



Agenda

Special Meeting of the City Commission

City of Kalamazoo

Monday, April 15, 2013

6:00 p.m.

City Hall – Community Room, Second Floor - 241 West South Street

1. CALL TO ORDER/ROLL CALL
2. COMMUNICATIONS
3. NEIGHBORHOOD PRESENTATIONS
 - Eastside Neighborhood Association
Mike Seals, Treasurer
Magnolia Bodly, Board Member
Pat Taylor, Executive Director
 - Northside Neighborhood Association
Shirley Gordon, President
Mattie Jordan - Woods, Executive Director
4. CITIZEN COMMENTS
5. MISCELLANEOUS COMMENTS AND CONCERNS BY COMMISSIONERS
6. ADJOURNMENT



Agenda

Regular Meeting of the City Commission

City of Kalamazoo

Monday, April 15, 2013

7:00 p.m.

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: **Apostle Daniel Cunningham**, Greater Faith Ministries Empowerment Center
2. Pledge of Allegiance
3. Introduction of Guests
 - a. Kalamazoo County Transportation Authority 2012 Annual Report
 - b. Kalamazoo Transit Authority Board 2012 Annual Report
4. Proclamations
 - a. Arbor Day, April 26, 2013
 - b. National Children's Mental Health Awareness Day
 - c. Barbershop Harmony Month, April 2013

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

1. The public is invited to attend the following meetings of boards and commissions:
 - a. The **Kalamazoo Historic District** will meet on Tuesday, April 16, 2013 at 5:00 p.m., in the Community Room at City Hall.
 - b. The **Kalamazoo Municipal Golf Association** will meet on Tuesday, April 16, 2013 at 7:00 p.m., in the Third Floor Conference Room at City Hall.
 - c. The **Environmental Concerns Committee** will meet on Wednesday, April 17, 2013 at 4:30 p.m., in the Community Room at City Hall.
 - d. The **Economic Development Corporation** will meet on Thursday, April 18, 2013 at 7:30 a.m., in the Community Room at City Hall. The **Brownfield Redevelopment Authority** will meet immediately following.

- e. The **Kalamazoo Transit Authority Board** will meet on Friday, April 26, 2013 at 8:15 a.m., in the Metro Transit Conference Room, located at 530 N. Rose.
 - f. The **Planning Commission** will meet on Thursday, May 2, 2013 at 7:00 p.m., in the City Commission Chambers at City Hall.
2. The City is accepting applications for appointment to various city Commission advisory boards and commissions. Interested citizens are encouraged to contact the City Clerk's Office at 337-8792 to request an application form or to obtain additional information on board vacancies.

E. PUBLIC HEARINGS

1. Receive public comments regarding a recommendation to: a) accept the recommendations of the Community Development Act Advisory Committee and adopt the Program Year 2013 Action Plan; b) authorize the Director of Community Planning and Development to act as the official representative of the City and to sign all required HUD documents. **(Action: Motion to approve)**

F. CONSENT AGENDA

(Action: Motion to approve items "1-9")

1. Consideration of a recommendation to approve a one-year contract with Arthur J. Gallagher & Co. to provide risk management services at a cost of \$30,000.00 and authorize the City Attorney to execute the contract.
2. Consideration of a recommendation to approve a one-year contract extension with Peerless-Midwest for a production well replacement at Water Pumping Station #24 (Al Sabo) and production well rehabilitations at Water Pumping Station #11 (Howard and Kendall) in the amount of \$126,375.
3. Consideration of a recommendation to approve the purchase of two (2) cabs and chassis' from Tri County International Trucks in the amount of \$183,855.00.
4. Consideration of a recommendation to approve a contract with Pierce Manufacturing for refurbishing Fire Truck 6 in the amount of \$279,798.
5. Consideration of a recommendation to approve a one-year contract extension for loading, hauling, and disposal of belt press solids from Kalamazoo Water Reclamation Plant (KWRP) with Waste Management of Wixom, Michigan, in the amount of \$3,151,180.00 with the 2013 portion of the contract being \$2,100,786.67.

6. Consideration of a recommendation to approve a change order to the Corporation Alley and Exchange Place Water Main replacement contract with James E. Fulton and Sons Excavating in the amount of \$110,549.98.
7. Consideration of a recommendation to adopt a RESOLUTION from the Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission recommending approval of a new Micro Brewing License for American Brewers Inc. to be located at 3408 Miller Road.
8. Consideration of a recommendation to accept FY 2011 Assistance to Firefighters Grant (AFG) award in the amount of \$2,774.40 on behalf of Kalamazoo Department of Public Safety from the Federal Emergency Management Agency (FEMA).
9. Consideration of a recommendation to approve the following appointments and reappointments to boards and commissions:
 - a. the reappointment of **James Valeii** to the Community Development Act Advisory Committee as an at-large member for a term expiring on March 31, 2016.
 - b. The reappointment of **Bill Wells** to the Community Development Act Advisory Committee as the Edison Neighborhood Representative for a term expiring on March 31, 2016.
 - c. The reappointment of **Kris Mbah** to the Community Development Act Advisory Committee as an at-large member for a term expiring on March 31, 2016.
 - d. The reappointment of **James Houston** to the Zoning Board of Appeals for a term expiring on March 31, 2016.
 - e. The appointment of **Jason Enos** to the Zoning Board of Appeals for a term expiring on March 31, 2016.
 - f. The appointment of **Daloma Poe** to the Zoning Board of Appeals as an alternate member for a term expiring on March 31, 2015.

G. REGULAR AGENDA

1. Consideration of a recommendation to adopt new ordinance 36-134 of the City Code, which would establish the lawful manner for marihuana to be transported in a lawful manner.

H. REPORTS AND LEGISLATION

1. City Manager's Report

I. UNFINISHED BUSINESS

J. POLICY ITEMS

1. City Manager Search Update

K. NEW BUSINESS

L. CITIZEN COMMENTS

M. MISCELLANEOUS COMMENTS AND CONCERNS BY COMMISSIONERS

N. CLOSED SESSION

1. Consideration of a recommendation to go into closed session to discuss pending litigation (**Action: Motion to go into closed session**)

O. ADJOURNMENT

ADDITIONAL INFORMATION

Questions regarding agenda items may be answered prior to the meeting by contacting the City Manager's Office at 269.337.8047.

Persons with disabilities who need accommodations to effectively participate in City Commission meetings should contact the City Clerk's Office at 337-8792 a week in advance to request mobility, visual, hearing or other assistance.

Agendas for the regular meetings of the Kalamazoo City Commission are available on the Internet at: **www.kalamazoocity.org**

The Kalamazoo City Commission meetings are held the first, third Mondays at 7:00 p.m. and are shown live on the Public Media Network on Channel 98. The meetings are rebroadcast on Tuesday at 1:00 a.m. and 2:00 p.m., Saturday at 11:00 a.m. and Sunday at 8:00 p.m. on Channel 98.

GUIDELINES FOR PUBLIC PARTICIPATION AT CITY COMMISSION MEETINGS

Welcome to the Kalamazoo City Commission meeting, and thank you for your participation in Kalamazoo local government. The City Commission recognizes that citizens who make the effort to attend a Commission meeting often feel passionately about an issue. The following guidelines are not meant to discourage individual expression; rather, they exist to facilitate the orderly conduct of business and to ensure that all citizens who wish to address the City Commission are able to do so in an atmosphere of civility and respect, without fear or intimidation.

1. Out of respect for business being conducted during the meeting, please turn off all cell phones and pagers prior to the start of the meeting.
2. In an effort to maintain order and to allow a respectful discussion, please do not make comments from the audience area. Audience members should also refrain from applause or other audible noise at times not formally recognized as appropriate by the meeting chair.
3. Citizens have opportunities to address the Commission at the following times during a meeting:
 - a. Consideration of Regular Agenda items. Citizens are permitted to speak to the Commission on Regular Agenda and Unfinished Business prior to the City Commission voting, except those votes setting a public hearing. (Note: The Consent Agenda is a list of items proposed for City Commission approval to be voted upon all at one time. This is a time-saving procedure as most Consent Agenda items are housekeeping measures. A citizen may request an item be removed from the Consent Agenda for individual consideration or discussion.) Comments must be germane to the specific item under consideration.
 - b. The Citizen Comment period near the end of the meeting is for comment on Agenda or Non-Agenda items.

4. To address the City Commission, please sign in at the podium near the Clerk's station and then proceed to the podium directly in front of the dais when invited by the meeting chair. Before beginning your comments, please clearly state your name for the record and whether you reside within the city limits. Comments are limited to four minutes.
5. Citizen comment periods are a time for citizens to make comments; they are not intended as a forum for debate or to engage in question-answer dialogues with the Commission or staff. Commissioners are encouraged not to directly respond to speakers during citizen comment periods. At the conclusion of a speaker's remarks, the Mayor or individual Commissioners may refer a question to City staff, if appropriate. Also, individual Commissioners may choose to respond to speakers during "Miscellaneous Comments and Concerns of Commissioners."
6. Signs, placards and banners are permitted in Chambers during open meetings but only along the perimeter of the room (side and back walls) and only if they do not obstruct the vision of others.

If you have any questions, please feel free to contact the City Clerk's Office at 269.337.8792



Commission Agenda Report

Date: **04/15/13**

Item **E1**

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor McKinney, and City Commissioners

FROM: Kenneth P. Collard, City Manager, ICMA-CM, P.E.
Reviewed By: Jeff Chamberlain, Director, CP&D and Laura Lam, Deputy Director, CP&D
Prepared By: Julie Johnston, Community Development Compliance Specialist

DATE: April 5, 2013

SUBJECT: Public Hearing and Final Approval of Program Year 2013 Annual Action Plan

RECOMMENDATION

It is recommended that the City Commission:

1. Accept the recommendations of the Community Development Act Advisory Committee (CDAAC) and adopt the Program Year 2013 Action Plan; and
2. Authorize the Director of Community Planning and Development to act as the official representative of the City and to sign all required HUD documents.

