

	<p>A business meeting of the Kalamazoo City Commission was held on Monday, June 1, 2015 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 W. South Street.</p>
Roll Call	<p>COMMISSIONERS PRESENT: Mayor Bobby Hopewell Vice Mayor David Anderson Robert Cinabro Don Cooney Eric Cunningham Barbara Miller Jack Urban</p> <p>COMMISSIONERS ABSENT: None</p>
	<p>Also present were City Manager Jim Ritsema, City Attorney Clyde Robinson, and City Clerk Scott Borling.</p>
Invocation	<p>The invocation, given by Pastor Nathan Dannison, First Congregational Church, was followed by the Pledge of Allegiance.</p>
Presentation on Riverside Cemetery Veterans Memorial Renovations	<p>Lorie Reed and Sharon Robbins, President and Council Director of the Westwood Garden Club, gave a brief presentation on renovations at the Riverside Cemetery Veterans Memorial. A concept plan and budget provided by Ms. Robins and Ms. Reed were filed with the papers for this meeting.</p>
Proclamation and Historic Preservation Awards of Merit	<p>Vice Mayor Anderson proclaimed May, 2015 <i>Historic Preservation Month</i>. Historic Preservation Coordinator Sharon Ferraro and Historic Preservation Commission (HPC) Co-Chair Curt Aardema received the proclamation. Mr. Aardema noted the City Commission had created the Kalamazoo Commission for Historical Preservation on June 1, 1965. Mr. Aardema announced the 2015 Historic Preservation Awards of Merit had been awarded to the following properties:</p> <p><u>Residential Property</u></p> <ol style="list-style-type: none"> <li>1. 315 West Lovell – Henry Gilbert House – 1888</li> <li>2. 2421 Oakland – 1926</li> </ol> <p><u>Commercial/Institutional</u></p> <ol style="list-style-type: none"> <li>1. 1104 South Westnedge – Fire Station #6 – 1906</li> <li>2. 1301 and 1305 South Westnedge – 1914</li> </ol>
Adoption of the Agenda	<p>By unanimous consent the City Commission adopted its meeting agenda with the following changes:</p> <p>Vice Mayor Anderson requested that Item F-3, confirmation of the 2015 Assessment Roll, be moved from the Consent Agenda to the Regular Agenda.</p> <p>A citizen requested that Item F-2, purchase of powdered activated carbon, be moved from the Consent Agenda to the Regular Agenda.</p>

City Manager Ritsema reported the first meeting of the Blue Ribbon Revenue Panel had taken place earlier that day, and he announced the next meeting of the Panel would be on Monday, June 8<sup>th</sup> in Room 128a of the Kalamazoo Valley Community College Anna Whitten Building.

Communications

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

Consent Agenda

- approval of a two-year contract extension with KAR Laboratories, Incorporated for analytical testing services for a total amount not to exceed \$135,000.00.
- adoption of a **RESOLUTION** approving the request of the Downtown Development Authority to levy a tax rate of 1.9638 mills.
- adoption of a **RESOLUTION** supporting the development of a non-motorized trail to connect the cities of Kalamazoo and Grand Rapids and the communities in between.
- adoption of a **RESOLUTION** designating the polling facility location for Precinct 12 to be used during the election on August 4, 2015 and for each election thereafter.
- adoption of the 2015 Region 5 Bomb Response Plan.
- acceptance of a grant in the amount of \$80,000 from the Irving S. Gilmore Foundation to rehabilitate former Public Safety Station 5 into a community resource center.
- approval of the minutes from the City Commission meetings on May 18, 2015.
- approval of a recommendation to hold until June 1, 2015 consideration of the purchase of 1310 Bank Street from Abundant Faith Church COGIC at a cost not to exceed \$130,000 for the expansion of the Kalamazoo Farmers' Market.
- approval of a recommendation to hold until June 1, 2015 consideration the sale of Eastern Hills Golf Course.

Resolution 15-24

Resolution 15-25

Resolution 15-26

Commissioner Cinabro, seconded by Commissioner Cunningham, moved to approve the consent agenda requests and authorize the City Manager to sign on behalf of the City.

