at 1609 Whites Road on Friday, July 4, 2008 with a rain date of Friday, July 12, 2008.
- 77881** - a recommendation to approve the following appointments and re-appointments to the Downtown Development Authority:
- the reappointment of Ann Rohrbaugh for a term expiring on March 1, 2012
  - the reappointment of Chris Shook for a term expiring on March 1, 2012
  - the appointment of Lisa Prasher for a term expiring on March 1, 2012
  - the appointment of Derek Wissner for a term expiring on March 1, 2012

**77882**

- a recommendation to approve minutes from the following City Commission meetings: the February 11, 2008 Work Session; March 14 and March 28, 2008 Committee of the Whole meetings; March 17, 2008 Special Neighborhood meeting; and March 3, 2008 and March 17, 2008 Business meetings.

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, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Regular Item

Regular agenda items were considered next.

First Reading of  
13<sup>th</sup> Check  
Ordinance  
Amendments

When given the opportunity to offer comments on a proposed ORDINANCE to amend Section 2-246.5 modifying the eligibility requirements for the 13th Check Program, the following citizens addressed the City Commission:

**77883**

Frank Murray, non-resident, spoke in opposition to the proposed ordinance.

Al Sarquiz, non-resident and Vice President of the United Retired Government Employees (URGE), spoke about the history of the 13<sup>th</sup> check program and expressed opposition to the proposed ordinance.

Lou White, non-resident, spoke in opposition to the proposed ordinance.

Don Carlson, non-resident, spoke in opposition to the proposed ordinance. A copy of Mr. Carlson's written remarks was included with the papers for this meeting.

Judith Costello, non-resident, spoke in opposition to the proposed ordinance. A copy of Ms. Costello's written remarks was included with the papers for this meeting.

Charles Arney, non-resident, spoke in opposition to the proposed ordinance.

Al Dolph, City resident, spoke in opposition to the proposed ordinance.

Commissioner Miller, seconded by Commissioner Anderson, offered for first reading an ORDINANCE to amend Section 2-246.5 modifying the eligibility requirements for the 13th Check Program to those who are over 70 years of age, have at least 25 years of service and whose pension benefit and 13th check do not exceed \$20,000.

Prior to a vote on the motion, Commissioner Cooney noted the City Commission would consider the proposed ordinance at a future meeting and stated there would be opportunity for comments and discussion by citizens and Commissioners prior to a vote being taken.

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  
77884

City Clerk Borling reported the following items:

- receipt of the *2006-07 Surface Water Monitoring Program Annual Report* from the Kalamazoo County Department of Health and Community Services.

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

Environmental Concerns Committee

- Wednesday, February 20, 2007

Friends of Recreation Board

- Tuesday, January 22, 2008

- Tuesday, February 26, 2008

Kalamazoo Historic District Commission

- Tuesday, January 22, 2008

- Tuesday, February 26, 2008

Kalamazoo Historic Preservation Commission

- Tuesday, January 8, 2008

Pension Board

- Wednesday, February 27, 2008

Parks and Recreation Advisory Board

- Tuesday, February 5, 2008

- Tuesday, March 4, 2008

Zoning Board of Appeals

- Thursday, February 14, 2008

- receipt of 2007 Annual Reports from the following advisory boards and commissions:

Civil Service Board

Community Development Act Advisory Committee

Construction Board of Appeals

Dangerous Buildings Board

Downtown Development Authority

Environmental Concerns Committee

City Clerk's Report  
(cont'd)

**77884**

Friends of Recreation Board  
Historic District Commission  
Historic Preservation Commission  
Housing Board of Appeals  
Parks and Recreation Advisory Board  
Pension Board  
Planning Commission  
Rehabilitation Appeal Board  
Retirement Investment Committee  
Zoning Board of Appeals

- approval of the following special events in the month of March:
  - a request from Ministry with Community and the Diocese of Kalamazoo to use City sidewalks on Friday, March 21, 2008 from 12:00 p.m. to 1:00 p.m. for a Good Friday March and outdoor service.
  - a request from Kalamazoo Public Schools, Western Michigan University, and the Hispanic American Council to use City sidewalks on Monday, March 31, 2008 from 11:00 a.m. to 2:00 p.m. for a Cesar Chavez Celebration.
  - a request from the Milwood Little League to use city streets on Saturday, April 26, 2008 beginning at 10:00 a.m. for the annual Opening Day Parade.
  - a request from the Knights of Columbus to conduct a Tag Day on the Kalamazoo Mall Saturday, May 7, 2008. This fundraiser is to assist with a mission to bring under-served children/youth from Kalamazoo County to Pretty Lake Vacation Camp for a camping experience and to assist with the camp's operating costs.
  - a request from the Southwest Michigan Komen Race for the Cure to use city streets on Saturday, May 17, 2008 from 9:00 to 11:00 a.m. for the Southwest Michigan Komen Race for the Cure.
  - a request from Kalamazoo Deacons' Conference to use LaCrone Park for the following 2008 events:
    - a Community Gathering on Saturday, June 14, 2008 from 12:00 p.m. to 3:00 p.m.
    - a School Back Pack event on Friday, August 15, 2008 from 12:00 p.m. to 3:00 p.m.

Resolution 08-23  
Establishing a  
Sustainable Policy  
Statement

**77885**

Commissioner Anderson, seconded by Commissioner Cooney, moved to adopt a **RESOLUTION** to establish a Sustainability Policy Statement.

Prior to a vote on this motion, Commissioner Anderson read the proposed policy statement:

Sustainable Policy Statement (cont'd)

**77885**

The City of Kalamazoo shall value and incorporate the concept of sustainability in all of its activities. Sustainability shall be defined as the careful consideration of life-cycle costing, environmental and human consequences, and continued improvement in the efficient use of energy resources. The results of these actions shall be measured and included as recognized goals in the annual City budgeting and planning process.

Commissioner Anderson recognized the work of the Environmental Concerns Committee and City staff in developing the policy. Commissioner Anderson noted the importance of setting goals and measuring results for sustainability, and he suggested collaboration with other public entities in the formation of a regional sustainability compact that would focus on mutual accountability and the sharing of best practices.

Commissioner Cooney expressed support for the policy statement but encouraged the ECC to recommend best practices and specific actions.

Vice Mayor McKinney stated there needed to be cultural change within the City organization, and she expressed support for collaboration with other local governments.

Mayor Hopewell reaffirmed the City's commitment to the U.S. Mayor's Climate Protection Agreement, and he highlighted the importance of developing an action plan to implement the broad mission of the policy statement.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Proclamation

**77886**

Commissioner Cooney, on behalf of Mayor Hopewell, proclaimed April 13-20, 2008 as the Galilee Baptist Church's Golden Jubilee. Reverend Dr. J. Louis Felton, Senior Pastor, was present to receive the proclamation.

Citizen Comments

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

Monica Westover, non-resident, spoke regarding mistakes made by the Public Safety Department, the effects of those mistakes on her life, the Oakwood Neighborhood Association, and corruption in the Michigan justice system.

Jonathan Braun, City resident, reported representatives from the Kalamazoo Homeless Action Network (KHAN), the Public Safety Department, and the City Attorney's Office and Transportation Department met on April 3<sup>rd</sup> to discuss the enforcement of City Ordinances and rules at the Kalamazoo Transportation Center (KTC). Mr. Braun stated the definition of "customer" under the

Citizen Comments  
(cont'd)

**77887**

Transportation Center Rules violated the US Civil Rights Act, and he questioned the constitutionality of the City's loitering ordinance.

Sondra Nowak, non-resident, introduced herself as a candidate for 8<sup>th</sup> District Court Judge. A pamphlet distributed by Ms. Nowak was filed with the papers for the meeting.

Michael Evans, City resident, proposed the following action steps regarding the KTC: the posting of a welcome statement; the development of a seating policy that gave preference to customers of the Center; the addition of more seating within the Center; and collaboration with the homeless community to allow sharing of the KTC facility with customers.

City Commissioner  
Comments

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

Commissioner Moore offered remarks on the following topics: banquets for the Kalamazoo Homeless Action Network and the United Auto Workers Region 1B; the new Boys and Girls Club satellite location at the Douglas Community Center; and the Public Safety Departments efforts to address youth issues in the North Westnedge Avenue corridor. Commissioner Moore highlighted the following events and activities: the NAACP school board candidate forum on April 14<sup>th</sup>; a Stop the Youth Violence event at Mt. Zion Baptist Church on May 3<sup>rd</sup>; and opportunities for citizens to find out about City Hall news via her Facebook and MySpace web pages as well as conference calls with her on Tuesdays and Saturdays. Commissioner Moore asked City Manager Collard for an update on the Public Safety Chief hiring process.

Commissioner Miller remarked the Battle of the Glass Blowers had taken place in Kalamazoo the previous weekend, and she reported the pieces created would be auctioned on April 12<sup>th</sup> to benefit the Kalamazoo Institute of Art.

Commissioner Anderson commended the City's volunteer Boards and Commissions for their diligent work. Commissioner Anderson suggested the City link community benefit requirements and support of the Kalamazoo Promise to its regular contracting practices.

Commissioner Cooney noted the 40<sup>th</sup> anniversary of the death of Dr. Martin Luther King, Jr. Commissioner Cooney spoke of Dr. King's optimism and his commitment to justice and nonviolence.

Vice Mayor McKinney remarked on Community Literary Awards and discussed the effect of giving children the same awards that adults received.

City Manager Collard reported the Police Executive Research Forum (PERF) had received approximately 40 applications for the Public Safety Chief position, and he stated PERF would forward the top 8-10 applications to him. City Manager Collard indicated he would review all applications and would bring 4-5 applicants to Kalamazoo for interviews.

Mayor Hopewell expressed support for City Manager Collard and stated the City Commission and the public needed to let him handle the Public Safety Chief hiring process as he saw fit. Vice Mayor Hopewell thanked the City Commission for supporting the State of the City Address, and he reported on a presentation he delivered to the Kalamazoo Downtown Rotary on the linkage between youth development efforts and local businesses.

Adjournment

The meeting adjourned at 8:31 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on April 21, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: April 21, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, March 14, 2008 at 7:30 a.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 Sean McCann

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

Commissioners Excused

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

Review of the April 21<sup>st</sup> Agendas

The City Commission reviewed and discussed the agenda for its Neighborhood Meeting on Monday, April 21, 2008.

The City Commission reviewed and discussed the agenda for its Regular Business Meeting on Monday, April 21, 2008.

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

Item F-4

Regarding Item F-4, amendments to the curfew ordinance, City Attorney Robinson discussed the proposed changes.

In response to a question from Commissioner Moore, City Attorney Robinson stated the penalties for breaking curfew and the process for dealing with young people who broke curfew would not change.

In response to a question from Commissioner Cooney, City Manager Collard stated the City intended to have a CLOCK-type program in place for the summer.

City Manager's Report

City Manager Collard highlighted items on the City Manager's Report and announced he would be reporting on changes to the governance of the Kalamazoo Valley Enforcement Team (KVET) on Monday night.

Item G-1

Regarding Item G-1, the Local Preference Purchasing Policy, Mayor Hopewell requested a timeframe for a report requested by Commissioner Anderson on the possibility of linking community contribution requirements to the City's purchasing policy.

Community Issues

City Manager Collard stated Purchasing Director Nick Lam was researching the incorporation of community contribution requirements with the City's contracting procedures.

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

Commissioner Miller commented on a survey administered by students at Western Michigan University regarding the City.

Commissioner Cooney noted the beginning of the Gilmore Keyboard Festival.

Vice Mayor McKinney described the Buy Local Campaign and stated the campaign was in need of publicity.

Citizen Comments

Finally, an opportunity was given for citizens to address the City Commission, but no comments were offered.

Adjournment

The meeting adjourned at 7:53 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on May 5, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: May 5, 2008

A regular neighborhood meeting of the Kalamazoo City Commission was held on Monday, April 21, 2008 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  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT:

Sean McCann

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

Commissioner Excused

Commissioner Miller, seconded by Commissioner Moore moved to excuse the absence of Commissioner McCann. With a voice vote, the motion carried.

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:

- Gateway Coalition/South Street Historic District  
**Nelson Nave**, Member
- Northside Association for Community Development (NACD)  
**Mattie Jordan-Woods**, Executive Director
- West Main Hill Neighborhood  
**Steve Taranella**, President  
**Elaine Wickstrom**, Vice President

Gateway Coalition/  
South Street  
Historic District

The Gateway Coalition/South Street Historic District representative:

- reported construction of the West Gateway had begun and was scheduled to be completed by August.
- expressed hope that an official neighborhood association would be formed and stated such a neighborhood could include businesses and residents in the downtown area.

Northside  
Association for  
Community  
Development

The Northside Association for Community Development (NACD) representative:

- thanked the City Commission for meeting with neighborhood representatives.
- expressed appreciation for the street cleaning crews.

Northside  
Association for  
Community  
Development  
(cont'd)

- reported relationships between residents and the Public Safety Department were improving.
- indicated neighborhood residents were reporting improved responsiveness from Public Safety Officers.
- reported over 78 people attended an informational meeting about on home foreclosures on January 29<sup>th</sup>.
- thanked Vice Mayor McKinney for her work on the foreclosure issue and expressed concern that developers would buy foreclosed properties on the Northside.
- stated representatives from five area banks would be at the NACD offices on May 6<sup>th</sup> to help residents deal with issues of poor credit and home foreclosure, including refinancing options.
- requested that City inspectors enforce the trash ordinance with respect to abandoned homes.
- reported on a recent meeting with neighborhood residents and Acting Public Safety Chief Jim Mallery regarding youth loitering. Ms. Jordan-Woods stated a follow-up meeting was planned for the third Tuesday in May to discuss alternatives for young people who were not involved with existing youth programs.
- thanked City for work on playground; groundbreaking tentatively set for May 31<sup>st</sup>.
- indicated a Northside resident had been identified to be involved with the Association's home repair program. Ms. Jordan-Woods stated the program would begin on June 1<sup>st</sup> – the day the funding became available.

In response to a question from Commissioner Anderson, Ms. Jordan-Woods stated NACD would not be using Michigan Public Service Commission funds for the home repair program because the Association wanted to place stipulations on the use of the funds that were unacceptable to the Public Service Commission.

West Main Hill  
Neighborhood

The West Main Hill Neighborhood (WMHN) representative:

- reported on recent and upcoming events: Winter Carnival; Easter Egg Hunt; Art Day Ice Cream Social; the Association's annual meeting in May; and the annual USTA/WMH Picnic in August.
- reported relatively low crime rates in the neighborhood and stated these low rates were due to good neighborhood watch participation, observant residents, good police work, communication between City and Township police, and the consistent attendance of Public Safety Officers at neighborhood meetings.

West Main Hill  
Neighborhood  
(cont'd)

- stated residents were volunteering time to improve neighborhood parks. Mr. Taranella reported the Association had formed a Tot Lot Task Force to provide input on the Parks and Recreation Department's Master Plan.
- indicated the West Main Hill Beautification Committee was raising funds and planning a design charette for the beautification of the business district at the top of West Main Hill. Mr. Teranella stated the charette would involve representatives from the City, Township, County, Kalamazoo Public Schools, area businesses, and residents. Problem is getting township on board.
- There have been six new members on board in past year.
- It's a challenge to get all events in neighborhood covered in 5 newsletters per year.

In response to a question from Commissioner Miller, Ms. Wickstrom stated Henderson Castle was doing well, and parking was not really an issue.

In response to a question from Commissioner Anderson, Mr. Taranella reported it was the intent of the Association and the Beautification Committee to pursue creation of a development district for the WMH business district. Mr. Taranella explained that the design charette would naturally lead to the question of what organization would implement the design. Mr. Taranella stated he was not sure if a cross-jurisdictional development district could be formed, but he noted Kalamazoo Township officials had expressed concern that targeting the WMHN for development would not be fair to the other neighborhoods in the Township that were not being developed.

Commissioner Anderson noted there were other city/township border areas where collaboration between the two entities would be beneficial.

In response to a question from Mayor Hopewell, Director Chamberlain stated the City's Comprehensive Plan update process would begin later in the year.

Citizen Comments

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

Adjournment

The meeting adjourned at 6:39 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on May 5, 2008

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

Bobby J. Hopewell, Mayor

Dated: May 5, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, April 21, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

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

Invocation

The invocation, given by Executive Servant Terry Thomas, Kalamazoo Deacons Conference, was followed by the Pledge of Allegiance.

Proclamations

Commissioner Anderson, on behalf of Mayor Hopewell, proclaimed April 25, 2008 "Arbor Day."

**77888**

Commissioner Miller, on behalf of Mayor Hopewell, proclaimed April 21-25 2008 "Administrative Professionals Week." Mrs. Heather Stiver, President, Kalamazoo Chapter IAAP was present to receive the proclamation.

**77889**

Commissioner Cooney, on behalf of Mayor Hopewell, proclaimed April 28 2008 – May 2, 2008 "College Awareness Week." Ms. Coco Cook and Ms. Valerie Wright, Kalamazoo Communities in Schools, were present to receive the proclamation.

**77890**

Vice Mayor McKinney, on behalf of Mayor Hopewell, read a proclamation Celebrating the 175<sup>th</sup> Year Anniversary of Kalamazoo College and 50<sup>th</sup> Year Anniversary of its Study Abroad Program. Dr. Eileen Wilson-Oyelaran, President, was present to receive the proclamation. Dr. Wilson-Oyelaran announced Kalamazoo College had received a \$1 million grant from the Howard Hughes Medical Institute for the Keeping the Door Open program.

**77891**

Mayor Hopewell read a proclamation honoring Fire Marshal Marty Myers for Dedication and Service to the City of Kalamazoo. Fire Marshal Myers was present to receive the proclamation.

Introduction of  
Guests

Mayor Hopewell recognized the presence of former Vice Mayor and City Commissioner Al Heilman.

Adoption of the  
Agenda

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

A citizen requested that Item F-6, funding for Legal Aid of Western Michigan, 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:  
rezone 325 and  
401 N. Sage St.

**77892**

At 7:27 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt an **ORDINANCE** to rezone 325 and 401 N. Sage Street from Zone CO (Commercial, Office District) to Zone CC (Commercial, Community District).

At 7:28 p.m. Mayor Hopewell closed the public hearing.

Ordinance  
1837 Rezoning  
325 and 401 N.  
Sage St.

**77892**

Commissioner McCann, seconded by Commissioner Anderson, moved to adopt an **ORDINANCE** to rezone 325 and 401 N. Sage Street from Zone CO (Commercial, Office District) to Zone CC (Commercial, Community District).

With a roll call vote this motion passed unanimously.

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

NAYS: None

Public Hearing re:  
a Tax Abatement  
for Sweet Mfg.

**77893**

At 7:28 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to approve an application from Sweet Manufacturing, Inc. for a PA 198 Industrial Facilities Tax exemption certificate for three + three years for personal property valued at \$248,500 in existing Industrial Development District No. 89 located at 3421 South Burdick Street, with a first year abatement of approximately \$1,361 in city property taxes.

At 7:29 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-24  
Approving a Tax  
Abatement for  
Sweet Mfg.

**77893**

Commissioner McCann, seconded by Vice Mayor McKinney, moved to adopt a **RESOLUTION** to approve an application from Sweet Manufacturing, Inc. for a PA 198 Industrial Facilities Tax exemption certificate for three + three years for personal property valued at \$248,500 in existing Industrial Development District No. 89 located at 3421 South Burdick Street, with a first year abatement of approximately \$1,361 in city property taxes.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Consent Agenda

**77894**

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:

- approval of a contract with Hoffman Brothers, Incorporated for construction of the Kalamazoo River Valley Trailway from Westnedge Avenue to the Kal-Haven trailhead east of US 131 in

Consent Agenda  
(cont'd)

- the amount of \$884,095.98; and, approve a budget adjustment to increase the project's budget by \$253,318.
- 77895** - approval of the purchase of four heavy duty truck cab and chassis to be used in street maintenance and repair activities including snow and ice control, asphalt and concrete placement and sidewalk repair as well as water main repair and replacement work from International Truck and Engine Corporation in the total amount of \$286,116.
- 77896** - first reading of an ORDINANCE to rezone 2031 Rambling Road from Zone RM-36 (Residential, Multiple-Dwelling District) to Zone CO (Commercial, Office District); and, schedule a public hearing for May 5, 2008.
- 77897** - first reading of an ORDINANCE amending Section 22-43 of the Kalamazoo City Code regarding curfews for minors.
- Resolution 08-25
- 77898** - adoption of a **RESOLUTION** approving an amendment to the City of Kalamazoo's Brownfield Plan [Amended and Restated Brownfield Plan (Amendment No. 13)] implemented and recommended for approval by the City of Kalamazoo Brownfield Redevelopment Authority following the public hearing before the Brownfield Redevelopment Authority.
- 77899** - approval of the following appointments and re-appointments to advisory boards and commissions:
- the appointment of **Trent Hines** to the Community Development Act Advisory Committee as a member-at-large for a term expiring on March 31, 2011.
  - the appointment of **Buddy Hannah** to the Community Development Act Advisory Committee as a member-at-large for a term expiring on March 31, 2011.
  - the appointment of **Orman Jones** to the Community Relations Board for a term expiring on January 1, 2012.
  - the appointment of **Mary Watson** to the Community Relations Board for a term expiring on January 1, 2012.
  - the appointment of **Peter Carroll** to the Historic Preservation Commission for a term expiring on March 31, 2011.
  - the re-appointment of **James Kneen** to the Planning Commission for a term expiring on March 31, 2011.
- 77900** - approval of the minutes from the April 7, 2008 City Commission Business Meeting.

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

Consent Agenda  
(cont'd)

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.

Funding for Legal Aid of Western Michigan

Commissioner Miller, seconded by Vice Mayor McKinney, moved to approve a budget revision reallocating \$16,900 from the 2007 General Fund to Legal Aid of Western Michigan in support of foreclosure prevention and housing-related legal assistance for low-to-moderate income residents of Kalamazoo.

**77901**

Prior to a vote on the motion, Michael Chielens, non-resident and Executive Director of Legal Aid of Western Michigan, expressed support for the motion.

Commissioners Miller and Moore thanked City Manager Collard and City staff for finding a way to provide funding for Legal Aid.

Vice Mayor McKinney stated she was working with the attorneys at Legal Aid regarding the foreclosure issue.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Ordinance 1838 re: the 13<sup>th</sup> Check Program

Vice Mayor McKinney, seconded by Commissioner Miller, moved to approve a recommendation to adopt an **ORDINANCE** to amend Section 2-246.5 modifying the eligibility requirements for the 13th Check Program to those who are over 70 years of age, have at least 25 years of service and whose pension benefit and 13th check do not exceed \$20,000.

**77902**

Motion to Amend Ordinance

Upon the recommendation of City Attorney Robinson, Vice Mayor McKinney, seconded by Commissioner Miller, moved to amend the ordinance by: 1) separating into subsections the eligibility requirements outlined in Section B; and 2) striking the word "both" from the new subsection B1.

With a roll call vote, the motion to amend the ordinance passed by a vote of 6-0 with one abstention.

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

NAYS: None

ABSTAIN: Commissioner Moore

Ordinance 1838  
re: the 13<sup>th</sup> Check  
Program (cont'd)  
**77902**

Prior to a vote on the motion to adopt the ordinance, as amended, the following citizens addressed the City Commission:

Al Sarquiz, non-resident and Vice President of URGE, spoke in opposition to the proposed ordinance.

Don Carlson, non-resident, spoke in opposition to the proposed ordinance.

Frank Murray, non-resident, spoke in opposition to the proposed ordinance.

Al Heilman, City resident, expressed opposition to the 13<sup>th</sup> Check Program and support for the proposed ordinance.

Robert Hartman, non-resident, expressed opposition to the ordinance.

Robert Burger, non-resident, expressed opposition to the ordinance.

Commissioner Anderson discussed the Retirement System's liabilities and assets, as well as the City's retiree healthcare liability. Commissioner Anderson stated the City Commission was responsible for looking at the big picture and making decisions that would benefit the greatest number of people. Commissioner Anderson indicated the City Commission needed to jealously guard the assets in place to provide pension benefits, and he expressed support for the ordinance as a way to protect those assets.

Commissioner McCann stated the 13<sup>th</sup> Check Program was not created out of necessity but out of compassion, and he indicated the situations of retirees had grown worsened with the rising costs of fuel, medical care, and food. Commissioner McCann stated the proposal needed more work and suggested the City Commission take more time to consider the issue. Commissioner McCann noted the 13<sup>th</sup> Check would not be an issue for the City Commission in 10 years due to the decreasing number of eligible recipients.

Vice Mayor McKinney discussed the City's unfunded healthcare liability and stated excess money in the pension fund should be used to address this liability rather than increase pension benefits.

Commissioner Moore discussed the need for the City to respect its former employees and encouraged the City Administration and City Commission to find an alternate solution or compromise.

Commissioner Miller expressed support for the proposed ordinance and highlighted the losses to the pension fund over the past four months. Commissioner Moore expressed support for using pension funds for retiree healthcare.

Commissioner Cooney recognized the diligent efforts of the Retirement System Investment Committee and stated safeguards were in place

Ordinance 1838  
re: the 13<sup>th</sup> Check  
Program (cont'd)

already to protect the pension fund. Commissioner Cooney indicated the benefits of the 13<sup>th</sup> Check to retirees outweighed the minimal savings to the pension fund, and he expressed support for more dialogue on this issue.

Motion to  
Postpone (Failed)

Commissioner Moore, seconded by Commissioner Cooney moved to postpone further consideration of and action on the motion to June 2, 2008

With a roll call vote, the motion to postpone failed by a vote of 3-4.

AYES: Commissioners Cooney, McCann, and Moore

NAYS: Commissioners Anderson, Miller, Vice Mayor McKinney,  
Mayor Hopewell

Commissioner McCann expressed opposition to the proposed ordinance, as changing the eligibility criteria would save the pension fund only \$130,000 per year.

Commissioner Moore expressed concern about the lack of dialogue with retirees and remarked on the relatively small annual savings to the pension fund.

Commissioner Miller noted there had been sufficient time to discuss the 13<sup>th</sup> check program, as the City Administration had presented the changes embodied in the propose ordinance at a Work Session on February 11<sup>th</sup>.

Commissioner Cooney stated there had not been enough dialogue with URGE and other retirees.

In response to a question from Commissioner McCann, City Manager Collard stated information about the proposed ordinance had been available, but changes to the 13<sup>th</sup> Check eligibility criteria were not negotiated. City Manager Collard indicated he was not sure what contact Management Services Director Tom Skrobola may have had with members of URGE or other retirees.

Vice Mayor McKinney noted the merits of the 13<sup>th</sup> Check program was an ongoing issue, having been discussed every time the payment had been made.

Motion to Adopt  
the Ordinance, as  
Amended

Mayor Hopewell stated there was no mean-spiritedness towards City retirees on the part of the City Administration or City Commission. Mayor Hopewell indicated the City would abide by its bargaining agreements and stated the 13<sup>th</sup> Check was a payment above and beyond retirees' contractual benefits.

With a roll call vote, the motion to adopt the ordinance, as amended, passed by a vote of 4-3.

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

NAYS: Commissioners Cooney, McCann, and Moore

City Manager's Report

City Manager Collard provided the following reports and updates:

77903

- Departmental Reports and Project Updates
- CITYLink newsletter dated April 2008
- January – March 2008 Purchasing Report
- Legislative Update, First Quarter 2008
- Liquor License Renewal Report

Policy Item

Next, policy items were considered.

Resolution 08-26 re: the Local Preference Purchasing Policy

Commissioner Cooney, seconded by Commissioner Moore, moved to adopt a **RESOLUTION** extending the city's local preference purchasing policy indefinitely.

77904

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

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

Willie Swindle, City resident, spoke regarding the discrimination he had faced in Kalamazoo. Mr. Swindle stated he was going to file a lawsuit regarding Public Safety's long response time to a call he had placed recently.

Monica Westover, City resident, spoke regarding the Public Safety Department and conflicts of interest among former City Commissioners.

Don Weed, City resident, spoke regarding misdemeanors on his police record and the fact that he lost his job because of these misdemeanors.

77905

Jane Dudley, non-resident, invited CC to participate in *How We Can End Homelessness Now!* at St. Catherine's Church on Saturday, April 26<sup>th</sup>. A copy of the informational flyer distributed by Ms. Dudley was filed with the papers for this meeting.

City Commissioner Comments

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

Commissioner Moore invited Commissioners and citizens to the *Stop the Madness Youth Violence Forum* at Mt. Zion Baptist Church on Saturday May 3<sup>rd</sup>.

Commissioner Miller reported and she had attended the Galilee Baptist Church Jubilee Luncheon on May 3rd and noted registration for Parks and Recreation Department programs was now open to all individuals.

Commissioner Cooney remarked on his attendance at the following events over the weekend: a wheelchair basketball game; a dinner to benefit the children of Iraq, a reception for Open Door/Next Door Ministries at First Presbyterian Church; and a Peace Jam event.

Commissioner McCann expressed excitement about Governor Granholm's anticipated visit on April 22<sup>nd</sup> and the announcement of some good news for Kalamazoo.

Vice Mayor McKinney encouraged citizens to take notice of the Buy Local Campaign and noted 70 local businesses were participating.

Adjournment

The meeting adjourned at 9:06 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 2, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: June 2, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, May 2, 2008 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

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

COMMISSIONERS ABSENT: None

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

Commissioners Excused

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

\*Vice Mayor McKinney arrived at 7:31 a.m.

Review of the May 5<sup>th</sup> Agenda

The City Commission reviewed and discussed the agenda for its Regular Meeting on Monday, May 5, 2008.

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

KVET Update

Item H-2

Regarding Item H-2, City Manager's Report, Captain Joe Taylor provided a report on developments regarding the governance of the Kalamazoo Valley Enforcement Team (KVET).

\*\*\*Commissioner Cooney arrives at 7:38 a.m.

Commissioner Moore expressed the need for greater partnerships between the Kalamazoo Department of Public Safety (KDPS) and community mental health agencies to address substance abuse and mental health issues, which were at the root of many crimes.

In response to a question from Commissioner Anderson, Captain Taylor stated KVET received backup from the uniformed officers, fire units, and specialty units of other jurisdictions.

In response to a question from Mayor Hopewell, Captain Taylor stated the police chiefs from participating jurisdictions were responsible for communicating with their respective local governing bodies regarding KVET.

Commissioner Cooney highlighted the importance of substance abuse treatment and prevention.

Vice Mayor McKinney commended Captain Taylor for his creative pragmatism and noted Kalamazoo County's drug courts were among the most innovative in the country.

Economic  
Development  
Update

City Manager Collard reported Kalamazoo County Sheriff Michael Anderson was very committed to KVET. City Manager Collard also noted he had engaged in good conversations about KVET with Portage City Manager Maurice Evans.

Jerome Kisscorni provided an update on recent economic development accomplishments in Kalamazoo.

Commissioner Cooney suggested the City forecast the types of low-skilled jobs companies would need in two or three years and then develop programs to prepare people for those jobs.

City Manager Collard thanked Ron Kitchens, CEO of Southwest Michigan First, for his role in facilitating business investment in the region.

Designated Recipient  
Agreement Added to  
the Agenda

City Manager Collard requested that a designated recipient agreement for Metro Transit funds be added to agenda as a Consent Agenda item. There were no objections to this request.

Community Issues

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

Commissioner Moore invited Commissioners and citizens to the Stop the Madness Youth Violence Forum at Mt. Zion Baptist Church on Saturday May 3<sup>rd</sup>.

Citizen Comments

Finally, when given an opportunity to offer comments, the following citizens addressed the City Commission:

**77906**

Jonathan Braun, City resident, spoke regarding the enforcement of loitering laws at the Kalamazoo Transportation Center (KTC). Mr. Braun distributed copies of a photograph of Martin Luther King, Jr.

Joshua Arnold, City resident, spoke regarding the KTC Rules and activities that were acceptable at the KTC.

Ian Valenzuela, City resident, spoke regarding the harassment of homeless people at the KTC by Kalamazoo Public Safety Officers and emphasized the public nature of the KTC facilities.

Max Conrad, City resident, spoke regarding laws and rules that were vague and, therefore, illegal.

Michael Fuller, City resident, spoke regarding various freedoms and stated citizens' rights were being violated in Kalamazoo through the denial of access to public places.

John Musick, City resident, spoke regarding a resolution supporting undocumented immigrants that had been submitted to the City Commission on March 17<sup>th</sup>.

LoriAnn Tennison, City resident, read a poem she had written about homelessness and spoke about her experiences with KDPS.

Adjournment

Michael Evans, City resident, expressed support for undocumented immigrants.

The meeting adjourned at 8:35 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 2, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: June 2, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, May 5, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

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

COMMISSIONERS ABSENT: Vice Mayor Hannah McKinney

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

Commissioners  
Excused

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

\*Commissioner Cooney arrived at 7:01 p.m.

## Invocation

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

Introduction of  
Guests

Mayor Hopewell recognized the presence of former City Commissioner Linda Teeter.

## Proclamations

**77907**

Commissioner Miller, on behalf of Mayor Hopewell, proclaimed May 8, 2008 "National Children's Mental Health Awareness Day." Ms. Dianne Shaffer, Project Director of Kalamazoo WRAPS was present to receive the proclamation. Ms. Shaffer distributed information regarding Kalamazoo WRAPS to the City Commissioners.

**77908**

Commissioner Anderson, on behalf of Mayor Hopewell, proclaimed May 10, 2008 "National Train Day." Mr. Burt Tenbrink & Ms. Kay Chase, Michigan Association of Railroad Passengers were present to receive the proclamation.

**77909**

Commissioner Moore, on behalf of Mayor Hopewell, proclaimed May 2008 "National Preservation Month." Mr. Chris Wright, Chairperson, Kalamazoo Historic Preservation Committee 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:  
Rezone 2031  
Rambling Rd.

**77910**

At 7:16 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt an **ORDINANCE** to rezone 2031 Rambling Road from Zone RM-36 (Residential, Multiple-Dwelling District) to Zone CO (Commercial, Office District).

At 7:17 p.m. Mayor Hopewell closed the public hearing.

Ordinance 1839  
re: Rezoning 2031  
Rambling Rd.

**77910**

Commissioner McCann, seconded by Commissioner Anderson, moved to adopt an **ORDINANCE** to rezone 2031 Rambling Road from Zone RM-36 (Residential, Multiple-Dwelling District) to Zone CO (Commercial, Office District).

With a roll call vote this motion passed unanimously.

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

NAYS: None

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:

**77911**

- approval of a contract with Peters Construction Company for the 2008 Major Streets Paving Project in the amount of \$949,363.28.

**77912**

- approval of a contract with Northern Construction Services, Corp for the 2008 Local Streets Paving Project in the amount of \$825,628.