BACKGROUND

Clarification of Recommendation

Staff would like to provide further detail on the recommendations noted above, as follows:

1. CDAAC's recommendations for the Program Year (PY) 2013 Action Plan (Attachment) detail the allocations for Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Emergency Solution Grant (ESG) funds received from the U.S. Department of Housing and Urban Development (HUD), as well as any program income, unobligated and reprogrammed funds to be spent in PY2013.
2. Authorize the Director of Community Planning and Development (CP&D) to act as the official representative of the City; to execute all contracts received from HUD; to sign the Annual Action Plan, Consolidated Annual Performance and Evaluation Report, and any other required reporting or documents required by HUD. The Director would also execute all agreements between the City and any subrecipients who may receive Federal funding and between the CP&D and other City departments who are awarded funds. This streamlines the process for both staff and subrecipients.

Allocation from HUD

The final allocation from HUD has not yet been provided to the City of Kalamazoo. The City did recently receive a letter from the Deputy Secretary of the HUD which indicated jurisdictions should plan for a five percent budget reduction due to the consequences of the sequester. Therefore, CDAAC's draft recommendations for funding were based on PY2012 funding levels with a five percent budget reduction.

When HUD provides the final allocation for PY2013, CDAAC recommends that each subrecipient receive their proportional share of the increase or decrease in federal funding. The City of Kalamazoo anticipates receiving approximately \$2,140,900 from HUD for three program areas: \$1,491,785 in CDBG, \$511,328 in HOME, and \$137,787 in ESG. These funds may be used for eligible activities during PY2013 (July 1, 2013 – June 30, 2014).

Program Income

There are a few projects that have received CDBG funding in the past that generate program income on an annual basis. Program income is defined as "any gross income received that was directly generated from the use of federal funds." As part of the action plan process, any anticipated program income must be identified and assigned to an eligible project. Typically, the activity that generates the program income is allowed to retain the funds to assist in the continuation of that activity. The program income estimated to be generated in PY2013 is:

Table 1: Program Income Estimated for PY2012

Organization	Activity	Program Income
City of Kalamazoo CP&D	Small Business Revolving Loan Fund	\$10,000
City of Kalamazoo CP&D	Code Enforcement Fees	\$10,000
City of Kalamazoo CP&D	Housing Revolving Loan Fund*	\$5,000
Kalamazoo Neighborhood Housing Services	Core Neighborhood Revitalization	\$100,000
Total Program Income:		\$125,000

*This is an older fund from a past housing rehabilitation program. Program income is only generated if properties are sold that were purchased with CDBG funds.

Unobligated and Reprogrammed Funds

The HOME program has \$324,760 in unobligated funds from the 2012 program year which need to be spent before the 2013 allocation. Unobligated funds are defined as HOME dollars that have never been specifically allocated to a program or activity. In PY2012, a clean-up of our HOME activities in the HUD Integrated Disbursement and Information System (IDIS) indicated that small increments of unobligated HOME funds had

accumulated over time. Those unobligated funds totaled \$324,760 and were assigned as replacement dollars to projects that were already approved as part of the PY2012 competitive application process. The expectation was that the PY2012 entitlement funds not used would be allocated in PY2013. The \$324,760 in unobligated PY2012 funds has been dispersed among the recommended PY2013 activities.

The CDBG program has \$50,000 in funds to be reprogrammed as part of the PY2013 Action Plan. The funds come from a PY2012 activity that had a program change and did not utilize the full award. CDAAC has recommended allocating the \$50,000 in CDBG reprogrammed funds to Community Homeworks.

Total Funding

Based on all of these sources, the total available funding for PY2013 activities is \$2,640,660. The following table provides these totals by federal program:

Table 2: Total PY2013 Funding

	CDBG	HOME	ESG	TOTAL
Entitlement \$1,491,785		\$511,328	\$137,787	\$2,140,900
Program Income (anticipated) \$125,000		\$0	\$0	\$125,000
Reprogrammed	\$50,000	\$0	\$0	\$50,000
Unobligated \$0		\$324,760	\$0	\$324,760
Total:	\$1,666,785	\$836,088	\$137,787	\$2,640,660

CDAAC Application Process Changes

Prior to the start of the PY2013 application process, CP&D staff made the decision to shorten the current City of Kalamazoo Consolidated Plan by one year. As a reminder, the Consolidated Plan outlines the City's strategy for a five-year period to address housing and community development needs. The Plan is a prerequisite of HUD for distribution of funds.

The current five-year Plan was expected to run through PY2014 which would have ended on June 30, 2015. However, based on recent changes to HUD regulations, a larger community discussion related to housing and community development needs, and the departmental changes taking place at the City level, CP&D staff feels that a new plan is warranted.

The current Consolidated Plan will now end on June 30, 2014. This means that the PY2013 application process was the last under the current Consolidated Plan. With this in mind, CDAAC and CP&D staff reviewed the required performance outcomes listed in the Consolidated Plan. In general, the following four areas will likely fall short of meeting their planned performance goals by the end of our current program year:

- Youth Education and Mentoring
- Homeownership
- Streetscape Enhancements (beyond just sidewalks)
- Business and Job Development

To address this short-fall during PY2013, CDAAC placed a higher priority on CDBG and HOME applications that met one of the aforementioned Consolidated Plan goals. Those applications that helped the City meet the outcomes of the four deficient Consolidated Plan goals received 10 extra points. This focus was communicated as part of the outreach efforts for the application process, as well as during the mandatory pre-application submission training sessions that were offered in August of 2012.

In addition to the Consolidated Plan focus, CDAAC and CP&D staff implemented changes to the ESG funding process. The new ESG regulations (HEARTH Act) developed by HUD include a section titled “Area-wide systems coordination requirements.” These requirements detail the City’s mandatory relationship with the local continuum of care (local homeless assistance planning network) on a wide range of homeless issues.

Based on these new requirements, CP&D staff has determined that combining our ESG funding with the larger continuum of care in Kalamazoo, overseen by Local Initiative Support Corporation (LISC) Local Advisory Board, is the best approach to meet the coordinated systems conditions set by HUD.

Application Process

Prior to CDAAC reviewing applications and assigning funding, staff outlined those City projects that are provided federal dollars on an annual basis to support internal programs. These totals were subtracted from the available funding for the competitive process. The activities are shown in the table on the following page.

Table 3: City Funded Activities – Outside the Competitive Application Process

Department	Activity	Source	Funding
CP&D	Admin Support ¹	CDBG Admin Funds	\$298,357
CP&D	Admin Support ²	HOME Admin Funds	\$51,133
CP&D	Code Enforcement	CDBG	\$384,495
Parks and Recreation	Park Infrastructure	CDBG	\$18,264
Public Safety	Neighborhood Officers	CDBG Public Service	\$134,364
Total:			\$886,613

¹HUD permits 20 percent of the CDBG grant to be allocated to administration.

²HUD permits 10 percent of the HOME grant to be allocated to administration.

A total of 35 applications were received in October of 2012; 14 CDBG Public Service, 13 CDBG All Other, and eight HOME. The 35 competitive applications requested \$4,519,549 in federal funds, which was a decrease of \$147,549 from the 47 applications received in PY2012. The amounts available for the competitive application process (minus City funded projects) are indicated below:

Table 4: Total Applications and Funding Requests from the Competitive Process

Category	Number of Applications	Amount Requested	Amount Available	Difference
CDBG – Public Service*	14	\$569,149	\$59,568	(\$509,581)
CDBG – All Other	13	\$2,053,772	\$646,737	(\$1,407,035)
HOME 8		\$1,896,628	\$784,955	(\$1,111,673)
Totals:	35	\$4,519,549	\$1,491,260	(\$3,028,289)

*Public Service is subject to a 13 percent cap of entitlement funds to compensate for an overage that occurred in PY2011.

As the amount of requested funding was significantly higher than the available funding, CDAAC was required to make some extremely difficult funding decisions. The three subcommittees met in November and December of 2012 to review the applications and make funding recommendations. CP&D staff was present at each of the subcommittee meetings to serve as a resource and to answer any specific questions. Draft recommendations were presented at the regularly-scheduled CDAAC meeting held on January 10, 2013.

On March 14, 2013, CDAAC held their public hearing. Several prospective subrecipients were in attendance to express their appreciation of CDAAC's support. The Executive Directors of Local Initiatives Support Corporation and Community Homeworks spoke requesting CDAAC reconsider their recommendations and fund both organizations. Two additional prospective subrecipients supported the Community Homeworks request.

Following deliberations, CDAAC chose not to change their Public Service recommendations. CDAAC did vote to allocate the \$50,000 available from reprogrammed funds to Community Homeworks for the following reasons:

- The reprogrammed funds are not subject to any HUD caps.
- Their application score was the highest scoring unfunded application.
- They garnered significant public support during the 30-day public comment period.

The recommendations were approved by a unanimous vote to be forwarded to the City Commission (see Attachment).

COMMUNITY RESOURCES CONSULTED

CDAAC is an important component in the City of Kalamazoo's citizen participation plan and is made up of thirteen (13) volunteer members. Six (6) are nominated by the CDBG-eligible neighborhood associations, Eastside, Edison, Fairmont, Northside, Stuart, and Vine, and seven (7) are members-at-large. In addition to the City of Kalamazoo Consolidated Plan 2010 – 2014 priorities, CDAAC also used City Commission priorities, agency performance, capacity and leveraging in its decision-making process.

The City of Kalamazoo's 2010 – 2014 Consolidated Plan was developed by an independent planning consultant using a process which included extensive citizen input including neighborhood meetings throughout the City, in-depth discussions with service providers and two public hearings held in conjunction with CDAAC.

One 30-day comment public comment period and one public hearing is required by HUD and the City of Kalamazoo Citizen Participation Plan to provide full citizen input in setting priorities and allocating PY2013 federal funding. For the PY2013 Annual Action Plan, the 30-day public comment period was held from February 11, 2013 through March 13, 2013 and two public hearings, one with CDAAC and one with the City Commission.

