

	<p>A business meeting of the Kalamazoo City Commission was held on Monday, June 15, 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 Reverend Nathan Dannison, First Congregational Church, was followed by the Pledge of Allegiance.</p>
Introduction of Guests	<p>Deb Droppers of The Event Company, Public Safety Sergeant Matt Elzinga, and Captain David Boysen described the block party/neighborhood events sponsored by the Kalamazoo Department of Public Safety over the past year.</p>
Proclamation	<p>Vice Mayor Anderson proclaimed June 18, 2015 <i>Dump the Pump Day</i>. Garrylee McCormick, Chair of the Kalamazoo Transit Authority Board, accepted the proclamation.</p>
Adoption of the Agenda	<p>By unanimous consent the City Commission adopted its meeting agenda with the following changes:</p> <p>Commissioner Miller requested that Item F-1, a five-year pre-paid fare agreement with Western Michigan University, be moved to the Regular Agenda.</p> <p>Commissioner Urban requested that Item F-5, a fireworks permit for the Kalamazoo Growlers, be moved to the Regular Agenda.</p>
Consent Agenda	<p>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:</p> <ul style="list-style-type: none"> - adoption of the 2015 Regional Tactical Team Response Plan. - approval of the Kalamazoo Valley Intergovernmental Ambulance Agreement, Memorandum of Understanding #2015-01. - approval of a request from Adams Outdoor Advertising to display a community special event sign for the 10th anniversary of the Kalamazoo Promise, on the south side of the Radisson Plaza Hotel parking structure, from July 15 to November 30, 2015.

- acceptance of a grant from William D. Johnston in the amount of \$50,000.00 in support of the 2015 Summer Youth Employment Program and approve a memorandum of understanding with the Kalamazoo Regional Education Service Agency to operate the Summer Youth Employment Program in the amount of \$203,208.00.
- acceptance of funding from the Michigan Recreation and Park Association to fund the Fitness in the Parks program for two years in the amount of \$4,900.
- approval of minutes from the City Commission meeting on June 1, 2015.

Consent Agenda
(cont'd)

Commissioner Miller, seconded by Commissioner Cooney, moved to approve the consent agenda requests and authorize the City Manager to sign all documents 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 items were considered next.

Regular Agenda

Bob Miller, Associate Vice President for Community Relations, thanked the City Commission for approving the proposed five-year prepaid fare agreement with Western Michigan University.

Prepaid Fare Agreement with WMU

An opportunity was given for citizens to comment on a five-year Prepaid Fare Agreement with Western Michigan University, but no comments were offered.

Commissioner Urban, seconded by Commissioner Cunningham, moved to approve a new five-year Prepaid Fare Agreement with Western Michigan University to provide unlimited access to Metro Transit services for all current students, faculty and staff, from August 2015 through July 31, 2020. This revenue contract is in the amount of up to \$3,102,785.

Prior to a vote on the motion Commissioner Cinabro remarked the contract was well structured.

Commissioner Urban discussed the value of the bus passes to WMU students and expressed support for the motion.

Commissioner Cunningham stated he took for granted the bus service when he was a student at WMU.

Commissioner Cooney announced he would be abstaining on the vote due to his employment with WMU.

Prepaid Fare
Agreement with
WMU (cont'd)

With a roll call vote this motion passed 6-0 with one abstention.

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

NAYS: None

ABSTAIN: Commissioner Cooney

Fireworks Permit for
the Kalamazoo
Growlers

Commissioner Urban questioned why the Growlers needed such a large number of fireworks displays and expressed concern that the fireworks disturbed residents in the surrounding neighborhoods.

In response to Commissioner Urban, Parks and Recreation Director Sean Fletcher stated the fireworks shows boosted attendance for the Growlers, and he reported the average show lasted approximately 15-20 minutes. Director Fletcher indicated he did not have information on whether the fireworks displays were essential to the Growlers wellbeing.

Commissioner Cunningham stated he used to live on East Michigan Avenue, and the fireworks made his grandmother uncomfortable. Commissioner Cunningham suggested there be a consideration and discussion of how fireworks affected the community.

