

ENVIRONMENTAL CONCERNS COMMITTEE

AUGUST 15, 2018 MEETING MINUTES

Community Room, 2nd Floor, City Hall, 241 W. South Street, Kalamazoo, MI 49048

MEMBERS PRESENT: Paul Manstrom, Chair; Lauri Holmes; Aaron Wright; Gail Walter; Phil Dietrich.

MEMBERS EXCUSED: Matt Fletcher, Chair; Mary Clare Griffith

MEMBERS UNEXCUSED: David Kroening

CITY STAFF: Malissa Drzick, Staff Liaison; Amy Thomas, Recording Secretary

GUESTS: David Anderson, City Commission Liaison to the ECC.

1. ROLL CALL

- The meeting was called to order at 4:30 p.m. A quorum of members was present.
- Mr. Manstrom has attempted to contact David Kroening via e-mail but has not heard from him. Mr. Kroening has missed four meetings. The Chair and Vice Chair will discuss the possibility of moving Mr. Kroening to an ECC associate position.

2. APPROVAL OF JULY 18, 2018 MEETING MINUTES

- Ms. Drzick requested the following changes: Page 4, 4th bullet point from the bottom of the page, the City of Kalamazoo waste water treatment plant is being modeled for "PFAS" removal. Page 5, second bullet point from the top, Ms. Drzick will forward an "AECOM" presentation.
- Mr. Fletcher requested the following changes: Page 5, under Tree Committee, the \$175 per foot underground data line was the expense he incurred for a commercial project in 2017; the cost may be more or less for Consumers to install underground electric or data lines in the City of Kalamazoo. Also, both in the public and private sectors, most of the underground data lines have water-proofed insulation for rain/snow but are not meant to remain underwater.
- The minutes were approved as amended.

3. APPROVAL OF AGENDA

- There were no changes to the agenda.

4. ANNOUNCEMENTS

- Ms. Walter advised that there will be a release party on Tuesday, September 25th for Peregrine Pale Ale at Bravo Restaurant. Some of the profits will be donated to the Audubon Society. It is draft beer only (not available in bottles) when its gone, its gone.

5. COMMENTS BY OTHERS ON NON-AGENDA ITEMS

- None

6. UNFINISHED BUSINESS/UPDATES

City of Kalamazoo Climate Action Plan (CAP)

Report on schedule impact of Shipley resignation

- Mr. Manstrom forwarded SaraJo Shipley's resignation letter to the ECC. Ms. Shipley indicated that consultants would be hired to complete the Climate Action Plan but that has not been confirmed yet. Ms. Shipley is from Ipsilanti and she has returned there to start a new job.
- Mr. Wright referred to the discussions last year regarding the Climate Action Plan. Those discussions lead to the City of Kalamazoo having a point person for the plan. He inquired as to what could be done to let the City know the ECC would like to receive updates regarding this process.
- Mr. Manstrom suggested asking if the City can share the RFP (Request for Proposals) with the ECC. It is likely that the consultant will not be from the Kalamazoo community.

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- Ms. Holmes suggested giving support to people who want to be part of the CAP process. Commissioner Anderson was supportive of Mr. Manstrom's suggestion to have the ECC look at the Request for Proposals (RFP) for the Climate Action Plan.
- Mr. Manstrom volunteered to be part of the interview process for the consultants. He has already been communicating with City Planner, Christina Anderson, regarding that process.