FISCAL IMPACT

\$886,613, or 33 percent of the total PY 2013 budget, is recommended for City programs. Through the award of these federal dollars in the manner recommended, the City of Kalamazoo's general fund is not required to address many of these community needs. The administration and monitoring of the projects will be conducted by the CP&D staff as part of its 2013 federal grant budget.

ALTERNATIVES

The City Commission may elect to not approve the PY2013 Annual Action Plan as presented. However, the PY2013 HUD Annual Action Plan must be submitted no later than May 15, 2013 for funds to be made available at the start of the Program Year. Any delay in approving the Plan would likely impact the start of the Program Year. This alternative is not recommended.

ATTACHMENTS

Final PY2013 Action Plan Recommendations

PY2013 Action Plan Recommendations from CDAAC

Organization	Activity Name	PY2012 Funding Award	PY2013 Requested Funding	PY2013 CDAAC Recommendation
CDBG Administration¹				
City of Kalamazoo CP&D	Administration	\$314,000	\$314,000	\$298,357
CDBG Public Service²				
City of Kalamazoo Public Safety	Crime Prevention	\$150,000	\$150,000	\$134,364
Catholic Charities Diocese of Kalamazoo	The Ark Shelter: Services for Youth	\$10,000	\$15,000	\$13,436
Kalamazoo Drop-In Child Care Center	Free Child Care for Low-Income Families	\$10,000	\$11,500	\$8,958
New Genesis, Inc.	New Genesis Success Academy		\$50,000	\$11,197
YWCA Kalamazoo	Domestic Assault Shelter	\$26,576	\$40,000	\$17,915
Legal Aid of SW Michigan	Homelessness Prevention		\$17,649	\$8,062
CDBG Public Service Total:			\$284,149	\$193,932
CDBG All Other				
City of Kalamazoo CP&D	Code Enforcement	\$400,000	\$400,000	\$384,495
City of Kalamazoo Parks and Recreation	Park Infrastructure	\$19,000	\$19,000	\$18,264
Kalamazoo Valley Habitat for Humanity	Neighborhood Revitalization Initiative	\$59,520	\$150,000	\$144,186
Fair Food Matters	Can-Do Kitchen – Food Business Incubator Scholarships		\$60,260	\$57,924
Housing Resources, Inc.	Tenant Based Rental Assistance Administration	\$114,520	\$125,000	\$120,155
Senior Services, Inc.	Home Repair for the Elderly	\$100,794	\$135,000	\$129,767
Kalamazoo Neighborhood Housing Services	Deferred Maintenance Program		\$250,000	\$72,612
GFM the Synergy Center	Lifeline to Recovery (Acquisition)		\$75,000	\$72,093
CDBG All Other Total:			\$1,214,260	\$999,496
CDBG ENTITLEMENT:				\$1,491,785
CDBG Reprogrammed Funds				
Community Homeworks	Emergency Home Repair	\$84,520	\$120,000	\$50,000

PY2013 Action Plan Recommendations from CDAAC

Organization	Activity Name	PY2012 Funding Award	PY2013 Requested Funding	PY2013 CDAAC Recommendation
CDBG Program Income				
City of Kalamazoo CP&D	Small Business Revolving Loan			\$10,000
City of Kalamazoo CP&D	Code Enforcement Fees			\$10,000
City of Kalamazoo CP&D	Housing Revolving Loan Fund			\$5,000
Kalamazoo Neighborhood Housing Services	Core Neighborhood Revitalization			\$100,000
CDBG Program Income Total:				\$125,000
CDBG TOTAL:				\$1,666,785
HOME³				
City of Kalamazoo CP&D	Administration ⁴	\$53,757	\$53,000	\$51,133
Kalamazoo County Land Bank	Rehab of Vacant Properties for Home Ownership		\$596,200	\$242,542
Kalamazoo Valley Habitat for Humanity	Affordable Homeownership for Vulnerable Families		\$250,000	\$242,270
Northside Association for Community Development	Family Stabilization Program – Senior Apartment Complex	\$126,000	\$140,000	\$135,671
Housing Resources, Inc.	Tenant Based Rental Assistance	\$121,000	\$250,000	\$121,135
Catholic Charities Diocese of Kalamazoo	Tenant Based Rental Assistance for Young Families	\$36,000	\$44,720	\$43,337
HOME TOTAL:			\$1,333,920	\$836,088
ESG⁵				
Continuum of Care	Costs to Administer the ESG Program		\$10,159	\$9,651
Continuum of Care	Various Homeless Programs and Activities		\$134,880	\$128,136
ESG TOTAL:			\$145,039	\$137,787
ALL PROGRAMS TOTAL:				\$2,640,660

¹CDBG administration is subject to a 20 percent cap of entitlement funds.

²Public Service is subject to a 13 percent cap of entitlement funds to compensate for an overage that occurred in PY2011.

³HOME reduction of 5% was off the entitlement amount of \$538,240. Total includes \$324,760 in PY2012 unobligated funds.

⁴HOME administration is subject to a 10 percent cap of entitlement funds.

⁵ESG administration is subject to a 7 percent cap of entitlement funds.



Commission Agenda Report

City of Kalamazoo

Date: **04/15/13**

Item **F1**

TO: Mayor Hopewell, Vice Mayor McKinney, and City Commissioners
FROM: Clyde Robinson, City Attorney
DATE: April 10, 2013
SUBJECT: Risk Management Services

RECOMMENDATION

It is recommended that the City Commission approve a one-year contract with Arthur J. Gallagher & Co. to provide risk management services at a cost of \$30,000.00 through April 30, 2014 and authorize the City Attorney to execute the contract.

BACKGROUND

Risk management involves the efforts to manage the City's risk so as to protect against financial loss and the social consequences of accidental loss. This function has been provided to the City through contractual services and was one of the responsibilities of the Purchasing/Risk Management Division, Management Service Department. While the Purchasing Director managed the contract many of the services provided directly affected the City Attorney operations. With the reduction in staff as part of the Strategic Alignment Plan this contract was assigned to the City Attorney's Office effective January 1, 2013. Unfortunately, at this same time, the risk manager contract lapsed when Dave Hess who was the contractor passed away.

Proposals were requested from professional firms to provide the nine work items identified in the scope of work. Six proposals were received and evaluated by a team which included the Management Services Director, the Purchasing Director, and myself. Based upon the proposals submitted, interviews and reference checks it was determined that Arthur J. Gallagher & Co. will best be able to provide the risk management services required by the City. This will be a one year contract with the possibility for four one-year renewals.

COMMUNITY RESOURCES CONSULTED

This recommendation did not require advisory board consultation or additional public input.

FISCAL IMPACT

Funds for this contract are included in the proposed 2013 budget.

ALTERNATIVES

Other governmental units which have established a risk manager position may hire someone as an employee to fill that position. This alternative is not recommended because the cost to the City would increase three to four times the amount of the recommended contract.

ATTACHMENTS

Bid Results Summary

BID RESULTS SUMMARY

PROJECT: Risk Manager Services

DATE: March 18, 2013

BIDDERS SOLICITED: 34

BIDDERS RESPONDED: 6

MBE/WBE BIDS SOLICITED: 4

MBE/WBE BIDDERS RESPONDED: 0

BID REFERENCE NO: 962-47-008/NL

MBE/WBE AWARDED: No

ISSUE DATE: January 30, 2013

BID OPENING: February 21, 2013

APPROVAL REQUIRED: Purchasing Director

FUNDED BY: City

<u>BIDDERS</u>	<u>RANK</u>	<u>AMOUNT BID</u>	<u>LOCATION</u>
Arthur Gallagher	1	\$30,000.00	Grand Rapids, MI
Insurance Audit	2	\$28,800.00	Indianapolis, IN
J & S Claims Services	NSL	\$45,000.00	City
Affiance Professional Services	NSL	\$60,000.00	Sherwood, MI
Aon Risk Consultants	NSL	\$65,000.00	Chicago, IL
Whitaker LaChance Insurance	NSL	\$100,000.00	County

Purchasing procedures have been followed and City Attorney has reviewed as to form.

NSL = not short listed



Nicholas Lam, Purchasing Director



Commission Agenda Report

Date: **04/15/13**

Item **F2**

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor McKinney, and City Commissioners

FROM: Kenneth P. Collard, City Manager, ICMA-CM, P.E.
Reviewed By: Sue Foune, Public Services Deputy Director
Prepared By: John P. Paquin, Environmental Programs Manager

A handwritten signature in black ink, appearing to be "J.P. Paquin".

DATE: April 10, 2013

SUBJECT: Contract extension with the Peerless-Midwest Company for Well Services

RECOMMENDATION

It is recommended that the City Commission approve a contract extension with the Peerless-Midwest Company of Mishawaka, Indiana, one of three pre-qualified Well, Pump, and Hydrogeological contractors. The proposed work includes the replacement of Production Well 24-9, located at Water Pumping Station (WPS) 24, and the well rehabilitations of Production Wells 11-1 and 11-5, located at WPS 11 and will be in the amount of \$126,375.

BACKGROUND

In 2009, the City Commission approved two-year contracts with an option of three one-year extensions with the Peerless-Midwest Company, the Ohio Drilling Company, and the Layne Christensen Company. In 2011 and 2012, one-year contract extensions were issued to all three firms. The current contracts are effective until May 31, 2013 and staff expects to execute the final (third) one-year extension to be effective June 1, 2013 through May 31, 2014.

Amounts of \$89,375 and \$37,000 are requested for Peerless-Midwest to replace Production Well 24-9 at WPS 24, and to perform rehabilitations of Production Wells 11-1 and 11-5 at WPS 11, respectively. The proposed work is consistent with work identified in the 2011 Public Services Five-Year Well Maintenance and Replacement Plan. It has been determined that it is no longer cost-effective to rehabilitate Well 24-9 that was originally installed in 1970 and is currently performing at only 15 percent of its original specific capacity, the measure of its productivity in gallons per minute per one-foot of drawdown. Peerless-Midwest was selected for this initial portion of anticipated well work in 2013 while additional well rehabilitation work is planned for the two other pre-qualified firms.

COMMUNITY RESOURCES CONSULTED

This recommendation did not require advisory board consultation or public input.

