



Agenda

Regular Meeting of the City Commission

City of Kalamazoo

Monday, December 4, 2017

7:00 PM

City Commission Chambers - 241 W. South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: Pastor Dori Beltz, The River
2. Pledge of Allegiance
3. Introduction of Guests
 - a. Youth Program Update
 - b. Presentation of the Redevelopment Ready Community Certification by the Michigan Economic Development Corporation
4. Proclamations

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

1. Calendar of Upcoming Meetings

E. PUBLIC HEARINGS

F. CONSENT AGENDA

(Action: Motion to approve Items "1-10" and authorize the City Manager to sign all documents on behalf of the City)

1. First reading of an ordinance to rezone Mayors' Riverfront Park at 251 Mills Street from Zone M-1 (Manufacturing, Limited District) to Zone CMU (Commercial, Mixed Use District) and schedule a public hearing for December 18, 2017.
2. First reading of an ordinance to amend Section 2-237 B. of the City Retirement System Ordinance to permit general member employees with credited service with a reciprocal governmental unit to use such prior service to avoid the reduction in pension amount if they retire with 25 years of credited service, but less than 62 years of age.
3. First reading of an ordinance to amend section 22-42 of the Kalamazoo City Code regarding the purchase, consumption, or possession of alcoholic liquor by a minor.

4. Adoption of a RESOLUTION approving three new Neighborhood Enterprise Zone Certificate requests for 423 West Dutton Street, 444 West Vine Street, and 604 South Rose Street; and transfer a previously-approved Certificate for 724 Oak Street.
5. Adoption of a RESOLUTION setting a public hearing on December 18, 2017 to consider the proposed Fiscal Year 2018 Budget for the City of Kalamazoo.
6. Adoption of a RESOLUTION approving the 80% / 20% option for sharing medical plan benefit costs with City employees.
7. Approval of a request from New Year's Fest of Kalamazoo to publicly display fireworks from the Epic Center Parking Structure on Sunday, December 31, 2017 at midnight as part of the annual New Year's Fest event.
8. Approval of a purchase agreement with Ivest Real Estate Group/Carl Besteman regarding the purchase of 624 Lake Street and authorization for the City Manager or his designee to sign all related documents to complete the closing of this purchase.
9. Approval and acceptance of an easement from CLLH, LLC for water main installed as part of the Belle Meade Cottage Living Construction Project; and authorize the City Manager to sign all related and necessary documents regarding the acquisition of the easement.
10. Approval of the following appointments to the Local Officers Compensation Commission:
 - the appointment of **Mark Liddle** for a term expiring on March 31, 2024.
 - the appointment of **Barbara Hamilton Miller** for a term expiring on March 31, 2024.

G. REGULAR AGENDA

1. Recommendation for Selection Process for Commission Directors to Foundation for Excellence Board of Directors

H. REPORTS AND LEGISLATION

1. City Manager's Report

I. UNFINISHED BUSINESS

J. POLICY ITEMS

1. Adoption of a RESOLUTION amending the City Commission Rules related to: 1) designation of the Mayor Pro tempore; and 2) the creation and composition of City Commission standing and appointed committees. The changes reflect that City Commissioners are elected to staggered, 4-year terms and that every two years is considered a new City Commission legislative session. **(Action: Motion to adopt the resolution)**

K. NEW BUSINESS

L. CITIZEN COMMENTS

M. MISCELLANEOUS COMMENTS AND CONCERNS BY COMMISSIONERS

N. CLOSED SESSION

O. ADJOURNMENT

ADDITIONAL INFORMATION

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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 business meetings are held on the first and third Mondays at 7:00 p.m. and are shown live on the Public Media Network (channel 190 for Charter customers, channel 99 for U-Verse customers). Business meetings are also web streamed live on the City's YouTube channel at <https://goo.gl/Q6DW37>. Public Media Network rebroadcasts these meetings on Tuesdays at 8:00 a.m., Wednesdays, at 1:00 a.m., and Thursdays at 3:00 p.m. Recorded meetings are also available on-demand on the YouTube channel.



Commission Agenda Report

City of Kalamazoo

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

FROM: James K. Ritsema, ICMA-CM, City Manager

REVIEWED BY: Rebekah Kik, Director

PREPARED BY: Rob Bauckham, Senior Development Planner

DATE: 11/20/2017

SUBJECT: Presentation of the Redevelopment Ready Community Certification

INFORMATIONAL ITEMS

The Redevelopment Ready Community (RRC) Program is a state-wide certification program sponsored by the Michigan Economic Development Corporation (MEDC) that assists communities to become development ready and competitive in the changing economy. Through the RRC Program, local municipalities receive assistance in establishing a solid foundation for facilitating development in their communities, making them more attractive for investments that create opportunities for people to live, work and play.

The Community Planning and Development Department applied to participate in the program in February of 2014 and was notified of approval the following month. Sixteen other communities in Michigan were also approved to participate in the program at the same time out of a slate of 65 applicants. A total of twelve communities in the state have received the RRC certification so far. The City of Allegan is the closest RRC-certified community geographically to Kalamazoo.

The MEDC conducted a comprehensive assessment of the City's community and economic development practices, and compared them with the forty-three (43) Redevelopment Ready Communities best practice standards. The assessment indicated to what degree the City's current practices comply with the program standards. The results of the assessment revealed that Kalamazoo met all but five of the best practice standards, making it the most compliant-ready community to go through the evaluation. The five standards that needed further work were as follows:

1. Written Public Participation Plan
2. Provide a timeline with the Site Plan Review Program flowchart
3. Develop a customer feedback mechanism for the Site Plan Review Program
4. Develop a mechanism to track training for board and commission members
5. Create a Marketing Strategy for the City

Staff addressed standards 2, 3, and 4 immediately and received approval for them from the MEDC within two months. The Public Participation Plan was developed by staff through the Imagine Kalamazoo Process. The Marketing Strategy was created by the Economic Development staff with assistance from a stakeholder committee consisting of representatives of the business community, public institutions, economic development organizations, and citizens. The City Commission endorsed the Public Participation Plan and Marketing

Strategy on October 2, and the MEDC also accepted them.

With the completion of these five tasks, the City has become eligible to receive the certification. Receipt of the certification is testimony that Kalamazoo integrates transparency, predictability, and efficiency in its development processes for stimulating business and job growth. The City will be recognized as one of the top-tier communities in the state for economic development and will be recommended to developers by the MEDC in their marketing program.



Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

PREPARED BY: Shelby Moss, Deputy City Clerk

DATE: 11/27/2017

SUBJECT: Calendar of Upcoming Meetings

INFORMATIONAL ITEMS

Attached is the calendar of upcoming meetings of the City Commission's advisory boards, commissions, and committees.

ATTACHMENTS:

Type	Description
Meeting Schedule	Calendar of Upcoming Meetings



Calendar of Upcoming Meetings

City of Kalamazoo

City Commission (next 30 days)

Regular Business Meetings – 7:00 p.m. in the City Commission Chambers

December 18th

Regular Neighborhood Meetings – 6:00 p.m. in the Community Room at City Hall

None scheduled at this time

Special Meetings

The City Commission will meet in special session on Monday, December 11th at 4:15 p.m. in the Community Room at City Hall. The purpose of this work session is to discuss the City's proposed budget for fiscal year 2018.

Advisory Boards, Commissions and Committees (next two weeks)

The **Parks and Recreation Advisory Board** will meet on Tuesday, December 5, 2017 at 5:30 p.m., in the Parks and Recreation Community Room, located at 251 Mills Street.

The **Employees Retirement System Board of Trustees** will meet on Wednesday, December 6, 2017 at 8:00 a.m., in the Third Floor Conference Room at City Hall.

The **Planning Commission** will meet on Thursday, December 7, 2017 at 7:00 p.m., in the City Commission Chambers at City Hall.

The **Kalamazoo Historic Preservation Commission** will meet on Tuesday, December 12, 2017 at 7:00 p.m., in the Community Room at City Hall.

The **Brownfield Redevelopment Authority** will meet on Thursday, December 14, 2017 at 7:30 a.m., in the Community Room at City Hall. The **Economic Development Corporation** will meet immediately following.

The **Traffic Board** will meet on Thursday, December 14, 2017 at 2:00 p.m., in the Conference Room at Public Services, located at 415 E. Stockbridge Avenue.

The **Community Development Act Advisory Committee** will meet on Thursday, December 14, 2017 at 6:30 p.m., in the Community Room at City Hall.

The **Zoning Board of Appeals** will meet on Thursday, December 14, 2017 at 7:00 p.m., in the City Commission Chambers at City Hall.

The **Downtown Development Authority** will meet on Monday, December 18, 2017 at 3:00 p.m., in the Community Room at City Hall.



Commission Agenda Report

City of Kalamazoo

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

FROM: James K. Ritsema, ICMA-CM, City Manager

REVIEWED BY: Christina Anderson, City Planner

PREPARED BY: Rob Bauckham, Senior Development Planner

DATE: 11/20/2017

SUBJECT: Rezone Mayor's Riverfront Park.

RECOMMENDATION

It is recommended that the City Commission offer for first reading an ordinance to rezone Mayors' Riverfront Park at 251 Mills Street from Zone M-1 (Manufacturing, Limited District) to Zone CMU (Commercial, Mixed-Use District), and schedule a public hearing for December 18, 2017.

BACKGROUND

Mayors' Riverfront Park contains 37 acres of land developed with various park and recreation facilities. The Homer Stryker baseball stadium is located at the east side of the park, and it is currently utilized as the home of the Kalamazoo Growler's minor league baseball team. The Soisson Rapacz Clason football stadium is located at the west side of the park and it is utilized for area high school football games, soccer games, and other outdoor sporting events. The City Parks and Recreation Department building is near the center of the park, and a paved parking lot is located to the west of the building. The Parks maintenance building is north of the football stadium. A basketball facility, picnic shelter, canoe launch, fishing pier, playground, and trail way are all situated on the north side of the park.

The Parks and Recreation Master Plan indicates that Mayors' Riverfront Park has been used for a variety of recreational activities since at least the late 1800s. Some landfilling activity occurred on a portion of the property and in the surrounding area in the early 1900s. The park was then dedicated as the "Red Arrow Post Athletic Field" in 1930. The baseball stadium was formerly known as Sutherland Field, and it was actively used for baseball games in the mid-1900s. The park was re-dedicated as the Edward J. Annen Jr. Sports and Recreation Complex in the 1980s after a former Mayor of Kalamazoo, and it was then renamed as the current Mayors' Riverfront Park in 1996.

The park is currently in the M-1 (Manufacturing, Limited District) zoning classification. Park uses are permitted in the M-1 zone, but the district is primarily intended for industrial uses. Earlier this year, the City Commission rezoned 45 parcels of land near the center of town between S. Pitcher Street and Mills Street. These parcels were also industrially zoned, and the rezoning placed them in the CMU zone to encourage new mixed-use development for residential and business uses in this area. The City's Red Arrow Golf Course is directly west of Mayors' Park and it was rezoned earlier this year to CMU. Similarly, the Community Planning and Development

Department would like to have the Mayors' Park property rezoned to CMU (Commercial, Mixed-Use District) to better reflect the current use of it, and to be compatible with the zoning of the golf course and other properties to the west.

POLICY CONSIDERATIONS

M-1 (Manufacturing, Limited District) zoning is not the appropriate district for Mayor's Riverfront Park, especially with the rezoning efforts that occurred earlier this year. CMU (Commercial, Mixed-Use District) is a less intense district that is both compatible with the golf course across Mills Street and allows recreational uses.

COMMUNITY RESOURCES CONSULTED

Notices were mailed to all property owners and occupants located within 300 feet of Mayors' Riverfront Park to inform them of the rezoning request, and to invite them to the public hearing that was held by the Planning Commission on November 2, 2017. A notice of the rezoning and public hearing was also published in the Kalamazoo Gazette and was provided to the Edison and Eastside Neighborhood Associations.

During the public hearing before the Planning Commission, an owner of the adjacent Kalamazoo Metal Recyclers (KMR) business stated that an area at the southwest corner of the Park is owned by his company, and he does not want it rezoned. A survey of the Park property completed by Williams & Works in May of 2012 identifies two small areas of the Park that are encroaching onto the KMR property. The areas include a section at the south edge of the driveway entrance into the Park, and an eight-foot-wide section of the south side of the asphalt parking lot for the Park. The two areas of encroachment have been removed from the rezoning request. It is noted that the same survey identifies a section of the KMR property is encroaching on the Park property at the southeast area. This encroachment area is included in the proposed rezoning.

Another citizen expressed concern that the rezoning might reduce the amount of required open space in the Park. The M-1 zoning district requires only 20% of a site be left in open/green space while in the CMU zoning district, 35% must be left in open/green space. The rezoning would result in the potential for more open/green space in the Park than if left in the M-1 zone.

If the City Commission schedules a public hearing, the same citizen notification process will be conducted for that hearing.

FISCAL IMPACT

It is not anticipated that the rezoning will have any negative fiscal impact on the City. The Park does not generate property taxes. The rezoning is not anticipated to have any impact on the revenue that is provided to the City from the athletic teams that utilize the Park facilities.

ALTERNATIVES

The City Commission has the option of not rezoning the Park property. Rezoning the property to the CMU zone will make it compatible with the zoning of the Red Arrow Golf Course and other parcels located directly to the west of the Park. The CMU zone would also be more appropriate for the uses conducted in the Park. It is recommended that the City Commission approve the rezoning as presented.

ATTACHMENTS:

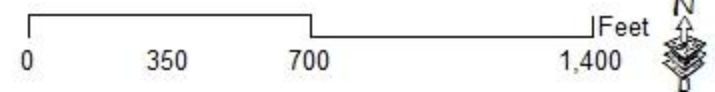
	Type	Description
□	Aerial Photo	Aerial
□	Map – Existing Zoning	Existing zoning
	Map –	

- ▣ Proposed Zoning Proposed zoning Map -
- ▣ Existing Land Use Existing land use Map –
- ▣ Future Land Use Future land use
- ▣ Ordinances Ordinance
- ▣ Minutes PC minutes