Natural Features Protection Overlay Update

Vermeulen Property Update

- Mr. Manstrom was not aware of any recent updates regarding the overlay. He is on the Natural Features Protection Overlay Committee, which is comprised of community members, consultants and WMU employees. They are working with the City of Kalamazoo to create the overlay. There is concern that the overlay will not protect the Vermeulen property.
- Ms. Holmes provided a copy of the Statement of Concern from the ALPA (Asylum Lake Preservation Association) regarding the Vermeulen property. The statement has been provided via e-mail to about 150 people. The hard copy/pamphlet has been distributed in the Asylum Lake Preserve and the Farmers' Market.
- There was an article in the business section of the Kalamazoo Gazette on Sunday, August 12th, which provided details about the Vermeulen property. The information is also on M-Live.
- ALPA would like to delay development of the Vermeulen property until the overlay is in place. The Vermeulen property is currently zoned residential. The developer will need approval from the Planning Commission and the City Commission before he can develop the property for a commercial use. He would like to build a car wash in that location.
- Ms. Holmes had a 20 percent response to the e-mails she sent regarding the Vermeulen property. She spoke with Matt Callander (Real Estate Agent) regarding the commercial signs on the property. He is looking for neighbors to share the property with the developer. Mr. Wright mentioned that there is a car wash just down the street.
- The ALPA is trying to advocate for the Asylum Lake Preserve, which is adjacent to the Vermeulen property. The Vermeulen property is a 17-acre strip of land, which extends from the top of the slope by Drake Road/Stadium Dr, East along Stadium Drive by the property line that defines the Preserve.
- The property was owned by the Vermeulen family since the mid-1800's. Many people have talked with Mrs. Vermeulen over the years about the possibility of integrating the property with the Preserve. She wanted to leave something for her kids; the developer paid \$2.5 million dollars for the property.
- It will have to be rezoned for commercial use before the proposed development can occur. The city can say whether or not the development can be placed there and how close it can go to the Preserve property. There is concern about drainage; there is a steep slope on the property. There is also concern about protecting the Oak trees on the Vermeulen property.
- Stadium Drive is a commercial street but there is concern about the impact an adjacent development would have on the Preserve.
- Mr. Wright expressed concern about what could happen if the City steps in with an overlay that could potentially block commercial development on the property. Mr. Dietrich suggested that the developer might be proceeding based on his experience with zoning boards.
- Mr. Manstrom stated that the Master Plan has the Vermeulen property designated for commercial use. It is unlikely that the overlay will be applied to that strip of land, but it might protect the top of the slope.
- Commissioner Anderson mentioned that restrictions can be placed on developments under the current zoning laws. The developer purchased the land and is in the process of figuring out what to do with it.
- Mr. Wright inquired how it would be legal to put a commercial real estate sign on a property that is not currently zoned commercial. Ms. Holmes advised that the real estate sign says, commercial "opportunity".
- Mr. Wright inquired as to what the ECC could do to encourage the City Commission to put the maximum amount of protection on that property with the natural features protection overlay? Commissioner Anderson advised sending a communication to the City Commission and a copy to City administration with that suggestion.
- Mr. Manstrom advised that the rezoning request would be reviewed by the Planning Commission once and then by the City Commission twice. The Planning Commission could delay a vote until the following meeting. The Planning Commission meets on the first Thursday of the month.
- Mr. Wright expressed concern about more businesses opening up without enough population to support them. Commissioner Anderson indicated that the City of Kalamazoo needs the tax base.
- Mr. Wright and Ms. Holmes will work on a statement to share prior to the September ECC meeting.

Kalamazoo Air Quality

Update by Aaron Wright regarding communications with MDEQ and others.

- Mr. Wright has been in communication with USA Today regarding the article they published about bad air quality in Kalamazoo. The article stated that Kalamazoo has some of the worst air quality in the nation.

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- Mr. Wright also spoke with representatives from ATTOM Data Solutions to inquire where they got their data, it does not match up with Environmental Protection Agency (EPA) or Michigan Department of Environmental Quality (MDEQ) data.
- ATTOM Data Solutions provides information to companies. The person from Wall Street 24/7 who produced the data report is no longer there.
- ATTOM Data Solutions provided a spreadsheet of the data they used. Mr. Wright forwarded that information to Susan Kilmer at the State, she provided the information to her boss. She says it is convoluted and incorrect data.
- Mr. Wright is under the impression that ATTOM Data Solutions has already provided all of the information they intend to share. It appears they will not print a retraction. He inquired if the City Commission has ever done a press release to refute information.
- Mr. Dietrich was advised that the same report is on the WRKR website. He questioned if anyone is paying attention. It would be necessary to show damages before a lawsuit could be filed. He suggested the possibility of a cease and desist order to stop the spread of inaccurate information.
- Commissioner Anderson suggested condensing the information and providing it to the City Attorney for review. The information could also be provided to WRKR with a request that they remove unsubstantiated information from their website. Mr. Wright will work on condensing the information for the next ECC meeting.
- Commissioner Anderson inquired as to where the City Attorney would need to send communications. Mr. Wright has the contact information and he will work on getting a physical address.
- Ms. Holmes suggested going directly to the entities who have published the false information without making this a public issue. Mr. Wright stressed the importance of holding these entities accountable for providing false information to the public.