Director Fletcher noted the opening night and Fourth of July shows lasted longer than the other shows and used larger shells.

An opportunity was given for citizens to comment on a request from the Kalamazoo Growlers to publicly display fireworks at Homer Stryker Field on June 19, June 26, July 4, July 17, and October 17, 2015, but no comments were offered.

Commissioner Miller, seconded by Commissioner Cunningham, moved to approve a request from the Kalamazoo Growlers to publicly display fireworks at Homer Stryker Field on June 19, June 26, July 4, July 17, and October 17, 2015.

With a roll call vote this motion passed 6-1.

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

NAYS: Commissioner Urban

Purchase of 1310
Bank Street for the
Farmers' Market

When given an opportunity to comment on 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, the following people addressed the City Commission:

Richard Stewart, City resident, stated it was not the right time to purchase this property as it was non-essential spending.

Zach Lassiter, City resident, expressed support for the opportunity to expand the Farmers' Market.

Asha Kazhad, City resident, expressed support for the Farmers' Market.

Jason Mann, City resident, expressed concern about the poor quality of food in supermarkets.

Frank Warren, City resident, spoke about the lack of parking at the Farmers' Market and expressed support for purchasing property to expand the Market.

Vice Mayor Anderson, seconded by Commissioner Cooney, moved to approve 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.

Prior to a vote on the motion, Commissioner Urban expressed support for the motion and stated Kalamazoo needed more places with an ambiance like the Farmers' Market.

Commissioner Cooney stated the purchase of this property was a good investment and discussed how the Farmers' Market benefitted people with low incomes.

City Manager Ritsema stated the purchase of this property was part of a long-term plan, and the availability of this property was a great opportunity. City Manager Ritsema agreed it was important to watch expenditures.

With a roll call vote this motion passed.

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

NAYS: None

City Manager Ritsema provided the background information and the framework for the sale of Eastern Hills Golf Course. City Manager Ritsema also explained why a P.A. 425 Agreement was not the best option for the City in this situation.

Commissioner Cinabro asked if the proposed action included the condition desired by the KMGGA, that any money remaining after the debt payoff be placed in an account for capital improvements at Milham Park Golf Course.

City Manager Ritsema stated the recommended action at this time was approval of the sale of Eastern Hills. City Manager Ritsema stated the use of the proceeds would be memorialized at a later date. City Manager Ritsema stated it was the intent of the City Administration to follow the recommendation of the KMGGA with regard to the proceeds.

In response to a question from Vice Mayor Anderson, City Manager Ritsema stated the timeline of the sale of Eastern Hills that was presented to the City Commission could be made available to the public.

Purchase of 1310 Bank Street for the Farmers' Market (cont'd)

Sale of Eastern Hills Golf Course

Sale of Eastern Hills Golf Course (cont'd)

In response to a question from Commissioner Urban, City Manager Ritsema clarified the action being requested was approval of a sales agreement that did not include an option for a P.A. 425 Agreement.

In response to a question from Mayor Hopewell, City Manager Ritsema explained the debt that would be paid off would be the total debt of the KMGGA, which was approximately \$1.7 million. City Manager Ritsema stated this debt had been building up for years, and he agreed with the Mayor that this sale was an attempt to look at the City's ongoing liabilities and address those in a responsible way.

When given an opportunity to comment on the sale of Eastern Hills Golf Course, the following people addressed the City Commission:

Doug Sullivan, non-resident, expressed opposition to the sale of Eastern Hills Golf Course.

Tim Graham, City resident, stated he did not understand City Manager Ritsema's explanation of a P.A. 425 Agreement and questioned whether Commissioners had a good understanding of such an agreement.

Carol Leigh, City resident, stated land was a treasure, and the City should not sell Eastern Hills Golf Course if for no other reason than keeping the land for open space.

John Zachary, non-resident and an employee at Eastern Hills, stated Eastern Hills had always made money, and the KMGGA would lose revenue as the leagues and events at Eastern Hills would not move to Milham Park Golf Course.