P. C. #2017.14 - 251 Mills Street
Rezone from Zone M-1 to Zone CMU



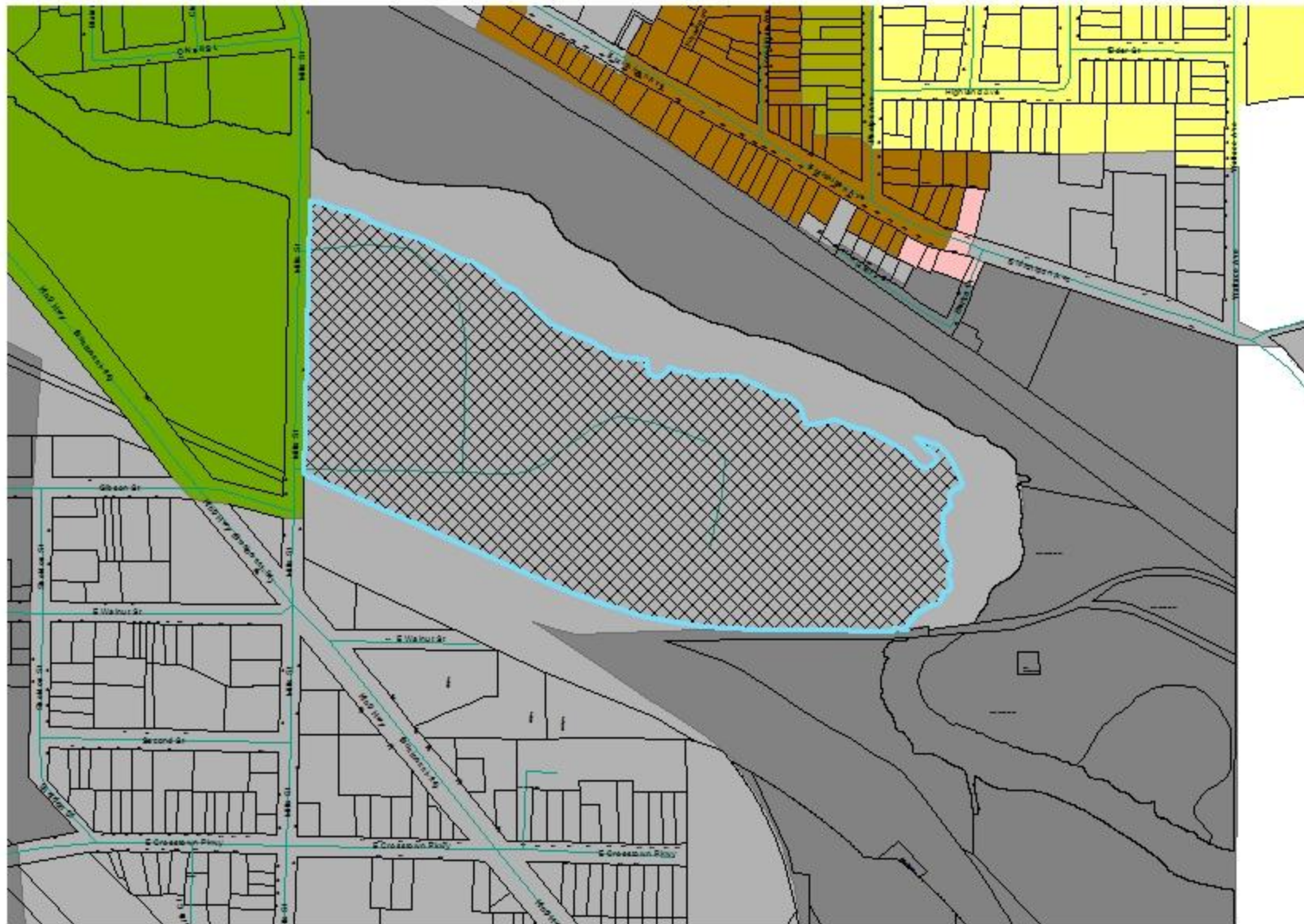
REZONE FROM ZONE M-1 TO ZONE CMU



P. C. #2017.14 - 251 Mills Street
Rezone from Zone M-1 to Zone CMU

**CURRENT
ZONING**

- CBTR
- CC
- CCBD
- CMU
- CN-1
- CO
- M-1
- M-2
- PUD
- RD-19
- RM-15
- RM-15C
- RM-36
- RMU
- RS-5
- RS-7



REZONE FROM ZONE M-1 TO
ZONE CMU

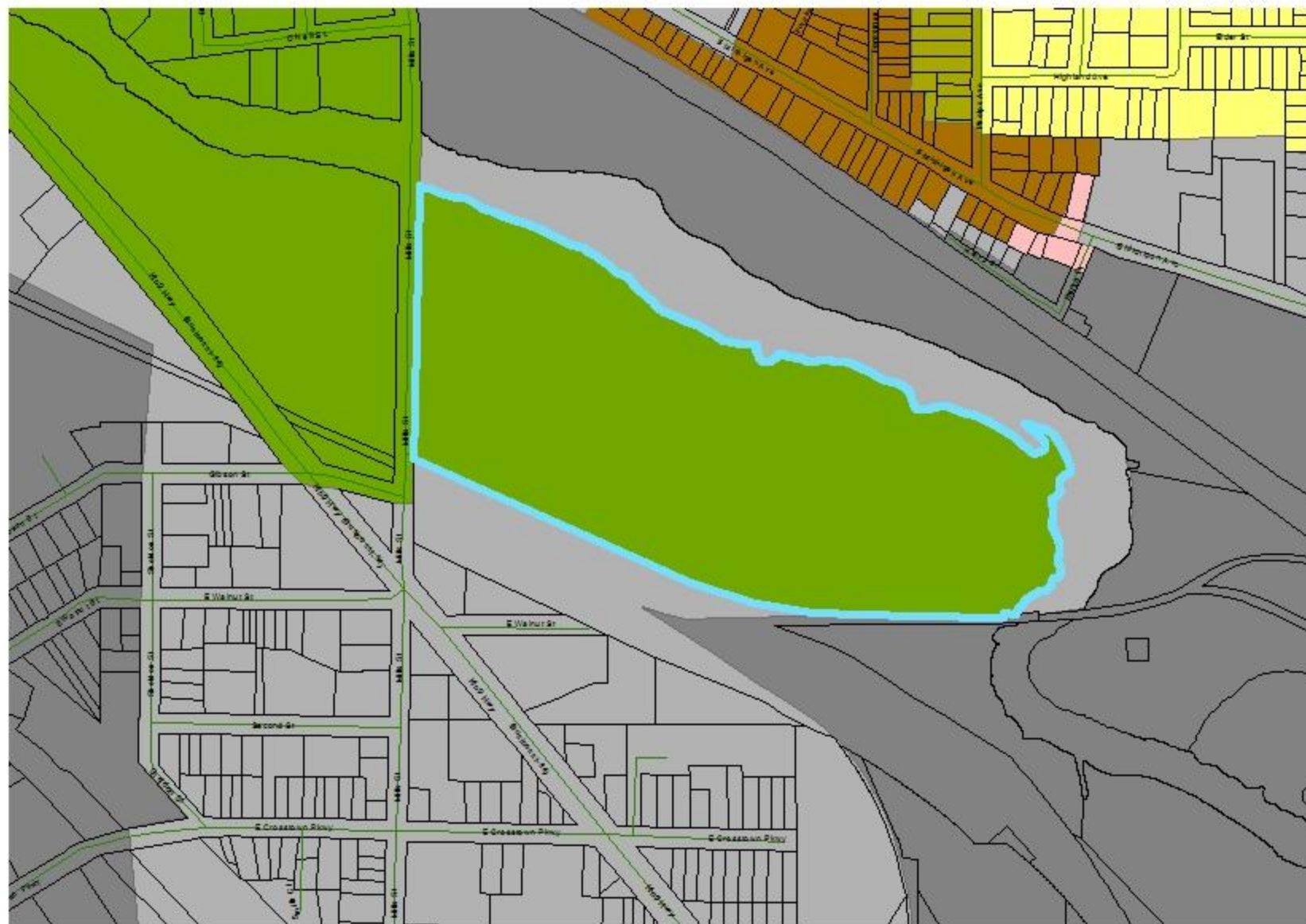
0 205 410 820 Feet



P. C. #2017.14 - 251 Mills Street
Rezone from M-1 to Zone CMU

**PROPOSED
ZONING**

- CBTR
- CC
- CCBD
- CMU
- CN-1
- CO
- M-1
- M-2
- PUD
- RD-19
- RM-15
- RM-15C
- RM-36
- RMU
- RS-5
- RS-7

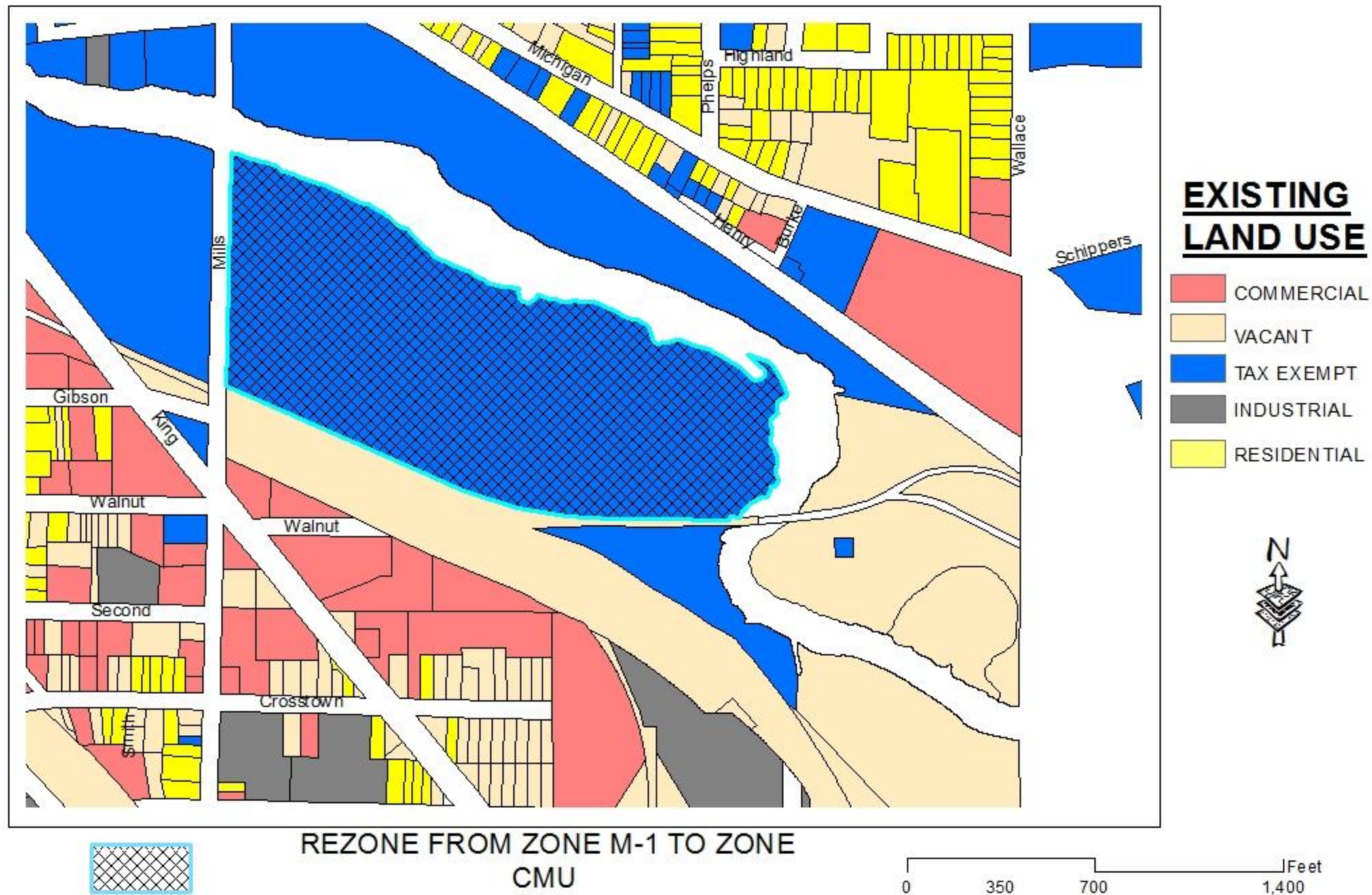


REZONE FROM ZONE M-1 TO ZONE
CMU

0 230 460 920 Feet



P. C. #2017.14 - 251 Mills Street
Rezone from M-1 to Zone CMU



P. C. #2017.14 - 251 Mills Street Rezone from Zone M-1 to Zone CMU



Future Land Use

Type of Use

- Central Business District
- Community Commercial
- Core Residential 1
- Core Residential 2
- Employment Centers
- Greenspace
- Institutional
- Mixed-Use
- Modern Residential 3
- Modern Residential 4
- Multiple-Family
- Neighborhood Commercial
- Railroad Right of Way



0 212.5 425 850 Feet

REZONE FROM ZONE M-1 TO
ZONE CMU



CITY OF KALAMAZOO, MICHIGAN
ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 1.8.A. ZONE DISTRICT MAP OF THE ZONING ORDINANCE, BEING APPENDIX A OF THE KALAMAZOO CODE

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Under Section 1.8.E. the Zone District Map described in Section 1.8.A. is amended as follows:

The land area hereinafter described to be rezoned from Zone M-1 (Manufacturing, Limited District) to Zone CMU (Commercial, Mixed-Use District).

That area of land in Section 14 of the City of Kalamazoo, County of Kalamazoo, State of Michigan, commonly referred to as 251 Mills Street and described as the following:

Beginning at the southeast corner of the intersection of Mills Street and the south side of the Kalamazoo River; thence continuing southeasterly along the south side of the Kalamazoo River to parcel number 06-14-369-401 (301 Mills Street); thence westerly along said parcel to the southeast corner of Mills Street and northwest corner of said parcel; thence north along the east side of Mills Street to the place of beginning.

A map identifying the land area is also attached.

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.

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 _____, 2017, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been available as required by said Act, and furthermore, said ordinance was duly recorded, posted, and authenticated by the Mayor and City Clerk as provided by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott A. Borling, City Clerk

City of Kalamazoo
PLANNING COMMISSION
Minutes
November 2, 2017
DRAFT

Second Floor, City Hall
Commission Chambers
241 W. South Street, Kalamazoo, MI 49007

Members Present: Rachel Hughes-Nilsson, Chair; Charley Coss, Vice Chair; Gregory Milliken; James Pitts; Sakhi Vyas; Derek Wissner; Alfonso Espinsosa; Emily Greenman Wright

Members Excused: Christina Anderson, City Planner

City Staff: Robert Bauckham, Senior Development Planner; Clyde Robinson, City Attorney; Amanda Coeur, Recording Secretary, and Beth Cheeseman, Code Administration Clerk and Cashier

A. CALL TO ORDER

Commissioner Hughes-Nilsson called the meeting to order at 7:01 p.m.

B. ROLL CALL

Planner Bauckham proceeded with roll call and determined that the aforementioned members were present.

C. ADOPTION OF FORMAL AGENDA

Commissioner Coss, supported by Commissioner Greenman-Wright, moved approval of the November 2, 2017 Planning Commission agenda. With a voice vote, the motion carried unanimously.

D. APPROVAL OF MINUTES

Commissioner Greenman Wright, seconded by Commissioner Vyas, moved approval of the October 5, 2017 Planning Commission minutes as presented. With a voice vote, the motion carried unanimously.

E. COMMUNICATIONS AND ANNOUNCEMENTS

None

F. PUBLIC HEARINGS

P.C. #2017.13: Request from Brandie Jackson to approve a special use permit to allow a group day care use serving up to twelve children at 1508 Woodward Avenue. [Recommendation: motion to approve the special use permit, with conditions.]

Planner Bauckham proceeded with staff report. The property is north of Paterson in the Northside neighborhood and contains a one-story single family house with an attached garage and a porch. It has a finished basement and fenced-in back yard. The applicant owns and lives at the property. She wants to operate a group daycare in the house serve up to 12 children at a time. In this zone a special use permit is required for this use. If special use permit is approved, she will apply to the State for a license. The State will monitor the operation of the daycare as well as determine how many children will be allowed in the daycare. No additions or significant changes to house for the daycare. She is planning two shifts for daycare. First shift would be 7am-4pm and the second shift would be 10pm-6am Monday through Friday. There would be two full-time caregivers and one part-time caregiver. The age of the children served would be 10 weeks to 4 ½ years for first shift and up to third grade for the second shift. The applicant plans to offer reading, music and skill development as well as other activities to facilitate the natural abilities of the children. There would be no activities after dark. The Interfaith homes complex is directly across road. The applicant has talked with neighbors. Staff believes the request meets requirements for a special use permit. Planner Bauckham showed photos and maps regarding the home. The property is surrounded mostly by single family homes on the north, south, and east sides and Interfaith homes to the west. Current zoning is RS5 single family zone. To the west is the multiple family zone. Existing land use is residential designation and future land use for this area is residential. Staff are recommending approval with 3 conditions: group day care shall not be used until the required licenses are obtained from the State, children in the home will be supervised at all times, the operation of the daycare will meet the noise ordinance regulations of the City.

In response to Commissioners' questions, Planner Bauckham clarified that a fenced in front yard is not required by ordinance; any children living in the home would count toward the number allowed in the daycare; the City will receive a copy of the license from the State.

Commissioner Hughes-Nilsson opened the hearing for public comments.

No citizen comments were made. The public hearing was closed.

Commissioner Milliken, seconded by Commissioner Greenman Wright, moved that a special use permit be approved with the three conditions of the group day care shall not be used until the required licenses are obtained from the State, children in the home will be supervised at all times, the operation of the daycare will meet the noise ordinance regulations of the City.

Planner Bauckham responded to Commissioners' questions regarding the motivation of the applicant to have 12 children in the home – if the number was requested due to children living in the home. Planner Bauckham stated that the applicant had talked with her neighbors and sees a need in the neighborhood. She believes that 12 is a number she can handle with the caregivers available. Planner Bauckham also clarified that if the State reduced the number of children she was allowed to have in the home, it would be reflected on the copy of the license the City would receive.

A roll call vote was taken and passed unanimously.

P.C. #2017.14: Request from the Community Planning and Development Department to rezone 251 Mills Street from Zone M-1 (Manufacturing, Limited District) to Zone CMU (Commercial, Mixed Use District). [Recommendation: motion to recommend to the City Commission to approve the rezoning request.]

Planner Bauckham gave the staff report and history on the property known as the Mayor's Riverfront Park. It is a 37 acre site owned and operated by the City of Kalamazoo. Homer Stryker baseball field is located on the eastside of the park – home of semi-pro baseball teams. The Soisson Rapacz Clason football stadium is on the west side and is home of semi-pro football teams, soccer teams and some local high school football games. The park also contains City Parks & Recreation building, Park's Maintenance Building, picnic shelter, fishing dock, canoe launch, basketball area, trail way and a playground. The park is currently zoned as M1 – manufacturing district. Park uses are permitted in that zone, but are primarily intended for industrial purposes. The Red Arrow Golf course and 45 other parcels in the area were rezoned from an industrial zone to the CMU zone to better reflect the use of those properties and to encourage mixed-use development. It is believed that CMU would place Mayor's Riverfront Park in a zone which will better reflect its use. Property owners and occupants within 300 ft of the park were mailed notices regarding this request inviting them to this meeting. A notice was also published in the Kalamazoo Gazette. We are recommending that the Planning Commission recommend to the City Commission to approve the rezoning to CMU.

Mr. Fletcher spoke at the meeting and gave support to the request and hope that the Planning Commission will approve the request. He stated that they are always looking forward to having new neighbors and are open to any opportunities that present themselves in that area.

Commissioner Hughes-Nilsson opened the public hearing portion of the request.

Mr. Patrick Farrell came forward to speak stating that he owns the property next door at 301 Mills and he owns the scrap yard. He was concerned about the City taking away his M1 buffer. He asked why the zoning was taking place and expressed concerns about the possibility of the City trying to put housing next to M2. He also stated that the City doesn't know where their property lines fall and that they are squatting on his property. He said the City is aware of the situation and they haven't paid a lease since 2011. Mr. Farrell expressed unhappiness about the change in zoning. He also stated that the property is on a flood plain. He stated that every time it floods it costs taxpayers money. He cautioned against zoning the property for commercial and residential use citing that people would be living on a flood plain. Mr. Farrell requested the City to get him a lease on the property they are squatting on.

Mr. Eric Stuckey asked how the zoning will improve the City and how much green space will be eliminated through mixed commercial use. He stated that the current use of the park is appropriate for a flood plain. He asked the Planning Commission to take the flood plain into consideration with regards to allowing commercial uses on the property.

Commissioner Hughes-Nilsson closed the public hearing.

Commissioner Milliken, seconded by Commissioner Vyas, moved to approve the rezoning request to the City Commission.

Commissioner Coss expressed concern regarding the property line issue. He asked if it has been clarified by the City. Planner Bauckham stated that a portion of property in parking lot is Mr. Farrell's property, but he is not aware of the lease situation with that. Planner Bauckham suggested that they could proceed in two different ways. They could proceed as is and rezone the complete property to CMU or they could recommend rezoning and taking out that portion which is KMR's property from the rezoning. Planner Bauckham stated that it would be acceptable to omit that portion of the property from the rezoning. He doesn't believe it would have any adverse effect on the rezoning.

Commissioner Coss stated concerns regarding building on a flood plain and asked if there were any plans to do anything about the flooding. Planner Bauckham agreed that the area is in a flood plain, and it does flood when they have excessive rainfall – more often in the springtime. He assured Planning Commissioners that the park and the facilities in the park are not going away. There is a possibility in connection to redeveloping one of the facilities in the park it may incorporate some housing facilities. The base facility would remain and there would be no reduction in what this park provides to public.

Commissioner Vyas asked if there are any consequences to having a parking lot in a different zone. Planner Bauckham said in this case when there is a property line issue and different ownership, he would say no.

Commissioner Milliken, seconded by Commissioner Vyas, amended his previous motion to approve the rezoning request – excluding Mr. Farrell's property – to the City Commission.

Commissioner Coss asked Attorney Robinson if they were in bounds as far as any potential litigation. Attorney Robinson stepped forward. He didn't believe the amendment should affect any future litigation as far as a property dispute. It is just a classification of what that sliver would be. It can bring that rezoning into compliance with M1 or CMU.

A roll call vote was taken and the motion carried. Commissioner Coss voted no.

P.C. #2017.15: Request from the Community Planning and Development Department to rezone multiple parcels located between W. Lovell Street and Stockbridge Avenue, and between S. Westnedge Avenue and the Portage Creek from Zones CC, CN-1, and M-1 to Zones CCB, CN-1, CN-2, and RM-36. [Recommendation: motion to recommend to the City Commission to approve the rezoning request.]

Commissioner Milliken stated that he was abstaining from discussion and vote because of his job. He is intimately involved with the acquisition and sale of many properties involved in this rezoning request.

Planner Bauckham gave the staff report. The request is initiated by Community Planning and Development. The request involved 243 parcels of land. The parcels are located on W Lovell to the North, Stockbridge to the south and S Westnedge to the west and Portage Creek to the east. Most are in the CC zoning district which allows the most intensive commercial uses in the City. The primary purpose of this request is to down zone these parcels to Neighborhood Commercial - CN-2. It includes one area to be rezoned to the downtown district. Two small areas are to be rezoned to RM-36 district. One small area is to be recommended to the CN-1 zone.

Planner Bauckham went over the four areas to be rezoned. Area 1 is bordered on the west by S. Westnedge Avenue, on the north by W. Lovell Street, on the east by S. Rose Street, and on the south by W. Cedar Street. Area 1 is currently zoned CC and CN-1. The proposal is to rezone all of these parcels to the downtown zoning district - CCBD zoning district, which meets with the current zoning of the downtown Kalamazoo land area located directly to the north and east. All of the current uses on these parcels would be conforming in the proposed zone.

Area 2 is bordered on the west by S. Park Street, on the north by W. Cedar Street, on the east by S. Burdick Street and John Street, and on the south by E. Vine Street. This area is in the CC zoning district. The request is to rezone all of the parcels to the CN-2 zone. All of the current uses on these parcels would be conforming in the proposed zone. Area 2 also includes three parcels at the southwest corner of W. Walnut Street and S. Rose Street. The parcels contain multiple-family houses and are in the CC zoning district. The request is to rezone them to the RM-36 zone, Residential Multiple family which corresponds with the zoning of the adjacent parcels to the west and south. The uses on these three parcels would be conforming in the proposed zone.