Update by City on Graphics Packaging and City meetings

- Mr. Manstrom forwarded to the ECC an interoffice memo regarding a meeting on August 7th between the City of Kalamazoo and Graphic Packaging.
- Ms. Drzick spoke with Jim Cornell but an update has not been provided yet. She will follow up and ask for a statement. They were looking at the process and chemicals used by Graphic Packaging and there was a discussion about making changes to address the aroma.
- The aroma was one of the topics that was discussed recently when Commissioner Anderson met with the City Manager. It would be helpful for the City Manager to have updates as information becomes available.
- Ms. Drzick stated that there is a difference between the aroma from the waste water plant and what is being produced by Graphic Packaging. Mr. Wright advised that the DEQ received four complaints in the last year regarding this nuisance odor.

2017 Annual Report

- Mr. Manstrom updated the report and provided a hard copy for the members who were part of the committee (Mr. Dietrich, Ms. Holmes & Mr. Fletcher) last year. He requested that they get back with him regarding any further changes.
- A digital copy of the report will be provided to all of the ECC members and they can take a vote on the report at the next meeting.

Allied Paper Super Fund Site

- Ms. Drzick spoke with Mr. Paquin to determine who would be best contact for providing updates. She sent an e-mail to Jeremy in Economic Development Monday but she has not received a response yet. Bruce Merchant (former Director of Public Services) is a contractor for that site. The last update in the Allied folder in the City's records (k drive) was from 2016.
- Ms. Drzick will try to determine if there has been contact between the City of Kalamazoo and the EPA and provide an update for the October ECC meeting.
- Commissioner Anderson mentioned that the Allied site was on the EPA priority list but it is uncertain what that means. Ms. Drzick stated that the information on the EPA website was unclear. Mr. Manstrom mentioned that Margie Belchak kept the ECC updated when she was on the Committee but there has not been much information provided recently.
- Commissioner Anderson reported that the dam was removed on the south side of the bridge on Alcott Street and the river bank was cleaned up in that area.

WMU Bird Friendly Initiative Update

Schedule for Gail's full presentation at future ECC meeting.

- Ms. Walter advised that there is no news to report since the last meeting regarding presentations to WMU. She will provide her presentation at the September ECC meeting.