**77913**

- approval of a three-year contract with Conestoga-Rovers & Associates for environmental consulting services at the Cork Street Landfill contract in the amount of \$215,900.

Resolution 08-27

**77914**

- adoption of a **RESOLUTION** approving the final cost for Industrial Facilities Exemption Certificate #2007-567 for Kalexsyn, Inc. in accordance with Rule 54 of the Administrative Rules of the State Tax Commission in existing Industrial Development District No. 123 located at 4502 Campus Drive, with a first year abatement of approximately \$11,937 in city property taxes.

Resolution 08-28

**77915**

- adoption of a **RESOLUTION** to recommend the application of Cuddlefish, LLC (dba Dino's Coffee Lounge) for a new Downtown District (Redevelopment) Class C Liquor License under PA 501 of 2006 with special permits for outdoor service, Sunday sales and dance-entertainment, located at 763 West Michigan Avenue.

Resolution 08-29

**77916**

- adoption of a joint **RESOLUTION** between the City of Kalamazoo, the Kalamazoo Transit Authority Board, and the Kalamazoo Area Transportation Study (KATS) to designate the Kalamazoo County Transportation Authority (KCTA) as the formal designated recipient of federal transit funding for this area.

Consent Agenda  
(cont'd)

77917

- approval of a HOME Investment Partnership grant in the amount of \$280,000 to the Kalamazoo Valley Habitat for Humanity toward the development of seven single family houses within the City of Kalamazoo.

77918

- approval of a HOME Investment Partnership grant in the amount of \$17,000 to the Fair Housing Center of Southwest Michigan for fair housing outreach and education services within the City of Kalamazoo.

77919

- approval of a request from the Kalamazoo Kings to publicly display fireworks at Mayors' Riverfront Park on the following dates for the 2008 baseball season: June 6, June 20, July 4, July 18, August 8, August 15, August 22 and August 29, 2008.

77920

- approval of the minutes from the following City Commission meetings: the Committee of the Whole Meeting on April 18, 2008; and the Neighborhood Meeting on April 21, 2008.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Ordinance 1840  
re: Curfews for  
Minors

77921

Commissioner Moore, seconded by Commissioner Cooney, moved to adopt an **ORDINANCE** amending Section 22-43 of the Kalamazoo City Code regarding curfews for minors.

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

Elrico Hurley, City resident, expressed support for the proposed ordinance but questioned what would happen to young people when the ordinance was enforced.

Monica Westover, non-resident, questioned how the City would enforce the curfew ordinance.

Commissioner Moore expressed support for the proposed ordinance.

Acting Public Safety Chief Jim Mallery stated the proposed ordinance would give KDPS another tool to address rebellious behavior and explained curfew violators would be taken to Public Safety headquarters where a parent or other responsible adult would be called.

City Attorney Robinson stated minors with multiple curfew violations could be referred to juvenile court for a hearing, but the primary goal of the

Ordinance 1840  
re: Curfews for  
Minors (cont'd)

**77921**

ordinance was to remove kids from the streets and place them in safer environments.

In response to a question from Commissioner Miller, City Attorney Robinson explained parents of minors with multiple curfew violations could be cited under the ordinance.

In response to a question from Commissioner Miller, Acting Chief Mallery stated a pick-up for a curfew violation would generate an offense report, which would allow KDPS to track repeat offenders. Chief Mallery noted there would not "CLOCK Center" during the summer.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk's Report

**77922**

City Clerk Borling reported the following items:

- the City Commission has received a request from Mr. Richard Paxson that the Trash Nuisance Ordinance be amended to change the time when garbage containers can be placed at the curb.

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

Community Development Act Advisory Committee

- Thursday, March 13, 2008

Community Relations Board

- Thursday, January 10, 2008

- Thursday, February 14, 2008

- Thursday, March 13, 2008

Dangerous Buildings Board

- Thursday, January 03, 2008

- Thursday, February 07, 2008

Environmental Concerns Committee

- Wednesday, March 19, 2008

- Wednesday, April 16, 2008

Friends of Recreation Board

- Tuesday, March 25, 2008

Kalamazoo Historic District Commission

- Tuesday, March 18, 2008

Kalamazoo Historic Preservation Commission

- Tuesday, March 11, 2008

City Clerk's Report  
(cont'd)

77922

- Parks and Recreation Advisory Board
  - Tuesday, April 01, 2008
- Planning Commission
  - Thursday, March 06, 2008
  - Thursday, April 03, 2008
- Zoning Board of Appeals
  - Thursday, March 13, 2008
- the City Commission has received as informational the 2007 Annual Reports from the following advisory boards and commissions:
  - Community Relations Board
  - Kalamazoo Transit Authority Board
- the approval of the following special events in the month of April:
  - a request from Roche Diagnostics to use Water Street between Rose and Church Street and sidewalks on Friday, April 2-4, 2008, for placement of Diagnostics' trailer for a convention taking place at the Radisson Plaza.
  - 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 4, 11, 18 and 25; July 2, 9, 16, 23 and 30; and August 6, 13, 20 and 27.
  - a request from Greater Kalamazoo Girls on the Run to use city streets on Thursday, May 22, 2008 from 6:30 p.m. to 8:30 p.m. for a Greater Kalamazoo Girls on the Run/Walk event. The event will start and finish at Waldo Stadium at Western Michigan University.
  - a request from the Kalamazoo Amateur Athletic Federation (KAAF) to apply for a special liquor license for the sale of beer during the Can Am Festival, May 17 & 18, 2008 and the Kiracofe Memorial Softball Tournament July 11-13, 2008 at the Versluis/Dickinson Park.
  - a request from the Kalamazoo Country Club to publicly display fireworks on Thursday, July 4, 2008 (rain date July 12<sup>th</sup>) at 1609 Whites Road.
  - a request from New Latino Visions to use Mayors' Riverfront Park on Saturday, July 12, 2008 for the annual Ethnic Diversity Celebration.

- a request from DKA Charities (DKAC) for the closure of Edwards Street between Water Street and Kalamazoo Avenue for the Cinco de Mayo event at the Arcadia Festival Site Friday, May 9th at 12:00 p.m. through Sunday, May 11th at 12:00 p.m.

City Manager's  
Report

**77923**

KVET Update

City Manager Collard provided the following reports and updates:

Public Safety Captain Joe Taylor reported the formation of a Kalamazoo Valley Enforcement Team (KVET) Advisory Board, which included representatives from the Portage Police Department, the Kalamazoo County Sheriff, Western Michigan University (WMU), Kalamazoo Township, and the Kalamazoo County Prosecutor's Office. Captain Taylor stated the Board had met twice in 2008 and an Advisory Board Agreement had been signed by all parties in April. Captin Taylor indicated the Advisory Board had provided input regarding revisions to KVET policies, and he noted the Michigan State Police drug unit and KVET had shared policies with each other during the revision process. Captain Taylor described the history and organization of KVET and thanked the Sheriff Mike Anderson for granting KVET officers jursidiction throughout Kalamazoo County.

Economic  
Development  
Update

Executive Director of the Economic Development Corporation Jerome Kisscorni highlighted the economic development projects and new jobs announced by the following companies in 2008: Fabri-Kal; AT&T; Parker Aerospace; Pfizer; and MPI Research. Director Kisscorni reviewed actions the City Commission would be asked to take over the next two months regarding these projects, and he expressed optimism that there would be additional announcements of new investment by local manufacturers in the near future. Director Kisscorni stated new tax abatements, expansion of the Business, Technolgy, and Research (BTR) Park, and Brownfield Redevelopment projects were on the horizon as well. Director Kisscorni noted these economic development success stories were made possible through the collaoboration of the City, Southwest Michigan First (SWMF), the Michigan Economic Development Corporation (MEDC), Kalamazoo County, and local legislators.

City Manager Collard thanked the local philanthropists who backed SWMF as well as Governor Granholm for her support of economic development initiatives in Kalamazoo.

Citizen Comments

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

Monica Westover, non-resident, spoke regarding various issues.

Dennis Anderson, City resident, stated the City's affirmative action plan violated amendments to the state constitution approved by Michigan voters in 2006 (Proposition 06-02). Mr. Anderson indicated he had contacted the Michigan Attorney General's Office regarding the City's affirmative action practices.

Joshua Arnold, City resident, spoke regarding the KTC Rules and activities that were acceptable at the KTC.

Citizen Comments  
(cont'd)

Jeff Weisman, City resident, pointed out the following housekeeping needs in the downtown area and requested that the City take action to address these issues: the need for general street sweeping; a broken light post on Pitcher Street between Water Street and Kalamazoo Avenue; a broken lamp post on Michigan Avenue in front of Aries London Grill; a vacant telephone box on the Kalamazoo Mall; crumbling sidewalks in the 100 block of Michigan Avenue; unacceptable work by contractors in the 200 block of Michigan Avenue in 2007; and the existence of utility poles on Kalamazoo Avenue, even though utility wires were placed underground 3-4 years ago.

Michael Fuller, City resident, spoke regarding various freedoms and stated citizens' rights were being violated in Kalamazoo through the denial of access to public places.

Max Conrad, City resident, spoke regarding laws and rules that were vague and, therefore, illegal.

Ian Valenzuela, City resident, spoke regarding the harassment of homeless people at the KTC by Kalamazoo Public Safety Officers (PSO's) and emphasized the public nature of the KTC facilities.

Jonathan Braun, City resident, spoke regarding the enforcement of loitering laws at the Kalamazoo Transportation Center (KTC).

LoriAnn Tennison, City resident, read a poem she had written about homelessness and spoke about her experiences with KDPS.

Debra Gardner, City resident, spoke regarding her son Tyler Gardner, who was convicted of home invasion and sentenced to 30-50 years in prison.

Richard Paxson, City resident, spoke regarding his request for an amendment to the trash nuisance ordinance that would allow trash containers to be placed on the curb lawn for pick-up after 3:00 p.m. the day before pick-up, rather than the current 8:00 p.m.

Sister Margaret O'Donahue, City resident, spoke regarding affordable healthcare and long-term financial security for all people, and she asked the City Commission to support the "Divided We Fail" initiative. Sister O'Donahue asked that candidates for public office talk specifically about their plans for healthcare and financial security, not just in generalities.

Don Weed, City resident, spoke regarding the rudeness of a Public Safety Officer at the KTC.

Elrico Hurley, City resident, invited the community and City Commission to the NAACP Freedom Fund Banquet on Saturday, June 7<sup>th</sup> at the Bernhard Center on WMU's campus. Mr. Hurley discussed the role of the NAACP and expressed an eagerness to work with the community and government officials.

Citizen Comments  
(cont'd)

Mattie Jordan-Woods, Executive Director of the Northside Association for Community Development (NACD), announced a Home Ownership Fair would take place on Tuesday, May 6<sup>th</sup> at the NACD offices from 6-8 p.m. Ms. Jordan-Woods, speaking as a citizen, expressed hope that citizens and civic leaders would respect each others' points of view and differences of opinion while working together to address issues in the community.

Asha Kashad, City resident, spoke about importance of taking children to the library.

Chan Pratt, City resident, asked the City to partner with community organizations to celebrate students who completed the 2007-2008 school year.

Gwen Hillman, City resident, commended City officials for their hard work and invited Commissioners to the Ultimate Family Reunion on August 9<sup>th</sup>.

Beth Lewis, City resident, spoke regarding loitering at the KTC, the safety of Kalamazoo's streets, and the fact that many homeless people would never leave the streets.

City Commissioner  
Comments

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

Commissioner McCann expressed concern about the Department of Public Safety and stated the recent withdraw of Acting Chief Mallery from the Public Safety Chief selection process and the ongoing FBI investigation of KDPS were major setbacks for the City. Commissioner McCann urged voters to vote yes for the K/RESA millage on May 6<sup>th</sup>. Commissioner McCann invited citizens to the Cinco de Mayo celebration at the Arcadia Festival Site on Saturday, May 10<sup>th</sup>.

Commissioner Cooney congratulated Commissioner Moore and others who organized the Stop the Madness youth violence program at Mt. Zion Baptist Church on May 3<sup>rd</sup>. Commissioner Cooney congratulated the Gilmore Keyboard Festival for another successful series of events. Commissioner Cooney expressed support for the K/RESA millage question on the May 6<sup>th</sup> ballot.

Commissioner Moore urged people to see the program "A Long Strange Trip" on DVD. Commissioner Moore reported over 600 people attended Stop the Madness to End Youth Violence on May 3<sup>rd</sup>, and thanked James Harris and Pastor Addis Moore for organizing the event. Commissioner Moore congratulated Commissioner Cooney on his recent announcement to run for Congress, and she congratulated Director Kisscorni and City staff on Kalamazoo's economic development successes. Commissioner Moore noted the event "Sisters on the Move II" would take place on Saturday June 14<sup>th</sup>. Commissioner Moore announced she would be absent from the May 16<sup>th</sup> Committee of the Whole meeting and the May 19<sup>th</sup> City Commission meetings. Commissioner Moore apologized for being aggressive towards her colleagues during the debate on the 13<sup>th</sup> Check Ordinance at the April 21<sup>st</sup> City Commission Meeting.

City Commissioner  
Comments (cont'd)

Mayor Hopewell recognized the presence of City Manager Collard's son and grandson. Mayor Hopewell reported that he and Commissioners Cooney and Moore had met with Steve McMillan, CEO of Stryker Corporation, regarding the community and young people. Mayor Hopewell stated recent conversations with representatives from SWMF made him excited about the possibility of more jobs coming to Kalamazoo. Mayor Hopewell noted he had received the Strategic Planning Expectations document from Kalamazoo Public Schools. Mayor Hopewell thanked Commissioner Anderson for his assistance in raising funds for the Summer Youth Employment Program.

Closed Session to  
Discuss Pending  
Litigation

Commissioner Moore, seconded by Commissioner Cooney, moved that the City Commission go into closed session to discuss pending litigation.

With a roll call vote this motion passed unanimously.

**77924**

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

NAYS: None

The City Commission went into closed session at 9:01 p.m.  
The City Commission came out of closed session at 10:07 p.m.

City Attorney  
Authorized to  
Accept/Reject  
Mediation Award in  
Purdy v City of  
Kalamazoo

Commissioner McCann, seconded by Commissioner Anderson, moved to authorize the City Attorney to accept or reject the mediation award in the case Purdy v. City of Kalamazoo.

With a roll call vote this motion passed unanimously.

**77925**

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

NAYS: None

Adjournment

The meeting adjourned at 10:08 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 16, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: June 16, 2008

A neighborhood meeting of the Kalamazoo City Commission was held on Monday, May 19, 2008 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\*  
Barbara Miller

COMMISSIONERS ABSENT:

Sean McCann  
Stephanie Moore

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

Commissioner Excused

Commissioner Miller, seconded by Commissioner Anderson moved to excuse the absences of Commissioners Cooney, McCann, and Moore. 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:

Oakland Drive/Winchell Neighborhood

**Larry Ross**, President

Oakwood Neighborhood Association

**Gary Wager**, President

**Cheryl Lord**, Executive Director

Stuart Area Restoration Association

**Matthew Baldwin-Wilson**, Executive Director

Oakland Drive/Winchell Neighborhood Association

The Oakland Drive/Winchell Neighborhood Association representative:

- commended the Public Safety Department for increased traffic speed enforcement the Neighborhood.
- requested that the City investigate the cause of low water levels in Asylum and Woods Lakes.
- noted a complaint had been registered with the Michigan Department of Environmental Quality (MDEQ) regarding the new student housing development on Stadium Drive and its effect on Arcadia Creek. Mr. Ross reported he had not received a response from the MDEQ and requested the City attempt to make this contact.

\*Commissioner Cooney arrived at 6:05 p.m.

Oakwood  
Neighborhood  
Association

**77926**

The Oakwood Neighborhood Association representatives:

- distributed the April 2008 edition of the *Oakwood Times*.
- discussed the Association's after school program and requested the City fully fund this program (five days/week) in the FY2009 Budget.
- indicated modifications to the Oakland Drive bus route in 2007 eliminated from this route the portion of Oakland Drive from Springmont Avenue to Milham Road. Mr. Wager reported Neighborhood representatives would be meeting with Transportation Director Bill Schomisch on June 4<sup>th</sup> to discuss how Neighborhood residents' lives had been negatively affected by the changes.
- noted that Ms. Lord received the lowest compensation of any neighborhood association director and requested that the City increase funding for the Oakwood Neighborhood in FY2009 so that Ms. Lord could both receive a pay increase and work more hours.
- reported that the Association did not receive its first 2008 payment from the City until March and stated this caused significant cash flow issues. Mr. Wager requested that the City remedy this situation in 2009.
- reported the Association had received a grant from Michigan Now! for human resource and technology upgrades.
- invited Commissioners to the Oakwood Centennial Celebration anniversary on last weekend of June.
- thanked the City for assisting the Oakwood Building Blocks Program with an additional brush pick-up.
- announced proceeds from the Laughing Post Comedy Club performances on July 13<sup>th</sup> would benefit the Oakwood after-school program.

In response to a question from Commissioner Cooney, Ms. Lord stated the Association would need \$2000.00 to fully fund the after-school program through end of December.

Stuart Area  
Restoration  
Association

**77927**

The Stuart Area Restoration Association (SARA) representative:

- distributed the May 2008 *Historic Stuart Neighborhood* newsletter.
- reported 98 people volunteered to work on Building Blocks sites (12 homes) on first weekend and 68 worked at these sites on the second weekend.
- thanked the Parks and Recreation Department for the petunias that were planted along Kalamazoo Avenue.

Stuart Area  
Restoration  
Association  
(cont'd)

- announced SARA was working with the Local Initiatives Support Corporation (LISC) and Fairmont Neighborhood Association to re-develop the intersection of Douglas Avenue and North Street.
- noted the Stuart Neighborhood Yard Sale would take place on June 21<sup>st</sup> and June 14<sup>th</sup> would be the Curbside Cleanup Day.
- stated SARA was in the process of creating an economic development plan for the neighborhood.
- reported the Association continued to raise funds for the SARA endowment at the Kalamazoo Community Foundation.

Commissioner Anderson suggested the Association contact City staff regarding the Brownfield Redevelopment Program.

Citizen Comments

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

Adjournment

The meeting adjourned at 6:24 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 2, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: June 2, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, May 19, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call	<p>COMMISSIONERS PRESENT: Mayor Bobby J. Hopewell Vice Mayor Hannah McKinney David Anderson Don Cooney* Sean McCann Barbara Miller Stephanie Moore</p> <p>COMMISSIONERS ABSENT: None</p> <p>Also present were City Manager Ken Collard, City Attorney Clyde Robinson, and City Clerk Scott Borling.</p>
Invocation	The invocation, given by Senior Pastor Phil McElhenney, Kalamazoo First Assembly of God Church, was followed by the Pledge of Allegiance.
Commissioner Excused	Commissioner Moore, seconded by Commissioner Miller, moved to excuse the absence of Commissioner Cooney. With a voice vote the motion passed.
Introduction of Guests	Mayor Hopewell recognized the presence of Ron Kitchens, CEO of Southwest Michigan First.
Proclamation <b>77928</b>	Commissioner Miller, on behalf of Mayor Hopewell, proclaimed June 1-7, 2008 "Friends of Recreation Week." Ian Kennedy, Friends of Recreation Board Member, and John Urschel, City Records and Information Manager, were present to receive the proclamation.
Adoption of the Agenda	By unanimous consent the City Commission adopted its meeting agenda as presented.
	*Commissioner Cooney arrived at 7:05 p.m.
Communications	City Manager Collard invited the public to attend meetings of various boards and commissions.
Consent Agenda	Consent Agenda items were presented as follows with a recommendation to approve the items with authorization for the City Manager to sign on behalf of the city:
Resolution 08-30 <b>77929</b>	- adoption of a <b>RESOLUTION</b> authorizing the issuance of Capital Improvement Bonds in the approximate amount of \$4,165,000.
Resolution 08-31 <b>77930</b>	- adoption of a <b>RESOLUTION</b> approving the application by the City of Kalamazoo to designate property as a Pharmaceutical Recovery Renaissance Zone and authorizing the Mayor to sign the application.

Consent Agenda  
(cont'd)

Resolution 08-32

**77931**

- adoption of a **RESOLUTION** to set a public hearing on June 2, 2008 to consider an application from Kalexsyn, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$298,200 in existing Industrial Development District No. 123 located at 4502 Campus Drive, with a first year abatement of approximately \$1,633 in city property taxes.

**77932**

- approval of the allocation of \$4,000 each to the Kalamazoo-Numazu Sister City Committee and the Kalamazoo Pushkin Partnership to help offset costs associated supporting these relationships; and direct the City Manager to identify any other inactive "sister city" arrangements and take the necessary actions to terminate those relationships.

**77933**

- approval of a lease agreement with Kalamazoo College to operate and maintain College Park.

**77934**

- approval of the renewal of the Working Agreement between the Kalamazoo Transit Authority Board of Directors and the Kalamazoo City Commission effective January 1, 2008, through December 31, 2008.

**77935**

- acceptance of grants totaling \$8,400 to help support Safer Kids in the Water: the Kalamazoo Community Foundation, \$7,500; Richard and Ruth Morris Fund, \$400; and Bill and Jeannette Maxey Fund, \$500.

**77936**

- acceptance of 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.

**77937**

- acceptance of a grant from the Kalamazoo Community Foundation for \$1,000.00 to help offset expenses incurred by the Kalamazoo-Numazu Sister City Committee hosting a delegation from Numazu, Japan for the 45th anniversary of the Kalamazoo-Numazu Sister City Relationship.

**77938**

- approval of the following appointments and re-appointments to advisory boards and commissions:
  - the appointment of **James Escamilla** to the Economic Development Corporation and Brownfield Redevelopment Authority for a term expiring on March 31, 2010.
  - the appointment of **Thomas Schlueter** to the Economic Development Corporation and Brownfield Redevelopment Authority for a term expiring on March 31, 2014.
  - the re-appointment of **Robert Miller** to the Economic Development Corporation and Brownfield Redevelopment Authority for a term expiring on March 31, 2013.

Consent Agenda  
(cont'd)

- the re-appointment of **Nancy Troff** to the Economic Development Corporation and Brownfield Redevelopment Authority for a term expiring on March 31, 2013.
- the re-appointment of **Myra Willis** to the Economic Development Corporation and Brownfield Redevelopment Authority for a term expiring on March 31, 2013.
- the re-appointment of **Susan Einspahr** to the Economic Development Corporation and Brownfield Redevelopment Authority for a term expiring on March 31, 2014
- the re-appointment of **Michael Mair** to the Economic Development Corporation and Brownfield Redevelopment Authority for a term expiring on March 31, 2014.
- the appointment of **Steven Tyler** to the Friends of Recreation Board for a term expiring on March 1, 2011.
- the appointment of **Holley Lantz** to the Housing Board of Appeals for a term expiring on January 1, 2011.
- the appointment of **Jim Lippincott** to the Housing Board of Appeals for a term expiring on January 1, 2011.
- the appointment of **Paul Manstrom** to the Housing Board of Appeals for a term expiring on January 1, 2009.

Commissioner McCann, seconded by Commissioner Miller, 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

City Manager's  
Report

**77939**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- April 2008 Purchasing Report
- 1<sup>st</sup> Quarter 2008 Employment Activity Report

City Manager Collard stated the City continued to monitor and report employment statistics for women and minorities because of requirements for federal grant recipients.

## New Business

Next, an item of new business was considered.

Commissioners to  
Attend Terrance  
Moore Mediation

**77940**

By consensus, the City Commission selected Commissioner Miller and Mayor Hopewell to represent the Commission at the June 3<sup>rd</sup> mediation of the case Terrance Moore v City of Kalamazoo, et al.

## Citizen Comments

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

Pat Hanavan, non-resident and board member of the Michigan Organizing Project (MOP), spoke regarding enforcement of the loitering ordinance at the Kalamazoo Transportation Center (KTC).

Jonathan Braun, City resident and President of the Kalamazoo Homeless Action Network (KHAN), spoke regarding enforcement of the City's KTC Rules and loitering ordinance.

Joshua Arnold, City resident and member of KHAN, spoke regarding classism.

Stacey Marek, City resident and board member of KHAN, spoke regarding the Federal Public Accommodations Act and discrimination against homeless people at the KTC.

Michael Fuller, City resident and a board member of KHAN, spoke regarding the KTC Rules.

Tony Rinehart, City resident and board member of MOP and KHAN, spoke regarding the KTC Rules and the Federal Public Accommodations Act.

Max Conrad, City resident, spoke regarding three groups of people: Haves, Have-Nots, and Have-Little-But-Want-Mores.

Ian Valenzuela, City resident and KHAN member, stated KHAN would continue to bring their concerns to the City Commission until the harassment of homeless people stopped.

Cornez Kennedy, City resident, stated homelessness people in Kalamazoo were generally good people.

Devin Lester, non-resident, spoke regarding the harassment of homeless people at the KTC.

Linda Hamilton, City resident, spoke regarding a recent incidents in which both her and her mother were treated rudely by Metro Transit staff.

John Musick, City resident and Executive Director of MOP, requested that the City Commission take action on the *Resolution of Support for Immigrant Residents of Kalamazoo* presented to the Commission on March 17<sup>th</sup>. Mr. Musick also expressed support for homeless people experiencing harassment at the KTC.

A City resident, name unknown, spoke regarding undocumented immigrants and requested that the City Commission take action on the *Resolution of Support for Immigrant Residents of Kalamazoo*.

Citizen Comments  
(cont'd)

Jason Disgusting, City resident, spoke regarding panhandling and the harassment of homeless people at the KTC.

Bob Meilinger, non-resident and President of the Kalamazoo-Numazu Sister City Committee, thanked the City Commission for its financial support of the Numazu delegation visit in July.

**77941**

Bill Murphy, City resident, introduced himself as a candidate for District Court Judge. A pamphlet distributed by Mr. Murphy was filed with the documents for this meeting.

Michael Evans, City resident and staff member for KHAN, expressed support for the *Resolution of Support for Immigrant Residents of Kalamazoo* submitted by MOP on March 17<sup>th</sup>.

City Commissioner  
Comments

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

Commissioner Miller encouraged citizens to support the Friends of Recreation by purchasing the book *City of Kalamazoo Parks*. Commissioner Miller observed the construction of sidewalks on Oakland Drive was proceeding well.

Commissioner Cooney stated the City Commission needed to take action on the *Resolution of Support for Immigrant Residents of Kalamazoo*. Commissioner Cooney suggested representatives from the Public Safety Department and KHAN meet with a mediator to find a reasonable solution to KHAN's issues and concerns with enforcement of the KTC Rules.

Commissioner McCann encouraged citizens to observe Memorial Day by attending the Memorial Day Parade on May 26<sup>th</sup>.

Adjournment

The meeting adjourned at 8:06 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 2, 2008

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

Bobby J. Hopewell, Mayor

Dated: June 2, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, June 2, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

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

Commissioners  
Excused

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

Invocation

The invocation, given by Captain Tom McComb, Salvation Army, 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.

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

Public Hearing re:  
a Tax Abatement  
for Kalexsyn, Inc.

**77942**

At 7:05 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to approve the application from Kalexsyn, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$298,200 in existing Industrial Development District No. 123 located at 4502 Campus Drive, with a first year abatement of approximately \$1,633 in city property taxes.

Bob Gadwood, non-resident and President of Kalexsyn, Inc., spoke in favor of the resolution.

Bob Miller, non-resident and Associate Vice President at Western Michigan University (WMU), spoke in favor of the resolution.

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

Resolution 08-33  
Approving a Tax  
Abatement for  
Kalexsyn, Inc.

**77942**

Commissioner Moore, seconded by Commissioner McCann, moved to adopt a **RESOLUTION** approving the application from Kalexsyn, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$298,200 in existing Industrial Development District No. 123 located at 4502 Campus Drive, with a first year abatement of approximately \$1,633 in city property taxes.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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:

- 77943** - approval of the re-appropriation of Solid Waste Working Capital funds and a purchase order with Hertz Equipment Rental for the purchase of two tink clamps used on front end loaders for gathering/picking up leaves in the amount of \$28,930.
- Resolution 08-34  
**77944** - adoption of a **RESOLUTION** confirming the city's 2008 Assessment Roll including state equalized value and taxable value of the roll.
- Resolution 08-35  
**77945** - adoption of a **RESOLUTION** approving the request of the Downtown Development Authority to levy a tax rate of 1.9638 mills.
- Resolution 08-36  
**77946** - adoption of a **RESOLUTION** to set a public hearing on June 16, 2008 to consider an application from Wright Coating Company, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$456,947 in existing Plant Rehabilitation District No. 30 located at 1603 North Pitcher Street, with a first year abatement of approximately \$2,502 in city property taxes.
- Resolution 08-37  
**77947** - adoption of a **RESOLUTION** to approve a Special Assessment as requested by the property owners at 1431 Edgemoor Avenue for water and sanitary sewer assessments in the amount of \$8,863.32.
- 77948** - approval of funding allocations, in the amount of \$81,381, for Program Year 2008 Emergency Shelter Grants.
- 77949** - approval of a request from the Kalamazoo Amateur Athletic Federation for permission to apply for a special liquor license to provide alcohol during the Friends of Recreation Golf Classic on July 18, 2008 at Eastern Hills Golf Course.
- 77950** - acceptance of a grant from Kalamazoo Community Mental Health Services for \$88,000 to fund a summer youth program.
- 77951** - approval of a request to authorize the City Attorney to settle the lawsuit of Gloria Woodruff vs. City of Kalamazoo.

Consent Agenda  
(cont'd)

**77952**

- approval of the minutes from the following City Commission meetings: the Committee of the Whole Meeting of May 2, 2008; the Neighborhood Meeting of May 19, 2008; and the Business Meetings of April 21 and May 19, 2008.

**77953**

- first reading of an ORDINANCE to amend Section 36-185 of the Kalamazoo Code of Ordinances to raise the fines and late fees for all parking violations except expired meter, overtime parking, and handicap violations.

**77954**

- hold until June 16, 2008 consideration of a quit claim deed conveying the City's interest in 1138 Portage St. to Continental Corporation of Michigan, Inc., whose address is 162 E. Michigan Avenue, in consideration of \$1,413.54 in payment of 1999 through 2004 foreclosed taxes.

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

Prior to a vote on the motion, Commissioner Anderson disclosed his employment with Kalamazoo Community Mental Health Services (KCMHS) and indicated he would abstain from voting on Item F-4, acceptance of a grant from KCMHS.

With a roll call vote this motion passed unanimously.

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

NAYS: None

\*Commissioner Anderson abstained from voting on the acceptance of a grant from KCMHS for \$88,000 to fund a summer youth program.

City Manager's  
Report

City Manager Collard provided the following reports and updates:

Acting Public Safety Chief Jim Mallery reported the use of force by a Public Safety Officer (PSO) that resulted in injuries to a sixteen year old male at Public Safety headquarters on May 22, 2008. Acting Chief Mallery indicated the injured man's family had filed a formal complaint with the Kalamazoo Department of Public Safety – Office of Professional Standards, and he stated the PSO involved was placed on administrative leave (with pay) pending an investigation of the incident.

In response to a question from Commissioner Moore, City Manager Collard confirmed reporting use of force incidents to the City Commission had not been a common practice in the past. City Manager Collard stated the reporting of this incident to the Commission was part of a larger effort to proactively notify the community regarding issues of interest, and he indicated this type of reporting would be the approach used with such incidents in the future.

## Citizen Comments

When given an opportunity to make comments, the following citizens addressed the City Commission:

Monica Westover, non-resident, spoke regarding Kalamazoo County Prosecutor Jeff Fink.

Max Conrad, City resident, requested an expedient response to the harassment of poor and homeless citizens at the Kalamazoo Transportation Center (KTC).

Dennis Weber, non-resident and member of the Kalamazoo Detachment of the Marine Corp League, distributed pictures of damaged and missing military markers at Riverside Cemetery. Mr. Weber requested the City use markers made of material with little or no value to recyclers or scrap metal dealers. Copies of the pictures distributed by Mr. Weber were filed with the papers for this meeting.

Michael Fuller, City resident and member of the Kalamazoo Homeless Action Network (KHAN), asked Commissioner Cooney whether he had pressured City Manager Collard to negotiate with KHAN regarding the KTC Rules.

Stacey Merrick, City resident and member of KHAN, requested the City Commission direct City Manager Collard to negotiate with KHAN regarding changes to the KTC Rules.

Jonathan Braun, City resident and Board President of KHAN, requested that City Manager Collard meet with KHAN representatives to negotiate changes to the KTC Rules.

Norine Wafford, City resident, spoke regarding assistance for tenants who wanted to improve their homes. Ms Wafford expressed her willingness to work with the City.

Frank Warren, City resident, expressed concern about traffic speeding on Lynn Avenue and cutting through the parking lot of Paramount Charter Academy. Mr. Warren asked whether City Commissioners were invited to the Memorial Day ceremonies at Fort Custer National Cemetery.

Chan Pratt, City resident, requested the City collaborate with community organizations to celebrate students who completed the 2007-2008 school year.

Beth Lewis, City resident, spoke about receiving mail at her residence that was not for her. Ms. Lewis noted KCMHS considered her homeless and in temporary housing.

City Commission  
Comments

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

Commissioner Moore remarked on the following items: Commissioner Cooney's concern for fairness and justice; the need for citizens to show

City Commission  
Comments (cont'd)

proper decorum in the City Commission Chambers; Mt. the Stop the Madness March on June 14<sup>th</sup>; the Kalamazoo YWCA's Women of Achievement Awards; ceremonies over the weekend for the new Northside water playground and Public Safety Superstation; a video about infant mortality made by young people with the help of Dr. Arthur James and Dr. Deborah Warfield; best wishes for the graduating Class of 2008; an opportunity she had to speak at the White House Project/Go Run Conference in Lansing; and the need to address substance abuse and unemployment as the underlying issues for many types of criminal behavior.

Commissioner Miller encouraged citizens to buy a brick to support the Public Safety Regional Training Center, and she distributed invitations for the Friends of Recreation Golf Classic on July 18<sup>th</sup>. Commissioner Miller remarked on the Grand Opening Celebration for the new Public Safety Superstation.

Commissioner Anderson invited Commissioners and citizens to the NAACP Freedom Banquet at the WMU Bernhard Center on June 7<sup>th</sup>.

Commissioner Cooney announced Dr. Carl Taylor of the Kalamazoo Youth Violence Prevention Initiative would be presenting an interim report and initial recommendations on Tuesday, June 10<sup>th</sup> at 6:00 p.m. at Lincoln International Studies School. A copy of a flyer regarding the event was filed with the papers for this meeting.