FISCAL IMPACT

Funding was budgeted in the 2013 Water CIP Budget for the proposed work.

ALTERNATIVES

Alternatives include not having the well work performed or having another firm perform the proposed work. However, both of these options are not recommended since the proposed work is consistent with Public Services Five-Year Well Maintenance and Replacement Plan and the well work selected for each firm is carefully considered by staff as based on the firm's past work, experience and capabilities, and the specific well and site conditions.

ATTACHMENTS

None



Commission Agenda Report

Date: **04/15/13**

Item **F3**

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor McKinney, and City Commissioners

FROM: Kenneth P. Collard, City Manager, ICMA-CM, P.E.
Reviewed By: Sue Founé, Public Services Deputy Director
Prepared By: Craig Norrod, City Fleet Director

DATE: April 2, 2013

SUBJECT: Purchase of two (2) Cab and Chassis

RECOMMENDATION

It is recommended that the City Commission approve the purchase of two (2) cabs and chassis' from Tri County International Trucks in the amount of \$183,855.00

BACKGROUND

As in past years, the City of Kalamazoo has participated in cooperative purchasing agreements with Oakland County and the State of Michigan for acquisition of some of its fleet vehicles. Oakland County and the State both issue bids for hundreds of vehicles to obtain the best available price. Michigan governmental agencies are then invited to participate in these bids to realize a savings. The fleet vehicles to be purchased through this cooperative bid process do meet our requirements.

The Chassis' will be rated at 58,000 and 66,000 pounds gross vehicle weight respectively. Both will have dump bodies activities to be purchased and installed at a later date for use by field services employees performing water, wastewater and street system maintenance and repair.

The vehicles to be replaced are fully depreciated and in poor mechanical and/or physical condition. They include a 2000 and a 2001 vehicle, both are rusted and have over 75,000 miles.

COMMUNITY RESOURCES CONSULTED

This recommendation did not require advisory board consultation or additional public input.

FISCAL IMPACT

Funds were budgeted within the 2013 Public Services Department Fleet budget.

ALTERNATIVES

The vehicles could be purchased locally through the City of Kalamazoo bid process. However, inquiries with local dealerships have shown the City realizes a savings of approximately \$1,000 per vehicle by participating in the intergovernmental bid process. Also, by purchasing vehicles through this program, the City is able to eliminate several hours of manpower required to process an individual bid for each piece of equipment.

The City could also decide to delay this purchase until 2014 or beyond. This alternative is not recommended for the following reasons: The vehicles being replaced are over thirteen (13) years old, fully depreciated, costly to repair and maintain, and are becoming a safety issue.

ATTACHMENTS

None



Commission Agenda Report

City of Kalamazoo

Date: **04/15/13**

Item **F4**

TO: Mayor Hopewell, Vice Mayor McKinney, and City Commissioners

FROM: Kenneth P. Collard, City Manager, ICMA-CM, P.E.
Reviewed By: Jeff Hadley, Public Safety Chief
Prepared By: Ryan Tibbets, Financial/Strategic Support Manager

DATE: April 10, 2013

SUBJECT: Truck 6 Refurbishment

RECOMMENDATION

It is recommended that the City Commission approve a contract with Pierce Manufacturing, Inc., 816 Commercial Ave., Weyauwega, WI 54983 for \$279,798 to refurbish Truck 6.

BACKGROUND

Truck 6 is a 100' aerial platform that was purchased by Public Safety in 1998 to provide access to buildings in the City of Kalamazoo for firefighting and rescue purposes. Truck 6 operates out of Station 6, which is located at Oakland and Howard and is one of two aerial devices that are staffed in the City. Truck 6 is a critical resource and that is vital to the fire protection of the residents, students, and visitors in the City of Kalamazoo.

In January 2013, Truck 6 was inspected by an engineer from Pierce to determine what refurbishment work is needed to extend the longevity of the apparatus. Based on the current replacement plan, Truck 6 is scheduled to be replaced in 2019 at an estimated cost of \$1.2-1.3 million. By completing the proposed refurbishment, it is anticipated that the yearly maintenance and repair costs will be reduced and replacement can be moved to 2023.

The proposed scope of work includes replacing or repairing the following major components:

Steering System	12 Volt Lighting Pump House Area
Front Spring Suspension	Frame and Torque Box Corrosion Repair
Front Shocks	Aerial Inspection, Repaint (Due To
Door Seals	Corrosion) and Repairs
Radiator and Cooling System	Hydraulic Hoses
Fuel Cooler	Aerial Certification
Handrails	Paint Reflective Band, Lettering and
Gauges, Vacuum and Pressure	Graphics
Crosslay Restraints	

SUMMARY

If the City Commission approves the proposed contract with Pierce, the 1998, 100' aerial platform will be refurbished. It is anticipated that the refurbishment of Truck 6 will result in; lower yearly maintenance costs, extend the useful life of the apparatus, and an increase in resale value.

COMMUNITY RESOURCES CONSULTED

Public Safety consulted Emergency Vehicle Products and Pierce Manufacturing.

FISCAL IMPACT

Funding for the proposed refurbishment work in the amount of \$279,798.00 is provided for in the 2013 Capital Improvements Program Budget.

ALTERNATIVES

The City of Kalamazoo could decide to deny the refurbishment work as proposed. This would most likely result in major repair work in the coming years and the replacement of Truck 6 in 2019 for an estimated \$1.2-1.3 million. This alternative is not recommended.

ATTACHMENTS

Agreement

AGREEMENT

This Agreement, dated _____, 2013 is between the City of Kalamazoo, a Michigan municipal corporation whose address is 241 West South St., Kalamazoo, MI, 49007-4707 (“City”), and Pierce Manufacturing, Inc., whose address is 816 Commercial Avenue, Weyauwega, WI 54983 (“Firm”).

Recitals:

- A. The Contractor has submitted a proposal dated February 18, 2013 (Exhibit A) to provide various components, supplies and services for refurbishment of Kalamazoo Public Safety Department Truck 6.
- B. The City agrees to contract for the work as described in that proposal for a total cost not to exceed \$279,798.00
- C. The Contractor further agrees to the City’s Terms and Conditions. (Exhibit B)

THEREFORE, the parties acknowledge (i) that the above Recitals are true and correct and are made a part of this Agreement; (ii) that Exhibits A and B set forth the complete terms and conditions of this Agreement and are incorporated by reference; and (iii) the parties have signed this Agreement signifying their acceptance of the provisions described above for the services to be performed.

PIERCE MANUFACTURING, INC.

CITY OF KALAMAZOO

Signature

Kenneth P. Collard, ICMA-CM, P.E.
City Manager

Name

Title

Date

Date



Commission Agenda Report

Date: **04/15/13**

Item **F5**

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor McKinney, and City Commissioners

FROM: Kenneth P. Collard, City Manager, ICMA-CM, P.E.
Reviewed By: Sue Foune, Public Services Deputy Director
Prepared By: Jim Cornell, Wastewater Superintendent *JMC*

DATE: April 4, 2013

SUBJECT: Belt Press Solids Disposal Contract Extension

RECOMMENDATION

It is recommended that the City Commission approve a one-year contract extension for loading, hauling, and disposal of belt press solids from Kalamazoo Water Reclamation Plant (KWRP) with Waste Management of Wixom, Michigan, in the amount of \$3,151,180.00. This contract extension will run from May 1, 2013 to April 30, 2014 and the 2013 portion of this contract will be \$2,100,786.67. The 2014 portion of this contract in the amount of \$1,050,393.33 will be included in the City's 2014 Wastewater Treatment Outside Contractual Services budget.

BACKGROUND

Approximately 80,000 to 90,000 wet tons of biosolids are generated every year at the Water Reclamation Plant (WRP) as part of various wastewater treatment processes. The current method of disposal for most of the biosolids produced at the WRP is placement in regional landfills. This method of disposal is currently the most economical for most treatment plants. This method of disposal requires loading and hauling of these biosolids to these landfills for ultimate disposal. Generally these biosolids need to be mixed with other municipal solid waste to ensure that proper compaction of waste materials occurs in the landfill. The disposal of the biosolids in the landfill increases the amount of bio-gas that the landfill generates and collects.

COMMUNITY RESOURCES CONSULTED

This contract extension represents a 5.3% increase in price to \$32.10 a ton. During conversations with other similar sized municipalities this rate is below what other municipalities are paying for landfill residual solids.

One of the factors for the large increase is that landfills across the country are facing reduced residential waste to mix with the belt press cakes. This results in handling issues at the landfill and associated increased costs.

Historically a large amount of belt press solids meant a better price. However due to the current economic situation and reduced trash to mix with the cake solids has forced Waste Management to look at a third landfill to use to handle the quantity of solids KWRP expects to produce.

FISCAL IMPACT

Funds for this contract are available in the 2013 Wastewater Treatment Contractual Services budget. The 2014 portion of the contract will be budgeted for in the 2014 Wastewater Treatment Outside Contractual Services budget.

KWRP staff is committed to explore alternatives for future contracts. Options include splitting the hauling contract between two vendors and to evaluate awarding the contract to a trucking company and have them contract with several landfills to suit our hauling needs and resolve some of the landfill issues. Staff has also looked at bringing back the land application option; however, landfill disposal is currently much less expensive than land application. Composting of residual solids for beneficial reuse may offer a less expensive option than land filling and is also being evaluated.

ALTERNATIVES

Most of the biosolids produced at the WRP can be treated and processed to achieve “Class A” status which allows for land application of these biosolids. This process is relatively straightforward but additional processing and costs are incurred to ensure that the end product is of acceptable quality and meets all regulatory requirements. The regulatory costs associated with biosolids have recently dropped from \$12.97 per ton to \$7.85 per ton. We have not produced any “Class A” biosolids since 2007 due to these relatively higher cost. To bring this process back on line would require significant maintenance to make it operational.