Area 3 is a 4-parcel area that is bordered on the west by Boerman Avenue and on the north by E. Vine Street. The parcels are owned by Bronson Hospital, and are in the CC zoning district. The request is to rezone all four parcels to the CN-1 district, which meets the zoning of the adjacent land to the east and south. With the rezoning, the existing use would become legal non-conforming uses as far as the parking lot that is there, but could remain indefinitely.

Area 4 is a large area which is bordered on the north by E. Vine Street and on the south by Stockbridge Avenue. Area 4 also includes parcels on both sides of S. Burdick Street between Vine and Stockbridge, and it extends eastward to the Portage Creek. Most of these parcels are currently in the CC and M-1 zoning districts. The request is to rezone them to the CN-2 district. All of the current uses on the parcels would be conforming in the proposed zone with the exception of three parcels located at 928, 1209, and 1211 S. Burdick Street they contain car sales and repair businesses. These uses would become legal non-conforming uses, but could remain on the parcels indefinitely. They could not expand without a variance and if they were destroyed, they would have to be rebuilt as a conforming use or get a variance to rebuild as their current use.

Area 4 also includes eleven parcels located along Burr Oak Street and S. Rose Street. These parcels contain multiple-family homes and vacant land, and are currently in the CN-1 and CC zoning districts. The proposal is to rezone each of them to the RM-36 district to encourage new residential development in this area.

Planner Bauckham read the CN-2 zone description and went over the standards for CN-2 zoning districts. Some of the differences in standards are as follows: the maximum height of new buildings in CN-2 zone is 35 ft and compares to 65 feet in the current CC zone; the minimum open space/green space is 25% and compares to current CC zone of 20%. Planner Bauckham listed permitted and prohibited uses in the CN-2 zone. Some permitted uses CN-2 zone: multiple family dwellings, foster care homes, transitional residences, nursing homes, community drop-in centers, churches, schools, daycares homes, restaurants, sports facilities, office uses, grocery stores, funeral homes, grocery stores, retail stores and existing single family and duplex houses. Uses not permitted in CN-2 zone: liquor stores, car sales and repair, motels and hotels, animal kennels, gas stations with auto repair facilities, sororities, fraternities. All those uses are currently permitted in the CC zoning for this area. Proposal also does not permit the storage of inoperable or junk vehicles, recycling facilities, industrial manufacturing uses or participant sporting

facilities. Those types of uses are currently permitted in industrial zoning of which there are few in this area.

Planner Bauckham spoke about the meeting Planning staff conducted at the Vine Neighborhood Association. He stated that all affected property owners and occupants within the proposed rezoning areas were invited to the meeting. There were about 25 people at the meeting and they posed questions about their specific parcels. A summary of the meeting was provided to the Commissioners. Planner Bauckham highlighted questions asked about property taxes, gentrification, development of wooded areas, KVCC campus causing flooding to adjacent properties, Air Bed and Breakfast uses, single family dwellings, parking, green space/open space requirements, and if all existing uses will conform to the proposed zoning. Planner Bauckham clarified that the City has not requested this rezoning in response to development proposals.

City staff recommended that the Planning Commission recommend to the City Commission to approve the rezoning of the subject parcels from Zone CC, Zone CN-1, and Zone M-1 to Zone CCBD, Zone CN-1, Zone CN-2, and Zone RM-36.

Commissioner Greenman Wright asked for clarification about the goal of changing the zoning for parcels on the corner of burr oak and rose. Planner Bauckham stated that there are some multiple family residential properties there. The City is interested in encouraging more of that development within those surrounding parcels.

Commissioner Pitts asked for clarification regarding the three parcels containing the auto repair and auto sales. He also asked for clarification if single family houses can be built in the CN-2 zone. Planner Bauckham stated that the three parcels are in the CC district. The goal is to downzone to neighborhood commercial district. Those uses would not be conforming in that zone. They want to prevent additional uses like that in the area. The ones there are legal non-conforming uses. They can remain indefinitely, but if their buildings would be destroyed by storm or fire by more than 50% of their value, they would need a variance to rebuild or expand. Planner Bauckham clarified that all existing single family houses can stay and be rebuilt, but no new additional ones in this area.

Public comments portion of the hearing was opened

Mr. Richard Stuart expressed concern regarding the outreach for the meetings. He cited that only 25 people showed up at the first meeting when 243 parcels are affected. He stated that he received notice of this only a week ahead of the vine street meeting and no meetings were held at the Southtown neighborhood. Mr. Stuart said that a lot of property owners did not receive the invitation. He posted it on Facebook and some people attended who otherwise didn't know. Mr. Stuart requested the Planning Commission to exclude his two parcels for financial reasons. He purchased it for retirement. Mr. Stuart stated that that CC is the most popular zoning for a big old building, is most flexible in use, has most universal buyers. He said he got an appraisal done on property for refinance a week before he was notified of the rezoning request and now there is concern that the property value may go down. Mr. Stuart requested that the Commissioners postpone their decision until they can understand the impact this will have on them. He stated that the City is dealing with a lot of properties and multiple zones going to multiple new zones with an untried zone of CN-2. As a real estate professional, he cautioned them that this is not in everyone's best interests.

Ms. Danielle Pillars stated that her main concern is the gentrification of her community. She said she already sees it happening with luxury apartments being built and rents being raised – pushing out low income and minority families. She cited relief when she discovered that more strategic consulting was employed to analyze strategies and provide recommendations to reduce the likelihood of gentrification, but understands that the completion date of analysis is uncertain. Ms. Pillars stated that, per conversations with Vine Neighborhood association, the presentation of this request is abrupt, goals are vague and there was limited notice and little time to research this project and objectives. Ms. Pillars asked Planning Commissioners to postpone a decision on this rezoning. She requested that the City allow more time for the consultants to complete their analysis and implement the results into the proposal prior to approval. More time will allow the Vine neighborhood Association the opportunity to sufficiently understand the proposal and its objectives. Ms. Pillars stated that they have offered to host future meetings and/or open houses with the city.

Mr. Leonard Stafford asked why the City is picking on his three properties. He requested the Planning Commissioners to postpone a decision on the rezoning saying that this needs to be checked out. Mr. Stafford stated that he works hard and the City wants to downzone him while leaving the other side of the road alone. He stated that it is not fair and he feels they are picking at him. He encouraged the Planning Commissioners to investigate what they are doing.

Mr. Mike Hussar, realtor by trade, brought forward a case study of a house that sold in a similar zoning area where if the house was destroyed, it would have to be rebuilt as a commercial use. He stated that the house was listed in 2016 at \$125,000. As a result of conditions placed on the house, financing options were limited. He stated that the house sold in June for \$50,000. He urged the Planning Commissioners to make sure what they are doing is not killing the value of the real estate.

Mr. John Davis stated that he bought the building in 2005 and the City said it was ok for him to sell cars. He said it bothers him that the rules keep changing – saying he can't do this or that. Mr. Davis said they are a small-time operation that helps those with less money. With the proposed zoning, if his dealership burns down, he can't rebuild another car lot. It does affect the small business man. Mr. Davis told the Planning Commissioners that it seems like the City won't listen to them. He asked them to consider the small man and what the small businesses are doing for the community.

Mr. Craig Lee came forward and asked questions: What if those businesses are sold that are not conforming are sold? What are the restrictions on the future buyers? Do you maintain value or does it impact in any way? If they sell, does the property remain legally non-conforming for the potential new owner? He also said he felt the Vine Street Meeting was poorly advertised and marketed. They need to talk to more people. Mr. Lee asked Planning Commissioners to postpone their decision and reach out more. He stated that he still didn't understand why this change was proposed and that he doesn't find the car lots offensive or negative for the area.

Ms. Allison Parsons attended the vine neighborhood meeting. She said it was poorly attended, the time was not good and there was not a lot of notice for people to arrange to be there. Ms. Parson said that there was no presentation offered at the meeting and she felt that if you didn't have the right question, you didn't get the information you needed. She said it was not presented in a manner which made sense to her and she walked away not knowing why the rezoning had been proposed. She expressed concern about

maintaining single family homes. She stated concern about the zoning making it look like they are favoring big development. She feels that she needs more information. Ms. Parsons also expressed the worry of gentrification, saying she likes having a mixed community. She said they need to have a sense of why these decisions are being made.

Mr. Eric Stuckey also said he would like more notice before meetings. He needs time to process. He said that property values and mix of people are why we decided to be where we are. Mr. Stuckey expressed concern of commercial uses close to his home. He feels there has not been enough information and that the plans for this has been hush hushed and in the works in a couple of years. He also stated that the zoning is favoring those who are big money people. He wondered how rezoning will change any plans already in the works. Mr. Stuckey requested that the Planning Commissioners give it more time and get more information out there.

Ms. Tina McClinton and Ms. Pamela Green brought up issues of flooding in their neighborhood. They both said they were told that KVCC would not make the flooding worse, but that it is worse than before. Ms. McClinton asked the Planning Commissioners to help with the flooding issue instead of building more properties and rezoning. She also cited the deer and crane in the area and asked that they don't take away the woods for more building. Ms. Green asked Planning Commissioners for more time to process the information.

Commissioner Hughes-Nilsson closed the Public hearing.

Commissioner Pitts, seconded by Commissioner Wissner, made a motion to approve rezoning request to City commission.

Commissioner Coss and Commissioner Greenman Wright were in favor of postponing the decision on the rezoning. Commissioner Coss stated that several people had requested to postpone and stated that they had not been given enough time to give input to the city. Commissioner Greenman Wright indicated that this is an opportunity to carry forward the communication strategies implemented during Imagine Kalamazoo. She feared that the lack of communication smacks of having a secret agenda and shows indifference to the needs of residents and small business owners.

Commissioner Wissner stated that he has no concern about postponing the decision. He asked about how the future land use map falls into this area. Planner Bauckham said the categories for this area are neighborhood edge and urban edge corresponding to CCBD. Neighborhood Edge corresponds to the CN-2 and CN-1. Commissioner Wissner stated that the proposed zoning changes seem to be in congruence with future land use.

Planner Bauckham agreed that the proposed zoning is in congruence with the future land use plan. That is one of the components moving this forward at this time. He said there will be other areas of the city they will be looking at to comply with the plan.

Commissioner Greenman Wright asked why such a large area and so many categories need to be changed at one time. Planner Bauckham explained that it made sense to incorporate entire blocks of areas. He

stated that they are trying to downzone the CC zoning district throughout this area to a more neighborhood friendly zone as reflected in Master Plan

Commissioner Espinosa said that he didn't see reasons to postpone the downzoning of the area. As he read through the request, what the CC does, use tables for the area, considered the neighborhood and what we are trying to create, he feels it fits better the description of what we are trying to do. He counted 18 different permits and conforming uses and special uses between CN-2 and CC. He also stated that he wished the City had done a better effort of reaching out – 25 people showing up at a meeting is less than 5% of whole population. He said that is something that needs to be considered.

Planner Bauckham responded to the questions of a sale of a business with a non-conforming use. He stated that if the business was abandoned for over a year, then it would have to be re-established as a conforming use. If it was sold, and there was no change in use than it could be established.

Commissioner Coss questioned how the rezoning would affect the Neighborhood plans to be included in the Master Plan. He believes that the Vine Neighborhood should have more time to give input on how the rezoning affects their neighborhood plan.

Commissioner Vyas said that she heard a lot of questions from the public about why the rezoning is happening. She read the definition of the CN-2 district that Planner Bauckham had read earlier. The CN-2 zoning is intended to encourage the development of small scale retail sales and personal service uses at convenient locations that primarily serve nearby residential neighborhoods. Commissioner Vyas wanted to state why for the record.

Commissioner Espinosa asked what the City can do if the decision was postponed. Planner Bauckham stated that the City would take direction from the Planning Commission. Commissioners provided the following suggestions: Offer a more prose version of our packets; explain how this fits in with Vine neighborhood plan and future land use plan and master plan; give a presentation with power point slides; have a minimum of two meetings on separate nights; provide more than a 10-day notice; post on social media; show Master Plan vision; show current zoning permitted uses and non-permitted uses along with the proposed change to see the differences.

A motion was made by Commissioner Vyas, seconded by Commissioner Espinosa, to postpone the rezoning request to next meeting. A roll call vote was taken and the motion passed. Commissioner Espinosa voted no.

G. UNFINISHED BUSINESS

None

H. NEW BUSINESS

None

I. CITIZENS' COMMENTS (Regarding non-agenda items)

None

J. CITY COMMISSION LIAISON COMMENTS

None

K. CITY PLANNER'S REPORT

Planner Bauckham gave the City Planner's Report and stated there are 45 projects active with the City. One project is a new parking lot for the Foundry facility at 600 E Michigan Ave to help with overflow parking. Another project is a new building for Vine shops at Vine and Westnedge – a rezoning was done on that parcel many months ago. They are working with applicants on the submittal process for six other projects. Walden Woods Phase 4 was approved this week. The People's food Coop addition was approved, RX Optical headquarters facility was completed, the Exchange Building continues and is going well and Parkway Flats is under construction.

He talked about the Planning Commission Retreat on Wednesday, November 15, 2017 from 3-7 pm at the Kalamazoo County Land Bank's Office. There will be a bus tour to show some of the projects going on in the City. City Attorney and staff will present some information and a nice dinner will be provided.

On Monday, December 4, 2017 at the City Commission meeting they will be receiving the Redevelopment Ready Community Certification for the City of Kalamazoo from MEDC. All are invited to attend that.

At the December Planning Commission meeting, there is the vacation of an unused alley associated with the Kalamazoo County Courthouse facility; another special use permit for a group daycare use; CIP for 2018 Planning Commission Reviews and recommends for approval, and may possibly have the Site Plan Review completed for initial review.

Planner Bauckham shared that the Neighborhood Activator, Katie Riley, will be starting next week. She is coming from the Detroit area and has similar experience there. She will be working with the neighborhoods in the city with their plans and also with neighborhoods that not currently organized to see if there is interest in doing that.

L. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

None

M. ADJOURNMENT

Commissioner Coss, seconded by Commissioner Greenman Wright, moved to adjourn the meeting. A voice vote was taken and the motion passed.

Meeting was adjourned at 8:58 pm.



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Laura J. Echtenaw, Legal Secretary

DATE: 11/28/2017

SUBJECT: Proposed Amendment to City Retirement System Ordinance

RECOMMENDATION

It is recommended that the City Commission amend Section 2-237 B. of the City Retirement System Ordinance to permit general member employees with credited service with a reciprocal governmental unit to use such prior service to avoid the reduction in pension amount if they retire with 25 years of credited service, but less than 62 years of age.

BACKGROUND

A City employee retired this past summer at age 57 after 16 years with the city of Kalamazoo and a previous 9 years with the city of Portage. Pursuant to Section 2-237 B of the City Retirement System Ordinance, since she retired 60 months short of age 62, she would have to take a reduction in her pension amount of 24% (60 months x 0.4%). However, if she had 25 years of service with the City, the early retirement penalty does not apply.

Both the Cities of Kalamazoo and Portage are reciprocal units under the Public Act 88 of 1961, the Reciprocal Retirement Act. This act permits individuals who work for more than one municipal or State of Michigan agency, if the units have adopted the provisions of Act 88 to piece together their accumulated service so qualify for a pension; however the Act does not permit service with another reciprocal unit to be used to determine the amount of a retirement allowance. In other words, the City employee in question may not use her tenure with Portage to increase her retirement allowance from the City of Kalamazoo, but she could use it to qualify for a pension. However, since she is at least 55 years of age and worked for the City at least 15 years, she already qualified to receive a pension, but she needs the Portage service to avoid the pension reduction.

Public Act 88 permits a governmental unit, should it choose to do so, to use prior service with another reciprocal unit for the purpose to determine a retiree's pension allowance. The proposed ordinance amendment seeks to do so in a very narrow circumstance; which is to avoid the early retirement penalty when an employee, who retires from the City of Kalamazoo, has 25 years of credited service which may include service with another reciprocal unit of government.

COMMUNITY RESOURCES CONSULTED

Over the past 15 years, this office has repeatedly been asked to opine on the question of whether, under the Reciprocal Retirement Act, a City employee may use service with another reciprocal unit of government to avoid

the early retirement penalty. In 2002, Deputy City Attorney Randy Schau wrote an opinion which indicated that such service, under the terms of Act 88, could be used to satisfy the 25 year requirement. However in 2007, after additional research, Mr. Schau reconsidered his earlier opinion and indicated that since Act 88 states that service with another reciprocal unit may not be used to determine the amount of a retiree's benefit, that prior reciprocal service could not be used to avoid the early retirement penalty. This has been the consistent position taken by this office since 2007. Nonetheless, the matter still provokes questions and at least one well known Detroit-area attorney, whose practice specializes in employee benefit law, disagrees with the opinion of this office, although he stops short of saying that our opinion is incorrect. This disagreement in interpretation of Act 88 stems from the fact that no court has issued a controlling decision on the matter. By amending the City pension ordinance to provide for reciprocal service to be used to avoid the early retirement penalty, as allowed by Act 88, would provide much-needed clarity to the issue.

FISCAL IMPACT

This ordinance would permit those employees with credit from other municipal or State agencies to retire early (age 57) from the City of Kalamazoo and not take a reduction in pension amount. It is not anticipated that the amendment would negatively impact the City pension fund since the number of employees who could take advantage of the provision is not very large.

ALTERNATIVES

The City Commission could choose not to adopt this amendment. This would require the affected employee to suffer a 24% reduction in pension amount. And in the future, other employees would not be able to use prior service with a reciprocal governmental unit to avoid the early retirement penalty.

ATTACHMENTS:

Type	Description
Ordinances	
▣ - Redline Version	Proposed Amendment to City Retirement System Ordinance
▣ Ordinances	Proposed Amendment to City Retirement System Ordinance

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

***AN ORDINANCE TO AMEND SECTION 2-237 B OF THE RETIREMENT SYSTEM
ORDINANCE SO AS TO PERMIT GENERAL MEMBERS TO USE PRIOR CREDITED
SERVICE WITH A RECIPROCAL GOVERNMENTAL UNIT SO TO AVOID THE
EARLY RETIREMENT REDUCTION ***

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 2-237 B. of the Kalamazoo City Code is amended to read as follows:

“Sec. 2-237 B Except as provided in Subsection C below, in the event a general member, who has fewer than 25 years of credited service and retires before his or her attainment of the age of 62, the pension portion of his or her retirement allowance provided in Subsection A of this section shall be reduced 0.4% multiplied by the number of months and fraction of a month contained in the period from the date of his or her retirement to the date he or she would attain the age of 62. In the event a general member who has 25 or more years of credited service retires on or after January 1, 1974, and before his or her attainment of the age of 57, the pension portion of his or her retirement allowance provided in Subsection A of this section shall be reduced 0.4% multiplied by the number of months and fraction of a month contained in the period from the date of his or her retirement to the date he or she would have attained the age of 57. *A general member who retires on or after July 26, 2017 with credited service with a state unit or municipal unit that has elected to adopt the provisions of the reciprocal retirement act, being Public Act 88 of 1961, as amended, is permitted to apply previous credited service with a reciprocal unit so as to permit the member to achieve 25 years of credited service to avoid the reduction in retirement allowance as otherwise required by this section.*

Section 2. Repealer.