With a roll call vote this motion passed.

AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Purchase of Powdered Activated Carbon

When given an opportunity to comment on the purchase powdered activated carbon, the following people addressed the City Commission:

Rico Biasetti, President of Michigan Renewable Carbon (MRC), described the performance of MRC carbon and the sustainable processes and local sourcing used to create MRC carbon.

Vice Mayor Anderson, seconded by Commissioner Urban, moved to approve a two-year contract with Omni Materials, Incorporated to purchase powdered activated carbon in the amount of \$1,760,000.

Prior to a vote on the motion, and in response to a question from Vice Mayor Anderson, Jim Cornell, Superintendent of the Water Reclamation Plant, described the procurement process for powdered activated carbon.

In response to a question from Commissioner Cinabro, Mr. Cornell and City Manager Ritsema stated Mr. Biasetti's comments did not change the Administration's recommendation on this purchase.

Commissioner Urban questioned whether the result of the procurement process would have been different if the City had a state preference policy, and he wondered whether the City's purchasing policy should be modified.

Vice Mayor Anderson stated the question of a state preference policy was a topic for another conversation. Vice Mayor Anderson asked City Attorney Robinson whether the City would have any liability if the Commission awarded the contract to another vendor.

In response to a question from Vice Mayor Anderson, City Attorney Robinson stated there was no binding contract in place, so there would be no legal consequences if the City Commission awarded the contract to someone other than the low bidder. However, City Attorney Robinson advised of practical consequences that might arise for future procurement processes if the Commission created a precedent for disregarding its own policy.

Commissioner Cooney thanked the representatives from MRC for addressing the Commission but expressed support for awarding the contract to Omni Materials.

Mayor Hopewell stated the City Commission needed to have a conversation about sustainability.

With a roll call vote this motion passed.

AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell

NAYS: None

Vice Mayor Anderson asked City Manager Ritsema to explain the 2015 Assessment Roll in plain language.

Resolution 15-27  
Confirming the 2015  
Assessment Roll

City Manager Ritsema stated the Assessment Roll set the property values on which property taxes were based. City Manager Ritsema explained taxable values could only go up 5% or the rate of inflation, which ever was lower.

An opportunity was given for citizens to comment on the 2015 Assessment Roll, but no comments were offered.

Commissioner Cooney, seconded by Commissioner Urban, moved to adopt a **RESOLUTION** confirming the 2015 Assessment Roll.

With a roll call vote this motion passed.

AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell

NAYS: None

City Attorney Robinson delivered a PowerPoint presentation entitled, *Amendments to the Freedom of Information Act, 2014 Public Act 563: A Presentation to the City Commission June 1, 2015*. A copy of the slides for this presentation was included with the papers for this meeting.

Resolution 15-28  
Approving a New  
Freedom of Information  
Act Policy and  
Repealing the Existing  
FOIA Policies

When an opportunity was given for citizens to comment on a resolution enacting changes to City Commission policies so as to be compliant with legislative changes in the Freedom of Information Act (FOIA), the following people addressed the City Commission:

Monica Westover, non-resident, spoke about past FOIA requests she had made that remained unanswered.

Zachary Lassiter, City resident, stated the Michigan Protection and Advocacy Service was the organization that had lobbied for the "non-profit organization" fee waiver in the new FOIA. Mr. Lassiter spoke about the benefits of making data available online and encouraged the City to pursue an open data policy.

Nehemiah Saidder, City resident, spoke in favor of the proposed resolution. Mr. Saidder stated improvements to FOIA laws

Commissioner Urban, seconded by Commissioner Cooney, moved to adopt a **RESOLUTION** enacting the following changes to City Commission policies so as to be compliant with legislative changes in the Freedom of Information Act (FOIA) which become effective July 1, 2015: 1) approving revised City Commission Policy # 45.1 (FOIA Procedures & Guidelines); 2) repealing existing City Commission Polices ## 45.1 (FOIA Charges), 45.2 (Procedures for Processing Release of Public Records) and 45.4 (FOIA Appeals) along with Resolutions 97-54, 97-54a, and 08-89; and 3) approving the proposed *Written Public Summary of FOIA Procedures & Guidelines*.