Alternative disposal methods, such as composting, are being thoroughly researched and assessed as part of the new solids management project. In 2012 the WRP did a pilot project with Spurt Industries (Spurt) to demonstrate an effective, economical, and environmentally acceptable method of producing “Class A” Exceptional Quality (EQ) biosolids by composting residuals from the WRP. The desired result created a humus-like material without detectable levels of pathogens that can be used as soil conditioner and fertilizer to gardens, food and feed crops. This is a viable alternative to disposal of solids at the landfill. This proposed contract allows for loading and hauling of biosolids to composting sites, if desired.

The City will be considering composting a portion of the treatment plant residuals once the Department of Environmental Quality (DEQ) approves Spurt's composting facilities residuals management plan. A separate composting contract would need to be bid and a cost comparison versus land filling would need to be evaluated. It is recommended that we consider this option in the future as competition for landfill space increases.

ATTACHMENTS

None



Commission Agenda Report

City of Kalamazoo

Date: **04/15/13**

Item **F6**

TO: Mayor Hopewell, Vice Mayor McKinney, and City Commissioners

FROM: Kenneth P. Collard, City Manager, ICMA-CM, P.E.
Reviewed By: Bruce E. Merchant, Public Services Managing Director
Prepared By: Frank Renaldi, P.E., Facilities Engineer

DATE: April 2, 2013

SUBJECT: Corporation Alley and Exchange Place Water Main Replacement, Sewer Rehabilitation and Street Restoration

RECOMMENDATION

It is recommended that the City Commission approve a change order to the Corporation Alley and Exchange Place Water Main replacement contract with James E. Fulton and Sons Excavating in the amount of \$110,549.98.

BACKGROUND

Based on the proposed Corporation Hall and Exchange Building projects and resulting Consumers Energy electrical replacement projects, Engineering made assessments of the water and sewer mains in Exchange Place west of the Kalamazoo Mall and in Corporation Alley. Because of the age, size, condition and history of the mains, it was decided that the likelihood of their withstanding the impact of others' construction activities without presenting long-term problems was very low. As a result, Engineering designed replacement projects and worked with Purchasing to have them bid and awarded in time to be performed in conjunction with the work being performed by Consumers Energy.

The majority of the sanitary sewer main replacement using a trenchless technique called pipe bursting, was done under a contract with USA, LLC, a company specializing in that type of work. The contract for water main replacement, using conventional open cut methods, was awarded to James E. Fulton and Sons Excavation. Despite much preplanning, time consuming and costly modifications to the work being done by Fulton were necessary to install water mains due to limited space, poor subgrade soils, and unforeseen space conflicts with various utilities. In addition, repairs and modifications to the storm and sanitary systems were performed by Fulton as a result of damage and construction work by contractors associated with Consumers Energy and AT&T.

The City's portion of the project was completed in November of 2012. Due to the delays through November, City crews were unable to perform placement of gravel and asphalt in the alleys as was originally intended. Therefore, Fulton and Sons hired J. Allen to complete the grading and initial paving for \$64,134.95. Consumers Energy, the

Corporation Hall project, and AT&T will ultimately be sharing in the cost of paving the alleys as well as repairs to City utilities damaged by their contractors.

The changes required to complete the City's portion of the Corporation Alley and Exchange Place project are summarized in the attached project spreadsheet.

COMMUNITY RESOURCES CONSULTED

Engineering consulted and coordinated with DKI, local residents and businesses, AT&T, Catalyst, CTS and Consumers Energy to complete the work.

FISCAL IMPACT

The cost of these changes will be split between funding sources as follows:

City Funding

Water Capital Funding	\$	35,501.51
Waste Water Capital Funding	\$	6,327.87
Local Streets Capital	\$	<u>25,948.24</u>
	\$	67,777.62

Outside Funding

Consumers' Cost	\$	34,959.84
AT&T Cost	\$	6,177.90
154 S. Kalamazoo Mall Cost	\$	<u>1,634.62</u>
Total External Contributor Cost	\$	42,772.36

Total Cost of This Change \$ 110,549.98

Funds were carried forward from 2012 and are available in the 2013 Water Main Replacement, Waste Water and Local Streets Capital Budgets for this project.

ALTERNATIVES

In order to complete this project there were no other feasible alternatives.

ATTACHMENTS

None

CHANGES TO THE PROJECT	Cost of Work	Status	City Water	City Sewer	Local Streets	Consumers	AT&T	Corp Hall	
Replace Catch Basin at 154 and repair storm system - the catch basin in front of V&A Bootery had been non-functional prior to the project and was not in an acceptable location. Fulton replaced the existing basin and provided an inlet for Corporation Hall storm sewer to discharge.	\$16,744.79	Previously Approved			\$16,744.79				
Relocate Storm Line and Repair Intersection of Exchange and Corporation - a storm line that previously ran diagonally across the intersection had to be re-routed north and then east to make room for Consumers' new vault.	\$21,553.36	Include in Change Order			\$7,203.45	\$14,349.91			
Repairing Sanitary sewer at intersection of Exchange and Corporation due to ATT breaking line - Prior to paving the alleys Fulton had CleanEarth video tape the sanitary and storm lines. It was discovered that there was a sanitary sewer main break within a foot of the corner of AT&T's new vault that was not there prior to the start of the project. AT&T is initially disputing this claim.	\$6,177.90	Include in Change Order					\$6,177.90		
Subgrading alleys, manhole adjustments, gravel, adjusting castings to base grade, patching around castings and restriping Comerica parking - it was originally intended to replace some of the subbase material with Class II fill. During the course of construction it was evident that very little of the existing material was suitable for use and it was replaced as needed. Prior to paving all the manholes	\$39,707.58	Include in Change Order	\$25,236.49	\$4,655.22		\$8,181.25		\$1,634.62	
main break - A storm lead was investigated to determine whether it was live. It was determined that it was not and the wye was removed and storm main repaired. A water main break occurred on the old main just west of Corporation Alley on Exchange. It was determined that this was caused by the age of the main, turning valves and simply doing work in the area as it was not directly struck. As Fulton had equipment on site and our crew was busy with another break on East Michigan they were asked to assist with the dig up. Since Consumers had to go out into Rose Street it was decided that we would tap directly on the 10" main in Rose rather than use the existing connection. Fulton excavated the main to do the tap and the main was not sound enough to make the tap. When Fulton started scraping the pipe clean a leak was caused. The City water department was contacted and came out and made the repair and we went back to the original plan.	\$16,431.09	Include in Change Order	\$14,431.09		\$2,000.00				
Cleaning Storm and Televising Storm and Sanitary - Following completion of the project it was verified that the utilities that were not replaced were still in working condition.	\$6,469.65	Previously Approved \$4797		\$6,469.65					
Paving Corporation and Exchange Alleys - it was originally anticipated that City crews would gravel and pave the alleys. Due to the timing of completion City crews were not available to do the work and Fulton contracted with J. Allen.	\$25,007.40	Include in Change Order	\$12,578.72			\$12,428.68			
		Total Cost to Entity	\$52,246.30	\$11,124.87	\$25,948.24	\$34,959.84	\$6,177.90	\$1,634.62	\$132,091.77
	Total Changes	\$132,091.77	Previously Approved	\$16,744.79	\$4,797.00				
	Previously Approved	\$21,541.79	Current Charges	\$35,501.51	\$6,327.87				
	Change Order 3	\$110,549.98							



Commission Agenda Report

City of Kalamazoo

Date: **04/15/13**

Item **F7**

TO: Mayor Hopewell, Vice Mayor McKinney, and City Commissioners

FROM: Kenneth P. Collard, City Manager, ICMA-CM, P.E.
Reviewed By: Jeff Hadley, Chief
Prepared By: Detective Pittelkow

DATE: April 10, 2013

SUBJECT: American Brewers Inc. is applying for a new Micro Brewing license that will be located at 3408 Miller Road in the City of Kalamazoo

RECOMMENDATION

It is recommended that the City Commission adopt a RESOLUTION from the Michigan Department of Consumer and Industry Services, Liquor Control Commission (MLCC) to allow American Brewers Inc. to start a new Micro Brewing company that is mentioned above.

BACKGROUND

The approval of this resolution would allow American Brewers Inc. to open a new Micro Brewing business that can produce up to 30,000 barrels of beer a year.

Mark S. Cataldo is going to be the owner of the business and the only share holder. Mr. Cataldo has no beer brewing experience and has never held a liquor license before.

Mr. Cataldo already owns and operates a different business at the 3408 Miller Road address and plans on remodeling and dividing his business so he can set up this new Micro Brewing business in the same building. Mr. Cataldo plans on only brewing 500 to 1000 barrels of beer a year at first to see how his business does. Mr. Cataldo plans on hiring two extra employees to help him run his new Micro Brewing business. Mr. Cataldo estimates it will cost him \$7000.00 dollars to purchase his new equipment and remodel his business to get the brewery business up and running.

This type of Micro Brewing license allows the business owner to only sell what the business actually produces on site. This type of license does not allow the business to sell wine or any type of hard liquor. Mr. Cataldo does not plan on having a regular bar type atmosphere that allows customers to set around and consume his products and be entertained. Mr. Cataldo is just going to have a small tasting room that customers can sample his products and then purchase the products as take out beer to be consumed at a different location.

Mr. Cataldo met with City of Kalamazoo building inspector Robert McNutt and is in the process of starting the construction process. I was told by Robert McNutt the construction process will take some time and to go ahead with the approval process for the new license. Mr. Cataldo is aware that his new business will not be allowed to open until he passes a final inspection from the Fire Marshal and the Building Inspectors Office. This approval will insure that Mr. Cataldo can work with the Michigan Liquor Control Commission knowing the City of Kalamazoo has given its approval for the new license, and will insure that we do not have a business opening in the City of Kalamazoo that isn't safe to serve the public. The property taxes are up to date on this property.

I spoke with Mr. Cataldo about problems related to business with liquor license. Mr. Cataldo is aware of problems such as over serving customers and underage drinking and will take steps so they will not happen.

COMMUNITY RESOURCES CONSULTED

No community resources were consulted.

ATTACHMENTS

Resolution



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

Local Government Approval
 (Authorized by MCL 436.1501)

Instructions for Applicants:

- Provide a copy of your Application for New Licenses, Permits, or Transfer of Ownership or Interest in License (form LCC-3011 for Retail or form LCC-3015 for Manufacturers and Wholesalers) to the local unit of government.