All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are 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 _____, 2017. 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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CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

***AN ORDINANCE TO AMEND SECTION 2-237 B OF THE RETIREMENT SYSTEM
ORDINANCE SO AS TO PERMIT GENERAL MEMBERS TO USE PRIOR CREDITED
SERVICE WITH A RECIPROCAL GOVERNMENTAL UNIT SO TO AVOID THE
EARLY RETIREMENT REDUCTION ***

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Section 1. Section 2-237 B. of the Kalamazoo City Code is amended to read as follows:

“Sec. 2-237 B Except as provided in Subsection C below, in the event a general member, who has fewer than 25 years of credited service and retires before his or her attainment of the age of 62, the pension portion of his or her retirement allowance provided in Subsection A of this section shall be reduced 0.4% multiplied by the number of months and fraction of a month contained in the period from the date of his or her retirement to the date he or she would attain the age of 62. In the event a general member who has 25 or more years of credited service retires on or after January 1, 1974, and before his or her attainment of the age of 57, the pension portion of his or her retirement allowance provided in Subsection A of this section shall be reduced 0.4% multiplied by the number of months and fraction of a month contained in the period from the date of his or her retirement to the date he or she would have attained the age of 57. A general member who retires on or after July 26, 2017 with credited service with a state unit or municipal unit that has elected to adopt the provisions of the reciprocal retirement act, being Public Act 88 of 1961, as amended, is permitted to apply previous credited service with a reciprocal unit so as to permit the member to achieve 25 years of credited service to avoid the reduction in retirement allowance as otherwise required by this section.

Section 2. Repealer.

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

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Bobby J. Hopewell, Mayor

Scott Borling, City Clerk

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Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

REVIEWED BY: Sarah R. Wenzlick, Assistant City Attorney

PREPARED BY: Laura J. Echtenaw, Legal Secretary

DATE: 11/28/2017

SUBJECT: Amendments to Minor in Possession Ordinance, Section 22-42

RECOMMENDATION

It is recommended that the City Commission offer for first reading amendments to section 22-42 of the Kalamazoo City Code of Ordinances.

BACKGROUND

The Michigan Legislature has amended MCL 436.1703 relating to the purchase, consumption, or possession of alcoholic liquor by a minor. This amended section is effective January 1, 2018. Currently, a minor who is found to be in possession of alcohol is guilty of a misdemeanor. The amendment to MCL 436.1703 provides that a minor who is found to be in possession of alcohol for a first violation is responsible for a civil infraction and a minor who is found to be in possession of alcohol for a second or subsequent violation is guilty of a misdemeanor.

The amendment to MCL 436.1703 also adds a provision stating that if a minor does not consent to a preliminary chemical breath analysis, the analysis shall not be administered without a court order, but a peace officer may seek to obtain a court order. Further, the amendment to MCL 436.1703 removes the provision stating that a peace officer may arrest an individual based in whole or in part upon the results of a preliminary chemical breath analysis.

The proposed ordinance reflects the changes made to the state statute to bring the ordinance in compliance with state law. Changes in the numbering system have been made to the proposed ordinance to make the numbering system consistent with the state statute. The proposed ordinance also supports the Commission's goal of decriminalizing the Kalamazoo Code of Ordinances.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

None

ALTERNATIVES

The alternative would be to not enact this revision to the ordinance. This is not recommended because we wish to make City ordinance section 22-42 consistent with state law.

ATTACHMENTS:

Type	Description
▣ Ordinances	Amendments to Minor in Possession Ordinance
▣ - Redline Version	Amendments to Minor in Possession Ordinance

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTION 22-42
TO THE KALAMAZOO CODE OF ORDINANCES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 22-42 of the Kalamazoo City Code is amended to read as follows:

“Sec 22-42. No person under 21 shall purchase, consume or possess alcohol and no person shall furnish or use fraudulent identification for the purpose of obtaining alcoholic liquor for a person less than 21 years of age.

- (1)** A minor shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content, except as provided by law. A minor who violates this subsection is responsible for a municipal civil infraction or guilty of a misdemeanor as follows and is not subject to the penalties prescribed in MCLA 436.1909:
 - (a)** For the first violation, the minor is responsible for a municipal civil infraction and shall be fined not more than \$100, and may be ordered to participate in substance use disorder services as defined in MCLA 333.6230, and designated by the administrator of substance abuse services, and may be ordered to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in Subsection **(5)**. A minor may be found responsible or admit responsibility only once under this subdivision.
 - (b)** If a violation of this subsection occurs after 1 prior judgment, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than 30 days but only if the minor has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or a fine of not more than \$200, or both, and may be ordered to participate in substance use disorder services as defined in MCLA 333.6230, and designated by the administrator of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in Subsection **(5)**.

- (c) If a violation of this subsection occurs after 2 or more prior judgments, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than 60 days but only if the minor has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or a fine of not more than \$500, or both, and may be ordered to participate in substance use disorder services as defined in MCLA 333.6230, and designated by the administrator of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in Subsection (5).
- (2) A person who furnishes fraudulent identification to a minor, or, notwithstanding Subsection (1), a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100, or both.
- (3) If an individual pleads guilty to a misdemeanor violation of Subsection (1)(b) the court, without entering a judgment of guilt in a criminal proceeding and with the consent of the accused, may defer further proceedings and place the individual on probation upon terms and conditions as set forth in MCLA 436.1703, as amended.
- (4) A misdemeanor violation of Subsection (1) successfully deferred, discharged, and dismissed under Subsection (3) is considered a prior judgment for the purposes of Subsection (1)(c).
- (5) The court may order the person found responsible for or convicted of violating Subsection (1) to undergo screening and assessment by a person or agency as designated by the department-designated community mental health entity as defined in MCLA 330.1100a, in order to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs. The court may order a person subject to a conviction or juvenile adjudication of, or placed on probation regarding, a violation of Subsection (1) to submit to a random or regular preliminary chemical breath analysis. In the case of a minor under 18 years of age not emancipated under MCLA 722.1 to 722.6, the parent, guardian, or custodian may request a random or regular preliminary chemical breath analysis as part of the probation.
- (6) (Reserved)
- (7) A public safety officer or a peace officer who has reasonable cause to believe a person less than 21 years of age has consumed alcoholic liquor may request that a person voluntarily consent to a preliminary chemical breath analysis. If a minor does not consent to a preliminary chemical breath analysis, the analysis shall not

be administered without a court order, but a public safety officer or a peace officer may seek to obtain a court order. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a municipal civil infraction proceeding or criminal prosecution to determine whether the person less than 21 years of age has consumed or possessed alcoholic liquor.

- (8) A law enforcement agency, upon determining that a person less than 18 years of age who is not emancipated under MCLA 722.1 to 722.6 allegedly consumed, possessed or purchased alcoholic liquor, attempted to consume, possess, or purchase alcoholic liquor, or had any bodily alcohol content in violation of Subsection (1), shall notify the parent or parents, custodian, or guardian of the person as to the nature of the violation if the name of a parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. The notice required by this subsection shall be made not later than 48 hours after the law enforcement agency determines that the person who allegedly violated Subsection (1) is less than 18 years of age and not emancipated under MCLA 722.1 to 722.6. The notice may be made by any means reasonably calculated to give prompt actual notice, including, but not limited to, notice in person, by telephone, or by first-class mail.
- (9) through (16) (Reserved)
- (17) In a prosecution for the violation of Subsection (1) concerning a minor having any bodily alcohol content, it is an affirmative defense that the minor consumed the alcoholic liquor in a venue or location where that consumption is legal. Further, this section shall not apply to any consumption of alcohol expressly permitted by MCLA 436.1703, as amended.
- (18) As used in this section:
 - (a) "Any bodily alcohol content" means either of the following:
 - (i) An alcohol content of 0.02 gram or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
 - (ii) Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony."
 - (b) "Prior judgment" means the term as defined in MCLA 436.1703, as amended.

Section 2. Repealer.

All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are 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 _____, 2017. 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

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 22-42
TO THE KALAMAZOO CODE OF ORDINANCES

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 22-42 of the Kalamazoo City Code is amended to read as follows:

“Sec 22-42. No person under 21 shall purchase, consume or possess alcohol and no person shall furnish or use fraudulent identification for the purpose of obtaining alcoholic liquor for a person less than 21 years of age.

(1) A minor shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content, except as provided by law. A minor who violates this subsection is responsible for a municipal civil infraction or guilty of a misdemeanor punishable by the following fines and sanctions as follows and is not subject to the penalties prescribed in MCLA 436.1909:

(a) For the first violation, ~~a fine of~~ the minor is responsible for a municipal civil infraction and shall be fined not more than \$100, and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services substance use disorder services as defined in MCLA 333.6107 333.6230, and designated by the administrator of substance abuse services, and may be ordered to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in Subsection (4) (5). A minor may be found responsible or admit responsibility only once under this subdivision.

(b) ~~For a violation of this subsection following a prior conviction or juvenile adjudication for a violation of this subsection, a violation of MCLA 436.1703 as amended, or its predecessor, or another local ordinance substantially corresponding to MCLA 436.1703 as amended or its predecessor, If a violation of this subsection occurs after 1 prior judgment, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than 30 days but only if the minor has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or a fine of not more than \$200, or both, and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services substance use disorder services as~~

defined in MCLA ~~333.6107~~ 333.6230, and designated by the administrator of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in Subsection ~~(4)~~ (5).

- (c) ~~For a violation of this subsection following two or more prior convictions or juvenile adjudications for a violation of this subsection, a violation of MCLA 436.1703 as amended or its predecessor, or another local ordinance substantially corresponding to MCLA 436.1703 as amended, If a violation of this subsection occurs after 2 or more prior judgments, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than 60 days but only if the minor has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or a fine of not more than \$500, or both, and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services~~ substance use disorder services as defined in MCLA ~~333.6107~~ 333.6230, and designated by the administrator of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in Subsection ~~(4)~~ (5).
- (2) A person who furnishes fraudulent identification to a minor, or, notwithstanding Subsection (1), a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100, or both.
- (3) ~~When an individual who has not previously been convicted of or received a juvenile adjudication for a violation of Subsection (1) pleads guilty to a violation of Subsection (1),~~ If an individual pleads guilty to a misdemeanor violation of Subsection (1)(b) the court, without entering a judgment of guilt in a criminal proceeding and with the consent of the accused, may defer further proceedings and place the individual on probation upon terms and conditions as set forth in MCLA 436.1703, as amended.
- (4) A misdemeanor violation of Subsection (1) successfully deferred, discharged, and dismissed under Subsection (3) is considered a prior judgment for the purposes of Subsection (1)(c).
- (5) ~~(Reserved)~~ The court may order the person found responsible for or convicted of violating Subsection (1) to undergo screening and assessment by a person or agency as designated by the substance abuse coordinating agency as defined in MCLA ~~333.6103~~ department-designated community mental health entity as defined in MCLA 330.1100a, in order to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and

alcohol or drug treatment programs. The court may order a person subject to a conviction or juvenile adjudication of, or placed on probation regarding, a violation of Subsection (1) to submit to a random or regular preliminary chemical breath analysis. In the case of a minor under 18 years of age not emancipated under MCLA 722.1 to 722.6, the parent, guardian, or custodian may request a random or regular preliminary chemical breath analysis as part of the probation.

(6) (Reserved)

- (7) A public safety officer or a peace officer who has reasonable cause to believe a person less than 21 years of age has consumed alcoholic liquor may request that a person voluntarily consent to a preliminary chemical breath analysis, ~~but the officer shall not require the person to submit to a preliminary chemical breath analysis. If a minor does not consent to a preliminary chemical breath analysis, the analysis shall not be administered without a court order, but a public safety officer or a peace officer may seek to obtain a court order. A peace officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis.~~ The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a municipal civil infraction proceeding or criminal prosecution to determine whether the person less than 21 years of age has consumed or possessed alcoholic liquor.

- (8) A law enforcement agency, upon determining that a person less than 18 years of age who is not emancipated under MCLA 722.1 to 722.6 allegedly consumed, possessed or purchased alcoholic liquor, attempted to consume, possess, or purchase alcoholic liquor, or had any bodily alcohol content in violation of Subsection (1), shall notify the parent or parents, custodian, or guardian of the person as to the nature of the violation if the name of a parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. The notice required by this subsection shall be made not later than 48 hours after the law enforcement agency determines that the person who allegedly violated Subsection (1) is less than 18 years of age and not emancipated under MCLA 722.1 to 722.6. The notice may be made by any means reasonably calculated to give prompt actual notice, including, but not limited to, notice in person, by telephone, or by first-class mail.

(9) through (16) (Reserved)

- (17) In a ~~criminal~~ prosecution for the violation of Subsection (1) concerning a minor having any bodily alcohol content, it is an affirmative defense that the minor consumed the alcoholic liquor in a venue or location where that consumption is legal. Further, this section shall not apply to any consumption of alcohol expressly permitted by MCLA 436.1703, as amended.

- (18) As used in this section:

(a) "Any bodily alcohol content" means either of the following:

- (i) An alcohol content of 0.02 gram or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
- (ii) Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony."

(b) "Prior judgment" means the term as defined in MCLA 436.1703, as amended.

Section 2. Repealer.

All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are 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 _____, 2017. 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



Commission Agenda Report

City of Kalamazoo

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

FROM: James K. Ritsema, ICMA-CM, City Manager

REVIEWED BY: Christina Anderson, City Planner

PREPARED BY: Rob Bauckham, Senior Development Planner

DATE: 11/20/2017

SUBJECT: Neighborhood Enterprise Zone Certificate requests

RECOMMENDATION

It is recommended that the City Commission approve three new Neighborhood Enterprise Zone (NEZ) Certificates and the one transfer of a previously-approved certificate be approved.

BACKGROUND

On September 29, 2008, the Kalamazoo City Commission created two Neighborhood Enterprise Zones (NEZs); one homestead NEZ incentive in the Vine neighborhood, and one new home construction NEZ incentive in the Edison neighborhood. The program provides tax incentives for citizens to own and occupy homes in the Vine NEZ, and to build new homes in the Edison NEZ. A financial investment toward improving the property is required by the owner in the Vine NEZ. Within each NEZ zone, homeowners or builders are required to apply for a certificate for each property in order to obtain the tax benefits. All of the applications received by the city must be approved by the City Commission. The approval takes effect in the following tax year. For example, the applications that are received and approved in 2017 will take effect on January 1, 2018. Applicants that receive approval can participate in the program for up to ten years. If they sell the property within that time period, the new owner can apply for a transfer of the approval to them. If the transfer is approved, they would receive the tax benefit for the period remaining from the original approval, and would also need to commit to make improvements to the home.

The City Clerk has received three applications for new homestead NEZ certificates and one application to transfer a previously-approved certificate to a new owner. All of the properties are located in the Vine neighborhood. If approved, the certificates for all three properties would expire on December 30, 2027.

The first application is for 423 W. Dutton Street. The current owner, Leonard Swanson, purchased the property in June 2017 and uses it as his principal residence. Applicants for the homestead NEZ program are required to commit to complete a minimum of \$500 of improvements to the home within the first three years after receiving approval. Mr. Swanson recently completed plumbing repairs throughout the house, and plans to replace the garage in 2019, which will exceed the \$500 minimum.

The second application is for 444 W. Vine Street. The current owner, Alex Jeffrey Burkholder, purchased the

property in March 2017 and uses it as his principal residence. Mr. Burkholder has agreed to spend at least \$500 on renovations to the house in the next three years including replacing the porch, gutters, storm windows, and rotted trim.

The third application is for 604 S. Rose Street. The current owner, Nathan Dannison, purchased the property in May of 2014 and uses it as his principal residence. Mr. Dannison has agreed to spend at least \$500 in remodeling for the house in the next three years including restoring the original entryway and first floor bedroom and painting the exterior of the house.

The City Clerk also received an application to transfer a previously-approved homestead NEZ certificate for 724 Oak Street. The original certificate was approved by the City Commission on December 1, 2014 for Aleisha Kleist. The property was recently purchased by Daniel T. Howard, and Mr. Howard is requesting to have the certificate approval transferred to him. He uses the property as his principal residence and has agreed to spend at least \$500 in improvements in 2018 including installing new windows and a furnace and painting the exterior. If approved, the certificate would expire on December 30, 2024.

POLICY CONSIDERATIONS

The City Commission created the Neighborhood Enterprise Zone program for the Vine and Edison neighborhoods in 2008 to encourage owner/occupancy of homes in these areas. The program will continue indefinitely until it is modified or cancelled by the Commission. Seventy-one applications have been approved to date for new and transferred certificates.

COMMUNITY RESOURCES CONSULTED

As part of the creation of the NEZ program for Kalamazoo in 2008, staff met with a work group that included members of the Historic District Commission, Planning Commission, Dangerous Buildings Board, and Community Development Act Advisory Committee. This group discussed the feasibility and benefits of implementing the NEZ program in the city and provided its support for it. In addition, staff had conversations with the neighborhoods that were slated to be impacted by the NEZ program and provided several formal presentations to the neighborhood boards. The two neighborhoods (Vine and Edison) were in support of the program. The City Treasurer, Assessor, and other relevant city staff were included in the planning activities and were part of the final decision-making process on the scope of the program for Kalamazoo. The City Commission also held a public hearing to discuss the creation of the NEZ, and provided its support for the program.

FISCAL IMPACT

For new homestead NEZ certificates, the certificate is in effect for 10 years and represents a reduction of 50% of the city taxes for the home. Assuming static housing values and the city millage rate, the city would forego \$139.31 each year for the next ten years in city taxes for 423 W. Dutton Street, \$160.41 each year for 444 W. Vine Street, and \$327.92 each year for 604 S. Rose Street, if the new NEZ requests are approved. The city would forego \$773.79 for 724 Oak Street for the next seven years for the transferred NEZ certificate.

ALTERNATIVES

The City Commission has the option of denying the three applications for the new homestead NEZ certificates and the transfer of the previously-approved certificate for 724 Oak Street in the Vine neighborhood. This is not recommended, since the program encourages owner/ occupancy in homes in the neighborhood and has demonstrated success in doing so. It is recommended that the request be approved for each property as presented.

ATTACHMENTS:

Type	Description
□	Resolution Neighborhood Enterprise Zone Approval Resolution

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 17-

**A RESOLUTION APPROVING THREE NEW APPLICATIONS FOR HOMESTEAD
NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATES AND ONE TRANSFER OF
A CERTIFICATE PURSUANT TO PUBLIC ACT 147 OF 1992**

Minutes of a regular meeting of the City Commission of the City of Kalamazoo held on December 4, 2017 at 7:00 o'clock p.m., local time at the City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

Recitals:

A. The Kalamazoo City Commission adopted the Vine Neighborhood Homestead Neighborhood Enterprise Zone on September 29, 2008 so that residents of the City of Kalamazoo would have the potential to take advantage of residential tax abatements while also providing incentives to encourage neighborhood revitalization; and

B. The City of Kalamazoo is in receipt of three applications for Homestead Neighborhood Enterprise Zone Certificates for 423 W. Dutton Street (Leonard Swanson), 444 W. Vine Street (Alex Jeffrey Burkholder), and 604 S. Rose Street (Nathan Dannison), who purchased the respective homes in the Vine Neighborhood Enterprise Zone after September 29, 2008 and are living at the above-listed addresses as their principal residences; and

C. The City of Kalamazoo is also in receipt of an application to transfer a Homestead Neighborhood Enterprise Zone Certificate that was originally approved in 2014 for 724 Oak Street to Daniel T. Howard, who purchased the home in the Vine Neighborhood Enterprise Zone and is living in the property as his principal residence.