Commissioner McCann expressed appreciation to the Downtown Kiwanis Club and the Northside Association for Community Development (NACD) for their work on water playground. Commissioner McCann remarked on the opening of the Public Safety Superstation and the grand opening celebration for Miller Canfield building. Commissioner McCann noted the beginning of the Mixers on the Mall events and invited citizens downtown to the many events happening on Super Saturday (June 7<sup>th</sup>).

Mayor Hopewell thanked Acting Chief Mallery for his work on the Public Safety Superstation and congratulated Executive Lieutenant Patrick Wright on his retirement. Mayor Hopewell congratulated graduates in the Class of 2008. Mayor Hopewell noted the training tower at the new Regional Public Safety Training Facility had been erected. Mayor Hopewell asked public to bear with street closures during the construction of the Kal-Haven Trail connection to downtown.

Adjournment

The meeting adjourned at 7:53 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 16, 2008

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

Bobby J. Hopewell, Mayor

Dated: June 16, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, June 13, 2008 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 Deputy City Manager Jerri Barnett-Moore, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioners Excused

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

Review of the July 7<sup>th</sup> Agendas

The City Commission reviewed and discussed the agenda for its Regular Business Meeting on Monday, June 16, 2008.

\*Commissioner Cooney arrived at 7:33 a.m.

\*\*Mayor Hopewell arrived at 7:34 a.m.

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 citizens to address the City Commission, but no comments were offered.

Adjournment

The meeting adjourned at 7:40 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on July 7, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: July 7, 2008

A neighborhood meeting of the Kalamazoo City Commission was held on Monday, June 16, 2008 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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Miller, seconded by Commissioner Anderson moved to excuse the absences of Mayor Hopewell and Commissioners Cooney and Moore. With a voice vote, the motion carried.

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:

Edison Neighborhood Association  
**Chuck Vliek**, Board Treasurer  
**Tammy Barnard**, Executive Director

Vine Neighborhood Association  
**Stephen Walsh**, Executive Director

Edison Neighborhood Association  
**77955**

The Edison Neighborhood Association representatives:

- discussed and distributed photographs of the Exterior Home Improvement Program, Edison Building Blocks Projects, construction of the Ashley Joyce Memorial Playground, and Edison Blossoms.

\*Commissioner Moore arrived at 6:04 p.m.

\*\*Commissioner Cooney arrived at 6:06 p.m.

- reported 80 security street lights were installed on Hays Park Avenue in 2007, and an additional 100 lights were planned for installation in conjunction with the 2008 Building Blocks Projects.
- expressed concern about foreclosures and vacant houses in the Neighborhood.

Edison  
Neighborhood  
Association  
(cont'd)

- stated the Board of Directors was still interested in the development of the Portage Street/Washington Avenue corridor.
- expressed a desire to see the Collins Street/Bank Street housing project move forward but recognized the challenges presented by the current housing market.
- requested that the City send a street sweeper through the neighborhood to clean-up debris from recent storms.
- reported that youth issues continued to be a challenge and stated the community needed to generate more ideas for engaging young people.

In response to questions from Commissioner McCann, Ms. Barnard stated a second Community Police Officer (CPO) had been assigned to the Neighborhood within the past week, and she stated the Ashley Joyce Memorial Playground was located in the 1300 block of Hays Park Avenue.

In response to a question from Commissioner Cooney, Ms. Barnard stated she did not have a specific dream for the former Performance Paper Mill site except that she wanted any future use of the property to be family friendly.

In response to a question from Commissioner Anderson, Ms. Barnard stated the Connect the Dots Program with the Local Initiatives Support Corporation (LISC) was moving forward.

In response to a question from Commissioner Moore, Ms. Barnard stated the Ashley Joyce Memorial Playground had not been officially dedicated yet.

Commissioner Moore suggested the Association give parents ideas for summer activities for young people. In response, Ms. Barnard stated the most recent edition of the Edison Voice newsletter included four pages of summer activities for young people.

Vine  
Neighborhood  
Association

The Vine Neighborhood Association representative:

- expressed support for the establishment of a Neighborhood Enterprise Zone (NEZ) in the Vine Neighborhood.
- thanked Community Police Officers Halder, Bently, and Randolph.

\*\*\*Mayor Hopewell arrived at 6:20 p.m.

In response to a question from Commissioner Cooney, Community Planning and Development Director Jeff Chamberlain stated the NEZ timeline called for a public hearing on the zone boundaries during the summer with a request for final City Commission approval being put forward sometime thereafter. Director Chamberlain stated the goal of the timeline was to have the NEZ's in place by September.

Citizen Comments

In response to a question from Commissioner Anderson, Director Chamberlain stated he did not anticipate changes to the NEZ boundaries, and he indicated City staff would use the occasion of the public hearing to respond to questions raised at the March 17<sup>th</sup> City Commission meeting.

Adjournment

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

The meeting adjourned at 6:22 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on June 30, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: June 30, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, June 16, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

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

Invocation

The invocation, given by Pastor Bryan Craddock, Calvary Bible Church, was followed by the Pledge of Allegiance.

Introduction of  
Guests – MDEQ  
Presentation

**77956**

Jerome Kisscorni, Executive Director of the Economic Development Corporation, introduced Mr. David O'Donnell, Michigan Department of Environmental Quality (MDEQ) District Supervisor. Mr. O'Donnell discussed the MDEQ's environmental clean-up programs and reported on the lack of funding for continued operation of these programs. Mr. O'Donnell distributed a summary entitled, *Michigan Department of Environmental Quality Remediation and Redevelopment Division: Michigan's Clean-up Programs at Risk*. A copy of the summary was filed with the papers for this meeting.

Commissioner Cooney commented on the need for continued funding of the MDEQ

Proclamations

**77957**

Commissioner McCann, on behalf of Mayor Hopewell, proclaimed June 19, 2008 "Dump the Pump Day." Mr. Bill Schomisch, Transportation Director, and Ms. Carol Fricke, Chair of the Kalamazoo Transportation Authority Board, were present to receive the proclamation.

**77958**

Commissioner Anderson, on behalf of Mayor Hopewell, proclaimed June 21, 2008 "Juneteenth Freedom Day."

**77959**

Commissioner Miller, on behalf of Mayor Hopewell, read a proclamation commemorating June 27-29, 2008 as the "Oakwood Centennial Celebration." Mr. Gary Wager, President of the Oakwood Neighborhood Association, and Ms. Cheryl Lord, Executive Director of the Oakwood Neighborhood Association, 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:  
a Tax Abatement  
for Wright Coating  
**77960**

At 7:23 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to approve the application from Wright Coating Company, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$456,947 in existing Plant Rehabilitation District No. 30 located at 1603 North Pitcher Street, with a first year abatement of approximately \$2,502 in city property taxes.

Jim Sullivan, representative of Wright Coating Company, spoke in favor of the resolution.

At 7:28 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-38  
Approving a Tax  
Abatement for  
Wright Coating  
**77960**

Commissioner Moore, seconded by Commissioner Cooney, moved to adopt a resolution regarding a recommendation to approve the application from Wright Coating Company, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$456,947 in existing Plant Rehabilitation District No. 30 located at 1603 North Pitcher Street, with a first year abatement of approximately \$2,502 in city property taxes.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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:

**77961**

- approval of one-year contracts with Etna Supply and Underground Pipe & Valve for the annual supply of maintenance and construction materials in the amount of \$335,622 and \$126,113 respectively.

**77962**

- approval of a two-year contract for analytical services from KAR Laboratories, Incorporated for a total amount not to exceed \$160,000.

**77963**

- approval of a one-year contract extensions for water well drilling and maintenance services with Peerless-Midwest Company in the amount of \$130,000 and with the Ohio Drilling Company in the amount of \$40,000.

Resolution 08-39  
**77964**

- adoption of a **RESOLUTION** accepting MDOT Grant Contract #2008-0266 in the amount of \$37,132 for the Local Ridesharing Program for FY2008.

Resolution 08-40  
**77965**

- adoption of a **RESOLUTION** designating financial institutions as approved depositories for the City and authorizing the positions of Management and Budget Services Director/CFO, City Treasurer, Deputy Director of Management and Budget Services/Comptroller

Consent Agenda  
(cont'd)

- and the Assistant City Treasurer to execute and sign agreements to procure various cash management services of financial institutions and to provide specific operational and procedural information to such institutions as may be required.
- Resolution 08-41  
**77966**
- adoption of: a) a **RESOLUTION** approving the city's use of electronic financial transactions; and, b) an Automated Clearing House and Electronic Transactions Policy.
- Resolution 08-42  
**77967**
- adoption of a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** which is a request from George N. Cekola to transfer the ownership of 2006 Class C-SDM liquor license with a Dance-Entertainment Permit, Official Permit (food), Outdoor Service (1 area), and 2 Bars located at 2712 Portage Kalamazoo, Michigan, from Jonija, Inc.
- Resolution 08-43  
**77968**
- adoption of a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** which is a request from West Michigan Wine Loft Inc. to transfer the ownership of a 2007 Class C liquor license from Food Dance Cafe, Inc.
- 77969**
- first reading of an ORDINANCE to amend Section 35-4 of the Code of Ordinances pertaining to Payments in Lieu of Taxes for affordable housing.
- 77970**
- approval of a proposed Service Agreement between the Kalamazoo County Transportation Authority, the City of Kalamazoo, and the Kalamazoo Transit Authority Board for CY2008 to reimburse Metro Transit \$1,710,865 for public transit service provided in CY2008.
- 77971**
- authorization for the City Manager to sign an agreement allowing the NACD to operate and maintain a children's water playground, or "Splash Park" located on City owned property at 532/534 Florence.
- 77972**
- acceptance of grants from Pfizer, Inc.\$3,000; Bronson Health Foundation, \$3,160; Youth United Way, \$503; Stryker/Johnston Foundation, \$19,500; Harold and Grace Upjohn Foundation, \$27,000; and the Kalamazoo Community Foundation, \$50,000 for the support of the 2008 Summer Youth Employment Program; and approval of a contract with Youth Opportunities Unlimited, a division of Kalamazoo Regional Educational Service Agency in the amount of \$283,536 to cover the youth wages, training, supervision, management and oversight of the Youth Employment Program.
- 77973**
- a recommendation to approve a quit claim deed conveying the City's interest in 1138 Portage St. to Continental Corporation of Michigan, Inc., whose address is 162 E. Michigan Avenue, in consideration of \$1,413.54 in payment of 1999 through 2004 foreclosed taxes.

Consent Agenda  
(cont'd)

**77974**

- a recommendation to approve the minutes from the May 5 and June 2, 2008 City Commission business meetings.

**77975**

- a recommendation to hold to June 30, 2008 a recommendation to approve the sale of seven vacant lots for \$99 each as a part of the A+ Neighborhoods' Property Sale Program:

- 811 N. Burdick Street to Saint James Church of God in Christ
- 118 W. Frank Street to Saint James Church of God in Christ
- 1332 N. Burdick Street to Ronald and LaJoyce Brooks
- 412 Drexel to Ms. Andrea Hubbard
- 427 Drexel to Ms. Andrea Hubbard
- 824 Simpson Street to Mr. Willie E. Gaines, Jr. and Mrs. Santasha Gaines
- 813 Woodbury Ave. to Ms. Giavanna Donaldson

**77976**

- a recommendation to hold until June 30, 2008 a recommendation to authorize the purchase of state-owned, tax-reverted land under the provisions of Public Act 123 of 1999, as amended:

- 1019 North Rose Street for \$490.90
- 1021 North Rose Street for \$630.45
- 1025 North Rose Street for \$577.90
- 1027 North Rose Street for \$2,403.87
- 1302 North Westnedge for \$5,480.66
- 2720 Wellington Road for \$8,433.19
- 1021 Porter Street for \$1,633.51

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, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Regular Agenda

Next, Regular Agenda items were considered.

Ordinance 1841  
re: Parking Fines  
and Late Fees

Commissioner Cooney, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** to amend Section 36-185 of the Kalamazoo Code of Ordinances to raise the fines and late fees for all parking violations, except expired meters, overtime parking and handicap violations.

**77977**

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**77978**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated May 2008
- Employees' Retirement Fund Report, 1<sup>st</sup> Quarter 2008
- Interim Financial Report for period ending March 31, 2008
- Legislative Update, dated June 2, 2008
- May 2008 Purchasing Report

Public Services Director Bruce Merchant presented a report on the clean-up activities following the storms of June 6<sup>th</sup> – 9<sup>th</sup>.

Acting Public Safety Chief Jim Mallery provided an update on the use-of-force incident that took place on May 22, 2008 involving a 16 year-old male at Public Safety Headquarters. Acting Chief Mallery reported the Office of Professional Standards completed its investigation of the incident on June 11<sup>th</sup>, and he stated the investigation resulted in the following disciplinary actions: suspension of the officer involved for 10 days without pay; reassignment of the officer from the Kalamazoo Transportation Center to the Operations Division; and mandatory close supervision of the officer by the platoon lieutenant with periodic reporting on the officer's performance directly to the Chief of Public Safety. Acting Chief Mallery emphasized the officer's conduct was not acceptable to the Kalamazoo Department of Public Safety and noted the officer was being held accountable. Acting Chief Mallery apologized to community, to the young man who was the object of the use-of-force, and to the young man's family.

In response to questions from Commissioner Moore, Acting Chief Mallery stated he was notified of the incident on Wednesday, May 27<sup>th</sup>. Acting Chief Mallery stated the officer notified his supervisor of the incident approximately four minutes after the occurrence and the supervising officer notified command officers shortly thereafter. Acting Chief Mallery stated the officer had prior contact with the young man but did not have knowledge of the young man's mental capacities. Acting Chief Mallery clarified that the injuries to the young man were unintentional.

City Attorney Robinson urged Commissioners to exercise caution when asking questions due to the potential for litigation.

In response to a question from Commissioner Moore, Acting Chief Mallery stated the young man continued to face charges stemming from his arrest.

Commissioner Anderson remarked on the swiftness and transparency of the investigation and resulting disciplinary action.

## Citizen Comments

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

Monica Westover, non-resident, spoke regarding an interoffice memo from September 2006 and claimed Public Safety Department employees tampered with evidence. Ms. Westover stated she could not afford legal action and requested to be on a

Citizen Comments  
(cont'd)

City Commission agenda so she could, "get some answers." Ms. Westover expressed support for Commissioner Moore.

Stefan Piller, City resident, spoke regarding a fire that burned down his property in 2003. Mr. Piller requested that the City Commission investigate why there was no investigation of the fire. Mr. Piller requested that the City place funds from the judgment against him in escrow until the situation could be resolved. Mr. Piller requested that the City investigate unusual incidents that have happened subsequent to the fire.

Monika Trahe, City resident, invited City Commissioners to attend a welcome reception on June 25<sup>th</sup> for Kendra Stetser Rowe, the new Executive Director of the Ministry with Community Drop-in Center.

City Commissioner  
Comments

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

Commissioner Moore thanked Acting Public Safety Chief Mallery for his service and offered remarks on the following topics: the Stop the Madness March on June 14<sup>th</sup>; a Sisters on the Move event; emails she had received from members of the Kalamazoo Alliance for Equality (KAFF); the Kalamazoo College graduation ceremony; and Pastor Addis Moore's first address as President of the Wolverine State Baptist Convention. Commissioner Moore thanked the Public Safety Officers who helped her with a children's activity involving water.

Commissioner Cooney thanked Acting Chief Mallery for his work and congratulated Commissioner Moore and Pastor Moore for the Stop the Madness March. Commissioner Cooney urged local businesses to hire young people for the summer. Commissioner Cooney congratulated the Kalamazoo Christian High School women's soccer team on its recent state championship.

Mayor Hopewell announced there would be a presentation regarding home foreclosures at the June 30<sup>th</sup> City Commission Meeting.

Closed Session to  
Discuss Pending  
Litigation

**77979**

Commissioner Miller, seconded by Commissioner McCann, moved that the City Commission go into closed session to discuss pending litigation.

Prior to a vote on the motion, Mayor Hopewell indicated the City Commission would not be taking action after the closed session and stated the closed session would take place following the adjournment of the Regular Business Meeting.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Adjournment

The meeting adjourned at 8:07 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on July 7, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: July 7, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, June 30, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

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

Invocation

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

Introduction of  
Guests

Mayor Hopewell recognized the presence of the new Public Safety Chief Jeff Hadley and the new Interim Assistant Public Safety Chief Patrick Wright.

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.

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 08-44  
**77980**

- adoption of a **RESOLUTION** confirming the appointment of Randall S. Schau and the reappointments of Kenneth P. Collard and Thomas C. Skrobola to the City of Kalamazoo Hospital Finance Authority.

Resolution 08-45  
**77981**

- adoption of a **RESOLUTION** setting forth the salaries of the City Commission appointees effective July 3, 2008; and approval of one-time payments to Deputy City Attorney Randy Schau (\$1,000); City Assessor Constance Darling (\$990); City Clerk Scott A. Borling (\$745.00); City Manager Kenneth P. Collard (\$1,581), and, Internal Auditor Ann Videtich (\$750).

Resolution 08-46  
**77982**

- adoption of a **RESOLUTION** granting a Payment In Lieu of Taxes to Crosstown Limited Dividend Housing Association Limited Partnership (Crosstown Parkway Apartments) for property at 550 W. Crosstown Parkway and 720 Howard Street.

Resolution 08-47  
**77983**

- adoption of a **RESOLUTION** granting a Payment In Lieu of Taxes to Elm Street Non Profit Housing Corporation for property at 319 Elm Street.

Consent Agenda  
(cont'd)

**77984**

- approval of the sale of seven vacant lots for \$99 each as a part of the A+ Neighborhoods' Property Sale Program:
  - 811 N. Burdick Street to Saint James Church of God in Christ
  - 118 W. Frank Street to Saint James Church of God in Christ
  - 1332 N. Burdick Street to Ronald and LaJoyce Brooks
  - 412 Drexel to Ms. Andrea Hubbard
  - 427 Drexel to Ms. Andrea Hubbard
  - 824 Simpson Street to Mr. Willie E. Gaines, Jr. and Mrs. Santasha Gaines
  - 813 Woodbury Ave. to Ms. Giavanna Donaldson

**77985**

- authorization for the purchase of state-owned, tax-reverted land under the provisions of Public Act 123 of 1999, as amended:
  - 1019 North Rose Street for \$490.90
  - 1021 North Rose Street for \$630.45
  - 1025 North Rose Street for \$577.90
  - 1027 North Rose Street for \$2,403.87
  - 1302 North Westnedge for \$5,480.66
  - 2720 Wellington Road for \$8,433.19
  - 1021 Porter Street for \$1,633.51

**77986**

- approval of the following appointments to advisory boards and commissions:
  - the appointment of **David M. Bills** to the Community Development Act Advisory Committee for a term expiring on March 31, 2009.
  - the appointment of **Bre Austin** to the Community Relations Board for a term expiring January 1, 2012.
  - the appointment of **Brent Hepp** to the Community Relations Board for a term expiring on January 1, 2012.
  - the appointment of **Nelson B. Nave** to the Construction Board of Appeals for a term expiring on January 1, 2011.
  - the appointment of **Thomas E. Nehil** to the Construction Board of Appeals for a term expiring on January 1, 2011.
  - the appointment of **Dawn M. Bolla** to the Environmental Concerns Committee for a term expiring on January 1, 2010.
  - the appointment of **Helen Davis** to the Environmental Concerns Committee for a term expiring on January 1, 2010.
  - the appointment of **Robert Cinabro** to the Historic District Commission for a term expiring on January 1, 2011.

Consent Agenda  
(cont'd)

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

\*At the time of the vote, Commissioner Anderson indicated his abstention on Item F-4, a PILOT for Elm Street Non-Profit Housing Corporation.

Regular Agenda

Regular Agenda items were considered next.

Ordinance 1842  
re: Payments in  
Lieu of Taxes  
(PILOT)

Commissioner Moore, seconded by Vice Mayor McKinney, moved to adopt an **ORDINANCE** to amend Section 35-4 of the Code of Ordinances pertaining to Payments in Lieu of Taxes for affordable housing.

With a roll call vote this motion passed unanimously.

**77987**

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

NAYS: None

City Manager's  
Report

Chief Hadley offered remarks on his first week as Public Safety Chief. Chief Hadley stated he would lead strategic planning sessions in the community beginning the week of July 7<sup>th</sup>.

Report on KTC  
Rules Ordinance

City Manager Collard summarized a report by Transportation Director Bill Schomisch on security and safety issues at the Kalamazoo Transportation Center (KTC) and the proposed ordinance for Rules of Use at the Kalamazoo Transportation Center.

**77988**

Commissioner Miller stated the public presentation of the proposed new KTC Rules was well attended, and she commented on the inclusiveness of the meeting.

Commissioner Moore stated the behavioral issues at the KTC were side effects of poverty, and she submitted that more policing, more arrests, and more convictions would not solve the root problem. Commissioner Moore expressed support for making the KTC a safe facility for all people.

Commissioner Cooney stated the proposed KTC Rules were reasonable and fair, and he noted the importance of enforcing the Rules in an equitable manner.

Citizen Comments

Mayor Hopewell suggested the City Commission receive citizen comments prior to the report on home foreclosures, as the Commission would be moving to the Community Room for this report.

Citizen Comments  
(cont'd)

**77989**

There being no objections from Commissioners, the City Commission received comments from the following citizens:

Monica Westover, non-resident, stated Assistant City Manager Fay Peek had agreed that the City Commission should receive a presentation regarding her case. Ms. Westover also offered remarks on the proposed KTC rules ordinance and the appointment of City staff members and former City staff members to advisory boards and commissions.

Sister Barbara O'Donohue, City resident, distributed invitations to a "Town Hall Meeting on Healthcare and Long-term Financial Security."

Norine Wafford, City resident, thanked several Public Safety Officers (PSO's) and offered remarks on the recent use-of-force incident involving PSO Derek Nugent. Ms. Wafford also commented on recent positive interactions between PSO's and young people in her neighborhood and the need for a swimming pool or water park on the Northside.

Elrico Hurley, City resident and Vice President of the NAACP, spoke regarding the importance of the upcoming elections and stated in two City neighborhoods there were a combined 4300 homes without even one registered voter. Mr. Hurley urged citizens to register to vote, and he asked for volunteers to help with voter registration drives.

Yolanda Dunigan, City resident, spoke about the Ultimate Family Reunion on August 9<sup>th</sup> and asked the community to support with event with volunteers and donations.

Beth Lewis, City resident, remarked on the City Commission drinking bottled water, the numerous shelters and drop-in centers in the community, and the acceptance of food stamps at the Farmers Market. Ms. Lewis also enquired about the City's plan to combat AIDS.

Al Walker, City resident, commended Metro Transit drivers and Public Safety Officers for helping visually-impaired citizens at the KTC, and he thanked the City for installing talking pedestrian traffic signals.

Reverend William Stein, City resident, announced the formation of a new, non-profit, internet-based organization called Free Gas USA.

Gwen Hillman, City resident, asked the City Commission to support and attend the Ultimate Family Reunion.

Franklin Thompson, non-resident, spoke regarding the Kalamazoo Police Chiefs for which he worked. Mr. Thompson invited Chief Hadley to the July 1<sup>st</sup> meeting of the Kalamazoo County Board of Commissioners.

Recess

At 8:00 p.m. Mayor Hopewell recessed the meeting.

At 8:06 p.m. Mayor Hopewell reconvened the meeting in the City Hall Community Room.

Report on Home  
Foreclosures

**77990**

Community Planning and Development Director Jeff Chamberlain presented a report entitled *Foreclosures in Kalamazoo: Implications and Prevention*. A copy of Director Chamberlain's PowerPoint presentation was filed with the papers for this meeting.

Commissioner Moore stated the community needed to give people as many options as possible for obtaining information on foreclosure assistance, and she noted the people who needed this information were the people who were least likely to seek help, such as the elderly and those with lower literacy levels. Commissioner Moore suggested that churches offer mortgage counseling and that the City and County investigate the possibility of implementing a moratorium on foreclosures.

Vice Mayor McKinney stated it would be difficult to implement a moratorium on foreclosures because the foreclosure process in Michigan did not include a central clearinghouse, such as a housing court, through which all foreclosures passed. Vice Mayor McKinney indicated that in 2008 Kalamazoo County Treasurer Mary Balkema had been proactive and aggressive in working out payment plans with taxpayers so that their properties would not enter the tax foreclosure process.

Commissioner Moore challenged the Kalamazoo Metropolitan Branch of the NAACP to take a stronger position on the foreclosure issue.

Commissioner Cooney thanked Director Chamberlain and Vice Mayor McKinney for their work on the foreclosure issue and stated the current economic conditions were the result of poor decisions made at the national level. Commissioner Cooney discussed the need to advocate for different economic policies, such as increased investment in local infrastructure and renewable energy.

Mayor Hopewell stated the City Commission's response to the foreclosure issue would reveal its level of commitment to the City's neighborhoods. Mayor Hopewell asked if there was a role for employers to play, and he inquired about the number of people who lost their homes because of a small financing gap. Mayor Hopewell asked Vice Mayor McKinney to advise the Commission on its advocacy role relative to the foreclosure issue.

City Commissioner  
Comments

Next, an opportunity was given for miscellaneous comments and concerns of City Commissioners, but no comments were offered.

Closed Session to  
Discuss Pending  
Litigation

**77991**

Commissioner McCann, seconded by Vice Mayor McKinney, moved that the City Commission go into closed session to discuss pending litigation.

With a roll call vote this motion passed unanimously.

Closed Session to  
Discuss Pending  
Litigation (cont'd)

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

NAYS: None

ABSTAIN: Commissioner Moore

Adjournment

The meeting adjourned, and the City Commission went into closed session at 9:03 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 4, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: August 4, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Thursday, July 3, 2008 at 7:30 a.m. in the Community Room at City Hall, 241 West South Street.

Roll Call

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

COMMISSIONERS ABSENT Vice Mayor Hannah McKinney  
Commissioner Moore

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

Commissioners Excused

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

Review of the July 7<sup>th</sup> Agenda

The City Commission reviewed and discussed the agenda for its Regular Business Meeting on Monday, July 7, 2008.

Item F-2

With regard to Item F-2, contract for janitorial services, discussion took place regarding the bid process and the possibility of changing City policies to employ more local workers in low-skill jobs.

Item F-11

With regard to Item F-11, purchase of the Superior Cleaners property, Public Services Director Bruce Merchant indicated funds were available to conduct an environmental assessment of the property prior to purchase.

Item G-1

With regard to Item G-1, Economic Initiative Fund (EIF) Loan for the Southwest Michigan Innovation Center (SMIC), Jerome Kisscorni, Executive Director of the Economic Development Corporation, stated the Kalamazoo Community Foundation contribution to the project was a loan, and the EIF received funds from the General Fund.

Addition of Policy Item

Mayor Hopewell requested the following policy item be added to the agenda: the appointment of Commissioners to the Ethics Policy Development Sub-Committee.

Community Issues

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

Director Merchant reported on power outages at the Wastewater Treatment Plant and 20 lift stations during a storm on July 2<sup>nd</sup>.

Citizen Comments

Finally, when given an opportunity to make comments, the following citizens addressed the City Commission:

Stacey Marek, City resident and Kalamazoo Homeless Action Network (KHAN) Board President, spoke regarding the Kalamazoo Transportation Center (KTC) Rules.

Ian Valenzuela, City resident, spoke regarding the KTC Rules and court cases involving loitering and freedom of movement.

Max Conrad, City resident and board member of the Michigan Organizing Project (MOP), spoke regarding the treatment of homeless people at the KTC by Public Safety Officers.

Michael Fuller, City resident and KHAN Board Member, spoke regarding the treatment of homeless people at the KTC by Public Safety Officers.

John Musick, Executive Director of MOP, stated the proposed KTC ordinance was a mistake and suggested the parties involved collaborate to develop an ordinance acceptable to all.

Michael Evans, Executive Director of KHAN, stated the proposed KTC ordinance was poorly written and conflicted with the United States Constitution.

LoriAnne Tennison, City resident, spoke regarding the proposed KTC ordinance and expressed concern that the ordinance would be used to deny homeless people their constitutional rights.

Wade Allen, City resident, spoke regarding the KTC ordinance, busking (street performing), and the designation of the KTC as a non-public forum.

Adjournment

The meeting adjourned at 8:30 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 4, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: August 4, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, July 7, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

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

COMMISSIONERS ABSENT: Vice Mayor Hannah McKinney  
Stephanie Moore

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

Commissioners  
Excused

Commissioner Anderson, seconded by Commissioner Miller, moved to excuse the absences of Vice Mayor McKinney and Commissioners Cooney and Moore.

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.

Immigration  
Reform Resolution  
**77992**

Commissioner McCann, on behalf of Mayor Hopewell, read a proclamation entitled *A Resolution of Support for Immigration Reform*.

Adoption of the  
Agenda

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

Mayor Hopewell removed Item N-1, Closed Session, from the agenda.

Citizens requested that Items F-3 through F-6 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.

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:

**77993**

- approval of a three-year contract with Ridge Napa Auto Parts for parts that will be used to repair and maintain city vehicles and equipment in the amount of \$146,177.40.

**77994**

- approval of a three-year contract with Grand Rapids Services Inc., dba Kalamazoo Building Services for janitorial services at Public Safety Headquarters and the new North Park Street Station in the amount of \$119,772.

Resolution 08-48  
**77995**

- adoption of a **RESOLUTION** to set a public hearing on July 21, 2008 to consider the application from Fabri-Kal Corporation to transfer existing PA 198 Industrial Facilities Exemption Certificate 2006-370 to its planned new location of 4141 Manchester Road

Resolution 08-49  
**77996**

- adoption of a **RESOLUTION** to set a public hearing on July 21, 2008 to consider an application from Fabri-Kal Corporation for a PA 198 Plant Rehabilitation District Industrial Facilities Exemption Certificate for six + six years for real property rehabilitation investment of approximately \$4,300,000 in existing Plant Rehabilitation District No. 39 located at 4141 Manchester Road, with a first year 100% abatement of approximately \$33,250 in city property taxes.

Resolution 08-50  
**77997**

- adoption of a **RESOLUTION** to set a public hearing on July 21, 2008 to amend existing PA 198 Industrial Development District Number 10 to include all of the property located at 1421 North Pitcher Street.

**77998**

- approval of the minutes from the following City Commission meetings: the Committee of the Whole Meeting on June 13, 2008; the Regular Neighborhood Meeting on June 16, 2008; and the Regular Business Meeting on June 16, 2008.

**77999**

- approval of a motion to hold the following actions until July 21, 2008: 1) adoption of a RESOLUTION authorizing the purchase of the building and property located at 3122/3124 Oakland Drive from the estate of Carolyn Schwartz, in the amount of \$155,000; and, 2) approval of a reallocation of available funds in the amount of \$158,000 from paving projects in the Major Street Capital Fund to cover the cost of the property plus an additional \$3,000 to cover any miscellaneous closing costs.

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

With a roll call vote this motion passed.

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

NAYS: None

Regular Agenda

Next, Regular Agenda items were considered.

First Reading of  
the KTC Rules  
Ordinance  
**78000**

When Mayor Hopewell invited the public to comment on an ordinance to amend Chapter 18B for the Kalamazoo Transportation Center (KTC), the following citizens addressed the City Commission:

Stacey Marek, spoke regarding Public Safety activities at the Kalamazoo Transportation Center (KTC).

Ian Valenzuela, City resident, spoke in opposition to the proposed KTC ordinance.

First Reading of  
the KTC Rules  
Ordinance (cont'd)

**78000**

Jonathan Braun, City resident, spoke regarding unlawful arrests at the KTC.

Michael Evans, City resident, spoke in opposition to the proposed KTC ordinance.

Beth Lewis, City resident, expressed opposition to the proposed KTC ordinance.

Monica Westover, City resident, spoke in opposition to the proposed KTC ordinance.

Stanley Sexton, City resident, stated he had not observed many problems at the KTC.

Holly Henderson, City resident and owner of a business on Kalamazoo Avenue, expressed support for the proposed KTC ordinance.

Commissioner Cooney, seconded by Commissioner Miller, moved to offer for first reading an ORDINANCE to amend Chapter 18B for the Kalamazoo Transportation Center as provided in the City of Kalamazoo's Code of Ordinances.

Prior to a vote on the motion, Commissioner Cooney discussed the need for balance between providing access to the KTC and preventing harassment of KTC customers. Commissioner Cooney expressed support for the proposed ordinance and stated the important issue would be equal enforcement.

In response to a question from Commissioner Cooney, City Attorney Robinson explained the proposed ordinance would not force citizens to provide information to Public Safety Officers (PSO's), but he noted a person could be arrested or asked to leave the KTC for refusing to cooperate with a PSO when there was probable cause that the person had violated the KTC ordinance.

Commissioner McCann expressed support for the ordinance and commended the City Administration for its work on the issue.

In response to a question from Mayor Hopewell, City Manager Collard stated complaints against City employees should be directed to the appropriate department director or to the City Manager's Office.

With a roll call vote this motion passed.

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

NAYS: None

First Reading of  
Gilbert/Engleman  
Rezoning  
Ordinance

**78001**

When Mayor Hopewell invited the public to comment on a recommendation to offer for first reading an ordinance to rezone 420, 424, 503 and 509 Gilbert, 1119 and 1125 Engleman from Zone CC (Commercial, Community District) to Zone RD-19 (Residential, Duplex District); and, schedule a public hearing for July 21, 2008, the following citizens addressed the City Commission:

Beth Lewis, City resident, requested that the public hearing for this ordinance be postponed to a later date.

Commissioner McCann, seconded by Commissioner Miller, offered for first reading an ORDINANCE to rezone 420, 424, 503 and 509 Gilbert, 1119 and 1125 Engleman from Zone CC (Commercial, Community District) to Zone RD-19 (Residential, Duplex District); and, schedule a public hearing July 21, 2008.

Prior to a vote on the motion, Commissioner Anderson observed that the organization requesting the rezoning, Kalamazoo Neighborhood Housing Services (KNHS), provided affordable home ownership for City residents.

With a roll call vote this motion passed.

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

NAYS: None

Resolution 08-51  
re: Changing the  
Name of Alley #1  
in Oakwood Annex  
to Book Alley

**78002**

When Mayor Hopewell invited the public to comment on a resolution to change the name of the alley extending off Barnard Street directly behind Kazoo Books, 2413 Parkview, from "Alley #1" to "Book Alley," the following citizens addressed the City Commission:

Beth Lewis, City resident, indicated she did not have objections to the resolution.

Commissioner McCann, seconded by Commissioner Anderson, moved to adopt a **RESOLUTION** approving a request from Ms. Gloria Tiller to change the name of the alley extending off Barnard Street directly behind Kazoo Books, 2413 Parkview, from "Alley #1" to "Book Alley."

With a roll call vote this motion passed.