Resolution 15-28  
Approving a New  
Freedom of Information  
Act Policy and  
Repealing the Existing  
FOIA Policies (cont'd)

Prior to a vote on the motion, Commissioner Miller thanked the City Attorney for his work and noted Kalamazoo's policy was being used as a model for the rest of the state.

With a roll call vote this motion passed.

AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell

NAYS: None

City Manager's Report

City Manager Ritsema announced the creation of a webpage at [www.kalamazoo.org/revenue-panel](http://www.kalamazoo.org/revenue-panel) where citizens could get information on the work of the Blue Ribbon Revenue panel, provide input, and ask questions.

In response to a question from Mayor Hopewell, City Manager Ritsema stated the City was recording the Revenue Panel meetings, and the recordings would be available for viewing from the City's website.

Citizen Comments

Next, an opportunity was given for general citizen comments.

Dana Underwood, City resident, spoke about the powdered activated carbon purchase and the importance of buying locally.

Monica Westover, City resident, spoke about a woman who was stalking her and Public Safety Officers who had harassed her.

Sarah Hoisington, City resident, introduced herself as the new Executive Director of the Stuart Area Restoration Association (SARA) and invited people to the SARA neighborhood yard sale on June 13<sup>th</sup>.

Jodi Dozeman, non-resident, offered remarks on the fact that her apartment complex did not allow residents to use medical marihuana. Information provided by Ms. Dozeman was filed with the papers for this meeting.

Tim Graham, City resident, discussed the need to identify new, recurring revenue sources and stated the upcoming Municipal Election should focus on this issue. Mr. Graham also commented on the need to strengthen the local economy.

Frank Warren, City resident, thanked the City for making improvements to the Korean War Memorial in Bronson Park. Mr. Warren encouraged people to contribute to the Riverside Cemetery Veterans' Memorial endowment fund.

Richard Stewart, City resident, stated there would be some great City Commission candidates for the 2015 Municipal Election. Mr. Stewart spoke about what he would have done differently regarding the expansion of the Downtown Design Review District. Mr. Stewart commented on the revised Abandoned Residential Structure ordinance that was being developed.

Chris Mbah, City resident, asked the City Commission to define what it meant by "intentional engagement." Mr. Mbah stated the City Commission was not authentic and therefore not trustworthy.

Zachary Lassiter, City resident, stated the City Commission had defined "intentional engagement" at its May 18<sup>th</sup> meeting. Mr. Lassiter expressed support for a pilot project to encourage bicycling into downtown but stated it was difficult to walk to the downtown area in the winter when property owners did not remove snow from their sidewalks.

Nehemiah Saiddler, City resident, spoke about civil rights activists who had died. Mr. stated the three qualities needed for trust were truth, honesty, and openness.

Cody Dekker, City resident, spoke about how people addressing the Commission were frustrated. Mr. Dekker asked for more information about the procurement process and stated the City needed to consider environmental criteria in addition to cost. Mr. Dekker expressed support for open data. Mr. Dekker asked when citizens would be able to have a back-and-forth discussion with the City Commission.

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

Commissioner Urban commented on the first meeting of the Blue Ribbon Revenue Panel, the need for the City Commission to uphold its policies, and the status of incentives as tax expenditures.

Commissioner Cinabro expressed an interest in exploring a state or national preference policy.

Commissioner Cooney thanked the City Manager for creating balanced membership on the Blue Ribbon Revenue Panel and commented on the importance of the Panel's work. Commissioner Cooney expressed support for looking at the City Commission's Purchasing Policy with the idea of finding ways to leverage the City's purchasing power to influence community goals like employment and sustainability.

Mayor Hopewell expressed support for reviewing the City Commission's Purchasing Policy and stated the City's Information Technology Director was looking at the idea of open data along with other technology improvements.

The meeting adjourned at 9:02 p.m.

Respectfully submitted,

Scott A. Borling  
City Clerk

Citizen Comments  
(cont'd)

Commissioner  
Comments

Adjournment

For City Commission approval on June 15, 2015

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

Bobby J. Hopewell, Mayor

Dated: June 15, 2015

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