D. The applicants have indicated that they will invest at least \$500 in property upgrades for their respective homes within the first three years of their residence in the homestead properties.

THEREFORE, IT IS RESOLVED, that 423 W. Dutton Street (parcel number 06-22-151-002 for Leonard Swanson), 444 W. Vine Street (parcel number 06-22-155-002 for Alex Jeffrey Burkholder), and 604 S. Rose Street (parcel number 06-22-119-008 for Nathan Dannison) will each be awarded a Certificate of Neighborhood Enterprise Zone for ten (10) years (2018 to 2027), allowing each of them to pay the reduced "Neighborhood Enterprise Zone Tax" until such time as:

1. The applicant no longer lives in the above listed address as his/her principal residence, or
2. The applicant is not current in payment of the Neighborhood Enterprise Zone Tax, or
3. Ten (10) years has elapsed from the time of the issuance of the certificate.

BE IT FURTHER RESOLVED, that 724 Oak Street (parcel number 06-21-281-005 and 06-71-015-005 for Daniel T. Howard) is awarded a transfer of the previously-approved Certificate of Neighborhood Enterprise Zone for seven (7) years (2018 to 2024), allowing him to pay the reduced “Neighborhood Enterprise Zone Tax” until such time as:

1. The applicant no longer lives in the above listed address as his principal residence, or
2. The applicant is not current in payment of the Neighborhood Enterprise Zone Tax, or
3. Seven (7) years has elapsed from the time of the transfer of the certificate.

The above resolution was offered by Commissioner _____ and supported by Commissioner _____.

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on December 4, 2017. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by said Act.

Scott A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

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

FROM: James K. Ritsema, ICMA-CM, City Manager

REVIEWED BY: Thomas C. Skrobola, Management Services Director / CFO

PREPARED BY: Patricia Vargas, Management Services Coordinator

DATE: 11/29/2017

SUBJECT: Resolution Setting a Public Hearing for the Proposed FY 2018 Budget

RECOMMENDATION

It is recommended that the City Commission adopt the attached resolution setting a public hearing to consider the proposed Fiscal Year 2018 Budget for the City of Kalamazoo. This resolution provides notice of a public hearing to be held on December 18, 2017 regarding the proposed City of Kalamazoo FY 2018 Budget.

BACKGROUND

Each year a resolution must be adopted to provide notice of a public hearing to be held prior to adoption of the budget. The hearing must take place prior to adoption of the budget and publication of a notice of said hearing must be published at least six (6) days prior to the hearing.

The attached resolution regarding the budget hearing provides for the hearing to take place at or after 7 p.m., local time, on December 18, 2017. The final budget actions by the City Commission are scheduled for January 17, 2018 and include the adoption of a General Appropriation Resolution for the Year of 2018 setting property tax millage rates, the final appropriations to be adopted by the City Commission for each fund and operation within the City, and other related actions such as resolutions regarding fee increases.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

None

ALTERNATIVES

There is no alternative to holding a public hearing as charter and state law requires this process. A notice to the public is required in order to hold the mandatory public hearing prior to the adoption of the FY 2018 Budget.

ATTACHMENTS:

	Type	Description
▣	Resolution	Setting a Public Hearing for the FY2018 Budget

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 17-

**A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE PROPOSED
FISCAL YEAR 2018 BUDGET FOR THE CITY OF KALAMAZOO**

Minutes of a regular meeting of the City Commission of the City held on December 4, 2017, at 7:00 o'clock p.m., local time, at the City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

WHEREAS, Article 7, Section 32 of the 1963 Constitution of the State of Michigan requires the holding of a hearing on any budget of local units empowered to prepare budgets of estimated expenditures and revenues; and

WHEREAS, MCL 141.412 requires that a notice of such hearing be given by publication in a newspaper of general circulation at least six (6) days prior to such hearing; and

WHEREAS, Public Act #40 of 1995 provides that in order to avoid the necessity of holding a truth in taxation hearing, that a municipality must include a statement in its budget hearing notice that the property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that a hearing will be held on the proposed 2018 Budget for the City of Kalamazoo by the City Commission in the City Commission Chambers, Second Floor of City Hall, 241 West South Street, Kalamazoo, Michigan, on or after 7:00 p.m., local time, on December 18, 2017, and notice of said hearing shall be published at least six (6) days prior to said hearing in the following form:

CITY OF KALAMAZOO, MICHIGAN
NOTICE OF BUDGET HEARING

Notice is hereby given that the City Commission of the City of Kalamazoo will conduct a public hearing on the proposed 2018 Budget of said city in the City Commission Chambers, Second Floor of City Hall, 241 West South Street, Kalamazoo, Michigan, on December 18, 2017 on or after 7 p.m., local time, and that a copy of the said budget is available for inspection at the office of the City Clerk and on the City of Kalamazoo's website, www.kalamazoocity.org. The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.

The above resolution was offered by _____ and supported by _____.

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The forgoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on December 4, 2017. Public notice was given and the meeting was conducted in full compliant with the Michigan Open Meetings Act (PA 267,1976). Minutes of the meeting will be available as required by the Act.

Scott A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

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

FROM: James K. Ritsema, ICMA-CM, City Manager

REVIEWED BY: Nick Christy; HR/LR Director

PREPARED BY: Ronald Markan; Senior Labor Relations Specialist

DATE: 11/17/2017

SUBJECT: 80% / 20% Medical Plan Cost Sharing With City Employees

RECOMMENDATION

It is recommended that the City Commission approve an 80% / 20% Cost Sharing of Medical Plan Benefits with City Employees. This would require employees to contribute from their paychecks 20% of the Medical Plan Benefits incurred for the Base Period of May 2016 – April 2017. The contributions would begin with the first pay period of January 2018 and end in December 2018.

BACKGROUND

P.A. 152 gives Municipalities the choice of electing one of two methods to use in calculating employee contributions for Medical Plan coverage. The two methods are “hard caps” and 80% / 20% split.

The basic method is the “hard caps” which allows a Municipality to negotiate a cost sharing with employees for the amount below the “hard cap” and then require employees to pay 100% in excess of that “hard cap”. The “hard cap” amount is designated by the State Department of Treasury annually.

The second choice is to elect to impose the 80% / 20% cost split method. This method requires the employees to pay 20% of the actual Medical Plan Costs. The City uses a “look back” method to calculate the contribution for the upcoming year for the PPO Plan. This “look back” method uses actual employee medical costs.

Because very few employees enrolled in the HDHP/H.S.A. Plan, the City uses Illustrative Rates for this Plan. Illustrative Rates are based upon the estimated “market cost” of the Plan.

P.A. 152 became effective in 2011. Shortly thereafter, the City Commission approved a Resolution to use the 80% / 20% method. We have recently become aware of the need for an annual resolution affirming the decision to continue using the 80% / 20% method.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Electing the 80% / 20% split method would require employees to contribute the following monthly amounts for their Medical Plan coverage for 2018 compared to 2017.

<u>Medical Plan</u>	<u>Community Blue PPO</u>		
	<u>Employee Monthly Contribution</u>		
<u>Coverage Class</u>	<u>2017</u>	<u>2018</u>	
Empl. Only	\$96.72	\$102.58	
Empl. + 1	\$232.13	\$246.18	
Family	\$290.16	\$307.73	
<u>Medical Plan</u>	<u>Simply Blue HDHA / H.S.A.</u>		
	<u>Employee Monthly Contribution</u>		
<u>Coverage Class</u>	<u>2017</u>	<u>2018</u>	
Empl. Only	\$85.58	\$88.97	
Empl. + 1	\$190.38	\$213.54	
Family	\$240.07	\$266.92	

ALTERNATIVES

Failing to elect the 80% / 20% split option would require the City to negotiate the cost sharing with the various employee bargaining units.

ATTACHMENTS:

Type	Description
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□	Resolution Resolution
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CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. _____

**A RESOLUTION ADOPTING THE 80/20 HEALTHCARE COST-SHARING OPTION AS
REQUIRED BY 2011 PUBLIC ACT 152**

Minutes of a regular meeting of the City Commission of the City held on September 21, 2015, at 7:00 p.m., local time, at City Hall.

PRESENT: Commissioners

ABSENT: Commissioners

WHEREAS, Public Act 152 of 2011, codified at MCL 15.561 *et seq.*, being the Publically Funded Health Insurance Contribution Act, requires that the City Commission, if the City does not impose the so-called Hard Cap Option, annually elect an option to limit its total annual healthcare costs for its employees or opt out of the Act, and as one of those elective options is the so-called 80/20 option which limits a public employer's share of total annual healthcare costs to no more than 80%; and

WHEREAS, although the City Commission adopted the 80/20 option by resolution shortly after Public Act 152 became effective, and has by adoption of the City's annual budget indirectly authorized the implementation of the 80/20 option, better practice dictates that the City Commission formally adopt a resolution electing the 80/20 option prior to each health insurance coverage year,

NOW BE IT RESOLVED THAT the City Commission elects to adopt the 80/20 option provided at MCL 15.564 so as to comply with Public Act 152 of 2011 for medical benefit plan coverage for the period of January 1, 2018 through December 31, 2018.

The above resolution was offered by _____
and supported by _____.

AYES:

NAYS:

ABSTAIN:

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on December 4, 2017. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by the Act.



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Laura J. Echtenaw, Legal Secretary

DATE: 11/22/2017

SUBJECT: New Year's Fest Fireworks Permit

RECOMMENDATION

It is recommended that the City Commission approve a request from New Year's Fest of Kalamazoo to publicly display fireworks from the Epic Center Parking Structure on Sunday, December 31, 2017 at midnight as part of the annual New Year's Fest event.

BACKGROUND

Pursuant to state law, the New Year's Fest of Kalamazoo has applied for a permit to publicly display fireworks at the Epic Center Parking Structure. The Department of Public Safety has reviewed the request, and Fire Marshal Jim Williams has endorsed the application. The City's Building Authority, as the owner of the Epic Center Parking Ramp, has granted permission for the ramp to be used as the launch site. Finally, New Year's Fest of Kalamazoo has provided the required proof of insurance from the pyrotechnic operator.

COMMUNITY RESOURCES CONSULTED

Outside community input was not required. Public Safety reports previous events at this location have not generated complaints.

FISCAL IMPACT

There is no budgetary impact

ALTERNATIVES

The City Commission could deny the request based upon the location, size of display, or previous complaints concerning excessive noise. However, location and excessive noise have not been problems at this event in the past



Commission Agenda Report

City of Kalamazoo

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

FROM: James K. Ritsema, ICMA-CM, City Manager

PREPARED BY: Sean Fletcher, CPRP, Parks & Recreation Director

DATE: 11/2/2017

SUBJECT: Authorize the purchase of 624 Lake Street and allow the City Manager or his designee to sign all related documents to complete the purchase.

RECOMMENDATION

It is recommended that the City Commission approve the purchase of 624 Lake Street in the amount of \$35,000 plus closing costs and authorize the City Manager or his designee to sign the purchase agreement with Ivest Real Estate Group/Carl Bestemen and all related documents to complete the closing of this purchase.

BACKGROUND

The Farmers' Market Master Plan was developed in 2015 and includes the realignment of Bank Street, which currently curves northwest toward railroad tracks. The intersection proves to be a challenge for motorists when traffic is heavy, in addition to not being pedestrian-friendly. Public Services has been consulted and is supportive of the realignment of Bank Street to create a better and safer intersection. The purchase of 624 Lake Street is one of several properties needed to realign bank street. The homeowner is working with a realtor that was contacted by the Parks & Recreation Director regarding the sale of the home. The agreed upon price for the property is \$35,000.00 plus all closing costs.

COMMUNITY RESOURCES CONSULTED

The Farmers' Market Master Plan was developed with public input.

FISCAL IMPACT

Funds for the purchase of the property are budgeted in the Capital Improvement Program budget for the Bank Street Farmers' Market improvement project.

ALTERNATIVES

There is the alternative to not authorize the purchase of the property at 624 Lake Street, but that option is not being recommended.



Commission Agenda Report

City of Kalamazoo

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

FROM: James K. Ritsema, ICMA-CM, City Manager

REVIEWED BY: James J. Baker, PE, Public Services Director and City Engineer

PREPARED BY: Stephen A. Skalski, P.E., Assistant City Engineer – Water Resources

DATE: 11/28/2017

SUBJECT: Belle Meade Cottage Living Utility Easement

RECOMMENDATION

It is recommended that the City Commission approve and accept the easement with CLLH, LLC for water main installed as part of the Belle Meade Cottage Living Construction Project; and authorize the City Manager to sign all related and necessary documents regarding the acquisition of the easement.

BACKGROUND

The construction of water main was recently completed for the Belle Meade Cottage Living Construction Project. As all public water mains and sanitary sewer are required to be in a dedicated easement or public right of way, CLLH, LLC in collaboration with the City of Kalamazoo Attorney has drafted this agreement for approval.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

The City of Kalamazoo will incur the cost of recording the easement with the Clerk-Register and \$100 for consideration for the grant of the easement as this project was solely contribution in aid.

ALTERNATIVES

While the City Commission could decline to authorize the City Manager to execute this agreement, doing so is not recommended.

ATTACHMENTS:

Type	Description
□	Easement Agreement for Utility Easement

PUBLIC UTILITY EASEMENT

THIS AGREEMENT dated November 10, 2017 between CLLH, LLC, a Michigan limited liability company, whose address is 7234 S. 8th St., Kalamazoo, MI 49009 ("Grantor") and the City of Kalamazoo, a Michigan municipal corporation, whose address is 241 West South Street, Kalamazoo, Michigan 49007 ("City").

Recitals:

- A. Grantor owns a certain parcel of real estate at 6781 West Q Ave., Kalamazoo, MI 49009 in the Township of Texas and County of Kalamazoo, which is more specifically described on the attached Exhibit B ("Property").
- B. The City desires to obtain an easement on, over, under, across and through a portion of the Property in conjunction with the Belle Meade Condominium site condominium project.
- C. Grantor agrees to grant to the City a utility easement on, over, under, across and through a portion of the Property for the purposes as set forth in this Agreement.

THEREFORE, in consideration of the mutual covenants, conditions and agreements set forth below, the parties agree as follows:

- 1. Grant of Easement. In consideration of less than One Hundred Dollars (\$100.00) Grantor grants and conveys to the City a permanent easement and right-of-way on, over, under, across and through that portion of the Property as described in Exhibit A. ("Easement Area")
- 2. Purpose of the Easement. The City shall use the Easement Area for the purpose of constructing, operating, maintaining, repairing, improving or replacing the pipelines, connections, leads and all other components of the city's water supply system and other public utilities systems placed within the Easement Area. ("Utility Activities")
- 3. Access to the Easement Area. The City shall have the right of ingress and egress to the Easement Area from the public right-of-way, and if necessary through the Property, in order to carry out the Utility Activities, subject to the following conditions:

- a) Perform the Utility Activities without cost to Grantor and in such a manner as not to unreasonably interfere with Grantor's use of or the business operations conducted on the Property.
 - b) Restore the Easement Area without cost to Grantor after completion of the Utility Activities to the same condition as existed before any such utility activity was performed. If necessary, such restoration shall include re-grading and reseeding any lawn areas disturbed by the City's activities.
 - c) Exercise reasonable care to protect any fixed structures, landscaping and other improvements on the Property during the performance of Utility Activities.
 - d) Grantor agrees not to construct any buildings or permanent structures on or within the Easement Area, unless prior written approval is given by the City for a particular building or structure.
4. Warranty. The Grantor covenants with the City that Grantor is lawfully seized and possessed of the Property, that such parcel is free from all encumbrances that would adversely affect the City's rights under this Agreement, and that Grantor will warrant and defend its title to the Property and the easement granted to the City against the lawful claims of all persons.
5. Authority of Representatives. The parties represent and warrant to the other that this Agreement and its execution by the individual(s) on its behalf are authorized by members or governing body of that party.
6. Binding Effect. This Easement Agreement shall bind the parties, and their successors and assigns. The parties do not intend to confer any benefits on any person, firm, corporation, or other entity which is not party to this Agreement.
7. Amendment. This Easement Agreement shall not be amended or modified except in writing signed by both parties.
8. Governing Law. This Agreement is governed under applicable Michigan law. Both parties had the assistance of legal counsel in the negotiation and preparation of this Agreement. Therefore, no construction or ambiguity of this Agreement is resolved against either party.
9. Exemption from Transfer Tax. This easement is exempt from transfer tax pursuant to MCL 207.505(5)(a) and MCL 207.526(6)(a).

CLLH, LLC

By: _____

Steven R. Bosch

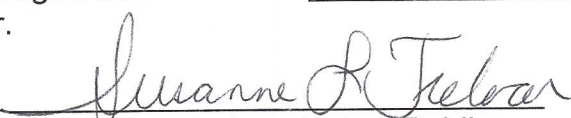
Its: Member

STATE OF MICHIGAN

}

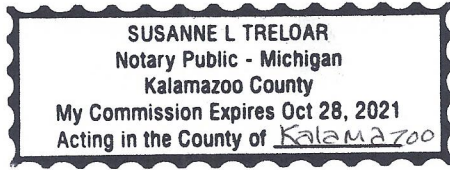
COUNTY OF KALAMAZOO) ss.
)

The foregoing instrument was acknowledged before me on November 10th, 2017, by Steve Bosch, on behalf of the Grantor.


Susanne L. Treloar, Notary Public
Kalamazoo County, Michigan
My commission expires: 10/28/2021

CITY OF KALAMAZOO

By: _____
 James K. Ritsema
Its: City Manager



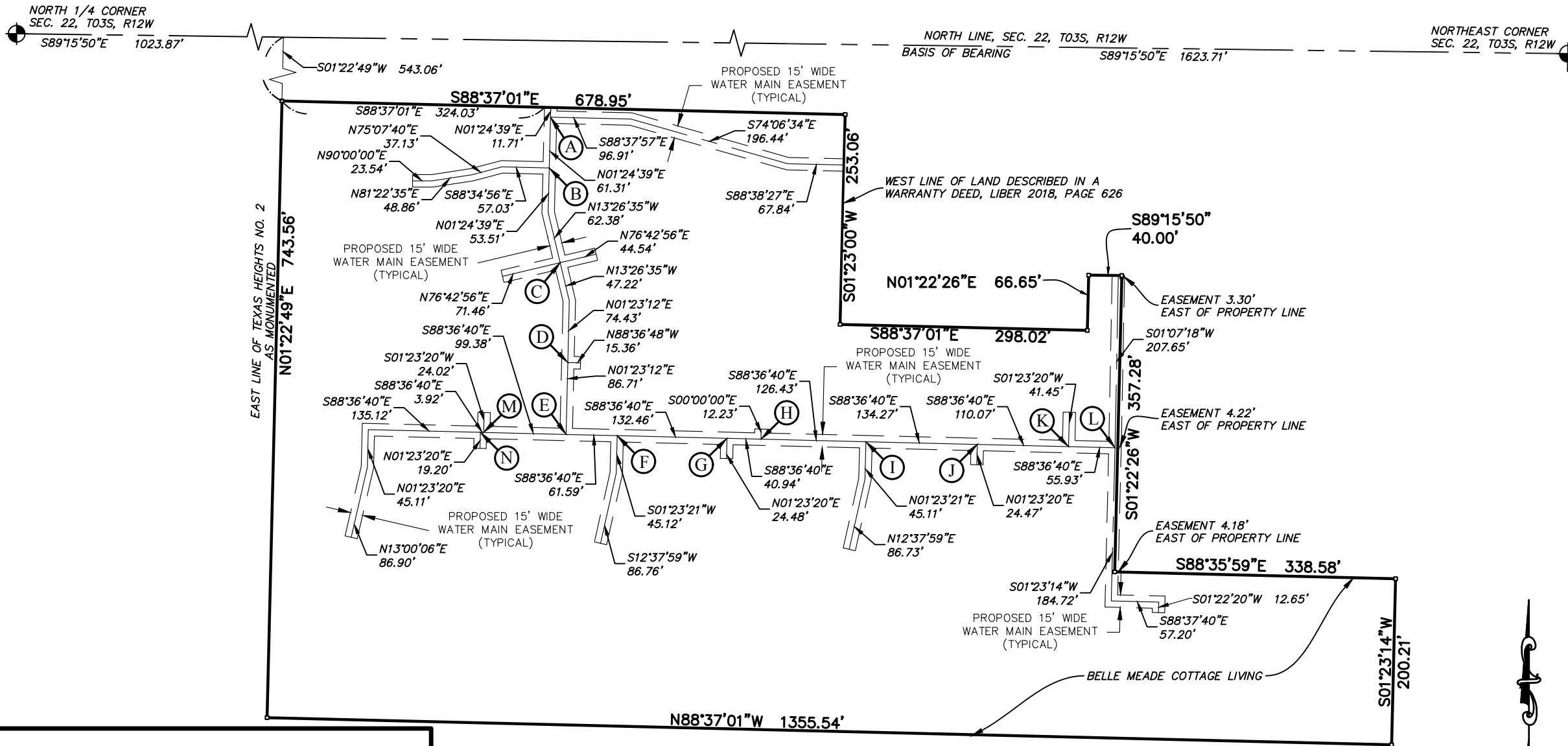
STATE OF MICHIGAN }
 } ss.
COUNTY OF KALAMAZOO }

The foregoing instrument was acknowledged before me on _____, 20__ by James K. Ritsema for and on behalf of the Grantee, the City of Kalamazoo, its City Manager.