Asha Khazad, City resident, stated the City should think about poor people and their recreational needs rather than golfers.

Curt Wiser, non-resident and President of the KMGGA, described the KMGGA Board's efforts to stabilize its finances and stated the City would need to be willing to subsidize the golf courses if it did not want to sell Eastern Hills.

David Balligall, City resident, submitted an article entitled "Here's an Idea for Eastern Hills Golf Course" from the June 14, 2015 edition of the Kalamazoo Gazette, wherein three Kalamazoo County Commissioners urged the City Commission to consider utilizing a PA 425 Agreement for the redevelopment of Eastern Hills.

Frank Warren, City resident, spoke about how the UAW built a golf course in northern Michigan that was now losing money.

Commissioner Cooney, seconded by Vice Mayor Anderson, moved to approve the sale of Eastern Hills Golf Course.

Prior to a vote on the motion, Commissioner Urban stated this was a difficult decision, and he thanked the KMGGA for its work. Commissioner Urban stated this was like having to sell the furniture to pay the rent.

Commissioner Miller stated this was a difficult issue and stated the City had worked every angle to make the KMGGA financially whole. Commissioner Miller stated she was annoyed that three County Commissioners expressed support for the sale.

Commissioner Cooney noted the sharp decrease in rounds-of-golf played from 1998 to the present and noted the City's golf courses were losing money. Commissioner Cooney stated the sale of Eastern Hills was something the City needed to do, and he read the following paragraph from a letter send to Commissioners by KMGGA President Curt Wiser:

It is unrealistic to try to persuade the City Commission not to sell Eastern Hills if the financial statements do not demonstrate that all the bills can be paid. The only way to keep Eastern Hills as a golf course would be to develop a business plan for the courses that demonstrates the ability to operate the courses in a financially sound manner. This simply is not possible without a large infusion of new investment, and obviously the funding is not there.

Commissioner Cooney stated Commissioners had studied the issue, and there was no question that it would NOT be advantageous to do a 425 Agreement in conjunction with the sale of Eastern Hills.

Commissioner Cinabro thanked the citizens for speaking and the KMGGA for its leadership. Commissioner Cinabro thanked Mr. Wiser for his letter and Commissioner Cooney for reading a portion of it. Commissioner Cinabro indicated P.A. 425 Agreements were good tools, and there were opportunities to use them, but in this situation a P.A. 425 Agreement would at best be a wash for the City and could potentially be a loss. Commissioner Cinabro stated this decision was the first of many decisions that would not be easy.

Commissioner Cunningham stated he agreed with both sides and pointed out the City did subsidize activities it found valuable.

Vice Mayor Anderson expressed support for the motion and stated it was heartbreaking to have to make this decision, as Eastern Hill was a place where memories had been created and to which people had ties. Vice Mayor Anderson noted the City had been at this decision point in 2006 and decided to take actions to save the golf course rather than sell it. However, that strategy had not worked. Vice Mayor Anderson indicated Commissioners had become more fluent than ever before on P.A. 425 Agreements and explained they were a mechanism for getting around the strong protections for townships in order to facilitate a specific project for a defined duration. Vice Mayor Anderson expressed appreciation to County Commissioners for thinking about ways to collaborate.

Assistant City Manager Kisscorni explained the 2006 purchase offer for Eastern Hills was not a good proposal, as had options that would have allowed the purchasers to get out of the deal at almost every turn.

Sale of Eastern
Hills Golf Course
(cont'd)

Sale of Eastern Hills Golf Course (cont'd)

Commissioner Miller stated for the record that she wanted the sale proceeds be used to pay off debt and then fund capital improvements at Milham Park Golf Course.

Mayor Hopewell noted the article by the County Commissioners was not written from a position of expertise. Mayor Hopewell stated this was a difficult decision, but he pointed out the City had 219 fewer staff than in 2006; it had less money for the Summer Youth Employment Program; and it had one fewer fire stations. Mayor Hopewell reminded people this conversation had taken place before, and the decision was not to sell. Mayor Hopewell stated he wished the P.A. 425 Agreement would work, and he expressed appreciation for what the course had meant to people over the years.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's Report

City Manager Ritsema provided the following reports and updates:

- Departmental Reports and Project Updates
- *Inside the City* newsletter, June 2015 edition
- May 2015 Purchases

Citizen Comments

Next, an opportunity was given for general citizen comments.