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

NAYS: None

Resolution 08-52  
Setting a Public  
Hearing re: a Tax  
Abatement for  
International Paper

**78003**

When Mayor Hopewell invited the public to comment on a RESOLUTION to set a public hearing for July 21, 2008 to consider an application from International Paper Company, Kalamazoo Container for a PA 198 Industrial Facilities Tax exemption certificate, the following citizens addressed the City Commission:

Beth Lewis, City resident, requested that the public hearing for this tax abatement be postponed to a later date.

Commissioner Miller, seconded by Commissioner Cooney, moved to adopt a **RESOLUTION** setting a public hearing on July 21, 2008 to consider an application from International Paper Company, Kalamazoo Container for a PA 198 Industrial Facilities Tax exemption certificate for three + three years for personal property valued at \$2,130,000 in existing Plant Rehabilitation District No. 42 located at 4015 Emerald Drive, with a first year abatement value of approximately \$11,620 in city property taxes.

With a roll call vote this motion passed.

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

NAYS: None

Resolution 08-53  
Setting a Public  
Hearing re: an EIF  
Loan for the SMIC  
**78004**

Commissioner Anderson, seconded by Commissioner McCann, moved to adopt a **RESOLUTION** designating a Project Area and Project District Area, appointing Robert C. Gadwood and Andrew L Wright to the EDC Board of Directors, setting a public hearing on July 21, 2008 for the Southwest Michigan Innovation Center (SMIC) Project Plan, and waiving the EIF guideline restricting loans to projects not yet started.

Prior to a vote on the motion, Commissioner Anderson noted the collaboration that had taken place to fund the SMIC project.

With a roll call vote this motion passed.

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

NAYS: None

Resolution 08-54  
Setting a Public  
Hearing re: an EIF  
Loan for BDSLM  
Enterprise  
**78005**

Commissioner McCann, seconded by Commissioner Cooney, moved to adopt a **RESOLUTION** designating a Project Area and Project District Area, appointing Edward A. Jones and Karen Arvanigian as special directors to the EDC Board of Directors, setting a public hearing on July 21, 2008 for the BDSLM Enterprise Project Plan, and waiving EIF guidelines restricting loans to ten percent of the total project and projects not yet started.

With a roll call vote this motion passed.

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

NAYS: None

City Clerk's Report  
78006

City Clerk Borling reported the following items:

- the City of Kalamazoo has received the proposed Kalamazoo County Health and Community Services Region 3A Area Agency on Aging FY2009 Annual Implementation Plan. The was referred to the City Administration for review and comment.
- the City Commission has received a petition from Mr. Thomas Huff and other property owners for installation of a sanitary sewer to serve the properties located on Lakeside Drive between N. Hillandale Drive and the Kalamazoo Country Club. The petition was referred to the City Manager for review and recommendation.
- the City Commission has received as informational minutes of the following advisory boards and commissions:
  - Environmental Concerns Committee
    - Wednesday, May 21, 2008
    - Wednesday, June 18, 2008
  - Housing Board of Appeals
    - Thursday, April 24, 2008
  - Investment Committee of the Retirement System
    - Wednesday, May 21, 2008
  - Kalamazoo Historic District Commission
    - Tuesday, May 20, 2008
  - Kalamazoo Historic Preservation Commission
    - Tuesday, May 13, 2008
  - Parks and Recreation Advisory Board
    - Wednesday, May 07, 2008
    - Tuesday, June 03, 2008
  - Perpetual Care Investment Committee
    - Wednesday, May 21, 2008
  - Planning Commission
    - Thursday, June 05, 2008
  - Zoning Board of Appeals
    - Thursday, May 08, 2008
- the following Special Event requests were approved in the month of June:
  - a request from the Arts Council of Greater Kalamazoo and the Downtown Kalamazoo, Inc. Marketing Committee to use Bronson Park on Saturday, June 21, 2008 from 12:00 p.m. to 8:00 p.m. for the 2008 Fete de la Musique.

City Clerk's Report  
(cont'd)**78006**

- a request from the Kalamazoo Amateur Athletic Foundation (KAAF) to apply for a special liquor license to provide alcohol during the Friends of Recreation Golf Classic on July 18, 2008 at Eastern Hills Golf Course.
- a request from Galilee Baptist Church to use LaCrone Park on Wednesday, July 23, 2008 from 4:00 p.m. to 9:00 p.m., for a Family Vacation Bible School Celebration.
- a request from the Korean War Veterans to use Bronson Park on Sunday July 27, 2008 beginning at 11:00 a.m. for a Korean War Veterans' Memorial Service.
- a request from Kalamazoo Community Church to use Bronson Park on Sunday, September 14, 2008 from 5:30 p.m. to 8:30 p.m., for a "Praise in the Park." [Use of the park includes set-up/tear down activity from 12:00 noon to 9:00 p.m.]
- a request from the Leukemia & Lymphoma Society to use Bronson Park and city streets on Saturday, September 20, 2008 from 1:00 to 10:00 p.m. for the annual Light the Night Walk.
- a request from the Arthritis Foundation to use city streets on Saturday, November 8, 2008 beginning at 9:00 a.m. for a Jingle Bell Run/Walk for Arthritis 5/K charity race.

City Manager's  
Report

Public Safety Chief Jeff Hadley reported there had been no homicides in the City through the first six months of 2008. Chief Hadley discussed recent reports of increased youth activity in the North Westnedge/Church Street corridor, and he spoke regarding the need for the community to recommit its efforts to ensure a vibrant quality of life in Kalamazoo.

## Policy Item

Policy Items were considered next.

Creation of an  
Ethics Policy  
Development  
Subcommittee**78007**

Mayor Hopewell spoke regarding the need for an ethics policy for City Commissioners. When Mayor Hopewell invited to public to comment on the creation of an Ethics Policy Development Subcommittee, the following citizens addressed the City Commission:

Monica Westover, non-resident, spoke in support of the development of an ethics policy for City Commissioners.

Fred Lawrence, City resident, stated the City Commissioners' ethics were good, and he expressed support for putting rules on paper.

Michael Evans, City resident, recommended that the ethics policy include rules regarding Commissioners' use of the media for personal attacks and disclosure of Commissioners' connections and interests in the community.

Commissioner McCann, seconded by Commissioner Miller, moved to appoint Commissioners Anderson, Cooney, and McCann to the Ethics Policy Development Subcommittee.

Prior to a vote on the motion, Commissioner Miller noted there was an ethics policy for City employees but not for City Commissioners.

With a roll call vote this motion passed.

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

NAYS: None

Citizen Comments

**78008**

When given an opportunity to offer comments, the following citizens addressed the City Commission:

Monica Westover, non-resident, spoke regarding the City's website, the Public Safety Department, and the City Attorney's Office. Ms. Westover submitted a Freedom of Information Act request, which was filed with the papers for the meeting.

Fred Lawrence, City resident, spoke regarding economic development efforts in Kalamazoo and stated the City needed jobs for the common person.

Max Conrad, City resident, spoke regarding the arrest of homeless people at the KTC.

Bob Schellenberg, City resident, stated PSO Derek Nugent should have been fired for injuring a young man during the booking process at the Crosstown Center.

Leonard Marcellus, non-resident, expressed opposition to the City's proposed demolition of his mother's property at 1014 N. Pitcher Street and stated it was unjust to charge him over \$20,000 for the demolition.

John McNaughton, City resident, spoke regarding the City's janitorial service contract.

Susan Houvener, City resident, spoke regarding PSO Kennedy Crawford, who shot and killed her neighbor's dog on July 4<sup>th</sup>. Ms. Brunner stated she had filed a complaint with the Office of Professional Standards (complaint #0840840), and she requested that PSO Crawford's employment with the City be terminated.

Asha Kashad, City resident, spoke regarding the importance of taking children to the library.

Carl Anderson, City resident and City retiree, spoke regarding managers and supervisors in the Public Services Department.

Citizen Comments  
Cont'd

Gerald Ross, City resident and City retiree, spoke in opposition to the 13<sup>th</sup> Check ordinance adopted in April and thanked the Commissioners who voted against the ordinance.

Wade Allen, City resident, spoke regarding the proposed KTC ordinance.

John Musick, City resident and Executive Director of the Michigan Organizing Project, spoke regarding the proposed KTC ordinance.

Beth Lewis, City resident, spoke regarding the attire of male joggers, and she inquired about resources for identifying homes and properties that had been contaminated with meth labs.

Michael Evans, City resident, spoke regarding the proposed KTC ordinance.

City Commissioner  
Comments

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

Commissioner Anderson offered remarks on the 13<sup>th</sup> Check and stated the greatest threat to defined benefit pension plans was public animosity towards such plans for public employees. Commissioner Anderson noted the pension fund had experienced losses recently due to market forces, and he stated these losses highlighted the need to jealously guard the overfunded status of the retirement system.

Commissioner Cooney spoke regarding hurting people in the community, and he requested that City Manager Collard look into Mr. Marcellus' concerns. Commissioner Cooney stated the City needed to contract with companies that paid their employees a decent wage. Commissioner Cooney spoke regarding the relationship between unemployment and policies of the federal government.

Mayor Hopewell offered remarks regarding the City Commission's response to poverty and unemployment in recent years, and he reported on the possibility of a company bringing 500 new jobs to Kalamazoo, most of which would not require advanced education or training. Mayor Hopewell explained it was the responsibility of administrators in the Public Safety Department to deal with the performance and behavior of officers. Mayor Hopewell expressed trust in the new Public Safety administration, and he urged Chief Hadley to work hard to turn his vision for the department into reality.

Adjournment

The meeting adjourned at 9:04 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 4, 2008

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

Bobby J. Hopewell, Mayor

Dated: August 4, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, July 18, 2008 at 7:30 a.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: David Anderson  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT Mayor Bobby Hopewell  
Vice Mayor Hannah McKinney  
Commissioner Cooney  
Commissioner Moore

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

Lack of Quorum  
Noted

Commissioner McCann recognized the lack of a quorum and suggested the City Manager review the July 21<sup>st</sup> meeting agendas for the benefit of the Commissioners present.

Discussion of the July 21<sup>st</sup> agendas ended at 7:48a.m.

A neighborhood meeting of the Kalamazoo City Commission was held on Monday, July 21, 2008 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT:

Mayor Bobby Hopewell  
David Anderson  
Sean McCann  
Barbara Miller

COMMISSIONERS ABSENT:

Vice Mayor Hannah McKinney  
Don Cooney  
Stephanie Moore

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

Commissioners Excused

Commissioner Miller, seconded by Commissioner Anderson, moved to excuse the absences of Vice Mayor McKinney and Commissioners Cooney and Moore. 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:

Eastside Neighborhood Association

Frank Barrett, President  
Mike Seals, Treasurer  
Pat Taylor, Executive Director  
Reverend Milton Wells, Board Member

Lakeside Beach Corporation

Jim McIntyre, President

Parkwyn Village Association

John Hosley, President

Eastside Neighborhood Association

The Eastside Neighborhood Association representatives:

- reported \$18,500 was being used to develop a Neighborhood Comprehensive Plan. Mr. Barrett stated the Plan would focus on the economic development of East Main Street between Riverview Drive and Wallace.
- stated the Association had become the administrators of the After School Innovations Program, which resulted in the Association receiving an additional \$7,000.
- indicated the Community Center lease with Kalamazoo Neighborhood Housing Services (KNHS) would expire in 12 months.

Eastside  
Neighborhood  
Association  
(cont'd)

- reported Nancy Owen of The Owen Group was assisting the Association with development of a business plan for the proposed Youth Center.
- indicated the Association was participating in the Summer Youth Employment Program and stated the Association had hired an Americorp worker with funds from the City and the Local Initiatives Support Corporation (LISC).
- stated the Community Center's computer lab was up and running and was being used for career counseling.
- reported several residents had registered for the home weatherization program
- noted workshops were planned for the Fall to inform residents low-tech ways to reduce heating costs.
- thanked the Public Services Department and City Manager's Office for arranging a special brush pick-up to assist with the Building Blocks program on Edwards and Dwight Streets.
- thanked Community Planning and Development Director Jeff Chamberlain for organizing meetings with smaller groups of neighborhood representatives.
- noted there was good communication between the Public Safety Department and the neighborhood and stated the Community Police Officer (CPO) participated in youth activities at the Community Center on a weekly basis.
- remarked on a donation from Threads Church for the Fresh Food Initiative and stated the Senior Tea's were going well.
- reported six young people were conducting a video survey of neighborhood youths regarding the Kalamazoo Promise and the Eastside Neighborhood. Mr. Seals explained the survey was being funded by Youth Opportunities Unlimited (YOU), and the participants would learn video production skills from the Community Access Center.

In response to a question from Commissioner Anderson, Mr. Barrett reported the final visioning session for the Neighborhood Comprehensive Plan would take place on July 22<sup>nd</sup>, and the written plan would be ready for review by the end of August or the beginning of September.

Lakeside Beach  
Association

The Lakeside Beach Association representative:

- thanked the City for providing excellent services.
- expressed concerns about condition of streets, early leaf pick-up, and the quality of the water in Whites Lake.

Parkwyn Village Association

- reported on the Association's newsletter, its annual meeting, and the summer picnic.

The Parkwyn Village Association representative:

- introduced himself as the new Association President.
- stated the Association organized two events each year: an annual meeting in November and a neighborhood clean-up/picnic in the Spring.
- expressed concern about traffic cutting through the neighborhood, the local deer population, and the amount of road construction in and around the City.
- reported a car was stolen recently from a resident's driveway.

In response to a question from Commissioner McCann, Mr. Hosley stated one house in the neighborhood had been neglected for several years, but it was undergoing significant renovations at the hands of new owners.

Citizen Comments

Next, when given an opportunity for make comments, the following citizens addressed the City Commission:

Ethan Morgenstein, City resident, distributed invitations to a block party in the Edison Neighborhood.

Adjournment

The meeting adjourned at 6:33 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on August 4, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: August 4, 2008

A regular meeting of the Kalamazoo City Commission was held on July 21, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

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

COMMISSIONERS ABSENT: Vice Mayor Hannah McKinney  
Don Cooney

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

Commissioners  
Excused

Commissioner Anderson, seconded by Commissioner McCann, moved to excuse the absences of Vice Mayor McKinney and Commissioner Cooney.

## Invocation

The invocation, given by Reverend Michael Brown, Kalamazoo Gospel Mission, was followed by the Pledge of Allegiance.

Introduction of  
Guests

Management Services Director Tom Skrobola presented the Government Finance Officers Association Excellence in Financial Reporting Award & Excellence in Budgeting Award to Patsy Moore.

**78009**  
Proclamations**78010**

Commissioner Anderson, on behalf of Mayor Hopewell, proclaimed July 7-9, 2008 "Social Rights Week." Sister Barbara O'Donohue and Adam Knott of Michigan Citizens Action were present to receive the proclamation.

Commissioner Miller, on behalf of Mayor Hopewell, read a proclamation "Welcoming the 2008 Delegation from Numazu, Japan." Ms. Yuko Takahashi, Vice President, Kalamazoo Division, Numazu International Communications & Exchanges (N.I.C.E), and Mr. Bob Meilinger, President of the Kalamazoo-Numazu Sister City Committee 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:  
the Rezoning of  
420, 424, 503 and  
509 Gilbert, and  
1119 and 1125  
Engleman**78011**

At 7:16 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt an ORDINANCE to rezone 420, 424, 503 and 509 Gilbert, 1119 and 1125 Engleman from Zone CC (Commercial, Community District) to Zone RD-19 (Residential, Duplex District).

At 7:17 p.m. Mayor Hopewell closed the public hearing.

Ordinance 1843  
Rezoning Parcels  
on Gilbert and  
Engleman

**78011**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** to rezone 420, 424, 503 and 509 Gilbert, 1119 and 1125 Engleman from Zone CC (Commercial, Community District) to Zone RD-19 (Residential, Duplex District).  
With a roll call vote this motion passed.

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

NAYS: None

Public Hearing re:  
a Tax Abatement  
for International  
Paper Co.

**78012**

At 7:18 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to approve an application from International Paper Company, Kalamazoo Container for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$2,130,000 in existing Plant Rehabilitation District No. 42 located at 4015 Emerald Drive, with a first year abatement value of approximately \$11,620 in city property taxes.

Dave Perry, non-resident and General Manager of International Paper Company, spoke in support of the proposed resolution. Mr. Perry noted International Paper had a total of 115 employees, including salaried employees.

At 7:21 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-55  
Approving a Tax  
Abatement for  
International Paper  
Co.

**78012**

Commissioner McCann, seconded by Commissioner Moore, moved to adopt a **RESOLUTION** to approve an application from International Paper Company, Kalamazoo Container for a PA 198 Industrial Facilities Tax Exemption Certificate for three + three years for personal property valued at \$2,130,000 in existing Plant Rehabilitation District No. 42 located at 4015 Emerald Drive, with a first year abatement value of approximately \$11,620 in city property taxes.

With a roll call vote this motion passed.

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

NAYS: None

Public Hearing re:  
Transfer of a Tax  
Abatement  
Certificate for  
Fabri-Kal Corp.

**78013**

At 7:22 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to approve an application from Fabri-Kal Corporation to transfer existing PA 198 Industrial Facilities Exemption Certificate 2006-370 to its planned new location of 4141 Manchester Road. IFEC 06-370 was issued for six years on personal property valued at \$2,000,000 in existing Industrial Development District (IDD) No. 111 located at 3303 East Cork Street.

Gary Gallia, non-resident and Executive Director of Finance/CFO for Fabri-Kal, spoke in support of the proposed resolution.

At 7:27 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-56  
Approving the  
Transfer of a Tax  
Abatement  
Certificate for Fabri  
Kal Corp.

**78013**

Commissioner Moore, seconded by Commissioner Anderson, moved to adopt a **RESOLUTION** to approve an application from Fabri-Kal Corporation to transfer existing PA 198 Industrial Facilities Exemption Certificate 2006-370 to its planned new location of 4141 Manchester Road. IFEC 06-370 was issued for six years on personal property valued at \$2,000,000 in existing Industrial Development District (IDD) No. 111 located at 3303 East Cork Street.

With a roll call vote this motion passed.

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

NAYS: None

Public Hearing re:  
a Tax Abatement  
for Fabri-Kal Corp.

**78014**

At 7:28 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to approve an application from Fabri-Kal Corporation for a PA 198 Plant Rehabilitation District Industrial Facilities Exemption Certificate for six + six years for real property rehabilitation investment of approximately \$4,300,000 in existing Plant Rehabilitation District No. 39 located at 4141 Manchester Road, with a first year 100% abatement of approximately \$33,250 in city property taxes.

At 7:29 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-57  
Approving a Tax  
Abatement for  
Fabri-Kal Corp.

**78014**

Commissioner Moore, seconded by Commissioner McCann, moved to adopt a **RESOLUTION** to approve an application from Fabri-Kal Corporation for a PA 198 Plant Rehabilitation District Industrial Facilities Exemption Certificate for six + six years for real property rehabilitation investment of approximately \$4,300,000 in existing Plant Rehabilitation District No. 39 located at 4141 Manchester Road, with a first year 100% abatement of approximately \$33,250 in city property taxes.

With a roll call vote this motion passed.

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

NAYS: None

Public Hearing re:  
the Amendment of  
an IDD for Graphic  
Packaging

**78015**

At 7:30 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to amend existing PA 198 Industrial Development District No. 10 to include all of the property located at 1421 North Pitcher Street for Graphic Packaging International.

At 7:31 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-58  
Amending IDD No.  
10 for Graphic  
Packaging

**78015**

Commissioner Miller, seconded by Commissioner McCann, moved to adopt a **RESOLUTION** to amend existing PA 198 Industrial Development District No. 10 to include all of the property located at 1421 North Pitcher Street for Graphic Packaging International

With a roll call vote this motion passed.

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

NAYS: None

Public Hearing re:  
EIF Loan for the  
SW Michigan  
Innovation Center  
(SMIC)

**78016**

At 7:31 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to: a) approve the Project Plan, as initiated by Southwest Michigan Innovation Center, Inc.; b) authorize the waiver of two EIF general guidelines; and, c) authorize the transfer of Economic Initiative Funds for use as proposed in the Project Plan, under terms and conditions described below as negotiated with Southwest Michigan Innovation Center, Inc (SMIC).

Fred Einspahr, City resident and CEO of the SMIC, spoke in favor of the proposed resolution.

At 7:33 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-59  
Approving an EIF  
Loan for the SMIC

**78016**

Commissioner Moore, seconded by Commissioner Anderson, moved to adopt a **RESOLUTION** to: a) approve the Project Plan, as initiated by Southwest Michigan Innovation Center, Inc.; b) authorize the waiver of two EIF general guidelines; and, c) authorize the transfer of Economic Initiative Funds for use as proposed in the Project Plan, under terms and conditions described below as negotiated with Southwest Michigan Innovation Center, Inc. (SMIC).

With a roll call vote this motion passed.

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

NAYS: None

Cancellation of a  
Public Hearing re:  
an EIF Loan for  
BDSLME Enterprise

**78017**

Commissioner McCann, seconded by Commissioner Miller, moved to cancel a public hearing regarding a RESOLUTION, as initiated by BDSLM Enterprise, LLC, that would: 1) waive the general EIF guidelines concerning the percentage of EIF funds permitted in a project and the ability to participate in a project if a decision to begin has been made; and 2) authorize the transfer of Economic Initiative Funds (EIF) for use as proposed in the Project Plan, under terms and conditions as negotiated with BDSLM Enterprise, LLC.

With a roll call vote this motion passed.

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

NAYS: None

## 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:

- 78018**

  - approval of a contract with Hurst Industries for the purchase of boiler replacements for the Kalamazoo Metro Transit Administration/Maintenance facility in the amount of \$104,712.
- 78019**

  - approval of a one-year service agreement with Western Michigan University to provide unlimited access to Metro Transit services for the 2008-2009 school calendar year for the amount of \$522,648.
- 78020**

  - approval of a one-year bus service agreement with EDR Western, LP, d/b/a The Pointe at Western to provide bus service to the Pointe at Western apartment complete in the amount of \$85,147.
- 78021**

  - authorization for the City Manager to sign a Wellhead Protection Grant Assistance Contract from the Michigan Department of Environmental Quality for designated wellhead protection projects for the period from July 1, 2008 through June 30, 2009 in the amount of \$70,000.
- Resolution 08-60

**78022**

  - a) adoption of a **RESOLUTION** authorizing the purchase of the building and property located at 3122/3124 Oakland Drive from the estate of Carolyn Schwartz, in the amount of \$155,000; and, b) approval of the reallocation of available funds in the amount of \$158,000 from paving projects in the Major Street Capital Fund to cover the cost of the property plus an additional \$3,000 to cover any miscellaneous closing costs.
- 78023**

  - approval of the transfer of \$200,000 from the Economic Development Corporation to the Economic Opportunity Fund to allow for the relocation of city water and sewer lines located on Graphic Packaging property located at 1421 North Pitcher Street.
- 78024**

  - approval of the following re-appointments to advisory boards and commissions:
    - the re-appointment of **Nancy Engemann** to the Board of Review for Assessments for a term expiring on March 31, 2011.
    - the re-appointment of **Catherine Smith** to the Board of Review for Assessments for a term expiring on March 31, 2011.
- 78025**

  - a recommendation to hold until August 4, 2008 a RESOLUTION to: a) approve the transfer of the property that comprises Davis Creek Business Park to the City of Kalamazoo and City of Kalamazoo Brownfield Redevelopment Authority (BRA) as joint tenants; (b) establish the process to govern the future sale of parcels within DCBP; and (c) authorize the City Manager to sign all documents necessary to effectuate such actions.

Consent Agenda  
(cont'd)

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

With a roll call vote this motion passed.

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

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Grant of License to Encroach for Mainstreet East, LLC

Mayor Hopewell provided an opportunity for citizens to comment on a Grant of License to Encroach upon Public Alley between the City of Kalamazoo and Mainstreet East, L.L.C. to allow the proposed wine bar to encroach into the alley east of the Haymarket Building for two exits. The following citizens addressed the City Commission on this topic:

**78026**

Fritz Brown, non-resident and owner of the Haymarket Building, spoke in support of the proposed encroachment agreement.

Derek Wisner, non resident and owner of Memories Bridal and Eveningwear, spoke in opposition to the proposed encroachment. Mr. Wisner stated the encroachment was the first step of a two step process that would permanently close the alley, which would be negatively affect his business.

Commissioner Miller, seconded by Commissioner Moore, moved to hold until August 4, 2008 approval of a Grant of License to Encroach upon Public Alley between the City of Kalamazoo and Mainstreet East, L.L.C. to allow the proposed wine bar to encroach into the alley east of the Haymarket Building for two exits.

In response to a question from Commissioner McCann, City Manager Collard stated he would address the issue of the eventual closure or vacation of the alley prior to the August 4<sup>th</sup> City Commission meeting.

Mayor Hopewell stated it was incumbent on these neighboring businesses to work together and reconcile their differences.

Commissioner Moore stated the City Commission should not take actions that would be harmful either to the Wine Loft or to Memories Bridal and Eveningwear.

With a roll call vote this motion passed.

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

NAYS: None

Ordinance 1844  
re: Kalamazoo  
Transportation  
Center Rules

**78027**

Mayor Hopewell provided an opportunity for citizens to comment on an ordinance to amend Chapter 18B of the Code of Ordinance regarding the Kalamazoo Transportation Center. The following citizens spoke on this topic:

Linda Teeter, City resident and Chair of the Kalamazoo County Transportation Authority (KCTA), reported the KCTA had adopted a resolution supporting the proposed ordinance.

Michael Fuller, City resident and Board Member of the Kalamazoo Homeless Action Network (KHAN), spoke in opposition to the proposed ordinance.

Jonathan Braun, City resident and Board Member of KHAN, spoke in opposition to the proposed ordinance.

Ian Valenzuela, City resident, spoke regarding the definitions of terms in the proposed ordinance.

Max Conrad, City resident, spoke regarding the arrest of homeless people at the Kalamazoo Transportation Center (KTC).

Joshua Arnold, City resident and a member of KHAN, spoke regarding his mother's arrest at the KTC.

Ambrose C. Kennedy, City resident, stated the community needed to come together to solve its problems. Mr. Kennedy suggested the creation of a teen center at the Old Central High School.

Stacey Marek, City resident and Board President of KHAN, expressed opposition to the proposed ordinance.

Monica Westover, City resident, remarked on a recent incident when she missed the bus.

Mary Oudsema, non-resident and a representative of the Downtown Kalamazoo Incorporated (DKI) Safety Committee, spoke in support of the proposed ordinance.

Vicki Kettner, Community Relations Director for DKI, reported the DKI Board of Directors had officially endorsed the proposed ordinance.

John Reeve, Chair of the Downtown Citizens Advisory Council, expressed support for the proposed ordinance on behalf of the Council.

Julia Klemos, City resident, offered remarks on KHAN and safety risks at the KTC.

Gerald Meyers, owner of a business at 125 South Kalamazoo Mall, expressed support for the proposed ordinance on behalf of the Kalamazoo Downtown Retailers Association.

Ordinance 1844  
re: Kalamazoo  
Transportation  
Center Rules  
(cont'd)

**78027**

Michael Evans, City resident and staff member for KHAN, expressed opposition to the proposed ordinance.

Dean Houck, City resident and owner of West Michigan News Agency, expressed support for the proposed ordinance.

Holly Henderson, City resident and owner of a business on West Kalamazoo Avenue, expressed support for the proposed ordinance.

Mary Wassink, City resident, expressed support for the proposed ordinance.

Lori Anne Tennison, City resident, spoke regarding her arrest at the KTC.

Fred Lawrence, City resident, expressed opposition to the proposed ordinance.

Chan Pratt, City resident, questioned if alternatives for homeless people had been considered or addressed.

Beth Lewis, City resident, spoke regarding safety issues at the KTC.

Motion to Adopt

Commissioner McCann, seconded by Commissioner Miller, moved to adopt an **ORDINANCE** to amend Chapter 18B for the Kalamazoo Transportation Center as provided in the City of Kalamazoo's Code of Ordinances.

Prior to a vote on the motion, Commissioner Moore stated the City Commission needed to balance access and safety with protection of human rights. Commissioner Moore suggested that PSO's and bus drivers receive training on interactions with people who have substance abuse problems or mental illnesses. Commissioner Moore stated arrests and convictions would not solve the real problem, which was poverty.

With a roll call vote the motion passed.

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

NAYS: None

\*Commissioner McCann left at 8:49 p.m.

City Manager's  
Report

**78028**

City Manager Collard provided the following reports and updates:

- Director Skrobola presented a summary of the Annual Actuarial Valuation Report for the Employees' Retirement System.

\*Commissioner McCann returned to the meeting at 8:51 p.m.

City Clerk Borling administered the Constitutional Oath of Office to Public Safety Chief Jeffrey Hadley. Chief Hadley's offered remarks on his vision and priorities for the Kalamazoo Department of Public Safety. A copy of Chief Hadley's written remarks was filed with the papers for this meeting.

Citizen Comments

**78030**

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

Monica Westover, non-resident, spoke regarding former Public Safety Major Ken Colby, her new website, being intimidated at City Commission meetings, and errors in her criminal record.

Arlene Larson, City resident, presented a petition for the City to stop adding fluoride to the public water supply.

Gwen Neals, City resident, invited City Commissioners to the Ultimate Family Reunion on August 9<sup>th</sup>.

Irene Ryan, City resident, spoke about the abuse her son experienced while in jail.

Robert Lobretto, non-resident, spoke regarding the on-going investigation into a 2003 prostitution sting.

Beth Lewis, City resident, spoke regarding her student loans.

Creed Stegall, City resident, thanked the City Commissioners for their service to the City and encouraged citizens to vote on local issues in the upcoming elections.

City Commissioner Comments

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

Commissioner Moore expressed condolences to Ms. Ryan and offered remarks on the problem of substance abuse, the ultimate family reunion, the accessibility of MVR tapes, and the Kazoo Blues basketball team.

Adjournment

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on September 15, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: September 15, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, August 4, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

## COMMISSIONERS PRESENT:

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

## COMMISSIONERS ABSENT:

None

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

## Invocation

The invocation, given by Pastor Reverend Thomas E. Pace, Grace Fellowship 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 changes:

A citizen requested that Item F-3, Park Street rezoning, 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.

## 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:

**78031**

- approval of a contract with A-1 Refrigeration, for the replacement of two chillers at Arthur Washington Jr. Crosstown Justice Facility in the amount of \$115,324.

## Resolution 08-61

**78032**

- adoption of a **RESOLUTION** to: a) approve the transfer of the property that comprises Davis Creek Business Park to the City of Kalamazoo and City of Kalamazoo Brownfield Redevelopment Authority (BRA) as joint tenants; (b) establish the process to govern the future sale of parcels within DCBP; and (c) authorize the City Manager to sign all documents necessary to effectuate such actions.

**78033**

- approval of a Trailway Agreement with the County of Kalamazoo, which will allow the County of Kalamazoo to construct and maintain portions of the Kalamazoo River Valley Trailway across City owned property in Verburg Park, and 1203 and 2501 Riverview Drive.

Consent Agenda  
(cont'd)

**78034**

- authorization for the City Manager to sign a proposed Temporary Access Agreement granting Groundwater and Environmental Services, Inc., on behalf of ExxonMobil Oil Corporation, temporary access to perform environmental testing activities on the city's right-of-way.

**78035**

- approval of the elimination of one bus route: Route #18 – Howard, effective September 2, 2008.

**78036**

- approval of the minutes from the following City Commission meetings: the Committee of the Whole Meeting of July 3, 2008; the Neighborhood Meeting of July 21, 2008; and the Business Meetings of June 30 and July 7, 2008.

**78037**

- approval of a recommendation to hold until August 18, 2008 a RESOLUTION to vacate E. Harkins Court between N. Burdick Street and N. Edwards Street, with the following conditions: a) an easement shall be provided to the city for the underground utilities in the road segment to be vacated; and, b) continued adequate access shall be provided to emergency service agencies to the existing and future buildings on the court.

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, McCann, Miller, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

First Reading of an Ordinance to Rezone 705, 713, and 719 North Park Street

**78038**

Mayor Hopewell provided an opportunity for citizens to address the City Commission regarding an ORDINANCE to rezone 705, 713 and 719 N. Park Street from Zone CC (Commercial, Community District) and Zone RM-36 (Residential, Multi-Dwelling District) to Zone CO (Commercial, Office District).

Mattie Jordan-Woods, City resident and Executive Director of the Northside Association for Community Development (NACD), expressed support for the proposed ordinance and thanked City Planner Keith Hernandez for listening to the concerns of NACD.

Commissioner McCann, seconded by Commissioner Cooney, moved to offer for first reading an ORDINANCE to rezone 705, 713 and 719 N. Park Street from Zone CC (Commercial, Community District) and Zone RM-36 (Residential, Multi-Dwelling District) to Zone CO (Commercial, Office District), and schedule a public hearing for August 18, 2008.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Encroachment License for Mainstreet East, L.L.C.

**78039**

Next, the City Commission considered a Grant of License to Encroach upon Public Alley between the City of Kalamazoo and Mainstreet East, L.L.C.

In response to Commissioner McCann's questions from July 21<sup>st</sup>, City Manager Collard stated the recommendation at hand was for the City Commission to approve an agreement that would allow Mainstreet East, L.L.C. to encroach on the alley adjacent to the Haymarket Building. City Manager Collard explained that approval of the encroachment would lead to the closure of the alley to vehicular traffic, but not pedestrian traffic. City Manager stated the City did not intend to vacate the alley.

Mayor Hopewell provided an opportunity for citizens to address the City Commission regarding a Grant of License to Encroach upon Public Alley between the City of Kalamazoo and Mainstreet East, L.L.C. to allow the proposed wine bar to encroach into the alley east of the Haymarket Building for two exits. The following citizens addressed the City Commission on this topic:

Robert Henken, legal counsel for the owners and lessors of the building that adjoins the alley to the east, spoke in opposition to the proposed agreement and stated an encroachment would lead to complete closure of the alley to all traffic. Mr. Henken stated closure of alley would lead to considerable expense for Mr. Wisner to move the main entrance of his store from Michigan Avenue to Parking Lot 9.

Fritz Brown, owner of the Haymarket Building, stated he was only asking only for the ability to create of an emergency exit and a service entrance for the Wine Loft.

Derek Wisner, owner of Memories Bridal and Eveningwear, stated he was not opposed to the encroachment but to Mr. Brown's plans to build a deck on the alley. Mr. Wisner noted placement of a deck on the alley would allow Mr. Brown to create useable, rentable space. Mr. Wisner stated that closure of the alley would force him to install a main entrance directly onto Parking Lot 9 and to reorient the layout of his store towards that entrance.