Notary Public
Kalamazoo County, Michigan
My commission expires: _____

Prepared By & After Recording Return To:
The Office of City Attorney
241 W. South St.
Kalamazoo, MI 49007
(269) 337-8185

EASEMENT
SKETCH OF WATER MAIN EASEMENT AREA



SCALE: 1"=150'



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Travis Krentz

P.S. No. 57885

BELLE MEADE COTTAGE LIVING			
IN NORTHEAST 1/4 OF SECTION 22, T.03S., R.12W.			
DATE	01-26-2017	DRAWN BY	VEF
SHEET	1 OF 2	JOB No.	1650928.5B

File Name: N:\Kalamazoo Replicated\Projects\2016\1650928.5B Texas Corners Site Condo\dwg\1650928-EASEMENT 2017-01-13.dwg Last Saved: 1/26/2017

EASEMENT

WATER MAIN EASEMENT LEGAL DESCRIPTION

A STRIP OF LAND 15.00 FEET WIDE LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 22, TOWN, 03 SOUTH, RANGE 12 WEST; THENCE ALONG THE NORTH LINE OF SECTION 22, SOUTH 89 DEGREES 15 MINUTES 50 SECONDS EAST 1023.87 FEET (ALSO RECORDED IN THE PLAT OF TEXAS HEIGHTS NO. 2 AS NORTH 89 DEGREES 50 MINUTES 24 SECONDS EAST 1024.04 FEET) TO THE NORTHERLY EXTENSION OF THE MONUMENTED EAST LINE OF THE PLAT OF TEXAS HEIGHTS NO. 2; THENCE ALONG SAID EAST LINE AND THE NORTHERLY EXTENSION THEREOF, SOUTH 01 DEGREE 22 MINUTES 49 SECONDS WEST 543.06 FEET (ALSO RECORDED IN THE PLAT OF TEXAS HEIGHTS NO. 2 AS PARALLEL WITH THE EAST LINE OF SECTION 22, SOUTH 00 DEGREES 29 MINUTES 42 SECONDS WEST) TO THE NORTHWEST CORNER OF BELLE MEADE COTTAGE LIVING; THENCE ALONG THE NORTH LINE OF BELLE MEADE COTTAGE LIVING SOUTH 88 DEGREES 37 MINUTES 01 SECONDS EAST 324.03 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREE 24 MINUTES 39 SECONDS WEST 11.71 FEET TO POINT "A"; THENCE CONTINUING SOUTH 01 DEGREE 24 MINUTES 39 SECONDS WEST 61.31 FEET TO POINT "B"; THENCE CONTINUING SOUTH 01 DEGREE 24 MINUTES 39 SECONDS WEST 53.51 FEET; THENCE SOUTH 13 DEGREES 26 MINUTES 35 SECONDS EAST 62.38 FEET TO POINT "C"; THENCE CONTINUING SOUTH 13 DEGREES 26 MINUTES 35 SECONDS EAST 47.22 FEET; THENCE SOUTH 01 DEGREE 23 MINUTES 12 SECONDS WEST 74.43 FEET TO POINT "D"; THENCE CONTINUING SOUTH 01 DEGREE 23 MINUTES 12 SECONDS WEST 86.71 FEET TO POINT "E"; THENCE SOUTH 88 DEGREES 36 MINUTES 40 SECONDS EAST 61.59 FEET TO POINT "E"; THENCE CONTINUING SOUTH 88 DEGREES 36 MINUTES 40 SECONDS EAST 132.46 FEET TO POINT "G"; THENCE CONTINUING SOUTH 88 DEGREES 36 MINUTES 40 SECONDS EAST 49.94 FEET TO POINT "H"; THENCE CONTINUING SOUTH 88 DEGREES 36 MINUTES 40 SECONDS EAST 126.43 FEET TO POINT "I"; THENCE CONTINUING SOUTH 88 DEGREES 36 MINUTES 40 SECONDS EAST 134.27 FEET TO POINT "J"; THENCE CONTINUING SOUTH 88 DEGREES 36 MINUTES 40 SECONDS EAST 110.07 FEET TO POINT "K"; THENCE CONTINUING SOUTH 88 DEGREES 36 MINUTES 40 SECONDS EAST 55.93 FEET TO POINT "L"; THENCE SOUTH 01 DEGREE 23 MINUTES 14 SECONDS WEST 184.72 FEET; THENCE SOUTH 88 DEGREES 37 MINUTES 40 SECONDS EAST 64.71 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "A", SOUTH 88 DEGREES 37 MINUTES 57 SECONDS EAST 96.91 FEET; THENCE SOUTH 74 DEGREES 06 MINUTES 34 SECONDS EAST 196.44 FEET; THENCE SOUTH 88 DEGREES 38 MINUTES 27 SECONDS EAST 67.84 FEET TO THE WEST LINE OF LANDS DESCRIBED IN A WARRANTY DEED RECORDED IN LIBER 2018 PAGE 626 KALAMAZOO COUNTY RECORDS AND THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "B", NORTH 88 DEGREES 34 MINUTES 56 SECONDS WEST 57.03 FEET; THENCE SOUTH 75 DEGREES 07 MINUTES 40 SECONDS WEST 37.13 FEET; THENCE SOUTH 81 DEGREES 22 MINUTES 35 SECONDS WEST 48.86 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 23.54 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "C", NORTH 76 DEGREES 42 MINUTES 56 SECONDS EAST 44.54 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "C", SOUTH 76 DEGREES 42 MINUTES 56 SECONDS WEST 71.46 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "D", SOUTH 88 DEGREES 36 MINUTES 48 SECONDS EAST 15.36 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "E", NORTH 88 DEGREES 36 MINUTES 40 SECONDS WEST 99.38 FEET TO POINT "M"; THENCE CONTINUING NORTH 88 DEGREES 36 MINUTES 40 SECONDS WEST 3.92 FEET TO POINT "N"; THENCE CONTINUING NORTH 88 DEGREES 36 MINUTES 40 SECONDS WEST 135.12 FEET; THENCE SOUTH 01 DEGREE 23 MINUTES 20 SECONDS WEST 45.11 FEET; THENCE SOUTH 13 DEGREES 00 MINUTES 06 SECONDS WEST 86.90 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "M", NORTH 01 DEGREE 23 MINUTES 20 SECONDS EAST 24.02 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "N", SOUTH 01 DEGREE 23 MINUTES 20 SECONDS WEST 19.20 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "F", SOUTH 01 DEGREE 23 MINUTES 21 SECONDS WEST 45.12 FEET; THENCE SOUTH 12 DEGREES 37 MINUTES 59 SECONDS WEST 86.76 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "G", SOUTH 01 DEGREE 23 MINUTES 20 SECONDS WEST 24.48 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "H", NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 12.23 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "I", SOUTH 01 DEGREE 23 MINUTES 21 SECONDS WEST 45.11 FEET; THENCE SOUTH 12 DEGREES 37 MINUTES 59 SECONDS WEST 86.73 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "J", SOUTH 01 DEGREE 23 MINUTES 20 SECONDS WEST 24.47 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "K", NORTH 01 DEGREE 23 MINUTES 20 SECONDS EAST 41.45 FEET TO THE POINT OF ENDING; THENCE RECOMMENCING AT POINT "L", NORTH 01 DEGREE 07 MINUTES 18 SECONDS EAST 207.65 FEET TO THE POINT OF ENDING. THE SIDELINES OF SAID STRIP ARE TO BE PROLONGED OR SHORTENED SO AS TO ELIMINATE GAPS OR OVERLAPS. SAID PARCEL CONTAINS 0.98 +/- ACRES (42,717 +/- SQUARE FEET).



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Travis Krentz

P.S. No. 57885

BELLE MEADE COTTAGE LIVING

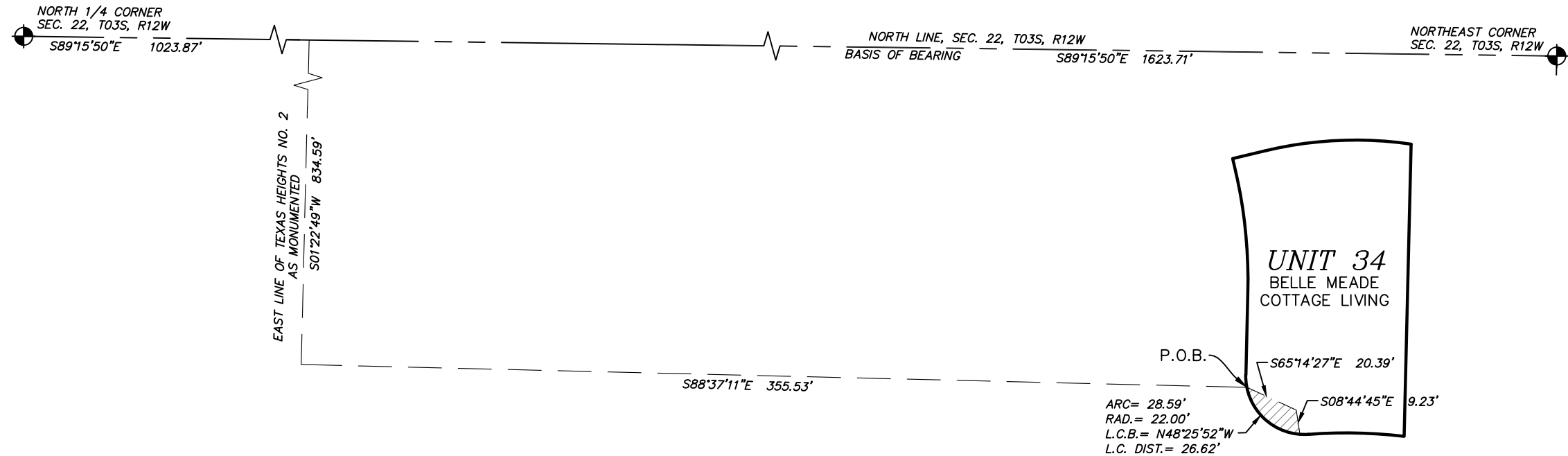
IN NORTHEAST 1/4 OF SECTION 22, T.03S., R.12W.

DATE	01-26-2017	DRAWN BY	VEF
SHEET	2 OF 2	JOB No.	1650928.5B

EASEMENT
LEGAL DESCRIPTION SIDEWALK EASEMENT

PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWN 03 SOUTH, RANGE 12 WEST, TEXAS TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 22, TOWN, 03 SOUTH, RANGE 12 WEST; THENCE ALONG THE NORTH LINE OF SECTION 22, SOUTH 89 DEGREES 15 MINUTES 50 SECONDS EAST 1023.87 FEET (ALSO RECORDED IN THE PLAT OF TEXAS HEIGHTS NO. 2 AS NORTH 89 DEGREES 50 MINUTES 24 SECONDS EAST 1024.04 FEET) TO THE NORTHERLY EXTENSION OF THE MONUMENTED EAST LINE OF THE PLAT OF TEXAS HEIGHTS NO. 2; THENCE ALONG SAID EAST LINE AND THE NORTHERLY EXTENSION THEREOF, SOUTH 01 DEGREE 22 MINUTES 49 SECONDS WEST 834.59 FEET; THENCE PERPENDICULAR TO SAID MONUMENTED EAST LINE, SOUTH 88 DEGREES 37 MINUTES 11 SECONDS EAST 355.53 FEET TO A POINT ON THE WEST LINE OF UNIT 34 BELLE MEADE COTTAGE LIVING AND THE POINT OF BEGINNING; THENCE SOUTH 65 DEGREES 14 MINUTES 27 SECONDS EAST 20.39 FEET; THENCE SOUTH 08 DEGREES 44 MINUTES 45 SECONDS EAST 9.23 FEET TO THE SOUTHERLY LINE OF UNIT 34 BELLE MEADE COTTAGE LIVING; THENCE NORTHWESTERLY 28.59 FEET ALONG THE ARC OF A 22.00 FOOT RADIUS, NON-TANGENTIAL, CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 48 DEGREES 25 MINUTES 52 SECONDS WEST 26.62 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.003 +/- ACRES (159.8 +/- SQUARE FEET)





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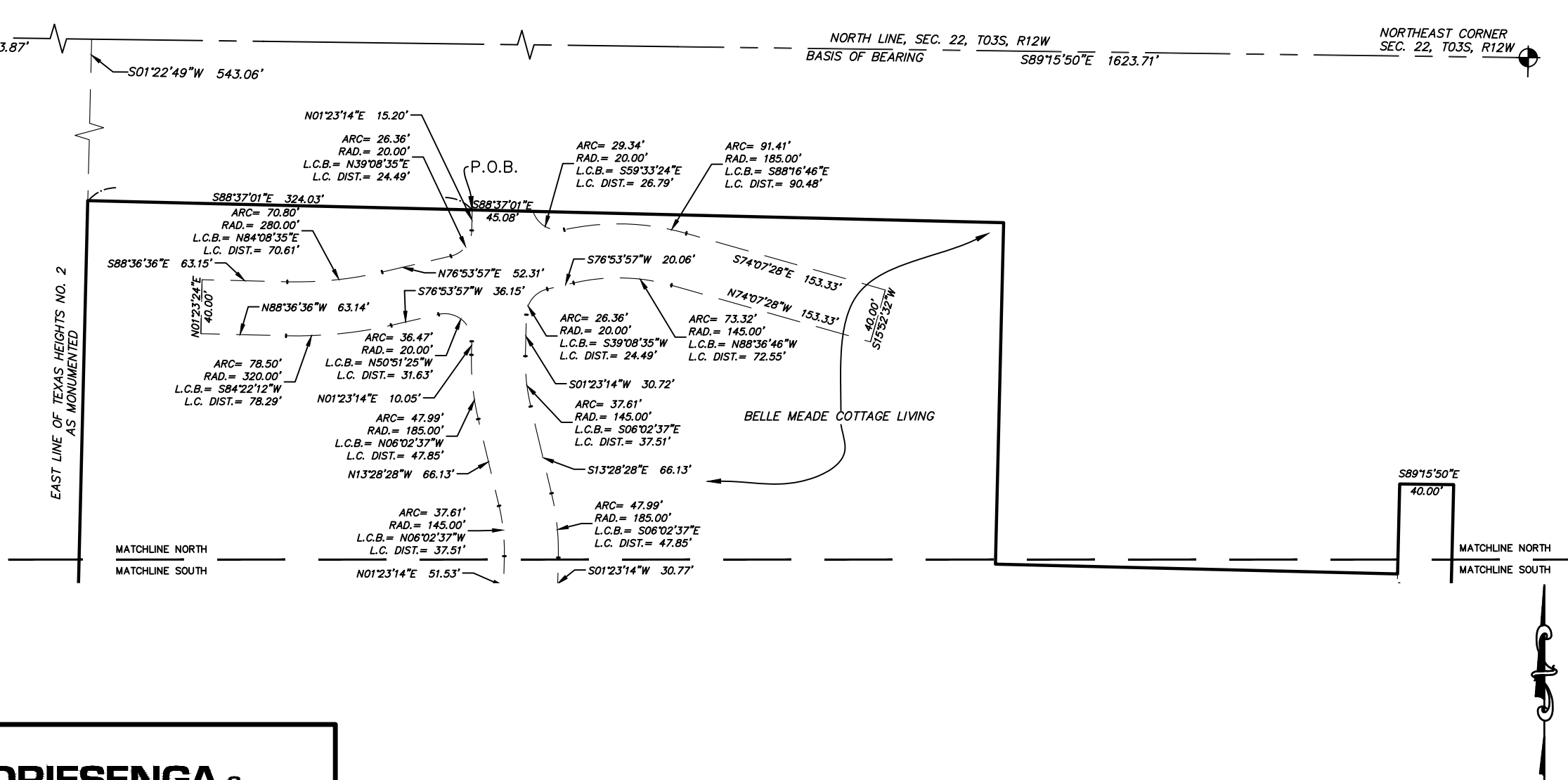
Travis Krentz

P.S. No. 57885

SCALE: 1"=50'

BELLE MEADE COTTAGE LIVING			
IN NORTHEAST 1/4 OF SECTION 22, T.03S., R.12W.			
DATE	01-26-2017	DRAWN BY	VEF
SHEET	1 OF 1	JOB No.	1650928.5B

EASEMENT
SKETCH OF SANITARY SEWER EASEMENT AREA - NORTH



SCALE: 1"=60'