Asha Khazad, City resident, spoke about the national debt and the large number of churches that were just social clubs with members who worshiped money and not God.

Leona Carter, City resident, stated free rides with Metro Transit were available for Dump the Pump Day at www.facebook.com/metrotransit.

Richard Stewart, City resident, expressed dismay that City employees were boasting about having written more weed complaints in 2015 than in all of 2014. Mr. Stewart stated he and a group of people took over 100 photos showing City properties with weed and graffiti violations which were not evenly spread throughout City neighborhoods. Mr. Stewart encouraged people to run for City Commission and Mayor.

John Howard, City resident and owner of Elite Taxi, stated there were taxi companies operating in the City that were not licensed as taxis. Mr. Howard asked the City to enforce its Vehicle for Hire License.

Tim Graham, City resident, stated the 2016-2020 budgets were going to be difficult and stated one option would be to sell off everything and fire half the employees. Mr. Graham suggested the Blue Ribbon Revenue Panel consider bankruptcy, and he

expressed support for the City Manager's emphasis on recurring revenue sources. Mr. Graham stated the interests of the County and the State were not aligned with the best interests of the City.

Chris Mbah, City resident, commented on the lack of a public input process, the lack of trust, and the lack of accountability.

Creed Stegall, City resident, thanked the City Commission for explaining the City's fiscal problems. Mr. Stegall suggested local lotteries as a potential revenue source.

Zachary Lassiter, City resident, reported he had talked with Information Technology Director Ed Freed and Community Planning and Development Director Laura Lam about open data initiatives.

Frank Warren, City resident, spoke about the taxi cabs in the City of Battle Creek and at Firekeepers Casino.

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

Commissioner Cunningham stated the Networking Out would be partnering with on June 23rd

Commissioner Urban stated a lottery was a "tax on hope." Commissioner Urban asked for quantitative evidence of what was meant by "authentic engagement" through scientific, controlled studies. Commissioner Urban stated he would like to see trust grow between citizens and the City Commission.

Commissioner Cinabro requested a report on the licensing of taxi cabs and limousine services.

Commissioner Cooney thanked William Johnston for his donation to the Summer Youth Employment Program.

Vice Mayor Anderson recommended people read the May/June issue of The Review, the official magazine of the Michigan Municipal League, for its articles on Michigan's municipal finance system.

Mayor Hopewell asked the City Manager to talk with the City's lobbyist and State Senator Margaret O'Brien regarding community benefits legislation (HB 4052). Mayor Hopewell asked for an update on the pop-up bike lanes.

Director Lam stated there would be pop-up bike lanes downtown from June 18th through the weekend to test concepts for the downtown trail connector. Director Lam noted this was a chance for staff to get real, tactical feedback on a concept and see how the trails would look and function. Director Lam directed people to the City's website for more information.

Citizen Comments
(cont'd)

Commissioner
Comments

Closed Session

Commissioner Cinabro, seconded by Vice Mayor Anderson, moved that the City Commission go into closed session to discuss pending litigation.

Prior to a vote on the motion, Mayor Hopewell indicated the Commission would return to open session following the closed session.

With a roll call vote this motion passed unanimously.

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

NAYS: None

At 9:31 p.m. the City Commission went into closed session.

At 9:47 p.m. the City Commission returned to open session.

Conciliatory Agreement with EEOC and Rebecca Vanbrocklin-Herbert

Commissioner Urban, seconded by Commissioner Cunningham, moved to authorize the City Attorney to enter into a conciliatory agreement with the Equal Employment Opportunities Commission and employee Rebecca Vanbrocklin-Herbert in the amount of \$23,473.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Adjournment

The meeting adjourned at 9:48 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on July 6, 2015

Approved by: _____
Bobby J. Hopewell, Mayor
Dated: July 6, 2015