Instructions for Local Legislative Body:

- Complete this resolution, or provide a resolution, a letter of certification from the clerk, or minutes from the meeting at which this request was considered.

At a _____ regular _____ meeting of the _____ Kalamazoo City Commission _____ council/board
(regular or special) (township, city, village)
 called to order by _____ on _____ Apr 15, 2013 _____ at _____ 7:00 p.m. _____
(date) (time)
 the following resolution was offered:

Moved by _____ and supported by _____
 that the application from _____ American Brewers Inc. _____
(name of applicant)
 for the following license(s): _____ Micro Brewer _____
(e.g. Class C, Tavern, B-Hotel, Micro Brewer)

and the following permits, if applied for: Dance Permit Entertainment Permit Topless Activity Permit
 Extended Hours Dance Permit Hours Required: _____
 Extended Hours Entertainment Permit Hours Required: _____

to be located at _____ 3408 Miller Road, Kalamazoo, MI 49001, Kalamazoo County _____
 be considered for _____ approval _____
(approval or disapproval)

Approval	Disapproval
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

It is the consensus of this body that it _____ recommends _____ this application be considered for
(recommends/does not recommend)
 approval by the Michigan Liquor Control Commission.

I hereby certify that the foregoing is true and is a complete copy of th resolution offered and adopted by the _____ City Commission _____
 council/board at a _____ regular _____ meeting held on _____ Apr 15, 2013 _____
(regular or special) (date) (township, city, village)

Name and title of authorized officer (please print): _____ **Scott A. Borling, City Clerk** _____
 Signature and date of authorized clerk: _____
 Phone number and e-mail of authorized officer: _____ 269-337-8792 _____ borlings@kalamazoocity.org _____



Commission Agenda Report

City of Kalamazoo

Date: **04/15/13**

Item **F8**

TO: Mayor Hopewell, Vice-Mayor McKinney, and City Commissioners

FROM: Kenneth P. Collard, City Manager - ICMA-CM, P.E.
Reviewed By: Jeff Hadley, Chief of Public Safety
Prepared By: Ryan Tibbets, Financial/Strategic Support Manager

DATE: March 13, 2013

SUBJECT: Acceptance of Fiscal Year 2011 Assistance to Firefighters Grant from the Federal Emergency Management Agency in the amount of \$2,774.40.

RECOMMENDATION

It is recommended that the City Commission accept FY 2011 Assistance to Firefighters Grant (AFG) award in the amount of \$2,774.40 on behalf of Kalamazoo Department of Public Safety from the Federal Emergency Management Agency (FEMA).

BACKGROUND

The Township of Oshtemo has received regional funding from the FEMA Assistance to Firefighters Grant program whereby Public Safety is a sub-grantee. The purpose of the AFG grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

The FY 2011 AFG regional proposal included a request to upgrade CFR 47 Part 90 VHF radios and auxiliary equipment to meet the Federal Communications Commission order to be narrowband compliant by January 1, 2013. Public Safety uses these VHF radios to communicate with other jurisdictions that are not on the 800 MHz system during emergency operations.

The grant funding will cover 80% of the cost of six (6) narrow band compliant VHF radios with accessories and 80% of the cost associated with narrow banding the emergency warning sirens in the City of Kalamazoo.

SUMMARY

If the City of Kalamazoo accepts the FY2011 FEMA AFG funding of \$2,774.40, funds will be made available for Kalamazoo Public Safety to purchase narrowband portable radios and provide reimbursement for narrow banding the emergency warning sirens.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

The total project cost is \$3,468. The grant covers 80% or \$2,774.40 and requires a 20% match for the project cost in the amount of \$693.60. Public Safety's portion is included in the 2013 Public Safety budget.

ALTERNATIVES

No alternatives are recommended.

ATTACHMENTS

None



Commission Agenda Report

City of Kalamazoo

Date: **04/15/13**

Item **F9**

TO: Mayor Hopewell, Vice Mayor McKinney and City Commissioners

FROM: Scott A. Borling, City Clerk

DATE: April 10, 2013

SUBJECT: Board and Commission Appointments

RECOMMENDATION

It is recommended that the City Commission approve the following appointments and reappointments to advisory boards and commissions:

- the reappointment of **James Valeii** to the Community Development Act Advisory Committee as an at-large member for a term expiring on March 31, 2016.
- the reappointment of **Bill Wells** to the Community Development Act Advisory Committee as the Edison Neighborhood Representative for a term expiring on March 31, 2016.
- the reappointment of **Kris Mbah** to the Community Development Act Advisory Committee as an at-large member for a term expiring on March 31, 2016.
- the reappointment of **James Houston** to the Zoning Board of Appeals for a term expiring on March 31, 2016.
- the appointment of **Jason Enos** to the Zoning Board of Appeals for a term expiring on March 31, 2016.
- the appointment of **Daloma Poe** to the Zoning Board of Appeals as an alternate member for a term expiring on March 31, 2015.

BACKGROUND

The City Commission must approve the appointments and reappointments of members to the Community Development Act Advisory Committee (CDAAC) and the Zoning Board of Appeals (ZBA). The City Clerk's Office receives applications for these boards and forwards them to the staff liaisons and chairperson. It is the responsibility of the CDAAC and ZBA to recommend appointments and reappointments for these boards. The attached Appointee Nomination Reports detail the nominees' qualifications and the selection process used to make the nominations.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

There is no fiscal impact directly associated with these appointments and reappointments.

ALTERNATIVES

The City Commission could choose to approve these appointments and reappointments, not approve them, or postpone action to a date certain.

ATTACHMENTS

Nomination Reports



Advisory Boards and Commissions Appointee Nomination Report

City of Kalamazoo

RECOMMENDATION

The Community Development Act Advisory Committee (CDAAC) recommends the City Commission approve the following three appointments:

- The reappointment of **James Valeii** for his first full term as an At-Large Representative. Mr. Valeii's term would expire on March 31, 2016;
- The reappointment of **Bill Wells** for his second full term as the Edison Neighborhood Representative. Mr. Wells' term would expire on March 31, 2016; and
- The reappointment of **Kris Mbah** for his first full term as an At-Large Representative. Mr. Mbah's term would expire on March 31, 2016.

SPECIAL REQUIREMENTS FOR THIS POSITION

CDAAC membership is open to seven (7) community members-at-large and representatives from the six (6) core neighborhoods.

CDAAC considers funding requests from nonprofit organizations to meet City of Kalamazoo priorities under Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnerships. Members of CDAAC are cognizant of community issues, local service providers, and any special restrictions associated with the various funding sources. In order to make informed decisions, the members of CDAAC constitute a microcosm of the community as a whole.

All three of the recommended candidates lend much-needed expertise and diversity to the committee.

SELECTION PROCESS

Each requested appointment is a reappointment of an existing CDAAC member. No selection process was required.

During the March 14, 2013 regularly-scheduled CDAAC meeting, the members up for reappointment expressed their desire to remain a member of CDAAC. A quorum of the CDAAC unanimously approved to recommend the reappointment of James Valeii, Bill Wells and Kris Mbah.

NOMINEE QUALIFICATIONS

Dual Board Memberships

James Valeii, Bill Wells and Kris Mbah do not currently serve on any other City advisory board.

Residency

Mr. Valeii and Mr. Wells reside in the Edison neighborhood and Mr. Mbah resides in the Millwood neighborhood. All reside in the City of Kalamazoo.

Term Limits

If approved, all three members will serve a full three-year term ending in March of 2016.

Training, Experience, Education and Skills

All members bring valuable training, experience, education and skills to CDAAC.

Mr. Valeii is a Community Organizer for Local Initiatives Support Corporation (LISC) AmeriCorps Edison Vine, is educated in Planning, and co-founded Kalamazoo Collective Housing, a local nonprofit.

Mr. Wells brings years of experience on both CDAAC and the Edison Neighborhood Board. His experience provides institutional knowledge to the CDAAC board.

Mr. Mbah brings experience from his time working with the LISC as an AmeriCorp member. His employment with LISC allowed him to work with the Sustainable Communities Initiative in the Northside Neighborhood. He has also worked with New Genesis as a youth mentor and with 4-H MSU Extension as a site coordinator.

Each of these individuals' backgrounds and enthusiasm for community development are especially noteworthy.

Contribution to Diversity

All the above-mentioned members contribute to the ethnic, gender and age diversity of CDAAC.

NOMINATION RATIONALE

All three members have demonstrated an enthusiasm for community service and an eagerness to continue their work with CDAAC. They bring a valuable set of experiences to CDAAC, which will be more comprehensive in its decision-making because of their perspectives and involvement.

CITY CLERK'S CERTIFICATION

The nominee's qualifications regarding dual board memberships, residency, and term limits have been reviewed and verified by the City Clerk's Office.

Scott

A. Borling, City Clerk



Advisory Boards and Commissions Appointee Nomination Report

City of Kalamazoo

RECOMMENDATION

The Zoning Board of Appeals (ZBA) recommends the City Commission approve the following appointments:

- The reappointment of **James Houston** for a full term expiring on March 31, 2016.
- The appointment of **Jason Enos** (appointed as an alternate on February 18, 2013) as a regular member, for a full term expiring on March 31, 2016.
- The appointment of **Daloma Poe** as an alternate for a partial term expiring on March 31, 2015.

SPECIAL REQUIREMENTS FOR THIS POSITION

Zoning Board of Appeals members must be residents of the City of Kalamazoo and should have knowledge of the City including some familiarity with the Zoning Ordinance, as well as knowledge of the current issues in the community.

SELECTION PROCESS

Applicants Considered

The Nominating Committee was comprised of Nick Boyd, Zadie Jackson and James Houston. The Nominating Committee reviewed applications from Daloma Poe and Jason Enos.

Interview Process and Final Recommendation

Nominating Committee conducted interviews with each of the candidates, each interview was one half hour in the length. The interviews were held at the Stockbridge Facility and City Hall.