PFAS update

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Update by City

- Ms. Drzick advised that a state of emergency was declared regarding the drinking water in the City of Parchment. Testing of wells in the Parchment area revealed that the PFAS levels were over 1,000 parts per trillions; the acceptable level is 70 parts per trillion.
- Within 72 hours, City of Kalamazoo staff supplied City of Kalamazoo water to Parchment. The City of Kalamazoo is still working on hard piping the water system to provide water to Parchment. Water to Parchment was tested and most of the wells and stations were non-detect. Stations 11, 16, 17 and 18 showed small amounts of PFAS but well below the 70 parts per trillion that is considered acceptable.
- The City of Kalamazoo is doing water quality testing twice a day in Parchment. For lead services in Parchment, the City of Kalamazoo is collecting water samples and providing data to show that the City of Kalamazoo water isn't causing the lead to leach into the water. All of the water qualities have tested fine since being switched to Kalamazoo water.
- City staff needs access homes to take water samples to test for lead. Residents can't run their water for six to ten hours before the tests. The third set of water tests will be done shortly to confirm that the corrosion control is working. So far, the tests show there has been no increase from what would be normal lead levels in the water.
- Kalamazoo has a lead and copper program with free testing for residents' water. Lead services are prioritized to determine which ones get replaced first. Parchment has about 300 lead services but no money to replace them.
- A discussion is scheduled next week to determine if the water in Parchment can water be used and who will be responsible for the water quality and infrastructure in Parchment from now on. City of Kalamazoo staff will be proactive and provide water filters for Parchment residents with lead services even though there is no significant change to the lead levels in the water. People in Parchment have been appreciative of the efforts by City staff.
- There isn't an approved method yet for testing waste water influent and effluent for PFAS. They are using a revised EPA method for testing. Parchment could be a contributor to the PFAS levels at the waste water plant; City of Kalamazoo staff are waiting for those results.
- A company called AECOM has installed a small station (trailer) to do PFAS remediation on site. Their system uses carbon stations and RO (reverse osmosis) processes to remove the PFAS from the water but this is a small scale treatment option. Options are still being discussed for PFAS treatment on a larger scale for the waste water system. Tests show higher levels of PFAS in the effluent. The compounds in the influent are breaking down and making more compounds in the effluent.
- Paper mills were a source of PFAS in Parchment. Parchment will be permanently on City of Kalamazoo water.
- Commissioner Anderson inquired of the City of Parchment is paying the City of Kalamazoo for this work. Ms. Drzick was not able to provide an answer at this point.
- Commissioner Anderson also inquired if there are backflow preventers that prevent Parchment water from winding up in the City of Kalamazoo system. Ms. Drzick stated that the City of Kalamazoo water is a pressurized system, which should prevent issues with backflow. A water main break could cause back-flow. Bacteriological testing is done on all the distribution points and supply stations to check for issues.
- Mr. Wright mentioned that Parchment is up hill from the City of Kalamazoo. Commissioner Anderson inquired as to where the wells and holding tanks are that provide the pressure. Ms. Drzick will look into providing that information.
- Someone in Parchment commented that they paid \$300 per quarter for poisoned water. The rate will be lower on City of Kalamazoo water. A determination will be made regarding who is responsible for the water system in Parchment.
- Ms. Drzick is on the MWA, they are setting up a pilot program at the City of Ann Arbor. They will be testing types of carbon to see what works best for PFAS removal. Granulated carbon attracts certain contaminants but maybe not others. She will present her full findings at the end of September.
- Mr. Wright inquired regarding what studies show regarding the health effects of PFAS. Ms. Drzick advised of a study in Pennsylvania regarding the effects of PFAS on health.
- Ms. Holmes suggested commending the unsung heroes at the City of Kalamazoo for the work they have done to provide safe water to the City of Parchment. Mr. Manstrom will send a draft e-mail to the ECC and then to Ms. Drzick to forward to the crew that has been working on this project.

7. NEW BUSINESS

- None

8. SUB-COMMITTEE REPORTS

Kalamazoo River issues

- No report.

Planning Commission

- Mr. Manstrom was not able to attend the last Planning Commission meeting.

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Tree Committee

- Mr. Dietrich advised that the water department communicates with its stations via dial-up modems. The City has been working on upgrading to radio transmitters. There have been issues with installing the antennas to make the new system work because some of the areas are in low spots.
- In order to have clear communication, trees need to be cleared around pumping stations and water towers. Approximately thirty trees were cut down in Al Sabo Preserve where some of the pumping stations are located.
- A couple of trees were cut down near Campbell Lake (H Avenue/Comstock). Most of the stations have transmitting equipment and they are moving forward with individual pumping stations that will communicate with the taller towers. Many of the pumping stations are overgrown, which inhibits efficient management of the water system .

Asylum Lake Policy and Management Council (ALPMC)

- Ms. Holmes advised that the next ALPMC meeting is scheduled for September 13th.

Parks and Recreation Advisory Board (PRAB)

- Mr. Wright was not able to attend the last PRAB meeting.

Wellhead Protection.

- Ms. Drzick advised that there is a new employee working with Mr. Paquin and they will determine if she can be included in these conversations. Ms. Drzick will invite her to the next ECC meeting.
- Mr. Wright inquired as to how many meetings Mr. Fletcher has missed. Mr. Manstrom will look into that. He stated that Mr. Fletcher is term limited at the end of 2018. Mr. Dietrich mentioned that the bylaws referred to excused vs. unexcused absences; Mr. Fletcher has been excused.
- Mr. Wright suggested trying to find a new ECC member from the Northside Neighborhood or the Edison Neighborhood.
- Ms. Drzick advised that the ECC has a Facebook page with 40 members; Davis Nesius is the administrator. Someone posted information on the Facebook page on June 18th.

9. ADJOURNMENT

- The meeting adjourned at 5:58 p.m.

Respectfully submitted,


Recording Secretary