Motion to Approve

Commissioner Moore, seconded by Commissioner Miller, moved to approve a Grant of License to Encroach upon Public Alley between the City of Kalamazoo and Mainstreet East, L.L.C. to allow the proposed wine bar to encroach into the alley east of the Haymarket Building for two exits, and authorize the City Manager to sign this encroachment agreement.

Encroachment for  
Mainstreet East,  
L.L.C. (cont'd)  
**78039**

Motion to Postpone

Prior to a vote, Commissioner Cooney suggested the property owners work out their differences before the City Commission approved the encroachment.

Commissioner Moore, seconded by Commissioner Cooney, moved that consideration of the Grant of License to Encroach upon Public Alley be postponed for two weeks until August 18<sup>th</sup>.

Prior to a vote on the motion to postpone, Vice Mayor McKinney questioned whether there was any benefit to postponing a vote on the encroachment. Vice Mayor McKinney stated the real issue was trust between two property owners.

Commissioner Moore stated postponing this item for two weeks would allow more time for trust to be built between the property owners.

Commissioner McCann stated he was comfortable with the main motion and with the work the City Attorney had done to bring the parties to an agreement.

Vote on the Motion  
to Postpone

With a roll call vote the motion to postponed failed by vote of 2-5.

AYES: Commissioners Cooney and Moore

NAYS: Commissioners Anderson, McCann, Miller, Vice Mayor McKinney, Mayor Hopewell

Mayor Hopewell encouraged parties work out their differences.

Vote to Approve the  
Encroachment

With a roll call vote the motion to adopt the agreement passed by vote of 6-1.

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

NAYS: Commissioner Cooney

Flood Hazard  
Mitigation Plan  
**78040**

City Planner Keith Hernandez delivered a presentation on the proposed Flood Hazard Mitigation Plan and Floodplain Management Ordinance. City Planner Hernandez noted the proposed ordinance would move flood mitigation provisions in the Code of Ordinances from the Zoning Code to Chapter 29, "Stormwater Management."

In response to a question from Commissioner Anderson, City Planner Hernandez stated the Flood Hazard Mitigation Plan and Flood Management Ordinance could affect the Riverfront Redevelopment Plan.

Commissioner McCann, seconded by Commissioner Moore, moved to adopt a Flood Hazard Mitigation Plan, in accordance with the requirements of the Federal Emergency Management Agency, the Michigan State Police, and the Federal Mitigation Assistance Program.

With a roll call vote this motion passed unanimously.

Floodplain  
Management  
Ordinance and  
Resolution

**78041**

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

NAYS: None

Commissioner Moore, seconded by Commissioner Anderson, moved to hold until August 18, 2008 adoption of: 1) an ORDINANCE amending Chapter 29, Stormwater System, by adding regulations for Floodplain Management; and, 2) a RESOLUTION to Manage Floodplain Development for purposes of the National Flood Insurance Program.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

**78042**

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

Doug Thompson and Douglas King of Residential Opportunities, Inc. (ROI) distributed invitations to a celebration of ROI's 30<sup>th</sup> anniversary. A copy of the invitation was filed with the papers for this meeting.

Monica Westover, non-resident, requested a meeting with the City Commission to clear her name of a stalking charge.

Chan Pratt, City resident, stated he was planning an organ donation drive on August 15<sup>th</sup> or 16<sup>th</sup> and requested assistance from the City. Correspondence submitted by Mr. Pratt was filed with the papers for this meeting.

Arthur L. Anderson, City resident, spoke regarding the lack of employment for black soldiers returning from Iraq and Afghanistan.

Frank Warren, spoke regarding people leaning "stuff" against the memorials in Bronson Park.

Scott Weber, City resident, distributed invitations to the City Commission for a community leader event on August 19<sup>th</sup> entitled, "Food: The Missing Link for Community and Economic Vitality."

Stefan Piller, City resident, requested that the City investigate the fire at his property in 2003. Correspondence submitted by Mr. Piller was filed with the papers for this meeting.

Clarence Gates, non-resident, spoke regarding racism in the City and demanded his water be turned on again after it was accidentally turned off.

Citizen Comments  
(cont'd)

**78042**

Ryan Muysenberg, City resident, asked if the City could help him locate a facility for Western Michigan University's Club Wrestling to use for practices. A written request from Mr. Muysenberg was filed with the papers for this meeting.

Gwen Neals, City resident, distributed invitations to the City Commission for the Ultimate Family Reunion on August 9<sup>th</sup>. A copy of the invitation was filed with the papers for this meeting.

City Commissioner  
Comments

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

Commissioner Moore thanked her fellow City Commissioners for their hard work.

Commissioner Anderson remarked on an article in the August 4<sup>th</sup> Wall Street Journal about economic development efforts in Kalamazoo.

Commissioner Cooney offered remarks on The Ultimate Family Reunion, an upcoming forum at Kalamazoo Valley Community College regarding the War in Iraq, and former City Commissioner David Juarez.

Commissioner McCann commended Kalamazoo Public Safety Officers for their hard work. Commissioner McCann urged citizens to vote on August 5<sup>th</sup> and to participate in the National Night Out events.

Vice Mayor McKinney urged motorists to share the road with cyclists in light of two serious bike accidents within the past week.

Mayor Hopewell offered remarks on the following topics: the Farmers Market at Woodward School on August 6<sup>th</sup>; the performance of his fourth wedding ceremony; a meeting on August 1<sup>st</sup> with American Greetings representatives regarding the Designware plant; recent visits to Freedom School and Milwood Elementary School; and the USTA Tennis Tournament. Mayor Hopewell urged motorists to share the road with cyclists.

Adjournment

The meeting adjourned at 8:09 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on September 2, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: September 2, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, August 15, 2008 at 7:30 a.m. in the Community Room at City Hall, 241 West South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Bobby Hopewell  
Sean McCann  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT Vice Mayor Hannah McKinney  
David Anderson  
Don Cooney

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

Commissioners Excused

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

Review of the August 18<sup>th</sup> Meeting Agendas

The City Commission reviewed the agenda for its Regular Neighborhood Meeting on Monday, August 18, 2008.

The City Commission reviewed and discussed the agenda for its Regular Business Meeting on Monday, August 18, 2008.

Item F-5

Regarding Item F-5, ex-offender purchasing and contracting policy, the Committee of the Whole moved this item to the Regular Agenda.

City Attorney Robinson requested that a City Attorney's Report be added to the agenda under Reports and Legislation. City Attorney Robinson stated his report would pertain to the potential resolution of a lawsuit.

Community Issues

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

BTR Park Report  
**78043**

Robert Miller, Associate Vice President for Community Outreach at Western Michigan University (WMU), delivered a presentation on the Business Technology and Research (BTR) Park. Mr. Miller reported only three parcels were available for development in the Park, and he stated a plan was being developed to relocate the existing soccer fields so that this land could be added to the BTR Park.

In response to questions from Commissioner Miller, Mr. Miller stated the land to the east of the College of Engineering facilities was reserved for expansion of those facilities. Mr. Miller indicated WMU would maintain the 600 foot buffer between the BTR Park and the Parkview Hills property.

In response to a question from Commissioner McCann, Mr. Miller stated the internal expansion of lab space at the Southwest Michigan Innovation Center was underway, with plans to add a third wing to this facility in the future.

In response to a question from Mayor Hopewell, Mr. Miller stated the pedestrian parkway within the BTR Park did not connect to any outside trail ways.

City Manager Collard noted the BTR Park had enhanced the College of Engineering, and he suggested WMU include the College in its economic impact analysis of the Park.

Citizen Comments

An opportunity was given for citizens to address the City Commission, but no comments were offered.

Adjournment

The meeting adjourned at 8:09 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on September 2, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: September 2, 2008

A Neighborhood Meeting of the Kalamazoo City Commission was held on Monday, August 18, 2008 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  
 Sean McCann  
 Barbara Miller  
 Stephanie Moore\*

COMMISSIONERS ABSENT: Don Cooney

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

Commissioner Excused

Commissioner Anderson, seconded by Vice Mayor McKinney, moved to excuse the absences of Commissioners Cooney and Moore. 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:

Downtown Development Area Citizens Advisory Council

**Jon Reeves**, Chair  
**Deb Palardi**, Vice Chair

Fairmont Neighborhood Association

**Melissa Linkfield**, Neighborhood Administrator  
**Joy Russcher**, President

Downtown Development Area Citizens Advisory Council

The Downtown Development Area Citizens Advisory Council representatives:

- expressed concern about the lack of adequate lighting in the downtown area.
- reported the Council had been holding many meetings regarding recycling services for downtown residents.
- indicated residents were discussing the downtown tax base and the level of service they received for their taxes.
- reported security was good in the South Mall area, but there were problems on the North Mall, especially north of Michigan Avenue.

Fairmont  
Neighborhood  
Association  
**78044**

In response to a question from Commissioner Anderson, Mr. Reeves explained the lights on the Kalamazoo Mall were improperly bulbed, and a plan was in place to change these fixtures. Mr. Reeves stated the new fixtures should result in brighter streets.

\*Commissioner Moore arrived at 6:04 p.m.

The Fairmont Neighborhood Association representatives:

- thanked the City Commission for continued operational funding.
- distributed pictures from National Night Out and reported over 200 residents attended this event.
- announced a stakeholder meeting would take place on August 19<sup>th</sup> regarding improvements to the Douglas Avenue Corridor/Gateway.
- reported the Youth Opportunities Unlimited (YOU) crew worked hard over the summer.
- stated former Public Safety Station #5 would make an excellent neighborhood center that would benefit the Fairmont, Northside, and Stuart Neighborhoods.
- reported six teens were scheduled to participate in the Neighborhood Ambassador Program beginning in September.
- commended Community Police Officer (CPO) Greg Magnan and noted crime statistics for the neighborhood remained low.

In response to a question from Commissioner Anderson, Ms. Russcher stated Western Michigan University mowed the grass at the Blakeslee property once during the Building Blocks program, but there had been no other efforts to improve or secure the property.

In response to a question from Commissioner Anderson, Ms. Linkfield indicated the Fox Ridge Apartments continued to be a hot spot for crime, but incidents of crime were very low in the rest of the neighborhood. Ms. Linkfield reported CPO Magnan was working with the managers of Fox Ridge Apartments to reduce crime there.

In response to a question from Commissioner Moore, Ms. Linkfield stated the neighborhood newsletter included tips from CPO Magnan on how residents to protect oneself from petty crimes.

Woods Lake  
Neighborhood

Mayor Hopewell noted representatives from the Woods Lake Neighborhood Association were not present.

Citizen Comments

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

Adjournment

The meeting adjourned at 6:16 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on September 2, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: September 2, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, August 18, 2008 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  
Sean McCann  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT: Don Cooney

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

## Commissioner Excused

Commissioner Moore, seconded by Commissioner McCann, moved to excuse the absence of Commissioner Cooney.

## Invocation

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

## Introduction of Guests

Mayor Hopewell recognized the presence of Molly Peterson, Vice Chair of the Kalamazoo Board of Education and Mark Behnke, Mayor of Battle Creek.

## Proclamations

**78045**

Commissioner Anderson, on behalf of Mayor Hopewell, read a proclamation entitled, *Residential Opportunities, Inc. 30<sup>th</sup> Anniversary Celebration August 18-24, 2008*. Mr. Kip Miller, President of Residential Opportunities, Inc (ROI), and Mr. Scott Schrum, Chief Executive Officer of ROI, were present to receive the proclamation.

## Adoption of the Agenda

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

Mayor Hopewell announced the City Commission would go into closed session at the end of the meeting to discuss pending litigation. Mayor Hopewell noted that the Commission would return to open session to take action following the closed session.

## Communications

Deputy City Manager Barnett-Moore invited the public to attend meetings of various boards and commissions.

## Public Hearing re: the Rezoning of 705, 713, and 719 N. Park St.

**78046**

At 7:11 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt an ORDINANCE to rezone 705, 713 and 719 N. Park Street from Zone CC (Commercial, Community District) and Zone RM-36 (Residential, Multi-Dwelling District) to Zone CO (Commercial, Office District).

Mattie Jordan-Woods, City resident and Executive Director of the Northside Association for Community Development (NACD), spoke in favor the proposed ordinance.

At 7:13 p.m. Mayor Hopewell closed the public hearing.

Ordinance 1845  
Rezoning 705,  
713, and 719 N.  
Park St. (cont'd)

**78046**

Commissioner Moore, seconded by Commissioner McCann, moved to adopt an **ORDINANCE** to rezone 705, 713 and 719 N. Park Street from Zone CC (Commercial, Community District) and Zone RM-36 (Residential, Multi-Dwelling District) to Zone CO (Commercial, Office District)

With a roll call vote this motion passed.

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

NAYS: None

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:

**78047**

- a recommendation to approve a contract with Maxwell and Associates, Inc. for the construction of Water Booster/Bleeder Pumping Station #35 in the amount of \$325,600.

Resolution 08-62

**78048**

- a recommendation to adopt a **RESOLUTION** to vacate E. Harkins Court between N. Burdick Street and N. Edwards Street, with the following conditions: a) an easement shall be provided to the city for the underground utilities in the road segment to be vacated; and, b) continued adequate access shall be provided to emergency service agencies to the existing and future buildings on the court.

Resolution 08-63

**78049**

- a recommendation to adopt a **RESOLUTION** to set a public hearing on September 2, 2008 to consider an application from Graphic Packaging International, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for six years with a six-year extension for both personal property valued at \$25,000,000 and real property valued at \$8,500,000 in existing Industrial Development District No. 10 located at 1421 North Pitcher Street.

Resolution 08-64

**78050**

- a recommendation to adopt a **RESOLUTION** to support the application by the City's Public Services Department for a Transportation Economic Development Fund grant from the Michigan Department of Transportation for North Pitcher Street Improvements.

Resolution 08-65

**78051**

- a recommendation to adopt an **"AUTHORIZATION RESOLUTION,"** which authorizes City Manager Kenneth Collard to sign any and all documents necessary to process the City's application to the Michigan Liquor Control Commission for a Class C liquor license for use at Eastern Hills Golf Course.

Resolution 08-66

**78052**

- a recommendation to: 1) adopt a **RESOLUTION** in support of the Neighborhood Enterprise Zone; and 2) and set a public hearing on the proposed zones for September 2, 2008.

Consent Agenda  
(cont'd)

**78053**

- a recommendation to accept the Southwest Commercial Auto Recovery grant award of \$51,642 for the purpose of funding an auto theft investigator for one year from the Automobile Theft Prevention Authority at the Michigan State Police.

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

With a roll call vote this motion passed.

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

NAYS: None

Ordinance 1846  
and Resolution  
08-67 re:  
Floodplain  
Management

**78054**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt: 1) an **ORDINANCE** amending Chapter 29, Stormwater System, by adding regulations for Floodplain Management; and, 2) a **RESOLUTION** to Manage Floodplain Development for purposes of the National Flood Insurance Program.

With a roll call vote this motion passed.

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

NAYS: None

Resolution 08-68  
re: Purchasing and  
Contract Policy

**78055**

Next, Mayor Hopewell provided an opportunity for citizens to comment on a purchasing and contract policy that would require certain bidders on contracts with the City to certify they did not exclude former criminal offenders from employment. The following citizens addressed the City Commission on this topic:

The following citizens spoke in favor of the proposed policy:

- Jerry Williams, City resident
- Marvin Potts, City resident
- Reverend Matthew Wright, City resident
- Preston Deloney, City resident
- Joe Thompson, City resident
- Mattie Jordan-Woods, City resident
- Beth Lewis, City resident
- Reverend Milton Wells, Community Coordinator for the Michigan Prisoner Re-entry Initiative
- Angela Anderson, City resident

Michael Kitchen, City resident, questioned the purpose of the resolution and expressed opposition to preferential treatment for former criminal offenders.

Arthur Anderson, City resident, used personal stories to illustrate that incarcerated citizens were not necessarily criminals, and true criminals did not always receive the punishment they deserved.

Resolution 08-68  
re: Purchasing and  
Contract Policy  
(cont'd)

**78055**

Commissioner Moore, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** establishing a Purchasing and Contract Policy requirement that certain bidders on contracts with the City certify that they do not exclude former criminal offenders from employment.

Prior to a vote on the motion, Commissioner Miller spoke in support of the proposed resolution.

Commissioner Moore expressed support for the proposed resolution and read a statement of support from Commissioner Cooney. A copy of Commissioner Cooney's statement was included with the papers for the meeting.

Vice Mayor McKinney spoke in favor of the proposed resolution, and she stated Kalamazoo needed to give people a second chance if it wanted to be considered a fair and just community.

Commissioner McCann spoke in support of the motion and expressed appreciation to citizens for their patience during the development of the policy.

City Attorney Robinson commended Battle Creek Mayor Mark Behnke for his initiative and leadership in the development of an ex-offender purchasing and contract policy in Battle Creek.

Mayor Hopewell explained that the proposed policy did not create a preference for ex-offenders but required vendors and contractors who did business with the City to not exclude former criminal offenders from employment automatically. Mayor Hopewell stated Kalamazoo needed to be smarter with regard to the issue of felon re-entry. Mayor Hopewell noted this policy was the result of intergovernmental cooperation, and he thanked Mayor Behnke for his leadership on this issue in Battle Creek.

With a roll call vote this motion passed.

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

NAYS: None

City Manager's  
Report

**78056**

Deputy City Manager Barnett-Moore provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated July 2008
- July 2008 Purchasing Report
- Legislative Update, dated July 31, 2008

Citizen Comments

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

Jerry Williams, City resident, congratulated the community for the absence of homicides in the City in 2008.

Citizen Comments  
(cont'd)

Rev. Matthew Wright, thanked the City Commission for adopting the purchasing and contracting policy prohibiting the exclusion of former criminal offenders.

Gwen Neals, City resident, thanked the City Commission for its support of the Ultimate Family Reunion.

Beth Lewis, City resident, thanked the City Commission for adopting the purchasing and contracting policy prohibiting the exclusion of former criminal offenders.

Mark Behnke, non-resident, congratulated the City Commission for adopting the purchasing and contracting policy, and he remarked on the need for cooperation between local governments.

City Commissioner  
Comments

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

Commissioner Miller encouraged citizens to buy commemorative bricks from the Parks and Recreation Department to support the construction of a dog park in the Fairmont Neighborhood.

Commissioner Anderson reported he had the opportunity to climb to the top of the State Hospital Water Tower on Oakland Drive.

Mayor Hopewell offered remarks on community events he had attended recently.

## Closed Session

**78057**

Commissioner McCann, seconded by Commissioner Anderson, moved that the City Commission go into closed session to discuss pending litigation.

With a roll call vote this motion passed.

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

NAYS: None

The City Commission went into closed session at 8:04 p.m.

The City Commission came out of closed session at 8:17 p.m.

Settlement of  
Terrance Moore  
Lawsuit**78057**

Commissioner Anderson, seconded by Vice Mayor McKinney, moved to authorize the City Attorney to execute all necessary documents to settle the lawsuit Terrance Moore v City of Kalamazoo for the amount of \$110,000.

With a roll call vote this motion passed by a vote of 4-1 with one abstention.

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

NAYS: Commissioner Miller

ABSTAIN: Commissioner Moore

Adjournment

The meeting adjourned at 8:19 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on September 2, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: September 2, 2008

A regular business meeting of the Kalamazoo City Commission was held on Tuesday, September 2, 2008 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  
Don Cooney  
Sean McCann  
Barbara Miller  
Stephanie Moore

COMMISSIONERS ABSENT:

David Anderson

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

Commissioner  
Excused

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

Invocation

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

Proclamation  
**78058**

Commissioner Miller, on behalf of Mayor Hopewell, read a proclamation commemorating the First United Methodist Church of Kalamazoo 175<sup>th</sup> Anniversary. Reverend Doug Vernon and Molly Williams, Church Council Chair, 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:  
Graphic Packaging  
IFT application

**78059**

At 7:10 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding to approve the application from Graphic Packaging International, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for six years with a six-year extension for both personal property valued at \$25,000,000 and real property valued at \$8,500,000 in existing Industrial Development District No. 10 located at 1421 North Pitcher Street..

Matthew Pauch, non-resident and board member of the Michigan Organizing Project (MOP), requested that the City require tax abatement recipients to earmark for disadvantaged citizens a percentage of any new, entry-level jobs created as a result of a tax abatement.

John Caston, Director of Operations for Graphic Packaging International, spoke in favor of the abatement and thanked the City Commission for its support.

At 7:16 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-69  
re: Graphic  
Packaging IFT  
Certificate

**78059**

Commissioner Miller, seconded by Commissioner McCann, moved to adopt a **RESOLUTION** approving the application from Graphic Packaging International, Inc. for a PA 198 Industrial Facilities Tax Exemption Certificate for six years with a six-year extension for both personal property valued at \$25,000,000 and real property valued at \$8,500,000 in existing Industrial Development District No. 10 located at 1421 North Pitcher Street.

Prior to a vote on the motion, Commissioner Moore congratulated City Manager Collard for the City Administration's successful economic development efforts and thanked MOP for raising important questions with regard to disadvantaged citizens. Commissioner Moore expressed support for the motion and noted that 90% of the contractors hired by Graphic Packaging were local contractors.

Commissioner Cooney expressed support for the motion and stated the jobs being created were the type of jobs Kalamazoo needed. Commissioner Cooney proposed that a committee of stakeholders (businesses, unions, community organizations) be formed to study ways the City could better use its economic power to help disadvantaged workers in the community.

With a roll call vote this motion passed.

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

NAYS: None

Public Hearing re:  
Neighborhood  
Enterprise Zone

**78060**

At 7:21 p.m. Mayor Hopewell opened a public hearing to receive comments on proposed Neighborhood Enterprise Zones (NEZ's) in the City of Kalamazoo.

Steve Walsh, City resident and Executive Director of the Vine Neighborhood Association, expressed support for NEZ's.

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

Offer ordinance for  
first reading re:  
Neighborhood  
Enterprise Zone

**78060**

Commissioner McCann, seconded by Commissioner Miller, moved to offer for first reading an ordinance to amend Chapter 17 of the Kalamazoo City Code of Ordinances, the Housing Code, to require that all houses that have an active Neighborhood Enterprise Zone certificate be inspected for code compliance before they are sold.

Commissioner McCann expressed support for NEZ's and noted this approach to neighborhood revitalization took a long view.

With a roll call vote this motion passed unanimously.

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

NAYS: None

## 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:

- 78061**

  - approval of 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 \$124,000.
- Resolution 08-70  
**78062**

  - adoption of a **RESOLUTION** to schedule a public hearing on September 15, 2008 to establish a PA 198 Industrial Development District to include all of the property owned by Impact Label Corporation and located at 3434 South Burdick Street.
- Resolution 08-71  
**78063**

  - adoption of a **RESOLUTION** to schedule a public hearing on September 15, 2008 to establish a PA 198 Development District to include all of the property owned by Eagle Business Acquisitions, Inc. (dba Watervliet Foundry Company and Eagle Capital Holdings, LLC) and located at 2042 Lane Boulevard.
- Resolution 08-72  
**78064**

  - adoption of a **RESOLUTION** to set a public hearing on September 15, 2008 to consider an application from HECO, Inc. for a PA 198 Industrial Facilities Tax exemption certificate for three + three years for personal property valued at \$200,617 and six + six years for real property valued at \$144,154 in existing Industrial Development District No. 80 located at 3509 South Burdick Street, with a first year abatement value of approximately \$1,882.
- Resolution 08-73,  
08-74, 08-75  
**78065**

  - adoption of: **RESOLUTIONS** #1 and #2 for the purpose of approving the 2007 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$13.308; and **RESOLUTION** #3 to schedule a public hearing for October 6, 2008.
- Resolution 08-76  
**78066**

  - adoption of a **RESOLUTION** declaring Edwards Street, between Michigan Avenue and South Street, to be closed and a special event area permitted for the sale and consumption of alcoholic beverages on Friday, September 12, 2008, beginning at 6:00 p.m. and ending on Sunday, September 14, 2008 at 12:00 noon; and Thursday, October 30, 2008, beginning at 6:00 p.m. and ending on Saturday, November 1, 2008 at 12:00 noon.
- 78067**

  - acceptance of a \$2,500 grant from the Daniel K. Thorne National Preservation Fund of the National Trust for Historic Preservation to assist in the costs of planning and testing for the updated condition assessment report of the Fountain of the Pioneers in Bronson Park, and to authorize the City Manager to sign all related documents.
- 78068**

  - approval of a request from Jeffrey DeNooyer to publicly display fireworks at the Kalamazoo Country Club on September 6, 2008 at 10:30 p.m. during a wedding reception.

Consent Agenda  
(cont'd)  
**78068**

- approval of the minutes from the following City Commission meetings: the Committee of the Whole Meeting of August 15, 2008; the Neighborhood Meeting of August 18, 2008; and the Business Meetings of August 4 and August 18, 2008.

Commissioner Moore, 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, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

City Clerk's Report  
**78069**

City Clerk Borling reported the following items:

- the receipt of a copy of AT&T Michigan's *Annual Video Report* to the Michigan Public Service Commission.
- the receipt of minutes from the following advisory boards and commissions:

Community Development Act Advisory Committee

- Thursday, July 10, 2008

Community Relations Board

- Thursday, April 10, 2008
- Thursday, May 08, 2008

Dangerous Buildings Board

- Thursday, June 05, 2008
- Thursday, July 03, 2008

Employee Retirement System Board of Trustees

- Wednesday, May 28, 2008

Environmental Concerns Committee

- Wednesday, July 16, 2008

Friends of Recreation Board

- Monday, May 19, 2008
- Monday, June 16, 2008
- Monday, July 21, 2008

Investment Committee of the Retirement System

- Wednesday, February 20, 2008

Kalamazoo Historic District Commission

- Tuesday, June 17, 2008
- Tuesday, July 15, 2008

Perpetual Care Investment Committee

- Wednesday, February 20, 2008

City Clerk's Report  
(cont'd)

**78070**

- Planning Commission
  - Tuesday, July 08, 2008
- Zoning Board of Appeals
  - Thursday, June 12, 2008
  - Thursday, August 14, 2008
- the approval of the following special events in the months of July and August:
  - a request from the Downtown Kalamazoo Marketing Committee to use the Kalamazoo Mall for the annual Summer Sidewalk Sales Thursday, July 10 through Saturday, July 12.
  - a request from The River to use Reed Park every Wednesday in August (August 6, 13, 20, and 27) 2008 from 5:00 pm. To 8:00 p.m. for a Vacation Bible School for neighborhood children.
  - a request to close of Edwards Street between Water Street and Kalamazoo Avenue in conjunction with the Ethnic Diversity Celebration being held at the Arcadia Festival Site August 15 – August 17, 2008.
  - a request from The River to use Reed Park on Sunday, August 24, 2008 from 9:00 a.m. to 2:00 p.m. for a church service and social gathering.
  - a request from 2008 National Gasoline Alley to use Bronson Park on Saturday, August 30, 2008 from 9:00 a.m. to 6:00 p.m. for a national gasoline rally to include speeches regarding our national energy policy.
  - a request from Islamic Relief to use Martin Luther King Jr. Park on Saturday, September 13, 2008 from 7:00 a.m. to 5:00 p.m. for a Humanitarian Day for the Homeless.
  - a request from the National Multiple Sclerosis Society, Michigan Chapter to use city streets on Saturday, September 13, 2008 from 9:00 a.m. to 12:00 noon for the "2008 Walk MS."
  - a request from The Children's Hospital at Bronson to use city streets on Sunday, October 5, 2008 from 1:00 to 3:00 p.m. in support of Together for Kids aimed at coping with the dramatic increase in health needs of children.
  - a request from The American Cancer Society to use city streets on Saturday, October 11, 2008 from 8:00 a.m. to 12:00 p.m. for the Making Strides Against Breast Cancer Event.

Citizen Comments  
**78071**

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

Julie Phillips, City resident, discussed her candidacy for District Court Judge. A pamphlet distributed by Ms. Phillips was filed with the papers for this meeting.

Christopher Wright, City resident, requested that the City perform its due diligence with regard to the closure of Edwards Street for alcohol-related events in September and October.

City Commissioner  
Comments

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

Commissioner Moore offered remarks on the following items: the first day of school at King Westwood Elementary School; victories by the Kalamazoo Central and Loy Norrix High School football teams; the Roscoe Turner Award for volunteers at Ministry with Community; John Buchanan, the new girls basketball coach at Kalamazoo Central; and the importance of voting for judicial offices on November 4<sup>th</sup>.

Commissioner Miller noted former City Commissioner Margaret Machin had passed away.

Commissioner Cooney thanked community organizations and individual citizens who worked hard to organize and run programs for young people over the summer.

Mayor Hopewell indicated the flag at City Hall would be flown at half staff in honor of former Commissioner Machin and that other services would be offered to the family, according to protocol.

Adjournment

The meeting adjourned at 7:38 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on September 15, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: September 15, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, September 12, 2008 at 7:30 a.m. in the Community Room at City Hall, 241 West 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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioners Excused

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

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

Review of the September 15<sup>th</sup> Meeting Agendas

The City Commission reviewed the agenda for its Regular Neighborhood Meeting on Monday, September 15, 2008.

The City Commission reviewed and discussed the agenda for its Regular Business Meeting on Monday, September 15, 2008.

\*\*Commissioner Cooney arrived at 7:34 a.m.

Item F-8

Regarding Item F-8, Gang Resistance Education and Training Grant, City Manager Collard announced this item would be removed from the agenda due to continuing discussions with stakeholders.

Item F-6

Regarding Item F-6, the City's Vendor Outreach and Inclusion Policy, Purchasing Director Nick Lam reviewed the proposed new policy and stated the Purchasing Department would take the following steps to continue supporting minority-owned businesses: maintenance of a minority-owned businesses directory; attendance at vendor fairs featuring minority-owned businesses; continued reporting on the City's use of these businesses for supplies and services; and the provision of technical support to minority-owned businesses regarding the City's bid process.

In response to a question from Commissioner Moore, Director Lam described the technical support that would be available for owners of minority- and women-owned businesses.

At the request of Commissioner Miller, the Committee of the Whole moved this item from the Consent Agenda to the Regular Agenda to allow the community to hear a staff presentation.

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 citizens to address the City Commission, but no comments were offered.

Adjournment

The meeting adjourned at 7:45 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

A Neighborhood Meeting of the Kalamazoo City Commission was held on Monday, September 15, 2008 at 6:00 p.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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Miller, seconded by Commissioner Moore moved to excuse the absences of Vice Mayor McKinney and Commissioner Cooney. 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:

Arcadia Neighborhood Association  
**Rex Brueggemann**, Board President

Community Youth  
**Leslie Neuman**, City of Kalamazoo Youth Programs Assistant  
**Deron Adler**, Youth Representative

Milwood Neighborhood Watch  
**Ken Horton**, President  
**John Hilliard**, Board Member

Arcadia Neighborhood Association

The Arcadia Neighborhood Association representative:

- expressed concern about the level of enforcement of the Zoning Code restrictions on the number of unrelated people who can live at the same residence. Mr. Bruggemann suggested the City be more innovative and persistent in the enforcement of this ordinance provision. Mr. Bruggemann submitted that the presence of "student housing" created a competitive disadvantage for the Arcadia Neighborhood relative to new housing developments. Mr. Bruggemann clarified that his comments were not a criticism of City employees.

In response to a question from Commissioner McCann, Mr. Bruggemann stated the West Side Plan needed to be effectuated with regard to open space, and he noted there were multiple ways to create open space.

Community Youth

The Community Youth representative:

- spoke regarding his participation in the Future Chef's program and noted the program had helped him identify his career choice and had opened the door for him to work at Food Dance Café.

\*Commissioner Cooney arrived at 6:15 p.m.

Milwood  
Neighborhood  
Watch

The Milwood Neighborhood Watch representatives:

- thanked the City for repaving portions of Cork Steet and Lakeway Avenue.
- requested that the City repave Portage Street south of Lakeway Avenue.
- suggested gateway improvements at intersections of Cork Street and Sprinkle Road, and I-94 and Portage Street.
- thanked Community Police Officer (CPO) Chad VanderKlok and the Public Safety Officers (PSO's) in Zone 2 for their patrols and work with neighborhood residents.
- stated the Milwood Neighborhood needed strict ordinance enforcement.
- noted the Portage Street/Kilgore Road intersection was an important gateway into the City.
- expressed concern about the quality of water in the neighborhood and reported residents were complaining their tap water had a rank odor.
- distributed and reviewed statistics on Part 1 crimes. Mr. Horton noted the Neighborhood's current crime rates were the lowest since 2003.
- reported the Neighborhood's National Night Out event drew 300 people.
- encouraged City Commissioners to attend monthly neighborhood meetings.

**78072**

Citizen Comments

Next, when given an opportunity to offer comments, the following citizens addressed the City Commission:

Irvine Johnston, City resident, thanked the Kalamazoo Department of Public Safety (KDPS) for running a baseball camp at Mayors' Riverfront Park during the summer. Mr. Johnston presented the New Genesis Program Impact Award to the Parks and Recreation Department for the City's efforts to improve baseball and softball fields in the Northside Neighborhood.

Citizen Comments  
(cont'd)

Paul Kriner, City resident, requested more police patrols in the Vine Neighborhood, as a crack dealer was terrorizing the neighborhood. Mr. Kriner stated KDPS was responsive, but there were not enough officers on the street.

The meeting adjourned at 6:40 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, September 15, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

## COMMISSIONERS PRESENT:

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

## COMMISSIONERS ABSENT:

None

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

## Invocation

The invocation, given by Reverend Denise Posie, Immanuel Christian Reformed Church, was followed by the Pledge of Allegiance.

## Proclamations

**78073**

Commissioner Cooney, on behalf of Mayor Hopewell proclaimed September 15 – October 15, 2008 “Hispanic Heritage Month.” Mr. Ramone Berlanga, Executive Director of the Hispanic American Council, was present to receive the proclamation.

**78074**

Commissioner Anderson, on behalf of Mayor Hopewell, read a “Statement of Support for the Guard and Reserve.” Mr. Gary Aten, Executive Director of the Michigan Committee for Employer Support of the Guard and Reserve, 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:  
an Industrial  
Development  
District for Impact  
Label Corporation

**78075**

At 7:10 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to establish PA 198 Industrial Development District No. 124 to include all the property owned by Impact Label Corporation located at 3434 South Burdick Street.

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

Resolution 08-77  
Establishing IDD  
No. 124 for Impact  
Label Corporation

**78075**

Commissioner Moore, seconded by Commissioner Anderson, moved to a adopt a **RESOLUTION** to establish PA 198 Industrial Development District No. 124 to include all the property owned by Impact Label Corporation located at 3434 South Burdick Street.

With a roll call vote this motion passed unanimously.