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Travis Krentz

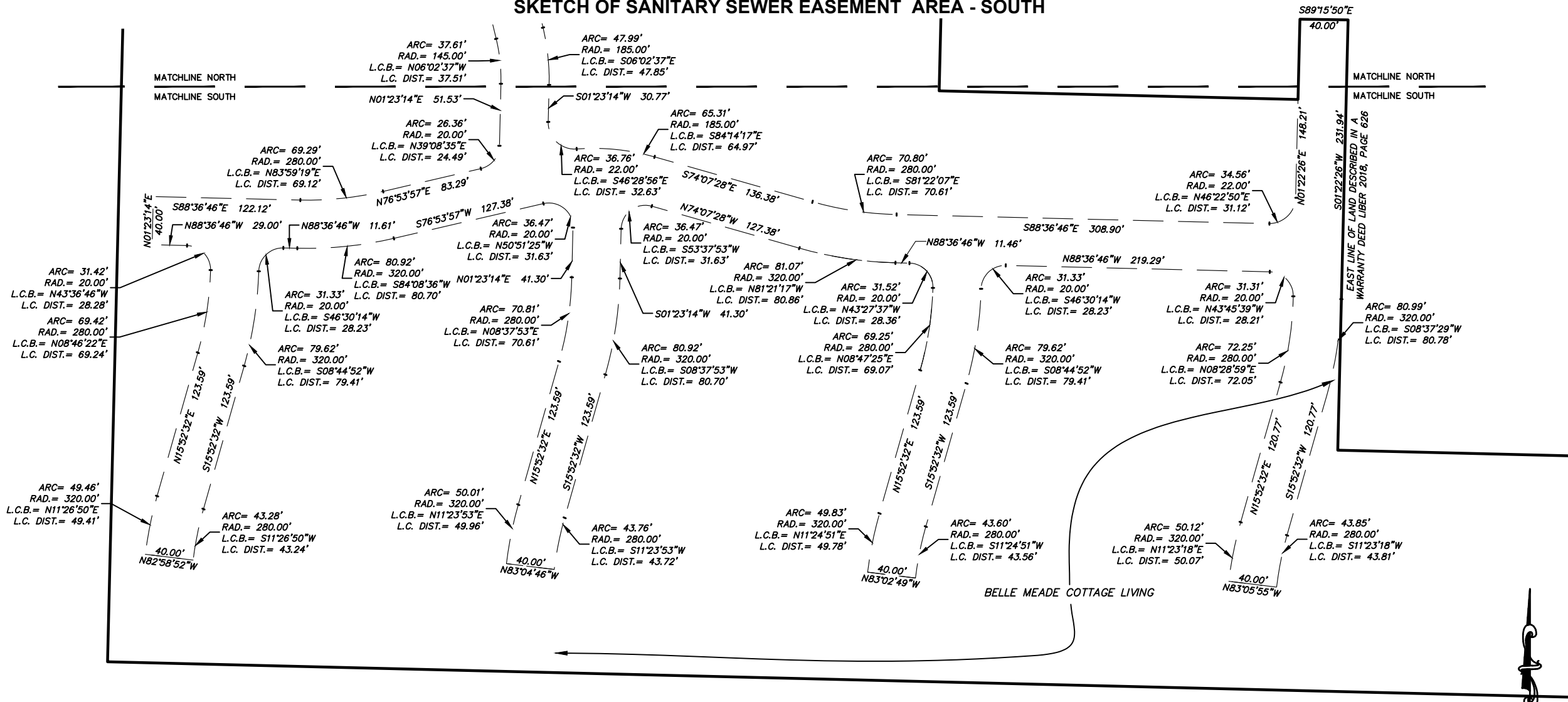
P.S. No. 57885

BELLE MEADE COTTAGE LIVING			
IN NORTHEAST 1/4 OF SECTION 22, T.03S., R.12W.			
DATE	01-26-2017	DRAWN BY	VEF
SHEET	1 OF 4	JOB No.	1650928.5B

File Name: N:\Kalamazoo Replicated\Projects\2016\1650928.5B Texas Corners Site Condo\dwg\1650928-EASEMENT 2017-01-13.dwg Last Saved: 1/26/2017

EASEMENT

SKETCH OF SANITARY SEWER EASEMENT AREA - SOUTH



SCALE: 1"=100'



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Travis Krentz

P.S. No. 57885

BELLE MEADE COTTAGE LIVING

IN NORTHEAST 1/4 OF SECTION 22, T.03S., R.12W.

DATE	01-26-2017	DRAWN BY	VEF
SHEET	2 OF 4	JOB No.	1650928.5B

File Name: N:\Kalamazoo Replicated\Projects\2016\1650928.5B Texas Corners Site Condo\dwg\1650928-EASEMENT 2017-01-13.dwg Last Saved: 1/26/2017

EASEMENT

SANITARY SEWER EASEMENT LEGAL DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWN 03 SOUTH, RANGE 12 WEST, TEXAS TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 22, TOWN 03 SOUTH, RANGE 12 WEST; THENCE ALONG THE NORTH LINE OF SECTION 22, SOUTH 89 DEGREES 15 MINUTES 50 SECONDS EAST 1023.87 FEET (ALSO RECORDED IN THE PLAT OF TEXAS HEIGHTS NO. 2 AS NORTH 89 DEGREES 50 MINUTES 24 SECONDS EAST 1024.04 FEET) TO THE NORTHERLY EXTENSION OF THE MONUMENTED EAST LINE OF THE PLAT OF TEXAS HEIGHTS NO. 2; THENCE ALONG SAID EAST LINE AND THE NORTHERLY EXTENSION THEREOF, SOUTH 01 DEGREE 22 MINUTES 49 SECONDS WEST 543.06 FEET (ALSO RECORDED IN THE PLAT OF TEXAS HEIGHTS NO. 2 AS PARALLEL WITH THE EAST LINE OF SECTION 22, SOUTH 00 DEGREES 29 MINUTES 42 SECONDS WEST) TO THE NORTHWEST CORNER OF BELLE MEADE COTTAGE LIVING; THENCE ALONG SAID NORTH LINE, SOUTH 88 DEGREES 37 MINUTES 01 SECONDS EAST 324.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 88 DEGREES 37 MINUTES 01 SECONDS EAST 45.08 FEET; THENCE SOUTHEASTERLY 29.34 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS, NON-TANGENTIAL, CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 59 DEGREES 33 MINUTES 24 SECONDS EAST 26.79 FEET; THENCE EASTERLY 91.41 FEET ALONG THE ARC OF A 185.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS SOUTH 88 DEGREES 16 MINUTES 46 SECONDS EAST 90.48 FEET; THENCE SOUTH 74 DEGREES 07 MINUTES 28 SECONDS EAST 153.33 FEET; THENCE SOUTH 15 DEGREES 52 MINUTES 32 SECONDS WEST 40.00 FEET; THENCE NORTH 74 DEGREES 07 MINUTES 28 SECONDS WEST 153.33 FEET; THENCE WESTERLY 73.32 FEET ALONG THE ARC OF A 145.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 88 DEGREES 36 MINUTES 46 SECONDS WEST 72.55 FEET; THENCE SOUTH 76 DEGREES 53 MINUTES 57 SECONDS WEST 20.06 FEET; THENCE SOUTHWESTERLY 26.36 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 39 DEGREES 08 MINUTES 35 SECONDS WEST 24.49 FEET; THENCE SOUTH 01 DEGREE 23 MINUTES 14 SECONDS WEST 30.72 FEET; THENCE SOUTHERLY 37.61 FEET ALONG THE ARC OF A 145.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 06 DEGREES 02 MINUTES 37 SECONDS EAST 37.51 FEET; THENCE SOUTH 13 DEGREES 28 MINUTES 28 SECONDS EAST 66.13 FEET; THENCE SOUTHERLY 47.99 FEET ALONG THE ARC OF A 185.00 FOOT CURVE TO THE RIGHT THE CHORD OF WHICH BEARS SOUTH 06 DEGREES 02 MINUTES 37 SECONDS EAST 47.85 FEET; THENCE SOUTH 01 DEGREE 23 MINUTES 14 SECONDS WEST 30.77 FEET; THENCE SOUTHEASTERLY 36.76 FEET ALONG THE ARC OF A 22.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 46 DEGREES 28 MINUTES 56 SECONDS EAST 32.63 FEET; THENCE EASTERLY 65.31 FEET ALONG THE ARC OF A 185.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS SOUTH 84 DEGREES 14 MINUTES 17 SECONDS EAST 64.97 FEET; THENCE SOUTH 74 DEGREES 07 MINUTES 28 SECONDS EAST 136.38 FEET; THENCE SOUTHEASTERLY 70.80 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 81 DEGREES 22 MINUTES 07 SECONDS EAST 70.61 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 46 SECONDS EAST 308.90 FEET; THENCE NORTHEASTERLY 34.56 FEET ALONG THE ARC OF A 22.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 46 DEGREES 22 MINUTES 50 SECONDS EAST 31.12 FEET; THENCE NORTH 01 DEGREE 22 MINUTES 26 SECONDS EAST 148.21 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES 50 SECONDS EAST 40.00 FEET TO THE EAST LINE OF LANDS DESCRIBED IN A WARRANTY DEED RECORDED IN LIBER 2018, PAGE 626 KALAMAZOO COUNTY RECORDS; THENCE ALONG SAID EAST LINE SOUTH 01 DEGREE 22 MINUTES 26 SECONDS WEST 231.94 FEET; THENCE SOUTHWESTERLY 80.99 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS SOUTH 08 DEGREES 37 MINUTES 29 SECONDS WEST 80.78 FEET; THENCE SOUTH 15 DEGREES 52 MINUTES 32 SECONDS WEST 120.77 FEET; THENCE SOUTHWESTERLY 43.85 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 11 DEGREES 23 MINUTES 18 SECONDS WEST 43.81 FEET; THENCE NORTH 83 DEGREES 05 MINUTES 55 SECONDS WEST 40.00 FEET; THENCE NORTHEASTERLY 50.12 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS, NON-TANGENTIAL, CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 11 DEGREES 23 MINUTES 18 SECONDS EAST 50.07 FEET; THENCE NORTH 15 DEGREES 52 MINUTES 32 SECONDS EAST 120.77 FEET; THENCE NORTHEASTERLY 72.25 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 08 DEGREES 28 MINUTES 59 SECONDS EAST 72.05 FEET; THENCE NORTHWESTERLY 31.31 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 43 DEGREES 45 MINUTES 39 SECONDS WEST 28.21 FEET; THENCE NORTH 88 DEGREES 36 MINUTES 46 SECONDS WEST 219.29 FEET; THENCE SOUTHWESTERLY 31.33 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 46 DEGREES 30 MINUTES 14 SECONDS WEST 28.23 FEET; THENCE SOUTHWESTERLY 79.62 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS SOUTH 08 DEGREES 44 MINUTES 52 SECONDS WEST 79.41 FEET; THENCE SOUTH 15 DEGREES 52 MINUTES 32 SECONDS WEST 123.59 FEET; THENCE SOUTHWESTERLY 43.60 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 11 DEGREES 24 MINUTES 51 SECONDS WEST 43.56 FEET; THENCE NORTH 83 DEGREES 02 MINUTES 49 SECONDS WEST 40.00 FEET; THENCE NORTHEASTERLY 49.83 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS, NON-TANGENTIAL, CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 11 DEGREES 24 MINUTES 51 SECONDS EAST 49.78 FEET; THENCE NORTH 15 DEGREES 52 MINUTES 32 SECONDS EAST 123.59 FEET; THENCE NORTHEASTERLY 69.25 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 08 DEGREES 47 MINUTES 25 SECONDS EAST 69.07 FEET; THENCE NORTHWESTERLY 31.52 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 43 DEGREES 27 MINUTES 37 SECONDS WEST 28.36 FEET; THENCE NORTH 88 DEGREES 36 MINUTES 46 SECONDS WEST 11.46 FEET; THENCE NORTHWESTERLY 81.07 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 81 DEGREES 21 MINUTES 17 SECONDS WEST 80.86 FEET; THENCE NORTH 74 DEGREES 07 MINUTES 28 SECONDS WEST 127.38 FEET; THENCE SOUTHWESTERLY 36.47 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 53 DEGREES 37 MINUTES 53 SECONDS WEST 31.63 FEET; THENCE SOUTH 01 DEGREE 23 MINUTES 14 SECONDS WEST 41.30 FEET; THENCE SOUTHWESTERLY 80.92 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS SOUTH 08 DEGREES 37 MINUTES 53 SECONDS WEST 80.70 FEET; THENCE SOUTH 15 DEGREES 52 MINUTES 32 SECONDS WEST 123.59 FEET; THENCE SOUTHWESTERLY 43.76 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 11 DEGREES 23 MINUTES 53 SECONDS WEST 43.72 FEET; THENCE NORTH 83 DEGREES 04 MINUTES 46 SECONDS WEST 40.00 FEET; THENCE NORTHEASTERLY 50.01 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS, NON-TANGENTIAL, CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 11 DEGREES 23 MINUTES 53 SECONDS EAST 49.96 FEET; THENCE NORTH 15 DEGREES 52 MINUTES 32 SECONDS EAST 123.59 FEET; THENCE NORTHEASTERLY 70.81 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 08 DEGREES 37 MINUTES 53 SECONDS EAST 70.61 FEET; THENCE NORTH 01 DEGREE 23 MINUTES 14 SECONDS EAST 41.30 FEET; THENCE NORTHWESTERLY 36.47 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 50 DEGREES 51 MINUTES 25 SECONDS WEST 31.63 FEET; (CONTINUED ON NEXT PAGE)



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Detroit, MI – 734–368–9483

Travis Krentz

P.S. No. 57885

BELLE MEADE COTTAGE LIVING

IN NORTHEAST 1/4 OF SECTION 22, T.03S., R.12W.

DATE	01–26–2017	DRAWN BY	VEF
SHEET	3 OF 4	JOB No.	1650928.5B

EASEMENT

SANITARY SEWER EASEMENT LEGAL DESCRIPTION (CONTINUED)

THENCE SOUTH 76 DEGREES 53 MINUTES 57 SECONDS WEST 127.38 FEET; THENCE WESTERLY 80.92 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS SOUTH 84 DEGREES 08 MINUTES 36 SECONDS WEST 80.70 FEET; THENCE NORTH 88 DEGREES 36 MINUTES 46 SECONDS WEST 11.61 FEET; THENCE SOUTHWESTERLY 31.33 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 46 DEGREES 30 MINUTES 14 SECONDS WEST 28.23 FEET; THENCE SOUTHWESTERLY 79.62 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS SOUTH 08 DEGREES 44 MINUTES 52 SECONDS WEST 79.41 FEET; THENCE SOUTH 15 DEGREES 52 MINUTES 32 SECONDS WEST 123.59 FEET; THENCE SOUTHWESTERLY 43.28 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS SOUTH 11 DEGREES 26 MINUTES 50 SECONDS WEST 43.24 FEET; THENCE NORTH 82 DEGREES 58 MINUTES 52 SECONDS WEST 40.00 FEET; THENCE NORTHEASTERLY 49.46 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS, NON-TANGENTIAL, CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 11 DEGREES 26 MINUTES 50 SECONDS EAST 49.41 FEET; THENCE NORTH 15 DEGREES 52 MINUTES 32 SECONDS EAST 123.59 FEET; THENCE NORTHEASTERLY 69.42 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 08 DEGREES 46 MINUTES 22 SECONDS EAST 69.24 FEET; THENCE NORTHWESTERLY 31.42 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 43 DEGREES 36 MINUTES 46 SECONDS WEST 28.28 FEET; THENCE NORTH 88 DEGREES 36 MINUTES 46 SECONDS WEST 29.00 FEET; THENCE NORTH 01 DEGREE 23 MINUTES 14 SECONDS EAST 40.00 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 46 SECONDS EAST 122.12 FEET; THENCE EASTERLY 69.29 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 83 DEGREES 59 MINUTES 19 SECONDS EAST 69.12 FEET; THENCE NORTH 76 DEGREES 53 MINUTES 57 SECONDS EAST 83.29 FEET; THENCE NORTHEASTERLY 26.36 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 39 DEGREES 08 MINUTES 35 SECONDS EAST 24.49 FEET; THENCE NORTH 01 DEGREE 23 MINUTES 14 SECONDS EAST 51.53 FEET; THENCE NORTHERLY 37.61 FEET ALONG THE ARC OF A 145.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 06 DEGREES 02 MINUTES 37 SECONDS WEST 37.51 FEET; THENCE NORTH 13 DEGREES 28 MINUTES 28 SECONDS WEST 66.13 FEET; THENCE NORTHERLY 47.99 FEET ALONG THE ARC OF A 185.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 06 DEGREES 02 MINUTES 37 SECONDS WEST 47.85 FEET; THENCE NORTH 01 DEGREE 23 MINUTES 14 SECONDS EAST 10.05 FEET; THENCE NORTHWESTERLY 36.47 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 50 DEGREES 51 MINUTES 25 SECONDS WEST 31.63 FEET; THENCE SOUTH 76 DEGREES 53 MINUTES 57 SECONDS WEST 36.15 FEET; THENCE WESTERLY 78.50 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS SOUTH 84 DEGREES 22 MINUTES 12 SECONDS WEST 78.29 FEET; THENCE NORTH 88 DEGREES 36 MINUTES 36 SECONDS WEST 63.14 FEET; THENCE NORTH 01 DEGREE 23 MINUTES 24 SECONDS EAST 40.00 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 36 SECONDS EAST 63.15 FEET; THENCE EASTERLY 70.80 FEET ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 84 DEGREES 08 MINUTES 35 SECONDS EAST 70.61 FEET; THENCE NORTH 76 DEGREES 53 MINUTES 57 SECONDS EAST 52.31 FEET; THENCE NORTHEASTERLY 26.36 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 39 DEGREES 08 MINUTES 35 SECONDS EAST 24.49 FEET; THENCE NORTH 01 DEGREE 23 MINUTES 14 SECONDS EAST 15.20 FEET TO THE NORTH LINE OF BELLE MEADE COTTAGE LIVING AND THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2.85 +/- ACRES (124,275 +/- SQUARE FEET).