On February 14, 2013, the Zoning Board of Appeals approved a recommendation to appoint Jason Enos to the regular seat vacated Jeremy Cole and appoint Daloma Poe to the alternate seat vacated by Jason Enos. At this same meeting, the board also approved a recommendation to reappoint James Houston.

NOMINEE QUALIFICATIONS

Dual Board Memberships

James Houston, Jason Enos and Daloma Poe are not presently serving on any other City boards.

Residency

James Houston currently resides in the Parkview Hills Neighborhood

Jason Enos currently resides in the South Westnedge Neighborhood

Daloma Poe currently resides in the Milwood Neighborhood

Term Limits

This will be Mr. Houston's first full term on the ZBA. Mr. Houston will be eligible to serve one more full term.

This will be Mr. Enos's first full term on the ZBA. Mr. Enos will be eligible to serve one more full term.

This will be Ms. Poe's first partial term on the ZBA. Ms. Poe will be eligible to serve two full terms.

Training, Experience, Education And Skills

Mr. Houston obtained a doctorate degree in Public Administration and Political Science. Mr. Houston possesses much board experience and served on the City of Kalamazoo charter review committee in the mid 1990's. Mr. Houston retired from an accounting and finance career.

Jason Enos has lived in the City of Kalamazoo over ten years. He is familiar with the City's zoning districts and the Zoning Ordinance. Mr. Enos holds a degree in urban and regional planning.

Daloma Poe is currently a student working part-time. She graduated from Comstock High School and moved to the Milwood Neighborhood. She is very familiar with the City and has a background in political science.

Contribution To Diversity

Mr. Houston will be the only regular Board member from the Parkview Hills Neighborhood. Mr. Houston also contributes to the ethnic diversity of the Board.

The appointment of Mr. Enos will result in the Board having a representative from the South Westnedge Neighborhood.

Ms. Poe will be the only Board member from the Milwood Neighborhood. Ms. Poe also contributes to the ethnic diversity of the Board.

NOMINATION RATIONALE

Mr. Houston brings to the Board his strong knowledge of the community, financial background, previous board experience and analytical skills.

Mr. Enos's analytical ability, GIS skills and education in urban and regional planning will be beneficial to the board and in evaluating properties for which variances have been requests.

Ms. Poe will bring the benefit of her political science background and knowledge of the City to this board.

CITY CLERK'S CERTIFICATION

The nominee's qualifications regarding dual board memberships, residency, and term limits have been reviewed and verified by the City Clerk's Office.

Scott A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor McKinney, and City Commissioners

FROM: Clyde J. Robinson, City Attorney
Prepared By: Randall S. Schau, Deputy City Attorney

DATE: February 15, 2013

SUBJECT: New Ordinance governing the transportation of marihuana

RECOMMENDATION

It is recommended that the City Commission adopt new ordinance 36-134 of the City Code, which, if adopted, would establish the lawful manner for marihuana to be transported in a motor vehicle.

BACKGROUND

In 2012 the State passed a bill (4856) addressing the transportation of marihuana (which is how the word is spelled in the state statute). It required that when being transported in a motor vehicle, marihuana either be "in a case that is carried in the trunk of the vehicle" or, if the vehicle does not have a trunk, then "enclosed in a case that is not readily available from the interior of the vehicle." The proposed City ordinance uses the identical language. Having that requirement be a City ordinance would allow a violation to be prosecuted by the City Attorney's Office, which would be helpful on those occasions where the City is prosecuting a companion case (another charge arising out of the same transaction).

If the law remains only a state statute, the Prosecutor's Office would have to handle it, which might mean the Prosecutor would handle one part of an incident while the City Attorney's Office handles another part of the incident. Dual prosecution is inefficient and should be avoided when possible.

COMMUNITY RESOURCES CONSULTED

None.

FISCAL IMPACT

None.

ALTERNATIVES

If the City Commission decides to adopt the proposed ordinance, unlawful transportation of marihuana can only be prosecuted by the Prosecutor's Office, which will inevitably lead to dual prosecution in some instances.

ATTACHMENTS

Proposed ordinance

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE CREATING SECTION 36-134
OF THE KALAMAZOO CITY CODE REGARDING
TRANSPORTING MARIHUANA IN A MOTOR VEHICLE**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 36-134 of the Kalamazoo City Code is hereby created to read as follows:

“Sec. 36-134 Transporting Marihuana in a motor vehicle

A. A person shall not transport or possess usable marihuana as defined in section 26423 of the public health code (MCL 333.26423) in or upon a motor vehicle or any self-propelled vehicle intended for land travel unless the marihuana is:

1. Enclosed in a case that is carried in the trunk of the vehicle; or
2. Enclosed in a case that is not readily accessible from the interior of the vehicle, if the vehicle in which the person is traveling does not have a trunk.

B. A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days and/or a fine of not more than \$500.

Section 2. Repealer.

All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date.

Pursuant to Section 13(a) of the City Charter, this ordinance shall take effect from and after 10 days from the date of its passage.

CERTIFICATE _____

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____, 2013. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott Borling, City Clerk

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2-27-13

THE CITY OF



CITY MANAGER REPORT
April 15, 2013

1. Departmental Reports and Project Updates

2. Communication
 - a. Inside the City, April, 2013

3. Special Reports
 - a. March 2013 Purchases

City Manager's Report

APRIL 15, 2013

Administration & Finance

- Assessor
The March Board of Review is complete.

The assessment database has been rolled over to start work on 2014. WCA is starting the neighborhood reviews for 2014. Eight assessment neighborhoods will be reviewed this year for a total of about 2000 parcels.

- Budget and Accounting
The external auditors, Abraham & Gaffney are onsite through the end of April completing the audit of 2012 Financials.

The citywide finance function has been restructured to provide greater coordination and oversight between the major departments and Central Finance through the reallocation of vacant positions. The City is currently recruiting for the positions of Budget and Accounting Specialist, Program and Financial Service Manager in the Transportation Department and Financial Analyst in the Public Services Department.

- Purchasing/Risk Management
In collaboration with City Departments, bid documents were prepared, invitation for bids advertised and distributed through the City's website, and bids received for seven purchasing projects.

Purchasing staff are administering prevailing wages for three construction contracts.

The Purchasing Division participated with the MPPOA Annual Reverse Trade show, a vendor outreach program. Staff met with vendors who wished to do business with the City of Kalamazoo.

The last ERI Participant for the Purchasing Division, Nick Lam, exited the organization this month.

- Treasury

2012 Tax Collection/Settlement:

The 2012 real property tax collection at the City ended on February 28. As of March 1, all real property tax bills are payable to the County. The delinquent tax data was delivered to the County and loaded on their system on March 8.

Of the City's 23,790 real property parcels, 3,638 parcels had at least a portion of their tax bill returned as delinquent to the county. The total city-wide amount delinquent for all taxing authorities is \$5,290,974.95, or less than 5% of total tax bills. The City millage portions returned delinquent, prior to capture reductions, are as follows:

City Operating	\$1,174,458.62
Solid Waste	94,463.93
Metro Transit	36,579.55
Admin Fee	36,516.26

The County will pay these amounts directly to us from the tax revolving fund in May or June.

ERP/SAP: The last participants of the Early Retirement Initiative for the Treasury Division, Wayne Nelson and Sandy Masters, exited the organization this month.

Community Planning & Development

➤ Planning

Four site plans were processed during March:

- Gonzo's BiggDogg Brewery at the former Orin B. Hayes building at 140 S. Westnedge
- New research and development facility in the WMU BTR Park
- New convenience store use at 1103 Douglas
- New Walgreen's store on W. Michigan Avenue

➤ Housing

The 2013 Annual Rental Registration billing was sent out mid-March.

➤ Zoning

The ZBA had three petitions presented during the March meeting. All three variances were granted and are as follows:

- To allow an outdoor temporary sales use at 2015 Portage Road from March 15, 2013 to September 15, 2013 with the conditions that propane tanks must be attached to the vehicle or chained into place and that a license from the Health Department must be maintained.
- To allow a six foot chain link fence to remain as a buffer between the residential uses to the south of the parking lot instead of the six foot opaque fence required for the Family Health Center located at 117 W Paterson.

- To allow a six foot fence instead of the four feet required in the front yard setback and to allow chain link fencing within the front setback for the Hilltop Apartments 3000 S Burdick.

Jason Enos was welcomed to the ZBA as its newest member this month.

➤ Code Compliance/Anti-blight

The Dangerous Building Board met in March regarding three properties, two located in the Eastside neighborhood, and the other in the Northside neighborhood. It was the board's decision to allow all home owners a month to obtain permits to repair or demolish their property structures or else the City would commence with the demolition process for the properties. This month, two properties are being brought before the Dangerous Buildings Board scheduled for Thursday, April 4, 2013 at 2:00 pm.

➤ Building & Trades

In the month of March 2013 there were 171 permits issued, representing \$2,608,866 in construction valuation. These figures brought year-to-date permits: 476 permits, representing an end-of-year construction valuation of \$7,959,012.

➤ Community Development

The Community Development Act Advisory Committee (CDAAC) made their final recommendations regarding the 2013 Action Plan at a public hearing held on March 14, 2013. CP&D staff has sent an Agenda Report to the City Commission for the April 1, 2013 meeting requesting they set the final public hearing for April 15, 2013. At that public hearing, staff will be requesting the City Commission approve CDAAC's recommendations. The 2013 Action Plan will then be finalized and submitted to HUD for a program year start date of July 1, 2013.

The State of Michigan has awarded \$937,000 to the City of Kalamazoo and the Kalamazoo County Land Bank Authority for a blight elimination program designed to help local communities address the destabilizing effects of blight and property abandonment. The City and Land Bank jointly applied for the funds from a \$15 million pool made available for Michigan communities as a result of the state attorney general's settlement with mortgage companies over inappropriate mortgage practices. The goal is to use the grant to stabilize property values, promote future development and enhance public safety in Kalamazoo County. Over the next year, the Kalamazoo County Land Bank Authority and the City will use the grant to demolish approximately 83 blighted residential and commercial structures. The properties are vacant, tax-foreclosed buildings, or are structures which have been ordered demolished by the City of Kalamazoo's Dangerous Buildings Board. In addition to the City of Kalamazoo, buildings slated for demolition are also located in Comstock Township, Kalamazoo Township, Cooper Township, and Schoolcraft Village.