Public Hearing re:  
an Industrial  
Development  
District (IDD) for  
Watervliet Foundry  
**78076**

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

NAYS: None

At 7:12 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt a RESOLUTION to establish PA 198 Industrial Development District No. 125 to include all of the property owned by Eagle Business Acquisitions, Inc. (dba Watervliet Foundry Company and Eagle Capital Holdings, LLC) located at 2042 Lane Boulevard.

At 7:13 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-78  
Establishing IDD  
No. 125 for  
Watervliet Foundry  
**78076**

Commissioner McCann, seconded by Commissioner Miller, moved a recommendation to adopt a **RESOLUTION** to establish PA 198 Industrial Development District No. 125 to include all of the property owned by Eagle Business Acquisitions, Inc. (dba Watervliet Foundry Company and Eagle Capital Holdings, LLC) located at 2042 Lane Boulevard.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Public Hearing re:  
IFT Certificate for  
HECO, Inc.  
**78077**

At 7:13 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to approve the application from HECO, Inc. – Industrial Service Groups for a PA 198 Industrial Facilities Tax exemption certificate for three + three years for personal property valued at \$200,617 and six + six years for real property valued at \$144,154 in existing Industrial Development District No. 80 located at 3509 South Burdick Street

Mark Hatfield, non-resident and owner of HECO, Inc., spoke in favor of the tax abatement.

At 7:15 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-79  
Approving a Tax  
Abatement for  
HECO, Inc.  
**78077**

Commissioner Moore, seconded by Commissioner Miller, moved to a adopt a **RESOLUTION** approving the application and agreement from HECO, Inc. – Industrial Service Groups for a PA 198 Industrial Facilities Tax exemption certificate for three + three years for personal property valued at \$200,617 and six + six years for real property valued at \$144,154 in existing Industrial Development District No. 80 located at 3509 South Burdick Street.

Prior to a vote on the motion, Commissioner Moore commended the City Administration for its economic development successes.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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:

- 78078** - approval of a contract with North American Salt Company for the purchase of 8,000 tons of rock salt for a total expenditure of \$372,940.
- 78079** - approval of a contract with Severance Electric Company Inc., for the upgrade of traffic signals at two intersections on Miller Road in the amount of \$186,520.40.
- 78080** - approval of a one-year contract with JCI Jones Chemical Incorporated for the purchase of sodium hypochlorite in the amount of \$182,520.
- Resolution 08-80  
**78081** - adoption of a **RESOLUTION** to correct the legal description regarding PA 198 Industrial Development District No. 10 located at 1421 North Pitcher Street.
- Resolution 08-81  
**78082** - adoption of a **RESOLUTION** approving the issuance, sale, and delivery of bonds by the Hospital Finance Authority in the aggregate principal amount not to exceed \$90,000,000.
- 78083** - first reading of an ORDINANCE that revises Section 15A-20.1 to create a new schedule for garbage and trash pickup within City neighborhoods.
- 78084** - acceptance of a JAG award of \$22,737 from the U.S. Justice Department and authorize the City Manager to sign the grant award and special conditions document.
- 78085** - authorization for Public Safety to continue a partnership with Kalamazoo Regional Education Service Agency for the Education for Employment Law Enforcement Program for the 2008-09 school year and authorization for the City Manager to sign the Agreement to Operate the KRESA EFE Law Enforcement Program.
- 78086** - approval of the renewal agreement with Life EMS Ambulance as the City's designated 9-1-1 Emergency Medical Services Responder.
- 78087** - approval of the minutes from the following City Commission meetings: the Regular Business Meetings on July 21 and September 2, 2008

Consent Agenda  
(cont'd)

**78088**

- a recommendation hold until September 29, 2008 to approve a quit claim deed conveying the City's interest in 1004 Clarence St., to Michael and Roxann Tustin, whose address is 9812 W. Gull Lake Dr., Richland, MI, in consideration of \$3,293.73 in payment of 1999 through 2004 foreclosed taxes.

Commissioner McCann, seconded by Commissioner Cooney, 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

Resolution 08-82  
Establishing a  
Vendor Outreach  
and Inclusion  
Policy

**78089**

Purchasing Director Nick Lam delivered a presentation on the proposed Vendor Outreach and Inclusion Policy. Director Lam explained the proposed policy would replace the Minority/Women Business Enterprise (MBE/WBE) Goal Policy because portions of the existing policy did not pass legal muster in light of changes to the State Constitution approved by voters in 2006.

In response to a question from Commissioner Moore, Director Lam described the technical assistance the Purchasing Department would offer to potential contractors.

Commissioner Cooney stated the status of women and minorities in American society was far from equal, and he urged the City to do its part to end discrimination and inequality.

Erma Gordon, Executive Director of the Minority Business Alliance of Southwest Michigan, described and suggested a proposal that would allow minority businesses to bid on portions of City contracts. Information submitted by Ms. Gordon regarding this proposal was filed with the papers for this meeting.

Vanessia Norris, City resident, small business owner, and founder of Sistas on the Move, spoke regarding the challenges of being a minority business owner. Ms. Norris distributed *Sistas on the Move Directories* as well as a pamphlet describing her business, On Site Body Care.

Katherine Kemp, City resident and owner of Smoothie King, expressed support for the Vendor Outreach and Inclusion Policy and noted minority business owners owned franchises, not just "mom and pop shops."

Kharen Warfield-Shelton, City resident and owner of the Young Chef's Academy, challenged the City Commission to find new ways to help level the playing field for minority business owners.

June Cotton, Chair of the Labor and Industry Committee of the Kalamazoo Metropolitan Branch of the NAACP, spoke in favor of the resolution.

Resolution 08-82  
Establishing a  
Vendor Outreach  
and Inclusion  
Policy (cont'd)

**78089**

Commissioner Moore, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** communicating the City's Vendor Outreach and Inclusion Policy to replace the former Minority/Women Business Enterprise (MBE/WBE) Goal Policy.

Prior to a vote on the motion, Commissioner Cooney urged the City Commission and City Administration to bring together minority business owners and community organizations to brainstorm ways to improve opportunities for minority owned businesses.

Commissioner Moore expressed support for minority owned businesses and volunteered to be a part of the discussion Commissioner Cooney recommended.

Mayor Hopewell stated Proposal 2 was troubling for many communities. Mayor Hopewell stated the City of Kalamazoo had values and beliefs regarding inclusion, and he asked City staff to create opportunities for the City to live its values. Mayor Hopewell requested a review of this policy in six months.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Ordinance 1847  
Amending the  
Housing Code to  
Require Point-of-  
Sale Inspections  
for Neighborhood  
Enterprise Zone  
(NEZ) Properties

**78090**

Commissioner McCann, seconded by Commissioner Anderson, moved to adopt an **ORDINANCE** to amend Chapter 17 of the Kalamazoo City Code of Ordinances, the Housing Code, to require that all houses that have an active Neighborhood Enterprise Zone Certificate be inspected for code compliance before they are sold.

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

**78091**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated August, 2008
- August, 2008 Purchasing Report
- Employees' Retirement Fund Report for period ending June 30, 2008

City Manager reported on street closures due to recent flooding. City Manager Collard expressed concern about electrical equipment at the Crosstown Justice Center and Bronson Methodist Hospital, as well as the large volume of water flowing through the Water Reclamation Plant. City Manager Collard stated water levels should begin receding by the end of the week.

Report on the  
2008 Community  
Survey  
**78092**

City Manager Collard introduced Mr. Gary Goscenski Director of Perspective Consulting Group, who reported on the 2008 Community Survey. A copy of the complete survey results and Mr. Goscenski's PowerPoint presentation were included with the papers for the meeting.

Following the presentation, and in response to a question from Commissioner Cooney, Mr. Goscenski indicated the City was performing a separate evaluation of its recreation programs.

In response to a question from Commissioner Moore, Mr. Goscenski stated phone numbers were randomly generated, and cell phones numbers were not included. Mr. Goscenski recommended that future surveys include samples using cell phone numbers.

Commissioner Moore stated she was glad the results of the survey were improved from the results from a survey conducted by the Christian Coalition for Equality and Justice a few years prior. Commissioner Moore commended the Public Safety Department and City Manager Collard for changing the public perception of the Department.

City Attorney's  
Report

City Attorney Robinson recommended a new process for handling Freedom of Information Act (FOIA) appeals and briefed the City Commission on details of an appeal submitted by Mr. Tyrone Gladney.

Gladney FOIA  
Appeal Denied

**78093**

An opportunity was given for citizen comments on a recommendation to authorize the Mayor to sign a letter denying the FOIA appeal of Tyrone Gladney, but no comments were offered.

Commissioner Miller, seconded by Commissioner Anderson, moved to authorize the Mayor to sign a letter denying the FOIA appeal of Tyrone Gladney.

Prior to a vote on the motion, Commissioner Moore questioned the efforts of City staff to preserve the information Mr. Gladney had requested.

Commissioner Cooney stated he could not support the motion as he did not have enough information to make a decision.

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

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

NAYS: Commissioners Cooney and Moore

Dixson FOIA Appeal

**78094**

City Attorney Clyde Robinson briefed the City Commission on details of the FOIA appeal submitted by Mr. Sam Dixson.

When given an opportunity to comment on a recommendation to authorize the Mayor to sign a letter denying the FOIA appeal of Sam Dixson, the following citizens addressed the City Commission:

Sam Dixson, City resident, spoke regarding his FOIA request for medical records and explained he was on trial facing a life

Motion to Deny the Appeal

**78094**

sentence. Mr. Dixison stated he was preparing his own defense requested the records be released.

Commissioner Miller, seconded by Commissioner Anderson, moved to authorize the Mayor to sign a letter denying the FOIA appeal of Mr. Sam Dixison.

Prior to a vote on the motion, City Commissioners questioned City Attorney Robinson about the FOIA and the City's appeal process.

City Attorney Robinson explained the appeal process under FOIA and the exemptions under FOIA relative to Mr. Dixison's request. City Attorney Robinson explained the exemptions under FOIA were not mandatory but should be applied consistently.

Commissioner Moore recommended that the City Commission grant Mr. Dixison's request so he could defend himself well in court.

Commissioner Cooney stated he needed more information from the City Attorney and more time to think about the decision.

City Attorney Robinson stated the City Commission could postpone action on this item if Mr. Dixison was willing to waive his right to receive a response to his appeal within 10 calendar days.

In response to a question from Mayor Hopewell, Mr. Dixison indicated his trial was at the end of October, and he was willing to waive his right to a response from the City Commission within 10 calendar days as specified in the FOIA.

Consideration of Dixison FOIA Appeal Postponed

**78094**

Commissioner Moore, seconded by Commissioner Cooney, moved to postpone consideration of the FOIA appeal from Mr. Sam Dixison until the Regular City Commission meeting on Monday, September 29, 2008.

With a roll call vote the motion to postpone passed by a vote of 6-1.

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

NAYS: Commissioner Miller

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's Freedom of Information process and her FOIA requests.

Michael Evans, City resident, spoke regarding homeless individuals who had been unlawfully arrested by Kalamazoo Public Safety Officers. Mr. Evans stated the charges against these individuals had been dropped, and the Kalamazoo Homeless Action Network (KHAN) was considering action against the City in federal court.

Citizen Comments  
(cont'd)

Joanie, City resident, spoke regarding her arrest at the Kalamazoo Transportation Center and stated the charges against her were dismissed by the Assistant Prosecuting Attorney.

Jonathan Braun, City resident, spoke regarding his citation for being in a City Park after hours.

Michael Fuller, City resident and board member of KHAN, spoke regarding his arrest with Lori Anne Tennison at the Kalamazoo Transportation Center.

Lori Anne Tennison, City resident, spoke regarding her arrest with Michael Fuller at the Kalamazoo Transportation Center.

Beth Lewis, City resident, spoke regarding Limited Liability Corporations (LLC's), prostitution in the City of Kalamazoo, and an accident at the corner of Park and Walnut Streets.

City Commissioner  
Comments

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

Commissioner Moore expressed confidence in the City Attorney regarding FOIA requests. Commissioner Moore stated she would be on the radio show "Talk it Up with Buddy Hannah" on Saturday, September 20<sup>th</sup>.

Commissioner Anderson commended Public Safety Chief Jeff Hadley for organizing a multi-jurisdictional training class for police officers to learn techniques for dealing with citizens who have mental illnesses or developmental disabilities.

Commissioner Cooney highlighted the book *Whatever It Takes* regarding Paul Tough's work with children in Harlem.

Commissioner McCann spoke regarding the City's efforts to improve race relations with the Public Safety Department, and he requested an update on the progress of the Public Safety Enhancement Work Plan. Commissioner McCann provided an update on the work of the Ethics Policy Development Subcommittee and requested that Commissioners provide feedback on the general direction of the Subcommittee prior to the next regular City Commission meeting. Commissioner McCann invited citizens to Irish Fest on September 19-21.

Mayor Hopewell thanked the Ethics Policy Development Subcommittee for its work. Mayor Hopewell encouraged Commissioners and citizens to support Chief Hadley as he participated in fire training.

Closed Session to  
Discuss Labor  
Negotiations

Commissioner Miller, seconded by Commissioner Anderson, moved that the City Commission go into closed session to discuss labor negotiations.

Prior to a vote on the motion Mayor Hopewell announced the City Commission would not be taking action following the closed session.

78095

Closed Session to  
Discuss Labor  
Negotiations  
(cont'd)

With a roll call vote this motion passed unanimously.

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

NAYS: None

The City Commission went into closed session at 9:26 p.m.

Adjournment

The meeting adjourned at 9:26 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, September 29, 2008 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  
Stephanie Moore

COMMISSIONERS ABSENT: Barbara Miller

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

Commissioners  
Excused

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

## Invocation

The invocation, given by Reverend John McNaughton, OSL, was followed by the Pledge of Allegiance.

Introduction of  
Guests

Mayor Hopewell recognized the presence of numerous Public Safety Officers.

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.

## 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 08-83  
**78096**

- adoption of a **RESOLUTION** creating two Neighborhood Enterprise Zones, one in the Vine Neighborhood and one in the Edison Neighborhood.

**78097**

- approval of a quit claim deed conveying the City's interest in 1004 Clarence St., to Michael and Roxann Tustin, whose address is 9812 W. Gull Lake Dr., Richland, MI, in consideration of \$3,293.73 in payment of 1999 through 2004 foreclosed taxes.

**78098**

- approval of the following appointments and re-appointments to advisory boards and commissions:
  - the appointment of Steve Chervenak to the Community Development Act Advisory Committee for a term expiring on March 31, 2011.

Consent Agenda  
(cont'd)

- the re-appointment of Mildred Smith to the Community Development Act Advisory Committee as the Northside Association for Community Development member for a term expiring on March 31, 2011.
- the appointment of Erma Gordan to the Downtown Development Authority Board of Directors for a term expiring on March 1, 2011.
- the appointment of Douglas Phillips to the Economic Development Corporation and Brownfield Redevelopment Authority Boards of Directors for a term expiring on March 31, 2014.
- the appointment of Jill Bland to the Local Development Finance Authority for a term expiring on March 31, 2010.
- the re-appointment of Laura Kayser to the Local Development Finance Authority for a term expiring on March 31, 2010.
- the re-appointment of Robert Miller to the Local Development Finance Authority for a term expiring on March 31, 2010.
- the re-appointment of James Marquardt to the Local Development Finance Authority for a term expiring on March 31, 2010.
- the re-appointment of Jerri Barnett-Moore to the Local Development Finance Authority for a term expiring on March 31, 2011.
- the re-appointment of Kenneth Harnden, II to the Local Development Finance Authority for a term expiring on March 31, 2012.
- the re-appointment of Alexander Lee to the Local Development Finance Authority for a term expiring on March 31, 2012.
- the appointment of Doris Jackson as Alternate #2 to the Zoning Board of Appeals for a partial term expiring on March 31, 2011.

**78099**

- approval of a recommendation to hold until October 6, 2008 the sale of a city-owned home located at 410 Norway Avenue for \$46,500 to Mr. Percy Shears.

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

With a roll call vote this motion passed unanimously.

Ordinance 1848  
re: Garbage and  
Trash Pickup

**78100**

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

NAYS: None

Commissioner Moore, seconded by Commissioner McCann, moved to adopt an **ORDINANCE** that revises Section 15A-20.1 to create a new schedule for garbage and trash pickup within City neighborhoods. With a roll call vote this motion passed unanimously.

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

NAYS: None

City Clerk's Report

City Clerk Borling encouraged citizens to verify their registration status prior to the voter registration deadline on Monday, October 6<sup>th</sup>.

City Attorney's  
Report

**78101**

City Attorney Clyde Robinson reported the Dixison FOIA Appeal had been withdrawn because the County Prosecutor had expressed no objection to the release of DNA test results Mr. Dixison requested. City Attorney Robinson stated the City did not have the results, but when the Department of Public Safety received the results from the crime lab in Lansing, Mr. Dixison would be given a copy. City Attorney Robinson also reported the City had been able to identify which video tapes Mr. Dixison wanted, and those tapes were the process of being reproduced.

In response to questions from Commissioner Moore, City Attorney Robinson stated Mr. Dixison would need to pay the applicable fees for the information he was receiving, but the City would waive the first \$20 due to his indigent status as determined by the courts. City Attorney Robinson stated he did not know if the information could have been obtained by Mr. Dixison's attorney at no cost during the discovery process.

Mayor Hopewell stated he had discussed the FOIA appeal process with City Attorney Robinson and had asked the City Attorney to meet with the FOIA Subcommittee regarding the handling of future FOIA appeals.

Presentation on  
the Public Safety  
Work Plan

**78102**

Public Safety Chief Jeff Hadley delivered a presentation entitled, *Department of Public Safety Work Plan Update*. A copy of Chief Hadley's PowerPoint presentation was included with the papers for this meeting.

Commissioners Moore and Cooney commended Chief Hadley for his leadership and interaction with the community.

Commissioner McCann reviewed details of the Public Safety Work Plan Scorecard that was presented to the City Commission in October, 2007 in an attempt to reconcile the Scorecard with Chief Hadley's Action Plan. Commissioner McCann indicated he wanted accountability, and he questioned whether specific objectives on the Scorecard had been accomplished.

Presentation on  
the Public Safety  
Work Plan (cont'd)

**78102**

Chief Hadley stated he was not able to report on activities that occurred prior to his tenure, and he stated the beginning of his tenure represented a new day for the Public Safety Department.

City Manager Collard indicated the City Administration would report on specific items in the Scorecard if the City Commission requested such a report.

Vice Mayor McKinney expressed appreciation for Chief Hadley's youth initiatives, including the Public Safety Department's involvement with the Education For Employment (EFE) program. Vice Mayor McKinney commended Chief Hadley for the creative and non-traditional way Public Safety Officers handled a problem with youth loitering on North Church Street over the summer.

Commissioner Anderson expressed appreciation for Chief Hadley's action plan and the speed with which it was developed.

Mayor Hopewell commended Chief Hadley for the positive changes he had implemented. Mayor Hopewell recommended that a report and update on the Public Safety Workplan Scorecard be presented to the City Commission at its second meeting in October.

In response to questions from Mayor Hopewell, Chief Hadley explained COMSTAT was a computer system that mapped crime statistics citywide on a real-time basis so that Public Safety command officers could direct and apply resources in the appropriate places. Chief Hadley also indicated EMS training would be included in the overall enhanced training plan for officers.

Mayor Hopewell commended the Public Safety Department for its high number of cardiac arrest "saves," suggested an increase the number of opportunities for CPR training in the community, and noted the success of the Public Safety Explorer Program.

Chief Hadley announced he would be requesting two new positions as part of the Public Safety Department's FY2009 Proposed Budget.

Citizen Comments

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

Sam Dixson, City resident, spoke regarding his FOIA appeal and questioned why he needed to appeal his FOIA denial when the City did not have the information he had requested.

City Commissioner  
Comments

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

Commissioner Moore offered comments regarding Chief Hadley, the Substance Abuse Task Force, the garbage pick-up ordinance, and the need for motorists to be aware of children going to and from school in the dark.

City Commissioner  
Comments (cont'd)

Commissioner Anderson offered remarks on the Interfaith Homes Computer Center Open House and the County Transportation Authority millage request.

Commissioner Cooney encouraged citizens to watch the upcoming Presidential, Vice Presidential, and Congressional debates.

Commissioner McCann noted the Ethics Policy Development Subcommittee would meet on Friday, and he requested that Commissioners submit comments on the general direction of the Subcommittee to City Attorney Robinson by Thursday.

Adjournment

The meeting adjourned at 8:26 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, October 3, 2008 at 7:30 a.m. in the Community Room at City Hall, 241 West 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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioners Excused

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

\*Vice Mayor McKinney arrived at 7:31 a.m.

Review of the October 6<sup>th</sup> Meeting Agendas

The City Commission reviewed and discussed the agenda for its Regular Business Meeting on Monday, October 6, 2008.

\*\*Commissioner Cooney arrived at 7:33 a.m.

\*\*\*Commissioner Moore arrived at 7:34 a.m.

Item F-4

Regarding Item F-4, FY2008 Budget Amendments and Gap Analysis Funding, City Manager Collard reviewed the specific requests from City departments.

Discussion followed regarding the FY2009 Budget, the proposed position allocations in the Public Safety Department, the funding request for the City Clerk's Office – Election Division, and the distribution of costs for the transition of the Transportation Department from a City-owned to a County-owned entity.

Item J-1

Regarding Item J-1, Sewer Backup Policy, City Manager Collard requested that this item be removed from the agenda.

Community Issues

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

Commissioner Miller commended staff for their response to a recent excessive noise incident on Short Road.

Citizen Comments

Finally, an opportunity was given for citizens to address the City Commission, but no comments were offered.

Adjournment

The meeting adjourned at 8:28 a.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, October 6, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

## Roll Call

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

COMMISSIONERS ABSENT: Vice Mayor Hannah McKinney

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

## Invocation

The invocation, given by Pastor Randy Burnett, 12<sup>th</sup> Street Baptist Church, was followed by the Pledge of Allegiance.

Introduction of  
Guests

Mayor Hopewell recognized the presence of Ms. Linda Teeter, Chair of the Kalamazoo County Transportation Authority. Ms. Teeter spoke regarding the Kalamazoo County Transit Authority millage proposal on the November 4<sup>th</sup> election ballot.

Proclamations  
**78103**

Commissioner Moore, on behalf of Mayor Hopewell, read a proclamation honoring Adrian E. "Ed" Edwards. Thomas Skrobola, Management Services Director, received 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:  
the 2007 Mall  
Maintenance  
Assessment Roll  
**78104**

At 7:18 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt RESOLUTION #4 for the purpose of approving the 2007 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$13.308.

At 7:19 p.m. Mayor Hopewell closed the public hearing.

Resolution 08-84  
Confirming the  
2007 Mall  
Maintenance  
Assessment Roll  
(Roll # 37)

Commissioner McCann, seconded by Commissioner Anderson, moved to adopt **RESOLUTION #4** for the purpose of approving the 2007 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$13.308.

With a roll call vote this motion passed.

**78104**

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

NAYS: None

## 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:

- 78105** - authorization for the City Manager to enter into a one year term contract for natural gas to be used at selected City facilities for an amount not to exceed \$430,000.00, if the pricing is favorable to purchase it in the open market.
- 78106** - approval of an agreement with the Michigan Department of Transportation for the construction of the section of the Kalamazoo River Valley Trailway from Rose Veterans Memorial Park to Harrison Street; the city's portion of the contract is \$231,900.
- Resolution 08-85
- 78107** - adoption of a **RESOLUTION** to set a public hearing on October 20, 2008 to consider an application from Impact Label Corporation for a PA 198 Industrial Facilities Tax exemption certificate for three + three years for personal property valued at \$162,000 and six + six years for real property valued at \$84,000 in existing Industrial Development District No. 124 located at 3434 South Burdick Street, with a first year city abatement value of approximately \$739.
- 78108** - approval of the sale of a city-owned home located at 410 Norway Avenue for \$46,500 to Mr. Percy Shears.
- 78109** - approval of the settlement of the lawsuit Powell v. City of Kalamazoo concerning the pending demolition of 1014 N. Pitcher. As part of the settlement, Plaintiffs will convey 1014 N. Pitcher to the City of Kalamazoo.
- 78110** - approval of a permanent easement with Consumers Energy across Well Station No. 11 for the installation of electric utilities to serve the new Arboretum Parkway from Drake Road to Solon Street.
- 78111** - acceptance of a grant of \$100,000 from the Kalamazoo Community Foundation to support the LaCrone and Woods Lake Beach Parks Redevelopment Project.
- 78112** - acceptance of a grant from the Friends of Recreation for \$11,710 to help fund summer recreation programs.
- 78113** - acceptance of a grant from the Kalamazoo Community Foundation Partners in Philanthropy program, given by Martha Parfet in the amount of \$1,000 and the KCF / Bill and Jeannette Maxey Fund also in the amount of \$1,000 for the 2009 Summer Youth Employment Program.
- 78114** - acceptance of funding from the Oakwood Neighborhood Association for \$1,722.00 to fund after school enrichment activities at the Oakwood Neighborhood Association.

Consent Agenda  
(cont'd)

Commissioner Moore, 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, Moore, Mayor Hopewell

NAYS: None

Presentations re:  
FY2008 Budget  
Amendments

Public Safety Chief Jeff Hadley and City Clerk Scott Borling presented reports to the City Commission regarding their FY2008 budget amendment requests.

**78115**

Chief Hadley described changes that had been made to reduce expenses in the Public Safety Department Budget, including the elimination and consolidation of positions, and the formation of a Financial Services Division. Chief Hadley stated Chief Hadley noted the proposed command structure was a return to the command structure that was in place in 2003. Chief Hadley compared the proposed command structure of the Kalamazoo Department of Public Safety (KDPS) to the command structures of the police department in Southbend, Indiana (270 officers, one Police Chief, three Deputy Police Chiefs, and seven Captains) and the Public Safety Department in Sunnyvale California (210 officers, one Public Safety Chief, four Deputy Public Safety Chief, six Captains, and a civilian administrator for the Service Division).

In response to a question from Mayor Hopewell, Chief Hadley stated the proposed command structure would include a Chief, one Deputy Chief, two Assistant Chiefs, and five Captains.

In response to a question from Commissioner Cooney, Chief Hadley clarified that the allocations for the Deputy Chief and Assistant Chief positions would be made during the FY2009 Budget process, but funding would be needed in the current fiscal year for the addition of a sergeant in the Community Policing Division.

Cooney requested that the FY2009 budget emphasize crime prevention.

Commissioner Moore expressed admiration for the transformation that had taken place within KDPS, and she expressed support for the allocation of funds for the new command positions. Commissioner Moore highlighted the importance of selecting the right people for these positions.

Commissioner Miller stated she supported the proposed Public Safety command structure but recommended that funding for the new positions come from within the KDPS budget.

Commissioner McCann expressed support for the proposed budget amendment. Commissioner McCann spoke regarding the purpose of the Committee of the Whole meetings and the deliberation that took place on October 3<sup>rd</sup>.

Presentations re:  
FY2008 Budget  
Amendments  
(cont'd)

**78115**

Commissioner Miller stated she did not have a problem with the discussion of this agenda item by the Committee of the Whole.

City Clerk Borling offered a report on his plan for the administration of the Presidential Election on November 4<sup>th</sup> and the budget amendment request the would be necessary to support that plan. A copy of the City Clerk's written report was filed with the papers for this meeting.

In response to a question from Commissioner Miller, City Clerk Borling stated the greeter positions would be especially effective at the eight polling locations that contained two voting precincts each. City Clerk Borling stated the target date for delivery of the sample ballots would be the week prior to the election.

Commissioner Miller commended the City Clerk's Office for their hard work. Commissioner Miller suggested the City Clerk give a general presentation to the City Commission regarding election administration and election processes.

In response to a question from Commissioner McCann, City Clerk Borling explained the idea of a sample ballot was a best practice, and he noted election officials in other states were required to send out sample ballots. City Clerk Borling stated he was not aware of other jurisdictions in Michigan that were planning to send out sample ballots.

In response to questions from Commissioner Moore, City Clerk Borling offered the following information: grassroots organizations and the Obama campaign were responsible for the large quantities of voter registration forms received in his office; voters were allowed to take their sample ballots or other notes into the voting booths; although it was desirable for the voting precincts to have access to the Qualified Voter File – Statewide Look-up, internet access was not available at most precincts; and he was working with the Kalamazoo County Clerk and Kalamazoo County Sheriff's Department to facilitate absentee voting by inmates at the Kalamazoo County Jail.

Commissioner Moore requested that the City Clerk report on the total number of new voters who registered in the City for the Presidential Election.

In response to a question from Commissioner Cooney, City Clerk Borling explained the photo ID requirement for voting at the polls.

Next, an opportunity was given for citizens to address the City Commission regarding the proposed FY2008 Budget Amendments.

Monica Westover, non-resident, stated the City Clerk should have included adequate funding for the Presidential Election in his original FY2008 budget request.

Nick Boyd, City resident, spoke in favor of the proposed budget amendment for the City Clerk's Office.

Amendments to  
the FY2008  
Budget Approved  
**78115**

Scott Miller, City resident, spoke regarding the Kalamazoo County Transportation Authority's millage request.

Commissioner Moore, seconded by Commissioner Anderson, moved to approve the schedule of budget amendments to the FY 2008 Budget, items identified in the FY 2008 Budget Gap Analysis Budget Presentations, and allocations of two additional positions in Public Safety.

Prior to a vote on the motion, Commissioner Anderson clarified that the Public Safety position requests were for FY2009, and he noted rising fuel costs were responsible for the largest portion of the proposed budget amendment.

With a roll call vote this motion passed.

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

NAYS: None

City Clerk's Report  
**78116**

City Clerk Borling reported the following items:

- the receipt and referral of the following lawsuits to the City Attorney:
  - Karen L. Duckworth and Albert E. Duckworth v City of Kalamazoo
  - Doreen A. Brinson v City of Kalamazoo, a municipality, Kenneth Collard, individually, and Jeri [sic] Barnett-Moore, individually
- the receipt of minutes from the following advisory boards and commissions:
  - Dangerous Buildings Board
    - Thursday, August 07, 2008
  - Employee Retirement System Board of Trustees
    - Wednesday, August 27, 2008
  - Environmental Concerns Committee
    - Wednesday, September 17, 2008
  - Friends of Recreation Board
    - Monday, August 18, 2008
  - Housing Board of Appeals
    - Thursday, June 26, 2008
  - Investment Committee of the Retirement System
    - Wednesday, August 20, 2008

City Clerk's Report  
(cont'd)

78117

- Parks and Recreation Advisory Board
- Tuesday, July 01, 2008
  - Wednesday, August 06, 2008
- the approval of the following special events in the month of September:
- a request from Loy Norrix High School to use Lovers Lane on Friday, September 19, 2008 to hold the 2008 Loy Norrix Homecoming Parade.
  - a request from 3<sup>rd</sup> Coast Metro Trek to use Verberg Park on Friday, September 26, 2008 beginning at 5:00 p.m. through Saturday, September 26, 2008 7:00 p.m. as the start and finish point for the annual 3<sup>rd</sup> Coast Metro Trek.
  - a request from the Michigan Organizing Project to use Bronson Park on Sunday, September 28, 2008 from beginning at 6:30 p.m. for a justice-focused prayer service.
  - a request from Downtown Kalamazoo Inc (DKI) for permission to use the Kalamazoo Mall for the sale of alcohol during a Western Michigan University (WMU) Homecoming Mixer on the Mall on Friday, October 3, 2008.
  - a request from the Radisson for the closure of Water Street between Rose Street and the Kalamazoo Mall on Tuesday, October 7, 2008 to allow for the display of busses in conjunction with an event at the Radisson.
  - a request from the Kalamazoo Christian School Association to use Bronson Park on Friday, October 3, 2008 from 7:30 a.m. to 11:30 a.m. for a prayer service.

Citizen Comments

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

Monica Westover, non-resident, spoke regarding a court case involving Jerry McNeely and her many requests for Public Safety Offense Reports.

Michael Evans, City residents, noted October 6<sup>th</sup> was National Housing Justice Day. Mr. Evans stated individuals who were homeless needed housing first before other social services.

Jonathan Braun, City resident, expressed support for a "housing first" model of providing services to homeless people.

Max Conrad, City resident, spoke in support of the Housing First model of addressing homelessness and discussed successful programs in other states based on this model.

Citizen Comments  
(cont'd)

Norrine Wafford, City resident, spoke regarding rental property inspections and the need for assistance to fix up her landlord's property.

Jerry McNeely, non-resident, spoke regarding the number of complaints brought before the City Commission and the indifference that has been shown to peoples' constitutional rights.

Asha Kashad, City resident, spoke regarding the use of profanity and other types of impolite speech in the City Commission Chambers.

City Commissioner  
Comments

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

Commissioner Moore offered comments regarding homelessness, acceptable speech in the City Commission Chambers, the Substance Abuse Task Force, the video *Unnatural Causes*, and the Youth Development Center project "Doors to Love and Forgiveness."

Commissioner Miller commended the staff at Senior Services for their efforts to assist residents during the mid-September flood.

Commissioner Cooney offered comments regarding the *Conference on Ethnic Relations in Michigan* sponsored by the Lewis Walker Institute for the Study of Race and Ethnic Relations.

Commissioner McCann reported a draft ethics policy would be presented to the City Commission in a few weeks. Commissioner McCann asked the City Administration to look into the No Child Left Inside program. Commissioner McCann commended City staff for their response to the mid-September flood, and he thanked the Public Safety Officers for their hard work every day.

Mayor Hopewell

Adjournment

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

A Neighborhood Meeting of the Kalamazoo City Commission was held on Monday, October 20, 2008 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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioners Excused

Commissioner Anderson, seconded by Commissioner Cooney moved to excuse the absence of Commissioner Moore. 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

Whites/Edgemoor/Bronson

**Linda Wienir**, President  
**Chris Bartley**, Resident  
**Heather Ratliff**, Resident

Western Michigan University Student Association

**Lindsey Jolliff**, Allocations Chair  
**Casey Barrons**, Campus Concerns Chair  
**Andrew Ladd**, the Speaker

\*Commissioner Moore arrived at 6:02 p.m.

Northside Association for Community Development

The Northside Association for Community Development (NACD) representatives:

- reported the receipt of a \$100,000 grant from the Kalamazoo Community Foundation (KCF) to acquire the land behind the Urban Garden for economic development opportunities.
- remarked on the success of the Florence Street Water Park and thanked the City for partnering with NACD on this project.

Northside  
Association for  
Community  
Development  
(cont'd)

- announced the Association would be hosting a meeting about home foreclosures on Wednesday, October 29<sup>th</sup>.
- stated NACD had received a grant from The Arcus Foundation to form Neighborhood Worker Centers with other organizations in the City. Ms. Jordan-Woods explained the Neighborhood Work Centers would assist residents with issues like expungements, applying for the Earned Income Tax Credit, and keeping their jobs.
- noted the Public Safety Department website listed the wrong address for NACD headquarters and requested this error be corrected.
- thanked City Manager Collard and City staff for talking with neighborhood residents affected by the mid-September flood.
- reported an opportunity for NACD to acquire 5 row houses that were sites of habitual problems in the neighborhood.

In response to a question from Commissioner Anderson, Ms. Jordan-Woods reported the committee working to attract Local Community Credit Union was assisting regulators to determine if the service of the credit union would be used.

Mayor Hopewell thanked Ms. Jordan-Woods and Ms. Smith for their work.

Whites/Edgemoor/  
Bronson (W.E.B.)  
Association

The Whites/Edgemoor/Bronson representatives:

- thanked the City for fixing chronic flooding problems on Cloister Court.
- reported that "scammers" were going door-to-door asking for money and stated Public Safety Officers had been helpful in advising residents on appropriate responses in these situations.
- expressed appreciation for Parks Manager Mark Polega who included native plants in the Woods Lake Beach Park.
- expressed concern about shrubs extending into the sidewalk right-of-way and requested the City send notices to residents who permitted this overgrowth on Edgemoor Drive and Chevy Chase Boulevard.
- thanked City for repaving Crosstown Parkway.
- reported many residents were members of The Friends of Kleinstuck and stated this group had donated 1,000 hours of volunteer time.
- thanked the City Clerk's Office for its work on the upcoming Presidential Election and noted integrity of these employees.

78118

WMU Student Association

The Western Michigan University Student Association representatives:

- thanked the City Commission for meeting with student representatives.
- reported an increase in violence against students over the past year.
- stated the Western Student Association (WSA) was working with the Landscape Services Department at WMU to change student behavior relative to littering in neighborhoods.
- expressed appreciation for the inclusion of WMU students in focus groups for the Downtown Plan.
- expressed concern about transportation for students between campus and downtown.

Commissioner Cooney thanked the WMU Student Association Representatives for volunteer work done by students. Commissioner Cooney noted the New Genesis Program needed volunteer tutors.

Citizen Comments

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

The meeting adjourned at 6:31 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, October 20, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

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

Invocation

The invocation, given by Pastor Edward Davis, Church of God – Family Worship Center, was followed by the Pledge of Allegiance.

Introduction of  
Guests

**78119**

Mayor Hopewell recognized the presence of Mr. Will Atkinson and Ms. Amy Steinman of Youth Opportunities, Inc. Mr. Atkinson & Ms. Steinman presented a plaque expressing appreciation for the City's sponsorship of the Summer Youth Employment Program. Ms. Steinman distributed a report entitled *2008 Summer Youth Employment Program*. The following young people offered comments about their experiences:

- Kadeeja Baker
- Davarius Hill
- Willie Mitchell

In response to a question from Mayor Hopewell, these young people stated the City could improve the Summer Youth Employment Program offering more opportunities for service and by inviting more guest speakers.

Mr. Atkinson stated young people learned the importance of personal responsibility, timeliness and community pride.

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:  
an IFT Certificate  
for Impact Label  
Corp.

**78120**

At 7:10 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to receive public comments regarding a recommendation to adopt a RESOLUTION to approve an application from Impact Label Corporation for a PA 198 Industrial Facilities Tax exemption certificate for six years with a six-year extension for real property valued at \$84,000 and three years with a three-year extension for personal property valued at \$78,000 in existing Industrial Development District No. 124 located at 3434 South Burdick Street.

Tammy Todd, City resident and Vice President of Impact Label Corp., spoke in favor of the proposed resolution.

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

Resolution 08-86  
re: IFT Certificate  
for Impact Label  
Corp.

**78120**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** to approve an application from Impact Label Corporation for a PA 198 Industrial Facilities Tax exemption certificate for six years with a six-year extension for real property valued at \$84,000 and three years with a three-year extension for personal property valued at \$78,000 in existing Industrial Development District No. 124 located at 3434 South Burdick Street.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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:

**78121**

- a recommendation to approve a contract with Robert Bailey Contracting, Inc. for storm sewer improvements (Glendale & Orient) in the amount of \$130,704.13; and further, approve the Joint Storm Sewer Improvement Agreement with the City of Parchment to facilitate the discharge of storm water to a storm water retention basin located in Parchment.

Resolution 08-87

**78122**

- a recommendation to adopt a **RESOLUTION #1** directing the City Manager to prepare information on the scope, estimated costs, special assessment charge recommendation and other necessary information for the construction of sanitary sewer improvements on Lakeside Drive north of Hillandale Drive.

**78123**

- a recommendation to offer for first reading an ORDINANCE to rezone 500-624 Collins Street and 503-631 Marketplace Blvd., which are the 31 parcels of the Marketplace at Washington Square Plat, from Zone CC (Commercial, Community District) to Zone RS-7 (Residential, Single-Dwelling District); and, schedule a public hearing for Monday, November 3, 2008.

**78124**

- a recommendation to authorize an amendment to the Agreement with Kalamazoo Regional Education Service Agency for the Education for Employment Law Enforcement Program for the 2008-09 school year and to authorize the City Manager to sign the amended Agreement for the Technical Assistant Position for the KRESA EFE Law Enforcement Program.

**78125**

- a recommendation to authorize the City Manager to sign the Second Amendment to Temporary Access Agreement to allow Horizon Environmental temporary access to city-owned rights-of-

Consent Agenda  
(cont'd)

**78126**

way on behalf of Meijer, Inc. for the purpose of performing additional environmental investigation activities consisting of the drilling of three additional soil borings within the City's right-of-way on the south side of Mason Street.

- a recommendation to approve the following appointments to advisory boards and commissions:
  - the appointment of **Sidney Ellis** as a City representative on the Community Access Center Board of Directors for a term expiring on March 31, 2011.
  - the appointment of **Mark Fricke** to the Planning Commission for a partial term expiring on March 31, 2009.

**78127**

- a recommendation to hold unto November 3, 2008 to approve the sale of 7,109.5 sq. ft. of unused City property at 1805 Waite Avenue to David and Barbara Brose for \$2,719.

Commissioner Moore, seconded by Commissioner Anderson, 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

City Clerk's Report

City Clerk Borling reported on preparations for the Presidential Election. City Clerk Borling stated his staff had processed 8,700 voter registration forms since September 1<sup>st</sup>, and the number of registered voters in the City had grown from 51,120 on August 5, 2008 to almost 57,000. City Clerk Borling also reported his office had issued almost 5,000 absentee ballots.

City Manager's  
Report

**78128**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated September 2008
- September 2008 Purchasing Report
- Kalamazoo Communities in Schools Newsletter (KCIS Connections) dated October 2008.

Report on the  
Flooding in Mid-  
September

**78129**

Public Services Director Bruce Merchant, Public Safety Chief Jeff Hadley, and Community Planning and Development Director Jeff Chamberlain reported on the City's response to the rain event that occurred between September 12<sup>th</sup> and 14<sup>th</sup> and the subsequent flooding that occurred between September 15<sup>th</sup> and September 19<sup>th</sup>.

Director Merchant discussed the payment of claims for sewer back-ups as a result of the flooding. Director Merchant reported 31 claims had been filed, and the claim payment total was estimated to be \$147,000. Director Merchant stated the City would not pay claims for surface water damage or claims for damage outside the City limits.

Report on the  
Flooding in Mid-  
September (cont'd)  
**78129**

City Manager Collard indicated City Attorney Robinson would be reviewing the City's sewer back-up policy as state laws regarding claims for sewer back-ups had changed significantly since the City's policy was last amended.

Director Chamberlain recognized community organizations and neighborhood associations that had provided support to residents during the flooding. Director Chamberlain indicated the Community Planning and Development Department would be consolidating address information over the next few weeks for properties affected by the flood.

Chief Hadley described the Federal Emergency Management Agency's (FEMA) process for assessing damaged properties and providing financial relief. Chief Hadley stated there was no guarantee of financial assistance from FEMA, although it appeared likely that assistance would be given.

City Manager Collard stated thousand of businesses and residents were affected by the flooding with damages estimated at \$12 million. City Manager Collard expressed appreciation to City staff for their hard work, and he directed citizens with flood related questions and concerns to call 337-8149.

Commissioner Moore stated residents are concerned about black mold. Who should residents contact for an assessment of mold issues and clean-up.

In response to a question from Commissioner Moore, Director Merchant stated the US Environmental Protection Agency (EPA) had produced good informational brochures on dealing with Black Mold, and there were several good private companies in the area who were qualified to mitigate Black Mold growth.

Commissioner Moore noted volunteers were needed to help senior citizens use the Black Mold clean-up kits they had received from the Red Cross.

Mayor Hopewell commended Director Merchant, Director Chamberlain and Chief Hadley and City staff for their response to the flooding. Mayor Hopewell commended the non-profit organizations who stepped-in to help flood victims, and he encouraged citizens to support these organizations.

Resolution 08-88  
Establishing an  
Identity Theft  
Policy Pursuant to  
FACTA

**78130**

City Attorney Robinson explained the Federal Trade Commission, under the Fair and Accurate Credit Transaction Act (FACTA), was requiring companies and public utilities to develop policies addressing identity theft risks to account holders and customers. City Attorney Robinson stated the proposed policy would not be burdensome for the City to implement as the Public Services Department was already executing several of the processes and procedures specified in the policy.

Commissioner McCann, seconded by Commissioner Cooney, moved to adopt a RESOLUTION putting in place a policy pursuant to the federal Fair and Accurate Credit Transaction Act to address identity theft.

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

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

Monica Westover, non-resident, discussed the Kalamazoo Gazette's online forum and the media in Michigan. Ms. Westover also discussed City ordinances.

Dr. Zulfiye Koymen, City resident, spoke regarding the proposed sanitary sewer extension and special assessment on Lakeside Drive.

City Commissioner Comments

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

Commissioner Moore offered comments regarding the following items: a Legal Aid clinic at the Northside Association for Community Development offices on October 29<sup>th</sup>; the 40<sup>th</sup> Anniversary of the Saturday Eves Book Club; and the Kalamazoo Central/Loy Norrix alumni men's basketball game on November 1<sup>st</sup>.

Commissioner Miller expressed well-wishes to Pat Vinge, who recently retired from the Parks and Recreation Department.

Commissioner Cooney commended City Manager Collard, Mayor Hopewell, and Vice Mayor McKinney for their fundraising efforts on behalf of the Summer Youth Employment Program. Commissioner Cooney noted the KCIS newsletter reported 7,000 kids dropped out of school every day in the United States, and he urged citizens to be involved in community organizations that helped young people stay in school.

Adjournment

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, November 3, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

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

Invocation

The invocation, given by Pastor Brian Stone, Haven Reformed 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:

Commissioner Anderson requested that a resolution supporting the County Transportation Millage be added to the agenda under New Business.

Communications

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

Public Hearing re:  
The Rezoning of  
The Marketplace at  
Washington  
Square Plat

At 7:08 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to adopt an ORDINANCE to rezone 500-624 Collins Street and 503-631 Marketplace Blvd., which are the 31 parcels of the Marketplace at Washington Square Plat, from Zone CC (Commercial, Community District) to Zone RS-7 (Residential, Single-Dwelling District).

**78131**

At 7:09 p.m. Mayor Hopewell closed the public hearing.

Ordinance 1949  
Rezoning The  
Marketplace at  
Washington  
Square Plat

Commissioner McCann, seconded by Commissioner Miller, moved to a recommendation to adopt an **ORDINANCE** to rezone 500-624 Collins Street and 503-631 Marketplace Blvd., which are the 31 parcels of the Marketplace at Washington Square Plat, from Zone CC (Commercial, Community District) to Zone RS-7 (Residential, Single-Dwelling District).

**78131**

With a roll call vote this motion passed unanimously.

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

NAYS: None

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 08-89  
**78132**

- adoption of a **RESOLUTION** amending the City Commission Freedom of Information Act administrative appeals process.

**78133**

- approval of the sale of 7,109.5 sq. ft. of unused City property at 1805 Waite Avenue to David and Barbara Brose for \$2,719.

Commissioner McCann, seconded by Commissioner Miller, 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

City Clerk’s Report

City Clerk Borling reported the following items:

- the City Clerk’s Office had issued approximately 1,500 absentee ballots between Monday, October 27<sup>th</sup> and Monday November 3<sup>rd</sup>.
- the total number of absentee ballots issued exceeded 6,800.
- over 58,000 people were registered to vote in the City.

City Clerk Borling encouraged citizens to vote and discussed ways for citizens to check their voter registration status and polling location information.

In response to a question from Commissioner Miller, City Clerk Borling reported 5,600 absentee ballots had been logged into the Qualified Voter File as returned. City Clerk Borling noted his staff was working at that moment to log-in ballots received that day.

Commissioner Cooney thanked the City Clerk and his staff for their hard work on the election.

Commissioner Moore commended the City Clerk and his staff for going to great lengths to assist voters.

Commissioner McCann indicated the City Clerk had prepared well for the election, and he thanked the Clerk for his hard work.

Statement of Support for the Kalamazoo County Transportation Millage

**78134**

Commissioner Anderson, seconded by Commissioner Moore, moved to adopt the following position statement: “The Kalamazoo City Commission, by resolution, expresses its support of the Kalamazoo County Transit Millage.”

Prior to a vote on this motion, Commissioner Cooney stated the benefits of creating a countywide transportation system far exceeded the investment citizens were being asked to make.

Statement of Support for the Kalamazoo County Transportation Millage (cont'd)

**78134**

Commissioner McCann stated the transportation system was a critical part of Kalamazoo's public infrastructure, and he encouraged citizens to support the transportation millage.

Mayor Hopewell described how the transportation system supported economic development, education and healthcare in the community.

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

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

Monica Westover, non-resident, spoke regarding the lack of follow-up by City staff after citizens offer comments at City Commission meetings.

**78135**

Pam O'Connor, City resident, distributed and discussed the publication *Where Place Prospers: A Preservation, Adaptive Reuse, and Context Development Guide for Commercial Kalamazoo*.

Norraine Wafford, City resident, thanked the City Commission for supporting the County Transportation Millage.

City Commissioner Comments

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

Commissioner Moore offered remarks on the following topics: the Loy Norrix/Kalamazoo Central alumni men's basketball game; the good sportsmanship among student athletes in Kalamazoo; and the need for people to volunteer on Election Day.

Commissioner Miller noted she had received a Sample Ballot from the City Clerk's Office and encouraged people to vote.

Commissioner Cooney urged citizens to vote.

Commissioner McCann recommended that citizens be prepared to stand in line at their polling locations, and he encouraged employers to give their employees adequate time to vote.

Vice Mayor McKinney urged people to vote.

Mayor Hopewell commented on the following items: the Kalamazoo Central victory over Loy Norrix in the alumni men's basketball game; the deployment to Iraq of Gerry Ludecking from the Public Safety Department; the current issue of Encore magazine, which featured the Public Safety Department; and his participation in the "Dancing with the Local Stars" benefit for the Western Michigan University School of Dance.

Adjournment

The meeting adjourned at 7:42 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

A work session of the Kalamazoo City Commission was held on Monday, November 11, 2008 at 5:30 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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioner Excused

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

Communications

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

Presentation re: the FY2009 Budget

City Manager Collard introduced Tim Fallon, who would be facilitating the discussion by Commissioners.

**78136**

\*Commissioner Moore arrived at 5:41 p.m.

\*\*Commissioner McCann arrived at 5:44 p.m.

City Manager Collard delivered a PowerPoint presentation entitled *City of Kalamazoo Finances: 2009 Budget*. City Manager Collard concluded City revenues would support the current level of services in 2009, but property tax revenue pressures could begin affecting service levels in 2010. City Manager Collard recommended the following strategies for addressing the swiftly changing economic landscape and the projected revenue decline: adoption of a no-growth 24-month budget; quarterly administrative financial reviews and spending adjustments as necessary; semi-annual budget amendments submitted to City Commission on a semi-annual basis; and continued efforts to contain costs.

In response to a clarifying question from Commissioner Anderson, City Manager Collard agreed that a budget with no spending increases was not a "status quo" budget due to rising costs for supplies and services.

Feedback and Discussion by Commissioners

Discussion took place in the following broad categories:

1. The Three Approaches to Declining Revenue Projections (budget and service reduction; budget and service expansion; and a middle of the road approach to find optimum balance).
2. Fiscal Management Practices
3. Service Priorities

Feedback and  
Discussion by  
Commissioners  
(cont'd)

78136

*The Three Approaches to Declining Revenue Projections*

Regarding the approaches to dealing with projected revenue decreases, Commissioner Anderson expressed support for the middle-of-the-road approach but stated a contingency plan and adequate lead time for implementing a contingency plan were necessary in case a dramatic adjustment was required.

City Manager Collard reported he had asked department heads to conceptualize how they would make a dramatic adjustment to expenditures, and he stated his recommendations to closely monitor fiscal indicators and conduct quarterly financial reviews would provide the lead time needed to implement a contingency plan.

Vice Mayor McKinney expressed support for the middle path and stated it would be illogical to eliminate or reduce City services because "something bad might happen."

Commissioner Cooney distributed and reviewed statistics on poverty from the Lewis Walker Institute. Commissioner Cooney stated the City needed to maintain essential services and staffing levels during the economic downturn. Commissioner Cooney highlighted the City Commission's advocacy role and suggested the City join with the U.S. Conference of Mayors and the National League of Cities (NLC) to lobby the federal government. Commissioner Cooney also suggested the City enlist the help of business and other organizations in the community.

Mayor Hopewell expressed support for the middle-of-the-road approach but noted close monitoring of fiscal indicators and close budget management would be crucial to the success of this approach. Mayor Hopewell distributed information on the MainStreet Stimulus plan from the NLC and indicated the City Commission needed to help state and federal officials understand Kalamazoo's needs. Mayor Hopewell suggested the time was right to formulate a vision for the community.

City Manager Collard stated the City Administration was not able to make good decisions based on the fiscal information currently available. City manager Collard stated better information was needed so that the City Administration could make timely decisions and quick adjustments.

Commissioner McCann stated Commissioners had already been given opportunities to discuss the FY2009 and FY2010 budgets with the City Manager and provide feed back. Commissioner McCann indicated he was satisfied with the direction of the City Administration.

*Fiscal Management Practices*

Regarding the proposed fiscal management practices, City Manager Collard noted these practices would bring the City Commission and City Administration closer together. City Manager Collard stated the quarterly administrative financial reviews would examine the City's revenue streams and would result in adjustments to expenditures as needed. City Manager Collard explained the expenditure adjustments could take the form of directives to department heads regarding spending levels.

Feedback and Discussion by Commissioners (cont'd)

**78136**

In response to a question from Commissioner Anderson, Management Services Director Tom Skrobola stated the availability of real-time financial information was dependent on City departments entering data in a timely fashion.

In response to a question from Vice Mayor McKinney, City Manager Collard indicated vacant positions, capital projects, energy usage, and alternative delivery systems were the areas to consider for expenditure reductions, although cost savings in these areas would not be realized instantaneously. City Manager Collard stated a rolling one-year budget would allow the City to reduce expenses with fewer impacts to programs and employees, but he stated he was not yet comfortable with the mechanics of how to implement cost savings in the context of a rolling one-year budget.

Service Priorities

Regarding service priorities, Commissioner expressed concern about the Capital Improvement (CIP) budget and expressed interest in knowing the City's low-priority programs and initiatives.

Mayor Hopewell noted the service priorities were broad focus areas, and he suggested City staff prioritize strategies within areas listed are broad areas; staff will need to prioritize strategies within these focus areas.

Vice Mayor McKinney stated the A+ Neighborhoods Program needed to become a neighborhood stabilization program.

At the request of City Manager Collard, Community Planning and Development Director Jeff Chamberlain described his efforts to study and understand trends in the local housing market. Director Chamberlain stated the data gathered and the resulting conclusions would influence future recommendations to the City Commission regarding programs, initiatives, and budget proposals.

City Manager Collard noted Director Chamberlain would be disconnecting from his day-to-day responsibilities to take on the housing market project.

Commissioner Moore questioned whether the City could identify areas endangered by the foreclosure crisis and then protect those areas. Commissioner Moore expressed concern that entire City neighborhoods would disappear if they were not offered some type of protection from foreclosures.

Commissioner Cooney stated the City needed to assign high priority to the following areas: poverty reduction; promoting peace (alternatives to youth violence); and supporting the Kalamazoo Promise.

Commissioner Moore stated the bottom line for reducing poverty was the creation and retention of jobs.

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.

In light of the Kalamazoo Promise, Commissioner Anderson suggested the City adopt "education" as an overarching theme that would provide deeper meaning to the activities of all employees.

Commissioner McCann stated some communities would fail during the economic recession, but the City of Kalamazoo would thrive.

Commissioner Cooney remarked on the strategies and programs used in the Harlem Children's Zone and announced that he would be attending a poverty summit in Detroit on November 13<sup>th</sup>.

Mayor Hopewell delivered inspirational quotes from Bill Strickland and stated difficult economic times offered the Kalamazoo community an opportunity to be bold.

Adjournment

The meeting adjourned at 7:11 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 29, 2008

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Vice Mayor  
Dated: December 29, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, November 14, 2008 at 7:30 a.m. in the Community Room at City Hall, 241 West 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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioners Excused

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

Review of the November 17<sup>th</sup> Meeting Agendas

The City Commission reviewed the agenda for its Regular Neighborhood Meeting on Monday, November 17, 2008.

The City Commission reviewed and discussed the agenda for its Regular Business Meeting on Monday, November 17, 2008.

Item F-5

Regarding Item F-5, a Redevelopment Liquor License for The Wine Loft, and in response to a question from Commissioner McCann, Executive Director of the Economic Development Corporation, Jerome Kisscorni, explained the owners of the Wine Loft were applying for a Redevelopment Liquor License due to restrictions on their current license.

Item F-9

Regarding Item F-9, Community Development Block Grant (CDBG) Amendments for Flood Assistance, and in response to a question from Commissioner McCann, Community Planning and Development Director Jeff Chamberlain described the sources of the \$100,000 and stated the primary concern was flood victims who needed furnaces.

In response to a question from Commissioner McCann, Public Services Director Bruce Merchant stated he was unsure if the City would receive reimbursements from the federal government for assistance already given to flood victims.

Item F-8

Regarding Item F-8, Anti-Discrimination Ordinance, City Manager Collard suggested the proposed ordinance be amended so that the City Manager would be able to forward complaints to state and federal agencies already performing this type of investigative work.

Mayor Hopewell requested that changes to the proposed ordinance be made before the agenda packet was sent out again.

Community Issues

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

Barb Miller remarked on an email from Ken Horton, President of the Milwood Neighborhood Watch, about neighborhood association funding. Commissioner Miller suggested the City attempt to assist the Milwood Neighborhood.

Discussion followed regarding the transfer of neighborhood association funding from the Community Development Block Grant (CDBG) program to the General Fund in 2002 and the ability of non-CDBG neighborhoods and other community organizations to receive funding from the City.

Citizen Comments

An opportunity was given for citizens to address the City Commission, 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 December 1, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 1, 2008

A Neighborhood Meeting of the Kalamazoo City Commission was held on Monday, November 17, 2008 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  
Stephanie Moore

COMMISSIONERS ABSENT: Barbara Miller

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

Commissioner Excused

Commissioner Anderson, seconded by Vice Mayor McKinney, moved to excuse the absence of Commissioner Miller. 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:

Edison Neighborhood Association

**David Kinsey**, President  
**Tammy Barnard**, Executive Director

Oakwood Neighborhood Association

**Gary Wager**, President  
**Cheryl Lord**, Executive Director

Vine Neighborhood Association

**Amy Remmert**, Board Secretary  
**Stephen Walsh**, Executive Director

Edison Neighborhood Association

The Edison Neighborhood Association representatives:

- thanked City departments for assisting residents during the mid-September flood.
- reported the Association was collaborating with the Local Initiatives Support Corporation (LISC) to plan eight projects for the Edison Neighborhood and stated the three high-priority development projects were: the former Déjà Vu site; Portage streetscape enhancements; and the Marketplace at Washington Square housing development.

Edison  
Neighborhood  
Association (cont'd)

78137

- thanked the Kalamazoo Public Safety Department (KDPS) for operating a curfew program during the summer.
- stated the Association continued to work with the City on code enforcement and blight abatement and noted the most significant project in 2008 was a program that assisted Neighborhood residents with home improvements if they were cited by the Community Planning and Development Department (CP&D) for code violations.
- distributed copies of the Edison Voice Newsletter and invited City Commissioners to attend the Edison Neighborhood Association Annual Meeting on January 22<sup>nd</sup>.

In response to a question from Commissioner Moore, Ms. Barnard indicated there were plenty of volunteer opportunities for people who wanted to help the Association.

In response to question from Commissioner Anderson about the Neighborhood Revitalization Fund, Ms. Barnard and Mr. Kinsey stated this was the first time they had heard about this fund. Ms. Barnard and Mr. Kinsey spoke about needs associated with the large number of home foreclosures in the area.

Commissioner Cooney suggested that local leaders review and consider the Philadelphia Plan, as it had helped stop home foreclosures in that city.

Mr. Kinsey commended City Clerk Borling for the successful Presidential Election.

Oakwood  
Neighborhood  
Association

The Oakwood Neighborhood Association representatives:

- thanked the City Commission for considering a continuing resolution that would maintain neighborhood association funding through the beginning of the next fiscal year.
- stated the Association had requested a funding increase in its for FY2009 and noted the Oakwood Neighborhood had many programs and funding needs despite its smaller size.
- reported the Oakwood Centennial Celebration was successful and stated participation in neighborhood events had grown since the Celebration.
- reported on a six-week art program for kids that was held during the summer.
- requested that the City fund the Association's after school program at the level of five days per week if other grant funds were not received.

Oakwood  
Neighborhood  
Association (cont'd)

- stated there was very little contact between the Association and KDPS and suggested the neighborhoods in the southwest corner of City would benefit from greater police presence.

Commissioner McCann thanked the Association for working with Metro Transit regarding several transportation concerns.

Vine Neighborhood  
Association

The Vine Neighborhood Association representatives:

- thanked the City for its continuing support for the Neighborhood and for the Community Policing initiative.
- stated a kick-off event for the new dual language immersion school was held on October 15<sup>th</sup>.
- thanked the City Commission for establishing a Neighborhood Enterprise Zone (NEZ) in the Vine Neighborhood.
- reported they had attended a neighborhood improvement workshop in California and were trying to implement some of the ideas presented.
- announced the Association's annual Poinsettia sale was taking place and explained this was a significant fund raiser for the Neighborhood.
- reported the Association had entered into a relationship with Vine Ventures for collaborative marketing of neighborhood. Ms. Remmert indicated the Association was able to fund a part time employee who would focus on marketing.
- expressed concern about inconsistencies in the City's code enforcement activities and stated housing inspectors seemed to be stricter with good landlords than with bad landlords.

In response to a question from Commissioner McCann, Ms. Remmert stated the Neighborhood Improvement Team (NIT) had not been meeting.

In response to a question from Commissioner Cooney, Ms. Remmert stated most rental properties in the Neighborhood were only 75% occupied. Ms. Remmert stated there were many reasons why students moved to student apartments, and in response the Association needed to market the advantages of living in the Neighborhood, especially the relationships that developed between neighbors.

In response to a question from Commissioner Anderson, Ms. Remmert stated the Neighborhood had not yet marketed the new NEZ program. Ms. Remmert indicated few residents knew about the program, but primary incentive was for new residents.

Commissioner Anderson suggested the Association contact the Greater Kalamazoo Association of Realtors (GKAR) to educate real estate agents about the NEZ program.

Vine Neighborhood Association (cont'd)

Commissioner McCann stated he would prefer more owner occupants in Vine, and he suggested a student exodus would not be bad for the Neighborhood.

In response to a question from Mayor Hopewell, Ms. Remmert indicated she was not sure if her concerns about the City's housing inspectors had been communicated to CP&D. Ms. Remmert related her personal experience with good landlords.

Ms. Remmert announced the Northside Business Association Holiday Party would take place on December 10<sup>th</sup>.

Citizen Comments

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

The meeting adjourned at 6:31 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 29, 2008

Approved by: \_\_\_\_\_  
Bobby J. Hopewell, Mayor  
Dated: December 29, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, November 17, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

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

Invocation

The invocation, given by Reverend Mary Beth Sarhatt, First 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 changes:

A citizen requested that Items F-3 (liquor license resolution for AGR, Inc.) and F-4 (liquor license resolution for West Michigan Wine Loft, Inc.) 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.

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:

**78138**

- approval of a five-year contract with Goodyear Tire and Rubber Company for leased tires for the Kalamazoo Metro Transit System in the amount of \$318,915.

Resolution 08-90

**78139**

- adoption of a **RESOLUTION** approving the issuance, sale, and delivery of bonds by the Hospital Finance Authority in the aggregate principal amount not to exceed \$215,000,000.

Resolution 08-91

**78140**

- adoption of a Michigan Department of Consumer & Industry Services, Liquor Control Commission **RESOLUTION** to transfer ownership of a Class C liquor license from Sawall Inc. to Jes Soule, LCC, for a property located at 3003 Oakland Drive.

Resolution 08-92

**78141**

- adoption of a **RESOLUTION** authorizing the City Manager to execute an Agreement Amendment between the Village of Augusta and Gull Lake Sewer and Water Authority.

Resolution 08-93

**78142**

- adoption of a **RESOLUTION** providing for the continuation of eight neighborhood associations' general fund operational support at FY2008 levels during the period of January – February 2009.

Consent Agenda  
(cont'd)**78143**

- first reading of an ORDINANCE to amend Sections 18.17 through 18.25 and add Sections 18.26 through 18.30, and rename Article II from "Discrimination in Real Estate Transactions" to "Discrimination Prohibited" of Chapter 18 of the Kalamazoo City Code of Ordinances.

**78144**

- approval of budget amendments to the Community Development Block Grant of up to \$100,000 to provide assistance for flood-related damages.

**78145**

- approval of HOME Community Housing Development Organization funds in the amount of \$33,145 for the Kalamazoo Area Housing Corporation toward project coordination and predevelopment activities associated with the renovation of the Rickman House.

**78146**

- approval of the following appointments to advisory boards and commissions:
  - the appointment of **Glenda Campbell** to the Board of Review for Assessments for a partial term expiring on March 31, 2008.
  - the appointment of **Jeffery Kinney** to the Friends of Recreation Board for a partial term expiring on March 1, 2010.
  - the appointment of **Natalie Patchell** to the Parks and Recreation Advisory Board for a term expiring January 1, 2012.

Commissioner Moore, 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, Moore, Vice Mayor McKinney, Mayor Hopewell

NAYS: None

## Regular Agenda

Regular Agenda Items were considered next.

Resolution 08-94  
Approving a Liquor  
License for AGR,  
Inc (Casa Bolero)**78147**

When given an opportunity to comment on a proposed liquor license resolution for AGR, Inc., the following citizens addressed the City Commission:

Beth Lewis, City resident, expressed opposition to the proposed resolution and stated there were too many alcohol-serving establishments in downtown Kalamazoo.

Resolution 08-94  
Approving a Liquor  
License for AGR,  
Inc (Casa Bolero)  
(cont'd)

**78147**

Commissioner McCann, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** to approve the application from AGR, Inc. (dba Casa Bolero) for a Redevelopment Liquor License under PA 501 of 2006 for a project located at 116 Portage Street.

Prior to a vote on the motion, Commissioner Moore noted this liquor would create jobs in the downtown area.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Resolution 08-95  
Approving a Liquor  
License for West  
Michigan Wine  
Loft, Inc.

**78148**

When given an opportunity to comment on a proposed liquor license resolution for West Michigan Wine Loft, Inc., the following citizens addressed the City Commission:

Beth Lewis, City resident, expressed opposition to the proposed resolution and stated there were too many alcohol- serving establishments in downtown Kalamazoo.

Commissioner Miller, seconded by Commissioner McCann, moved to adopt a **RESOLUTION** to approve the application from West Michigan Wine Loft, Inc. (dba The Wine Loft) for a Redevelopment Liquor License under PA 501 of 2006 for a project located at 161 East Michigan Avenue, Suites 110 and 115.

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

**78149**

City Clerk Borling remarked on the retirement of Barb Blissett, who served the City of Kalamazoo for 34 years.

City Clerk Borling reported on the administration of the November 4<sup>th</sup> Presidential Election.

Commissioner Miller, Commissioner Cooney, and Mayor Hopewell commended City Clerk Borling and his staff for their hard work and successful administration of the Presidential Election.

Commissioner Cooney commended the City Clerk for running

City Manager's  
Report

**78150**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated October 2008
- October, 2008 Purchasing Report
- 3<sup>rd</sup> Quarter 2008 Employment Activity Report

## Citizen Comments

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

Beth Lewis, City resident, thanked the City Commission for supporting festivals in the downtown area. Ms. Lewis remarked that Déjà Vu was relocated because there were too many liquor establishments in the area, which resulted in an increased incidence of crime.

Nick Boyd, City resident, thanked the City Clerk and his staff for successfully administering the Presidential Election, and he thanked the Public Safety Department for its quick and timely response to incident involving his vehicle.

Tayo Adedeji, City resident, spoke regarding the election of Barak Obama and the excitement with which young people participated in the electoral process.

John McNaughton, City resident, spoke regarding the prohibition against feeding deer in the City.

Susan Gitre, City resident, commented on the Presidential Election and the excellent customer service offered to voters at City polling locations.

Asha Kashad, City resident, suggested the City Commission serve food to the public at its meetings.

## City Commissioner Comments

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

Commissioner Moore commended the City Manager and all City departments for their great work. Commissioner Moore noted Mr. Adedeji's published a great magazine entitled *He Reigns*.

Commissioner Cooney remarked on Barb Blissett's 34 years of service to the City, the Mayor's dancing ability, the upcoming Thanksgiving Holiday and the many reasons for people to be thankful, and the excitement surrounding the Presidential Election.

Vice Mayor McKinney reported Christ Followers for Change, a coalition of local churches, was attempting to raise \$1 million, \$250,000 of which would be used for heating bill assistance in Kalamazoo County.

Mayor Hopewell commented on the upcoming Tree Lighting Ceremony in Bronson Park, the retirement of Barb Blissett, and students at the Western Michigan University School of Dance. Mayor Hopewell thanked City Commissioners for their hard work.

## Adjournment

The meeting adjourned at 7:48 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 29, 2008

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Vice Mayor  
Dated: December 29, 2008

A regular meeting of the Kalamazoo City Commission was held on Monday, December 1, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

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

Invocation

The invocation, given by Reverend Marty Newman, Unity of Kalamazoo, was followed by the Pledge of Allegiance.