Economic Development

Staff worked with Southwest Michigan First and Western Michigan University on filling the last available site in the Business, Technology and Research Park (Newell Rubbermaid).

Implementation of the remedy for the unsuitable soils issue at the Arcadia Ales site began on March 18 as the first of project groundbreaking activities.

Staff is negotiating with Goat Ropers, LLC regarding a potential land swap which would provide them with additional property adjacent to their parcel at 526 East North Street in exchange for a parcel located at 520 Butler Court previously sold to them by the BRA.

Staff attended the Governor's Economic Summit in Detroit on March 18 and 19. Attendees were asked to help the Governor's efforts in defining the state's strengths, weaknesses and opportunities of our region by participating in breakout sessions and reporting back to the summit facilitators. The information was to be compiled and used at the Educational Summit scheduled for the near future. Much of the summit was focused on Michigan's talent and how to keep it here.

The first Board meeting of the Association of Brownfield Redevelopment Authorities was held on February 14.

Staff continues to attend meetings that focus on the South Town Commons area with other principle area partners.

Staff is working on four potential projects at various stages of development.

Staff is pursuing opportunities with the Land Bank on projects in the riverfront area.

Human Resources

April Training Schedule

Class Title	Date	Time	Location
NeoGov Online Hiring Process Training	4/16/13	City Hall IT Training Room/Computer Lab	2:30 pm to 4:30 pm
NeoGov Online Hiring Process Training	4/19/13	City Hall IT Training Room/Computer Lab	9:00 am to 11:00 am
FMLA Overview and Processes	4/23/13	City Hall Community Room	9:00 am to 11:30 am
Preventing Fraud & Abuse	4/24/13	City Hall Community Room	9:00 am to 11:30 am

Information Technology

No information to report.

Parks & Recreation

➤ Administration

Two Parks and Recreation staff have taken and passed the Certified Pool Operator Course and are certified for the next five years.

➤ Parks

The cold temperatures have delayed the Kalamazoo College baseball and softball teams use of the Parks and Recreation facilities. The first game at Homer Stryker Field was scheduled for March 29.

The construction drawings and specifications for the Woods Lake Improvement project have been sent to the Michigan DNR for approval. Once approved and all necessary permits are obtained, the bid process will move forward.

➤ Recreation

The spring /summer Activity Guide is complete. It will be mailed to city residents on Monday, April 1, 2013. It is posted on the City's web page and the Parks and Recreation Facebook page as of March 28, 2013.

The Egg Hunt on the River Trail was held on Saturday, March 30 at Mayors' Riverfront Park, this is a partnership with the Kalamazoo Jaycees. It was a beautiful day with 50 degree weather and over 1,000 people participated in the Egg Hunt, face painting, jelly bean guess jar and the pizza eating contest. The bunny was available for pictures and all who came had a great time.

A meeting was held regarding the timeline of opening Kik Pool for the season. Both Public Services and Parks & Recreation staff will be working together to open the pool.

The Tutor Time program, which is in partnership with Western Michigan University's Medallion Scholar Students, started March 25th at the Youth Development Center for youth ages 6-17 years old. There are ten students registered for the program and we have our first high school student in the program.

The Clay Creations program finished their final project, My Favorite Food, and was able to take them home. The eight week winter class at the Youth Development Center started in February and will be wrapping up at the end of March.

The Washington Evening Program, which began in mid-February, now has a regular attendance of 20 youth. Prevention Works will be partnering with us starting April 9th and will be offering one of their core classes either on tobacco or

bullying. A Recreation seasonal staff has been working with youth in the program on cartoon drawing.

On the last day of the Oakwood Neighborhood Association tutoring program the youth went on a field to trip to Continental Lanes, who donated free bowling passes for the youth in the program. For the second session of the tutoring program; there are 14 youth registered.

On the final day of the Hip Hop dance class, the participants performed routines they had been working on in their eight-week class. The performance was done in front of over 50 family and friends and was held at the Youth Development Center.

➤ Farmers' Market

No updates at this time.

Public Safety

In March, detectives worked an armed robbery at the Fox Ridge Apt. complex where a person was robbed at gunpoint. There have been 4 such robberies at Fox Ridge Apts. since January of 2013. After a thorough investigation, detectives obtained an arrest warrant for one suspect and are currently awaiting a second warrant from juvenile court for an additional suspect in this armed robbery. Detectives continue to work to connect the remaining armed robbery cases.

Detectives worked an armed robbery at the Sunny Mart convenience store in the 2200 block of E. Cork St. The investigation revealed 1 male and 1 female suspect. Detectives identified these suspects, interviewed them and obtained confessions. Both suspects are currently lodged in the Kalamazoo County Jail. A heroin addiction appears to be the root cause for the robbery.

Detectives worked a larceny case where a cleaning lady stole over \$4,000 in crystal and silverware from a 91 year old woman who employed her. The cleaning woman ultimately confessed to the theft to detectives and warrants have been issued. Detectives are working to determine if there are additional victims from this cleaning lady.

KVET continues the battle against drug trafficking in and about the city of Kalamazoo. KVET made 38 drug cases and seized 5 firearms in March.

KVET has investigated 17 meth labs in 2013.

Public Services

Major Streets contract was sent out for bids. Bids will be opened April 17, 2013. Federal Aid projects (N. Burdick and Fulford Streets) will be opened in Lansing on April 5, 2013. The design is progressing on the 2014 Drake Road Federal Aid project. The City is working with the Kalamazoo County Road Commission (KCRC) on configuration of the intersection with Grand Prairie, which will be done by KCRC in the same year. We are also working with Oshtemo Township on potential installation of sidewalk along the section from West Main to Grand Prairie.

All necessary sampling, testing, analytical reporting and regulatory reporting have been completed for the month of March. Stage II Disinfection sampling was completed in February.

Mercury Minimization Program Annual Report, IPP Annual Report and the Cross Connection Annual Report was completed and delivered to the Michigan Department of Environmental Quality Kalamazoo District Office and 18 of the 26 SIU Annual Inspections have been completed.

Environmental Services staff has reviewed several Site Plans, including a Douglas Avenue re-development site, a new development at the W.M.U. BTR Park, and a proposed Walgreen's on West Michigan Avenue.

On March 12, 2013 staff, along with Mayor Hopewell, met with a number of EPA Region 5 staff in Kalamazoo. As a follow-up to an earlier meeting with EPA in September 2012, EPA discussed the proposed schedule for the Allied Site Cleanup, a review of remedy options, the proposed remedy, and to address redevelopment concerns expressed by City staff. The proposed schedule is to issue the Feasibility Study in April; a public comment period from mid-May to mid-June; and the Record of Decision in September. Design and construction activities would be in 2014 and 2015. Despite the well-documented City concerns, EPA is proceeding with selecting the reconsolidation and cap, leaving 1.5 million cubic feet of contaminated paper residuals on site. EPA also presented a conceptual site development drawing. Very little of the site could be used post remediation. At best it might allow the development of a non-motorized pathway along Portage Creek. The Mayor expressed his displeasure with EPA over the selection of alternative 2B. The City has maintained its position of wanting the complete removal of all waste from the site. Follow up meeting with the City Commission Administrative Committee and a March 26th special meeting of the City Commission has resulted in the decision to proceed with a Community Action Effort that would consist of actions on the political, community, technical and legal fronts. The desired outcome is to impact the final EPA decision that will be officially published in the Record of Decision so their decision ultimately will be to excavate and transport all contaminated material offsite to permitted landfills. The City Attorney has already solicited qualifications and bids to provide legal services.

Kalamazoo County Parks Foundation has applied for a grant to construct the WMU Connector from Academy and Michigan to the Westnedge terminus of the Kal-Haven connector. The City has directed Hurley and Stewart to supply necessary information and materials to assist with the application process.

Transportation

➤ Ridership

The ridership report for February 2013 indicates a total of 273,537 passenger trips taken on Metro Transit fixed route service. This is a decrease of 1,189 passengers (-1.43%) from February, 2013. Additionally, there were a total of 3,849 ADA trips taken. This is a decrease of 347 rides (-8.8%) along with 6,839 on Metro County Connect countywide, a decrease of 61 trips (-0.5%) from February 2012. When you include 1,236 Specialized Service trips the system total for February was 285,461 rides provided, which is a decrease of 962 (-0.34%) lower than February 2012.

➤ Diesel Fuel

Metro Transit purchased of 8,997 gallons of ultra-low sulfur diesel fuel on March 18th at \$3.1670 per gallon. Diesel fuel is budgeted at \$3.10 per gallon for 2013. The average price thus far this year is \$3.2016 per gallon.



INTEROFFICE MEMO

To: Kenneth P. Collard, City Manager, ICMA-CM, P.E.

From: Teresa T. Johnson, Purchasing Manager

Date: April 5, 2013

Subject: March 2013 Purchases

I am forwarding for the City Commission, and your information, a summary of the purchases and change orders between \$50,000 and \$100,000 administratively approved during March 2013.

c: Thomas Skrobola, Director of Management Services, CFO

March 2013 PURCHASES ADMINISTRATIVELY APPROVED BETWEEN \$50,000 AND \$100,000

DESCRIPTION	VENDOR		AMOUNT	COMMENT
	Location	MBE/WBE?		
Purchase 18,010 gallons of diesel fuel	Crystal Flash Energy Grand Rapids, MI	No	\$58,362.31	Accepted low bid
Landscaping Supplies	Mulders Landscape Supplies County	No	\$74,200.00	Term Contract Extension

March 2013 CHANGE ORDERS ADMINISTRATIVELY APPROVED BETWEEN \$50,000 AND \$100,000

DESCRIPTION	VENDOR		AMOUNT	COMMENT
	Location	MBE/WBE?		
2011 Major Streets	Michigan Paving & Materials Canton, MI	No	\$83,865.72	Term Contract Change Order