Proclamation  
**78151**

Mayor Hopewell proclaimed December 2, 2008 "Greg Jennings Day" in the City of Kalamazoo. Greg Jennings' mother, Ms. Gwen Jennings, was present to receive the proclamation. Ms. Jennings distributed buttons and flyers about Greg Jennings and Pro Bowl voting.

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.

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:

**78152**

- approval of the purchase of core business cash management software applications (Tax Billing, Utility Billing, Cash Receipting, Miscellaneous Receivables and Internet Services) in the amount of \$371,715 from BS&A Software, Inc.

**78153**

- approval of a one year contract extension with Ashland, Inc. (formerly Degussa Stockhausen) for the purchase of Cationic Emulsion polymers in the amount of \$352,800.

Resolution 08-96  
**78154**

- adoption of a **RESOLUTION** to set a public hearing on December 15, 2008 to approving the Project Plan, as initiated by BDSLM Enterprise, LLC, waive the general EIF guidelines concerning the percentage of EIF funds permitted in a project and the ability to participate in a project if a decision to begin has been made, and authorize the transfer of \$140,000 from the Economic Initiative Fund for use as proposed in the Project Plan, under terms and conditions as negotiated with BDSLM Enterprise, LLC.

Consent Agenda  
(cont'd)

Resolution 08-97  
**78155**

- adoption of a **RESOLUTION** to support the application by the City's Public Services Department for a Transportation Economic Development Fund grant from the Michigan Department of Transportation for East Cork Street and Emerald Drive street improvements.

Resolution 08-98  
**78156**

- adoption of a **RESOLUTION** authorizing the issuance of Tax Anticipation Notes in the amount, of \$6,000,000 for fiscal year 2009.

**78157**

- approval of a request from the Kalamazoo Institute of Arts (KIA) to display a Community Special Events sign on the south side of the Radisson Plaza Hotel parking structure from December 2, 2008 through February 15, 2009.

**78158**

- approval of a First Amendment to Easement Agreement between City of Kalamazoo Building Authority and Jim Gilmore Enterprises and authorize the City Manager to sign this amendment.

**78159**

- approval of authorization the City Attorney to settle the property damage claim settlement for a property located at 508 Prouty Street.

**78160**

- approval of the minutes from the following City Commission meetings: the Committee of the Whole Meetings on September 12, October 3, and November 14, 2008; the Neighborhood Meetings on September 15 and October 20, 2008; and the Business Meetings on September 15, September 29, October 6, October 20, and November 3, 2008.

Commissioner McCann, seconded by Commissioner Miller, 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

\*At the time of the vote, Commissioner Miller indicated she was abstaining on Item F-7, First Amendment to Easement Agreement between City of Kalamazoo Building Authority and Jim Gilmore Enterprises.

Regular Agenda

Regular Agenda Items were considered next.

Ordinance 1850  
re: Discrimination  
in the Areas of  
Housing, Public  
Accommodations,  
and Employment

When given an opportunity to comment on the proposed Anti-Discrimination Ordinance, the following citizens addressed the City Commission:

**78161**

Terry Kuseske, City resident, spoke in favor of the proposed ordinance on behalf of the Kalamazoo Alliance for Equality (KAFFE).

Ordinance 1850  
re: Discrimination  
(cont'd)

**78161**

Steve Gerike, City resident and Chair of the Community Relations Board (CRB), expressed support for the proposed ordinance and submitted a letter of support from the CRB.

Pastor Marty Newman, Minister at Unity of Kalamazoo, spoke in favor of the proposed ordinance on behalf of the Unity of Kalamazoo Board of Trustees.

Commissioner Moore, seconded by Commissioner McCann, moved to adopt an **ORDINANCE** to amend Sections 18.17 through 18.25 and add Sections 18.26 through 18.30, and rename Article II from "Discrimination in Real Estate Transactions" to "Discrimination Prohibited" of Chapter 18 of the Kalamazoo City Code of Ordinances.

Prior to a vote on the motion, Commissioner Anderson read the Preamble to the Constitution of the United States and reviewed how U.S. history had been marked by attempts to fully develop the meaning of these words. Commissioner Anderson explained that the ideals embodied in civil rights legislation were "fleshed-out" in mundane ways, such as policy and contract language. Commissioner Anderson stated the time was right for this ordinance.

Commissioner Cooney stated the proposed ordinance was a step towards fulfillment of the American promise and ideal that "all men are created equal." Commissioner Cooney stated any instance of discrimination constituted a denial of citizens' basic rights.

Commissioner Moore stated any denial of a person's liberties constituted oppression. Commissioner Moore congratulated KAFE for their organizational skills, and she noted the good work of several community organizations that addressed the issue of discrimination.

Commissioner Miller thanked City Attorney Robinson for his work on the ordinance.

Commissioner McCann stated he supported the proposed ordinance, and he expressed hope that the protections offered in the ordinance would work their way into federal and state legislation. Commissioner McCann commended the City Attorney for remaining neutral while providing good legal advice and service to the City Commission.

Vice Mayor McKinney thanked the Community Relations Board for reviewing the ordinance and providing a recommendation.

Mayor Hopewell noted the work of Commissioners Anderson and Miller to develop this ordinance. Stated the issue at hand was valuing individuals and recognizing the value of each person to the community.

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  
78162

City Clerk Borling reported the following items:

- the receipt of correspondence from the City of Portage regarding a request from the South County Sewer and Water Authority for an intergovernmental agreement that would allow for a Village of Schoolcraft/Schoolcraft Township connection to the Portage sanitary sewer system and flow-through for treatment at the City of Kalamazoo Water Reclamation Plant. This correspondence was referred to the City Manager.

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

Board of Review for Assessments

- Tuesday, July 22, 2008

Community Development Act Advisory Committee

- Thursday, August 14, 2008
- Thursday, October 09, 2008

Community Relations Board

- Thursday, June 12, 2008
- Thursday, July 10, 2008
- Thursday, August 14, 2008

Dangerous Buildings Board

- Thursday, September 04, 2008
- Thursday, October 02, 2008

Environmental Concerns Committee

- Wednesday, October 15, 2008

Housing Board of Appeals

- Thursday, August 28, 2008

Kalamazoo Historic District Commission

- Tuesday, August 19, 2008
- Tuesday, September 16, 2008
- Tuesday, October 21, 2008

Kalamazoo Historic Preservation Commission

- Tuesday, October 14, 2008

Kalamazoo Municipal Golf Association

- Tuesday, October 28, 2008

Parks and Recreation Advisory Board

- Tuesday, September 02, 2008
- Tuesday, October 07, 2008

Planning Commission

- Thursday, September 04, 2008
- Thursday, October 02, 2008

City Clerk's Report  
(cont'd)

## Traffic Board

- Thursday, August 14, 2008
- Thursday, September 11, 2008

## Zoning Board of Appeals

- Thursday, October 09, 2008

City Manager's  
Report**78163**

City Manager Collard reported he had sent a response to the City of Portage regarding the request from the South County Sewer and Water Authority for an intergovernmental agreement that would allow for a Village of Schoolcraft/Schoolcraft Township connection to the Portage sanitary sewer system and flow-through for treatment at the City of Kalamazoo Water Reclamation Plant.

City Manager Collard presented the Proposed FY2009 Budget. City Manager Collard described the proposed budget as a two-year rolling budget that would maintain priority services and allow the City Administration and City Commission to lengthen the budget perspective and shorten the fiscal perspective. City Manager Collard stated the City needed to provide key public services while simultaneously watching economic dynamics. City Manager Collard remarked that decisions would need to be made regarding the budget, and he hoped these decisions would balance the City's interests and responsibilities, its revenues and expenditures. City Manager Collard stated the Community Survey conducted earlier in the year revealed citizens' high level of confidence in the City's management of public resources. City Manager Collard indicated the City would face an estimated 5-10% revenue decline accruing over the next 18 months, and expenses would need to be trimmed. However, City Manager Collard concluded the fiscal challenges would also present opportunities, and the City needed to invest in the Kalamazoo community to improve the quality of life for all citizens.

## Citizen Comments

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

Beth Lewis, City resident, thanked people who did not participate in local government but who worked hard and contributed to the life of the community.

Christie Moore, City resident, spoke regarding the one-year jail sentence given the drunk driver who had killed two of her family members. Ms. Moore asked where her family could go for justice.

Richard Emig, City resident and owner of W. M. Spaman Jewelers, remarked on Spaman's recent grand opening at 813 West South Street.

City Commissioner  
Comments

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

Commissioner Moore offered comments on the following topics: the recent grand opening of W. M. Spaman Jewelers; the graduation of Jameel Wells from Western Michigan University (WMU); voting for Greg Jennings; and the Northside Urban Garden Mosaic Art Project.

City Commissioner  
Comments (cont'd)

Commissioner Miller commended Alfrelyn Roberts for her role in the opera *Porgy and Bess* in Chicago. Commissioner Miller remarked on the passing of former mayor Paul Todd and expressed condolences to the family.

Commissioner Anderson offered remarks on the following items: the opportunity to discuss budget priorities at the November 11<sup>th</sup> City Commission Work Session; Pride Care Ambulance's free transportation service for wheelchair-bound individuals on Thanksgiving and Christmas; and the City's need to borrow money for cash flow purposes through the issuance of Tax Anticipation Notes (TANS).

Commissioner Cooney expressed condolences to the family of Paul Todd and noted a public memorial service would take place on Friday, December 5<sup>th</sup>. Commissioner Cooney announced that he and Vice Mayor McKinney would be facilitating a public forum regarding the national economic crisis on Wednesday, December 10<sup>th</sup> at 6:00 p.m. in the City Commission Chambers. Commissioner Cooney remarked that December 10<sup>th</sup> was Human Rights Day.

Vice Mayor McKinney invited citizens to the public hearing on the economic crisis and stated the comments and information generated at the public hearing would be sent to the Economic Policy Institute in Washington D.C.

Mayor Hopewell remarked on World AIDS Day, the deaths of Paul Todd and former Public Safety Officer Spike Meinard, the tree lighting ceremony in Bronson Park, and Commissioners' performance evaluations of the City Commission Appointees.

Adjournment

The meeting adjourned at 8:14 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on December 29, 2008

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Vice Mayor  
Dated: December 29, 2008

The Kalamazoo City Commission met as a Committee of the Whole on Friday, December 12, 2008 at 7:30 a.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, City Attorney Clyde Robinson, and Deputy City Clerk Virginia Vander Roest.

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 15th Meeting Agenda

The City Commission reviewed and discussed the agendas for its Regular Meeting on Monday, December 15, 2008.

\*At 7:32 a.m., Commissioners Anderson and McCann arrived.

\*\*At 7:34 a.m., Commissioner Cooney arrived.

Mayor Hopewell noted an addition of the 2009 City Commission Meeting Schedule to the agenda.

Commissioner McCann expressed concern over energy related costs. City Manager Collard noted asphalt prices do not necessarily track with petroleum prices.

City Manager Collard expressed congratulations to Executive Director of the Economic Development Corporation Jerome Kisscorni and the Economic Development Corporation for their roles in the City's receipt of the 2008 Catalyst Award from Southwest Michigan First.

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,

Virginia M. Vander Roest  
Deputy City Clerk

For City Commission approval on January 5, 2009

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Vice Mayor  
Dated: January 5, 2009

A Neighborhood Meeting of the Kalamazoo City Commission was held on Monday, December 15, 2008 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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Moore, seconded by Commissioner Miller, moved to excuse the absence of Commissioner Cooney. 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:

Parkview Neighborhood Association

**Joan Dombrowski**, President  
Karl Freed, Board Member  
Gary Niemeck, Board Member

Stuart Area Restoration Association

**Matthew Baldwin-Wilson**, Executive Director

\*Commissioner Cooney arrived at 6:03 p.m.

Parkview Neighborhood Association

The Parkview Neighborhood Association representatives:

- reported no major problems.
- highlighted the recent publication of the book *Parkview Hills: We Belong to the Land* by Barbara Walters and invited Commissioners to a book signing at the Parkview Hills Clubhouse on January 15<sup>th</sup> from 6-8 p.m.
- reviewed neighborhood projects the City had completed in 2008.

Parkview  
Neighborhood  
Association  
(cont'd)

- requested that the following needs be addressed in 2009: repair of non-functioning streetlights; repair/repaving of potholes in the cul-de-sacs and at the Greenleaf Boulevard/Parkview Avenue intersection; and the installation of a bike lane on Greenleaf Circle.
- thanked Traffic Engineer Shahid Abbas for installing additional traffic signs in the neighborhood.

Stuart Area  
Restoration  
Association  
**78164**

The Stuart Area Restoration Association representative:

- distributed copies of the December 2008 *Historic Stuart Neighborhood* newsletter.
- stated the Neighborhood Watch was revitalized in 2008.
- reported the Neighborhood had not been hurt by foreclosures like other City neighborhoods.
- noted the crimes committed in the neighborhood were crimes of opportunity (burglary and larceny, for instance).
- stated the Association was negotiating with the City for placement of Neighborhood Watch signs at entry points into the Neighborhood.
- reported 100 people participated in the Historic Homes Tour and expressed disappointment in the low turnout.
- expressed enthusiasm for the 2009 Downtown Historic Homes Tour.

In response to a question from Commissioner Miller, Mr. Baldwin-Wilson stated Douglas Avenue was the boundary between the Stuart and Fairmont Neighborhoods.

Commissioner Anderson suggested the Association work with the Convention and Visitors' Bureau to market the Historic Homes Tour beyond the greater Kalamazoo area.

Commissioner McCann suggested Mr. Baldwin-Wilson send the Neighborhood newsletter to the City Commission every month.

Presentation re:  
the Metro Transit/  
KCTA Transition  
**78165**

Linda Teeter, Chair of the Kalamazoo County Transportation Authority (KCTA) reviewed the history of the KCTA and provided an update regarding the transition of the Metro Transit system from the City of Kalamazoo to the KCTA. Ms. Teeter stated the City, County and KCTA were at a critical juncture with the defeat of the countywide millage on November 4<sup>th</sup>. Ms. Teeter distributed copies of a resolution expressing support for the suspension of the planned transition of the Kalamazoo Metro Transit System to the KCTA on January 1, 2009. Ms. Teeter reported the KCTA Board had adopted the resolution earlier that day and noted City Manager Collard and Kalamazoo County Administrator Peter Battani had presented a letter to the KCTA Board on December 11<sup>th</sup> supporting the suspension of the planned transition.

Presentation re:  
the Metro Transit/  
KCTA Transition  
(cont'd)

In response to Commissioner Anderson, Ms. Teeter stated the new transition timeline would be dependent on the placement and timing of a millage question or millage questions on a ballot.

In response to a question from Commissioner Moore, Ms. Teeter stated the KCTA would be contracting for a community survey, but there had not been discussion about focus groups. Ms. Teeter stated the KCTA would seek input from all community groups.

Commissioner Moore reported an open, frank conversation had taken place between Director Schomisich and members of the Northside Ministerial Alliance, and she suggested the KCTA take to heart Pastor J. Louis Felton's evaluation of the millage failure.

Mayor Hopewell thanked Ms. Teeter for her dedication and hard work on the millage.

Citizen Comments

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

Discussion of 2009  
City Commission  
Meeting Schedule/  
Commissioner  
Comments

**78166**

Mayor Hopewell requested that the Proposed 2009 City Commission Meeting Schedule be revised to move the January 20<sup>th</sup> Business Meeting to an alternate date. Discussion followed.

By consensus the City Commission agreed to revise the Proposed 2009 City Commission Meeting Schedule by moving the January 20<sup>th</sup> Business Meeting to Monday, January 26<sup>th</sup> at 8:00 p.m.

The meeting adjourned at 6:38 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on January 5, 2009

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Vice Mayor  
Dated: January 5, 2009

A regular meeting of the Kalamazoo City Commission was held on Monday, December 15, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

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

COMMISSIONERS ABSENT: None

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

Invocation

The invocation, given by Reverend Jill McAllister, The Peoples' Church, was followed by the Pledge of Allegiance.

MOP Project  
Democracy School  
Graduates

Commissioner Moore recognized graduates of the Michigan Organizing Project Democracy School. Commissioner Moore commended the graduates and urged them to be involved in the community.

2008 All Star  
Award Winners

City Manager Collard presented the 2008 All Star Awards to the following City employees:

**78167**

Shahid Abbas, Traffic Engineer  
Matt Bombich, Public Safety Officer  
Thomas Denharder, Public Safety Officer  
Harold "Butch" Hays, Mechanical and Plumbing Inspector  
Christopher Nelson, Lead Maintenance Mechanic  
Scott Patrick, Senior Systems Analyst

Adoption of the  
Agenda

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

**78168**

Commissioner McCann requested that Item F-10, contract for labor counsel services, be removed from the agenda.

City Manager Collard requested that a resolution to correct legal descriptions for the Pharmaceutical Recovery Renaissance Zone be added to the Regular Agenda.

Communications

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

Public Hearing re:  
an EIF Loan for  
BDSLME Enterprise

At 7:23 p.m. Mayor Hopewell opened a public hearing to receive public comments regarding a recommendation to 1) approve a Project Plan, as initiated by BDSLM Enterprise, LLC; 2) waive the general EIF guidelines concerning the percentage of EIF funds permitted in a project and the ability to participate in a project if a decision to begin has been made; and, 3) authorize the transfer of Economic Initiative Funds for use as

**78169**

proposed in the Project Plan, under terms and conditions as negotiated with BDSLM Enterprise, LLC by the Economic Development Corporation.

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

Resolution 08-99  
Approving an EIF  
Loan for BDSLM  
Enterprise, LLC  
**78169**

Commissioner McCann, seconded by Commissioner Anderson, moved to adopt a **RESOLUTION** to 1) approve a Project Plan, as initiated by BDSLM Enterprise, LLC; 2) waive the general EIF guidelines concerning the percentage of EIF funds permitted in a project and the ability to participate in a project if a decision to begin has been made; and, 3) authorize the transfer of Economic Initiative Funds for use as proposed in the Project Plan, under terms and conditions as negotiated with BDSLM Enterprise, LLC by the Economic Development Corporation

With a roll call vote this motion passed unanimously.

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

NAYS: None

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:

- 78170** - approval of a three year contract with Republic Services of West Michigan for weekly curbside recycling and multi-unit recycling collection, monthly curbside collection of bulk trash and garbage packer rental for fall leaf collection in the amount of \$2,763,800.
- 78171** - approval of a one-year term contract extension for gasoline and diesel fuel with Knapp Energy, Inc. for an amount not to exceed \$920,600.00.
- 78172** - approval of a term contract change order for gasoline and diesel fuel with Knapp Energy, Inc., in an amount not to exceed \$200,000.
- 78173** - approval of a contract extension with Unique Paving Materials Corporation for the purchase of 1,200 tons of asphalt patching material for a total expenditure of \$134,400.
- 78174** - approval of a professional services contract with Tetra Tech MPS to design the replacement of Water Pumping Station #8 (200 East Kilgore Road) in the amount of \$111,500.
- Resolution 08-100  
**78175** - adoption of a **RESOLUTION** approving a Fourth Amendment to the Urban Cooperation Act Agreement to Change the Name "Community Access Center" to "Public Media Network".
- Resolution 08-101  
**78176** - adoption of a **RESOLUTION** supporting a Preserve America designation for the City of Kalamazoo.

Consent Agenda  
(cont'd)

Resolution 08-102  
**78177**

- adoption of 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, 2009 to December 31, 2009.

**78178**

- authorization for the City Manager to execute a Water Tower Lease Agreement with Option that allows T-Mobile to place telecommunication equipment on and under the City's Mt. Olivet water tower.

**78179**

- approval of a request from the New Year's Fest of Kalamazoo, to publicly display fireworks at the Radisson Parking Structure on Wednesday, December 31, 2008 at midnight as a part of the annual New Year's festivities.

Commissioner Moore, seconded by Commissioner Cooney, moved to approve the consent agenda requests.

Prior to a vote on the motion, Mayor Hopewell, under the advisement of City Attorney Robinson, removed Item F-9 (approval of the 2009 City Commission Meeting Schedule) from the Consent Agenda, and indicated this item would be considered under the Regular Agenda to allow for revisions to the schedule.

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 08-103  
Approving the  
2009 City  
Commission  
Meeting Schedule  
**78180**

Commissioner McCann, seconded by Commissioner Anderson, moved to adopt **RESOLUTION** approving and establishing the schedule of regular City Commission meetings for the 2009 calendar year, with the inclusion of the following changes to the proposed schedule:

- the Business Meeting scheduled for Tuesday, January 20<sup>th</sup> at 7:00 p.m. was moved to Monday, January 26<sup>th</sup> at 8:00 p.m.
- Work Sessions for the purpose of reviewing the Proposed FY2009 Budget were added for Monday, January 12<sup>th</sup> at 6:00 p.m. and Saturday, January 17<sup>th</sup> at 9:00 a.m., both in the Community Room at City Hall.

In response to a question from Vice Mayor McKinney, City Manager Collard stated the Budget Work Session on January 12 would be programmatic in nature, whereas the Budget Work Session on January 17<sup>th</sup> would feature the department-by-department technical reviews and requests for tentative approval.

Resolution 08-103  
Approving the  
2009 City  
Commission  
Meeting Schedule  
(cont'd)

**78180**

Vice Mayor questioned if the technical review could be accomplished in a shorter timeframe, given that the FY2009 Budget would be a virtual duplicate of the FY2008 Budget.

City Manager Collard stated the Work Session on January 12<sup>th</sup> would not lend itself to a fund-by-fund, department-by-department review, and he suggested the proposed budget process was already streamlined compared to the process used in previous years.

Commissioner Moore stated she appreciated the desire for shorter and fewer meetings but noted the department-by-department technical review made the process transparent and offered citizens an opportunity to participate in the budget process.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Resolution 08-104  
Amending the  
Pharmaceutical  
Recovery  
Renaissance Zone  
Legal Description

**78181**

Executive Director of the Economic Development Corporation Jerome Kiscorni explained the State of Michigan a resolution from the City Commission with the correct legal description for the Pharmaceutical Recovery Renaissance Zone. Director Kiscorni stated a discrepancy had been discovered only recently, and the State needed to receive the resolution and correct legal description before December 17<sup>th</sup>.

Commissioner Moore, seconded by Commissioner Anderson moved to adopt a **RESOLUTION** to amend and correct legal descriptions for the Pharmaceutical Recovery Renaissance Zone.

Prior to a vote on the motion, Commissioner McCann express support for the motion.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Commission  
Ethics Policy

**78182**

Commissioner McCann offered general remarks on the proposed ethics policy and the work of the Ethics Policy Development Sub-Committee.

Commissioner Miller seconded by Commissioner Cooney moved to adopt the City Commission Ethics Code as City Commission Policy No. 10.6.

Prior to a vote on the motion, Commissioner Anderson summarized the three sections of the proposed ethics policy: *Code of Ethics; Compliance and Enforcement; and Implementation.*

Mayor Hopewell thanked Commissioners McCann, Cooney and Anderson for their work.

City Commission  
Ethics Policy  
(cont'd)

With a roll call vote the motion passed unanimously.

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

NAYS: None

City Manager's  
Report  
**78183**

City Manager Collard provided the following reports and updates:

- Departmental Reports and Project Updates
- CITYLink newsletter dated [date]
- October, 2008 Purchasing Report
- 3<sup>rd</sup> Quarter 2008 Employment Activity Report

City Manager Collard noted the Employees' Retirement System had lost \$41.7 million in value (8.8%) during the 3<sup>rd</sup> Quarter.

Commissioner Miller noted the City had helped 2,500 families with housing support and 64 families with utility support in 2008 via the Community Development Block Grant program.

Citizen Comments

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

Sheran Pierson, non-resident, commended the City Commission for their hard work and noted Young Black Males (YBM) was celebrating its fifth anniversary. Ms. Pierson announced Pastor Joseph Anderson was the new President of YBM.

Bob Jamison, City resident, spoke regarding the book *Parkview Hills: We Belong to the Land*. Mr. Jamison noted this book was created by four Kalamazoo artists: Barbara Walters (author); Mark Magnosci (photographer); Dave Lambrix (layout and design); and Paw Paw Press (printing and binding). Mr. Jamison invited Commissioners to a book signing at the Parkview Hills Clubhouse on January 15<sup>th</sup> from 6-8 p.m.

City Commissioner  
Comments

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

Commissioner Miller thanked the Public Services Department for attempting to pick-up leaves during the recent brief period of warm weather, and she thanked Public Safety Officers for collecting canned goods at D&W on Parkview Avenue for the Holiday Food Drive.

Commissioner Anderson questioned if the contract for labor counsel services would be on a future City Commission agenda.

Mayor Hopewell stated it was anticipated the labor counsel services agreement would be on the December 29<sup>th</sup> City Commission meeting agenda.

City Commissioner  
Comments (cont'd)

Commissioner Cooney offered remarks on the following topics: the new name of the Community Access Center; the public forum held on December 10<sup>th</sup> regarding the current economic crisis; the generosity of American people; and the need to advocate for the well being of every single American.

Commissioner McCann announced the Greater Kalamazoo Holiday Food Drive needed volunteers on Friday, December 19<sup>th</sup> and Saturday, December 20<sup>th</sup>.

Mayor Hopewell commented on the Greater Kalamazoo Holiday Food Drive, a food drive conducted by the Kalamazoo Central student government, the advocacy efforts of the group "Mayors and Municipal Automotive Coalition" on behalf of auto industry in Michigan, and the promotion of Gretchen Mayo to the position of Sergeant in the Public Safety Department.

Adjournment

The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on January 5, 2009

Approved by: \_\_\_\_\_  
Hannah J. McKinney, Vice Mayor  
Dated: January 5, 2009

A regular meeting of the Kalamazoo City Commission was held on Monday, December 29, 2008 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call	<p>COMMISSIONERS PRESENT: Vice Mayor Hannah McKinney David Anderson Don Cooney Sean McCann Barbara Miller Stephanie Moore</p> <p>COMMISSIONERS ABSENT: Mayor Bobby J. Hopewell</p> <p>Also present were City Manager Ken Collard, City Attorney Clyde Robinson, and City Clerk Scott Borling.</p>
Commissioner Excused	Commissioner Anderson, seconded by Commissioner Miller, moved to excuse the absence of Mayor Hopewell. With a voice vote the motion passed.
Invocation	The invocation, given by Pastor John Moore, Stockbridge Avenue United Methodist Church, was followed by the Pledge of Allegiance.
Adoption of the Agenda	<p>By unanimous consent the City Commission adopted its meeting agenda with the following change:</p> <p>Commissioner McCann requested that Item F-3, contract for labor counsel services, be moved to the Regular Agenda.</p>
Communications	City Manager Collard invited the public to attend meetings of various boards and commissions.
Consent Agenda	Consent Agenda items were presented as follows with a recommendation to approve the items with authorization for the City Manager to sign on behalf of the city:
<b>78184</b>	- approval of a twelve month maintenance contract with Intergraph Corporation, Inc. for the continued maintenance of the City's computer-aided dispatching, records management systems and mobile data computing systems in the amount of \$140,748.
<b>78185</b>	- approve a one-year maintenance contract with Motorola, Inc, to provide for continued maintenance for the Department's 800 MHz digital radio system in the amount of \$127,887.
<b>78186</b>	- acceptance of a grant from the Michigan Department of State in the amount of \$2,594 for polling facility accessibility improvements and authorization for the City Clerk to execute all documents related to the administration of this grant.
Resolution 08-105 <b>78187</b>	- adoption of a <b>RESOLUTION</b> to accept the donation of a strip of land along South Street for additional right-of-way.

Consent Agenda  
(cont'd)

**78188**

- approval of the following appointments and re-appointments to advisory boards and commissions:
  - the appointment of **Nicholas Boyd** to the Community Relations Board for a term expiring on January 1, 2012.
  - the reappointment of **Steven Gerike** to the Community Relations Board for a term expiring on January 1, 2012.
  - the reappointment of **Casey Gershon** to the Environmental Concerns Committee for a term expiring on January 1, 2012.
  - the reappointment of **Francois Moyet** to the Environmental Concerns Committee for a term expiring on January 1, 2012.
  - the reappointment of **David Nesius** to the Environmental Concerns Committee for a term expiring on January 1, 2012.
  - the reappointment of **James Allen Nicolow** to the Environmental Concerns Committee for a term expiring on January 1, 2012.
  - the re-appointment of **Linda DeYoung** to the Historic District Commission for a term expiring on January 1, 2012.
  - the re-appointment of **James Tribu** to the Historic District Commission for a term expiring January 1, 2012.
- acceptance of the following results of the Kalamazoo Municipal Golf Association election held on November 18, 2008:
  - the re-election of **Quincy Franklin** for a three-year term expiring on December 31, 2011.
  - the re-election of **Vic Callahan** for a three-year term expiring on December 31, 2011.
  - the election of **Dave Vernier** for a three-year term expiring on December 31, 2011.
- approval of the minutes from the following City Commission meetings: the Work Session on November 11, 2008; the Neighborhood Meeting on November 17, 2008; and the Business Meetings on November 17 and December 1, 2008.

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

With a roll call vote this motion passed unanimously.

Consent Agenda  
(cont'd)

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

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Contract for Labor  
Counsel Services

**78189**

Commissioner McCann expressed concern that a local law firm, Miller, Canfield, Paddock, and Stone, PLC, had held the labor counsel contract for many years but had lost the bid to a non-local law firm, Nantz, Litowich, Smith, Girard and Hamilton. Commissioner McCann noted Miller Canfield had submitted a new bid that matched the pricing of the bid from Nantz, Litowich, and he asked City Attorney Robinson to discuss whether the revised bid from Miller Canfield would change the outcome of the selection process.

Commissioner Cooney, seconded by Commissioner Miller, moved to authorize the City Attorney to execute a labor counsel services retainer agreement with the law firm of Nantz, Litowich, Smith, Girard and Hamilton in the amount of \$120,000.

Prior to a vote on the motion, City Attorney Robinson confirmed that he received correspondence on December 22<sup>nd</sup> from Miller Canfield, which stated they would match the bid from Nantz Litowich. City Attorney Robinson noted the selection criteria included both qualifications and price, and after a review of the new bid from Miller Canfield, he and Purchasing Director Nick Lam had decided to reaffirm their original recommendation.

In response to a question from Commissioner McCann, City Attorney Robinson presented the following alternatives to the City Commission: 1) the Commission could direct selection committee to review the bids again or solicit new bids; or 2) the Commission could reject the recommendation and award the contract to another company. City Attorney Robinson noted it was within the City Commission's purview to consider factors such as location and investment in the community when awarding the contract, whereas purchasing principles and guidelines limited the selection committee's criteria.

Commissioner McCann thanked the City Commission for agreeing to remove this item from the December 15<sup>th</sup> meeting agenda, and he thanked the City Attorney for providing additional information about the selection process. Commissioner McCann acknowledged the extensive selection process and stated he was satisfied with this process, although not entirely pleased with the outcome. Commissioner McCann recognized Miller Canfield for its investment in the Downtown area, its decision to remain in Kalamazoo, and its willingness to match the bid of Nantz Litowich.

In response to a question from Commissioner Anderson, Purchasing Director Lam stated the Local Preference Purchasing Policy did not apply to the purchase of professional services.

Contract for Labor  
Counsel Services  
(cont'd)

**78189**

In response to a question from Vice Mayor McKinney, Director Lam stated the original bid amounts would not have triggered the Local Preference Purchasing Policy, even if it were applicable.

Commissioner Cooney stated he had discussed the recommendation with City Attorney Robinson and expressed trust in the judgment of the City Attorney and Human Resources Director, as it would be their offices working with the law firm.

Vice Mayor McKinney noted the new City Attorney and Labor Relations Director had brought fresh eyes to this purchasing decision, and she highlighted the need for balance between a fresh perspective and institutional memory.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Citizen Comments

**78190**

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

Monica Westover, non-resident, spoke regarding FOIA requests that had not received follow-up and Public Safety reports that had been written-over. Ms. Westover submitted a time-line of events and a video tape for the City Attorney's review.

Sally Reynolds, City resident, spoke regarding snow covered sidewalks and suggested the City either hire workers to clear snow from sidewalks or enforce the ordinance requiring property owners to keep their sidewalks clean.

Michael Phelan, City resident, suggested the City use tractors with brush attachments to clear snow from the sidewalks. Mr. Phelan also stated the City should enforce the existing ordinance regarding snow removal.

City Commissioner  
Comments

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

Commissioner Moore offered remarks on the following topics: snow removal from sidewalks; the death of PSO Kennedy Crawford; the recent shooting of a teenager on North Church Street; concerns about out-of-control house parties; employment opportunities with the U.S. Census Bureau; Dr. Charles Warfield, the new President of the Kalamazoo Metropolitan Branch of the NAACP; Michael Seals, the new President of the Kalamazoo branch of the A. Phillip Randolph Institute; the K-Central Alumni Basketball Game; and the Greater Kalamazoo Holiday Food Drive. Commissioner Moore requested a dialogue about the regulation of house parties.

City Commissioner  
Comments (cont'd)

Commissioner Miller wished Deputy City Manager Jerri Barnett-Moore "Happy Birthday."

Commissioner Cooney expressed hope in the presidency of Barak Obama and stated President-elect Obama had proposed the establishment of a Department of Urban Affairs and a task force to study the quality of life for working people and their families. Commissioner Cooney noted people in poverty and the unemployed were especially hurting at this time.

Commissioner McCann invited citizens to New Years Fest on December 31<sup>st</sup> in Bronson Park.

Vice Mayor McKinney stated Kalamazoo citizens needed to take care of each other by shoveling their sidewalks.

Closed Session to  
Discuss Pending  
Litigation

Commissioner McCann, seconded by Commissioner Miller, moved that the City Commission go into closed session to discuss pending litigation.

**78191**

With a roll call vote this motion passed unanimously.

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

NAYS: None

Vice Mayor McKinney stated the City Commission would return to open session to take action following the closed session.

The City Commission went into closed session at 7:42 p.m.

The City Commission came out of closed session at 8:07 p.m.

Settlement of the  
Michael Collier  
Lawsuit

Commissioner McCann, seconded by Commissioner Anderson, moved to authorize the City Attorney to settle the Michael Collier v City of Kalamazoo and Jeffrey Deblecourt in the amount of \$40,000 plus all mediation costs.

**78192**

With a roll call vote this motion passed by a vote of 5-1.

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

NAYS: Commissioner Moore

Adjournment

The meeting adjourned at 8:08 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

For City Commission approval on January 5, 2009

Approved by: \_\_\_\_\_  
Hannah McKinney, Vice Mayor  
Dated: January 5, 2009