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Travis Krentz

P.S. No. 57885

BELLE MEADE COTTAGE LIVING			
IN NORTHEAST 1/4 OF SECTION 22, T.03S., R.12W.			
DATE	01-26-2017	DRAWN BY	VEF
SHEET	4 OF 4	JOB No.	1650928.5B

COVER SHEET

KALAMAZOO COUNTY CONDOMINIUM SUBDIVISION PLAN NO. _____
EXHIBIT "B" TO THE MASTER DEED OF:

BELLE MEADE COTTAGE LIVING

TEXAS TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN



DEVELOPER:
CLHH
7047 WEST Q AVENUE
KALAMAZOO, MICHIGAN 49009

SURVEYOR:
DRIESEN & ASSOCIATES, INC.
552 SOUTH 8th STREET
KALAMAZOO, MICHIGAN 49009

ENGINEER:
DRIESEN & ASSOCIATES, INC.
552 SOUTH 8th STREET
KALAMAZOO, MICHIGAN 49009
(WATER AND SEWER)

ENGINEER:
BOSCH ARCHITECTURE
8065 VINEYARD PARKWAY
KALAMAZOO, MICHIGAN 49009
(SITE)

DESCRIPTION OF BELLE MEADE COTTAGE LIVING

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 22, TOWN 03 SOUTH, RANGE 12 WEST, TEXAS TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 22, TOWN, 03 SOUTH, RANGE 12 WEST; THENCE ALONG THE NORTH LINE OF SECTION 22, SOUTH 89 DEGREES 15 MINUTES 50 SECONDS EAST 1023.87 FEET (ALSO RECORDED IN THE PLAT OF TEXAS HEIGHTS NO. 2 AS NORTH 89 DEGREES 50 MINUTES 24 SECONDS EAST 1024.04 FEET) TO THE NORTHERLY EXTENSION OF THE MONUMENTED EAST LINE OF THE PLAT OF TEXAS HEIGHTS NO. 2; THENCE ALONG SAID EAST LINE AND THE NORTHERLY EXTENSION THEREOF, SOUTH 01 DEGREE 22 MINUTES 49 SECONDS WEST 543.06 FEET (ALSO RECORDED IN THE PLAT OF TEXAS HEIGHTS NO. 2 AS PARALLEL WITH THE EAST LINE OF SECTION 22, SOUTH 00 DEGREES 29 MINUTES 42 SECONDS WEST) FOR THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 37 MINUTES 01 SECONDS EAST 678.95 FEET TO THE WEST LINE OF LANDS DESCRIBED IN A WARRANTY DEED RECORDED IN LIBER 2018 PAGE 626 KALAMAZOO COUNTY RECORDS; THENCE ALONG SAID WEST LINE, SOUTH 01 DEGREE 23 MINUTES 00 SECONDS WEST 253.06 FEET (ALSO RECORDED IN SAID WARRANTY DEED AS PARALLEL WITH THE EAST LINE OF SECTION 22); THENCE SOUTH 88 DEGREES 37 MINUTES 01 SECONDS EAST 298.02 FEET; THENCE NORTH 01 DEGREE 22 MINUTES 26 SECONDS EAST 66.65 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES 50 SECONDS EAST 40.00 FEET TO THE EAST LINE OF LANDS DESCRIBED IN A WARRANTY DEED RECORDED IN LIBER 2018 PAGE 626 KALAMAZOO COUNTY RECORDS; THENCE ALONG SAID EAST LINE, SOUTH 01 DEGREE 22 MINUTES 26 SECONDS WEST 357.28 FEET (ALSO RECORDED IN SAID WARRANTY DEED AS PARALLEL WITH THE EAST LINE OF SECTION 22); THENCE SOUTH 88 DEGREES 35 MINUTES 59 SECONDS EAST 338.58 FEET; THENCE PARALLEL WITH THE EAST LINE OF SECTION 22 SOUTH 01 DEGREE 23 MINUTES 14 SECONDS WEST 200.21 FEET TO THE MONUMENTED NORTH LINE OF LOT THREE OF THE PLAT OF TEXAS HEIGHTS AS RECORDED IN LIBER 39, PAGE 3, KALAMAZOO COUNTY RECORDS; THENCE ALONG THE MONUMENTED NORTH LINE OF LOTS THREE THROUGH THIRTEEN OF SAID PLAT, NORTH 88 DEGREES 37 MINUTES 01 SECONDS WEST 1355.54 FEET (ALSO RECORDED IN THE PLAT OF TEXAS HEIGHTS AS PERPENDICULAR TO THE EAST LINE OF SECTION 22, NORTH 89 DEGREES 30 MINUTES 18 SECONDS WEST) TO A FOUND CONCRETE MONUMENT AND THE EAST LINE OF THE PLAT OF TEXAS HEIGHTS NO. 2; THENCE ALONG SAID MONUMENTED EAST LINE, NORTH 01 DEGREE 22 MINUTES 49 SECONDS EAST 743.56 FEET (ALSO RECORDED IN THE PLAT OF TEXAS HEIGHTS NO. 2 AS PARALLEL WITH THE EAST LINE OF SECTION 22, NORTH 00 DEGREES 29 MINUTES 42 SECONDS EAST) TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS +/- 17.01 ACRES (741,114 SF) MORE OR LESS. SUBJECT TO EASEMENTS AND RESTRICTIONS APPARENT AND OF RECORD.

ATTENTION COUNTY REGISTER OF DEEDS:
THE CONDOMINIUM SUBDIVISION PLAN
NUMBER MUST BE ASSIGNED IN
CONSECUTIVE SEQUENCE. WHEN A
NUMBER HAS BEEN ASSIGNED TO THIS
PROJECT IT MUST BE PROPERLY SHOWN
ON THIS SHEET AND IN THE SURVEYOR'S
CERTIFICATE ON SHEET 2-5.

SHEET INDEX

1. COVER SHEET
2. SURVEY PLAN OVERVIEW
3. SURVEY PLAN NORTH
4. SURVEY PLAN SOUTHWEST
5. SURVEY PLAN SOUTHEAST
6. SITE PLAN
7. UTILITY PLAN



5/19/2017

TRAVIS KRENTZ P.S. NO. 57885 DATE
DRIESEN & ASSOCIATES, INC.
552 SOUTH 8TH STREET
KALAMAZOO, MICHIGAN, 49009

PROPOSED DATED 01-26-2017

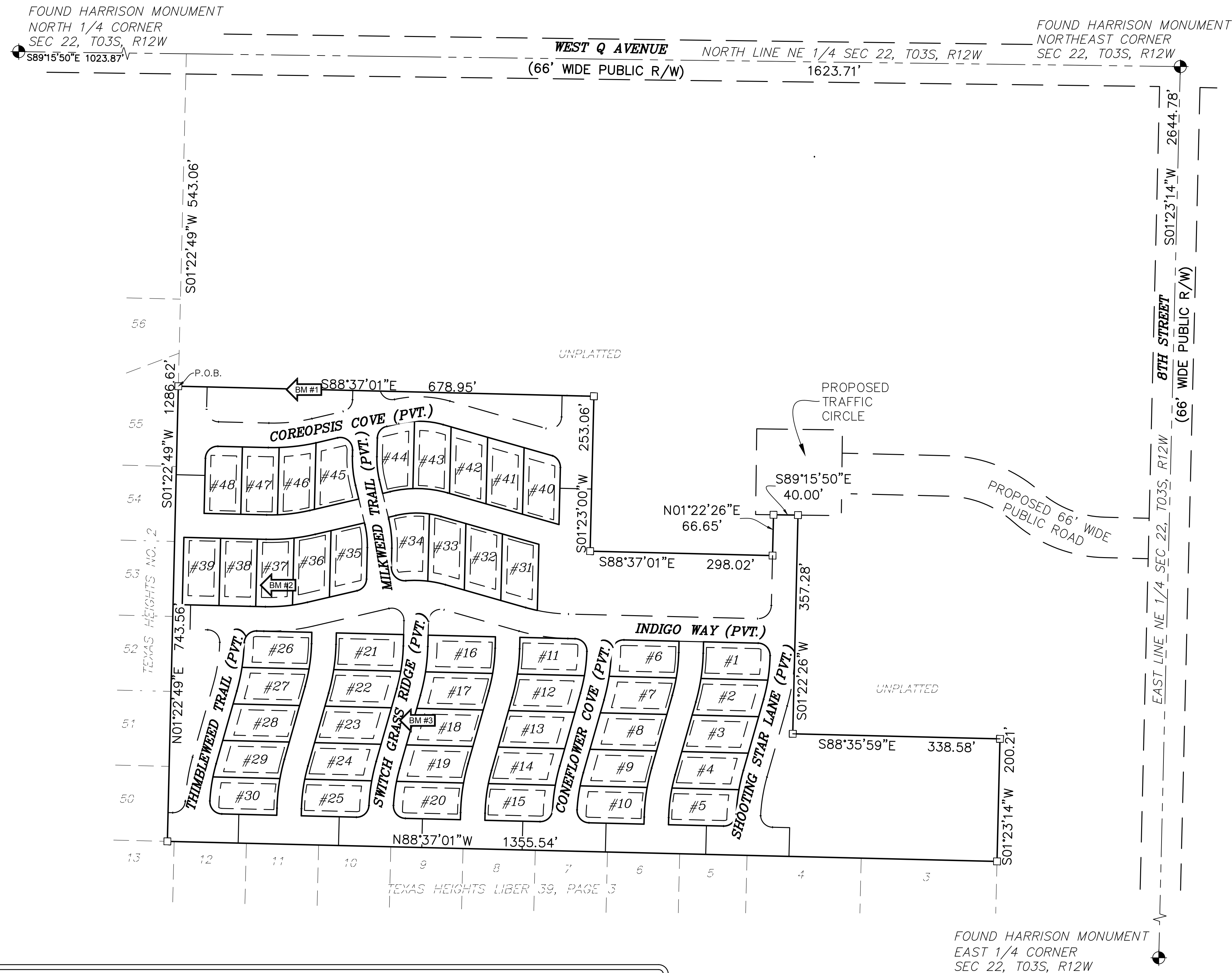
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BELLE MEADE COTTAGE LIVING
SEC. 22, T03S, R12W TEXAS TWP. KALAMAZOO CO.
BOSCH ARCHITECTURE
8065 WINEYARD PARKWAY
KALAMAZOO, MICHIGAN 49009

Designed By:	
Drawn By: VEF	
Checked By:	Date:
Plot:	
N/A	
Scale:	
01-26-201	
Date:	
1650928.5B	
Job No.:	
Sheet No.:	

1 of 1

SURVEY PLAN OVERVIEW



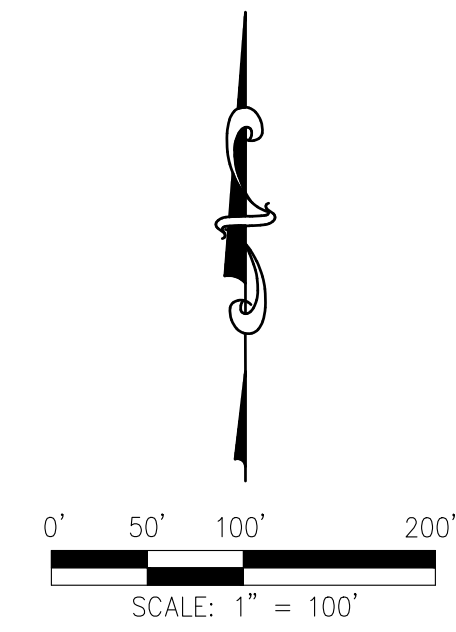
BM #1 EL= 913.65' (NAVD '88 DATUM)
COMMON SPIKE SET IN NORTH SIDE OF 14" OAK TREE, LOCATED ±546 FEET
SOUTH OF THE CENTERLINE OF Q AVENUE AND ±175 EAST OF THE POINT OF
BEGINNING.

BM #2 EL= 915.11' (NAVD '88 DATUM)
COMMON SPIKE SET IN NORTH SIDE OF 18" PINE TREE, LOCATED ±866 FEET
SOUTH OF THE CENTERLINE OF Q AVENUE AND ±140 FEET EAST OF THE EAST
LINE OF TEXAS HEIGHTS NO. 2.

BM #3 EL= 915.17' (NAVD '88 DATUM)
COMMON SPIKE SET IN NORTHWEST SIDE OF 18" OAK TREE, LOCATED ±1084 FEET
SOUTH OF THE CENTERLINE OF Q AVENUE, ±375 FEET EAST OF THE EAST LINE
OF TEXAS HEIGHTS NO. 2, AND 205 FEET NORTH OF THE NORTH LINE OF TEXAS
HEIGHTS.

LEGEND

SET CONCRETE MONUMENT
SECTION CORNER
BENCHMARK
LIMITS OF OWNERSHIP



GENERAL NOTES:

1. BEARINGS ARE BASED ON AN ASSUMED BEARING OF S89°15'50"E ON THE NORTH LINE OF NORTHEAST 1/4 OF SECTION 22, TOWN 03 SOUTH, RANGE 12 WEST.
2. COORDINATES ARE BASED ON AN ASSUMED DATUM WITH THE ORIGIN BEING LOCATED AT THE NORTHEAST CORNER OF SECTION 22, TOWN 03 SOUTH, RANGE 12 WEST WITH A NORTHING OF 10,000.00 AND AN EASTING OF 10,000.000.
3. PUBLIC UTILITY SERVICES WITHIN THE PROJECT "MUST BE BUILT".
4. ACCESS TO THE CONDOMINIUM WILL BE PROVIDED BY A PROPOSED PUBLIC ROAD FROM SOUTH 8TH STREET.
5. THE FOLLOWING UNITS AND ALL APPURTENANT FEATURES SERVING THEM "MUST BE BUILT": 1 THROUGH 48.

SURVEYOR'S CERTIFICATE:

I, TRAVIS KRENTZ, PROFESSIONAL SURVEYOR OF THE STATE OF MICHIGAN HEREBY CERTIFY:

THAT THE SUBDIVISION PLAN KNOWN AS BELLE MEADE COTTAGE LIVING, KALAMAZOO COUNTY CONDOMINIUM SUBDIVISION PLAN NO. _____, AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION.

THAT THERE ARE NO EXISTING ENCROACHMENTS UPON THE LANDS AND
THE PROPERTY HEREIN DESCRIBED.

THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN
LOCATED IN THE GROUND AS REQUIRED BY RULES PROMULGATED UNDER
SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978.

THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978.

THAT THE BEARINGS, AS SHOWN, ARE NOTED ON THE SURVEY PLAN AS
REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NO.
59 OF THE PUBLIC ACTS OF 1978.



5/19/2017

Travis Kutz

TRAVIS KRENTZ P.S. NO. 57885 DATE
DRIESEN & ASSOCIATES, INC.
552 SOUTH 8TH STREET
KALAMAZOO, MICHIGAN, 49009

PROPOSED DATED 01-26-2017

Designed By:	
Drawn By:	
VEF	
Checked By:	Date:
Plot: 1" = 100' Scale: 01-26-2017 Date: 1650928.5B Job No.:	
Sheet No.:	

DEBBIE MERRILL COTTAGE LIVING
SEC. 22, T03S, R12W TEXAS TWP., KALAMAZOO CO.
BOSCH ARCHITECTURE
8065 VINEYARD PARKWAY
KALAMAZOO, MICHIGAN 49009

[illegible]

 **DRIESENGA & ASSOCIATES, INC.**

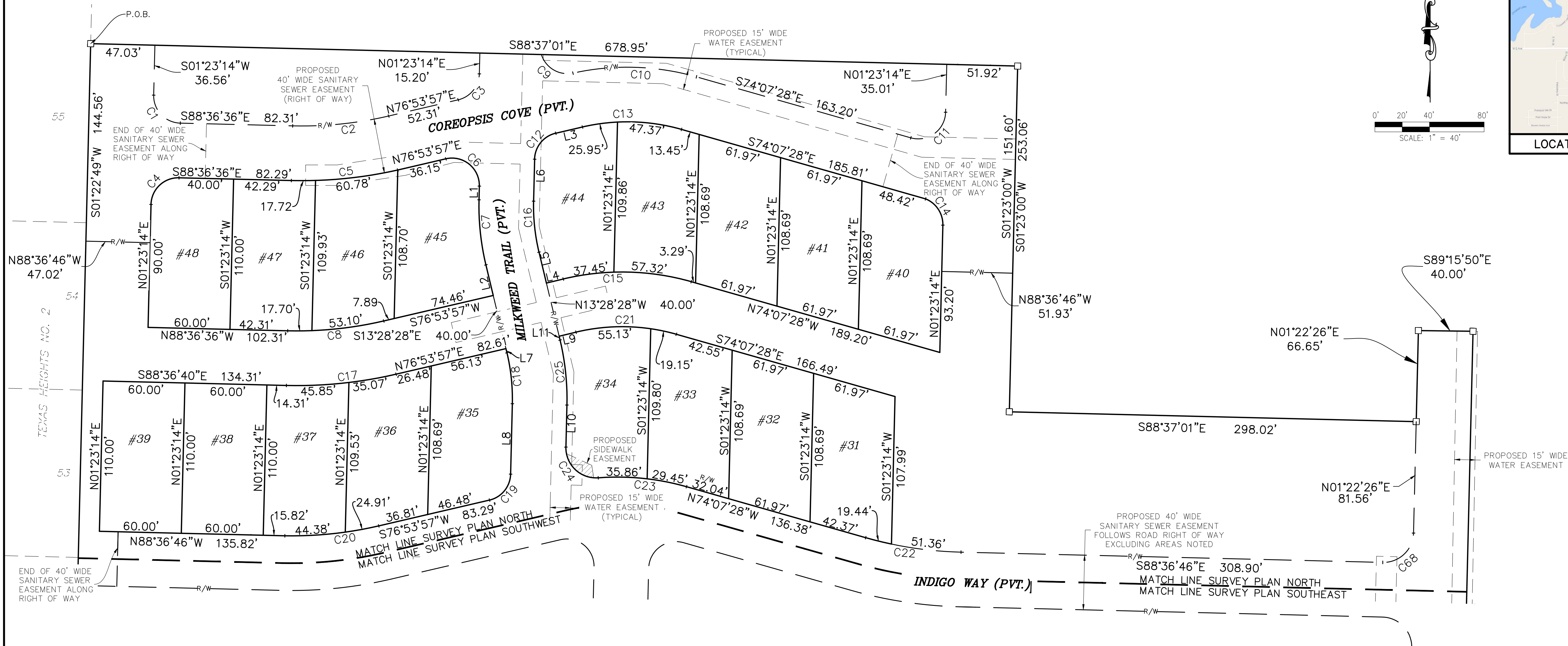
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SURVEY PLAN NORTH

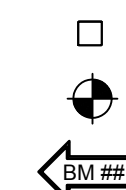


CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	31.41'	20.00'	S43°36'39"E	28.28'
C2	70.80'	280.00'	N84°08'35"E	70.61'
C3	26.36'	20.00'	N39°08'35"E	24.49'
C4	31.42'	20.00'	N46°23'14"E	28.28'
C5	78.50'	320.00'	N84°22'12"E	78.29'
C6	36.47'	20.00'	S50°51'25"E	31.63'
C7	47.99'	185.00'	S06°02'37"E	47.85'
C8	70.80'	280.00'	S84°08'35"W	70.61'
C9	29.34'	20.00'	S59°33'24"E	26.79'
C10	91.41'	185.00'	S88°16'46"E	90.48'
C11	36.47'	20.00'	N53°37'53"E	31.63'
C12	26.36'	20.00'	N39°08'35"E	24.49'
C13	73.32'	145.00'	S88°36'46"E	72.55'
C14	24.44'	20.26'	S33°24'23"E	22.99'
C15	94.77'	185.00'	N88°47'58"W	93.73'
C16	37.61'	145.00'	N06°02'37"W	37.51'
C17	80.92'	320.00'	N84°08'35"E	80.70'
C18	37.61'	145.00'	N06°02'37"W	37.51'
C19	26.36'	20.00'	S39°08'35"W	24.49'
C20	69.29'	280.00'	S83°59'19W	69.12'
C21	74.28'	145.00'	S88°47'58"E	73.47'
C22	70.80'	280.00'	N81°22'07"W	70.61'
C23	65.31'	185.00'	N84°14'17"W	64.97'
C24	36.76'	22.00'	N46°28'56"W	32.63'
C25	47.99'	185.00'	N06°02'37"W	47.85'
C68	34.56'	22.00'	N46°22'50"E	31.12'

LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	S01°23'14"W	10.05'
L2	S13°28'28"E	23.01'
L3	N76°53'57"E	20.06'
L4	S76°31'32"W	12.69'
L5	N13°28'28"W	23.27'
L6	N01°23'14"E	30.72'
L7	S13°28'28"E	3.12'
L8	S01°23'14"W	5.153'
L9	N76°31'32"E	12.69'
L10	N01°23'14"E	30.77'
L11	N13°28'28"W	2.86'

LEGEND

SET CONCRETE MONUMENT
SECTION CORNER
BENCHMARK
LIMITS OF OWNERSHIP



Travis Kutz

5/19/2017

TRAVIS KRENTZ P.S. NO. 57885 DATE
DRIESEN & ASSOCIATES, INC.
552 SOUTH 8TH STREET
KALAMAZOO, MICHIGAN, 49009

PROPOSED DATED 01-26-2017

GENERAL NOTES:

1. BEARINGS ARE BASED ON AN ASSUMED BEARING OF S89°15'50"E ON THE NORTH LINE OF NORTHEAST 1/4 OF SECTION 22, TOWN 03 SOUTH, RANGE 12 WEST.
2. COORDINATES ARE BASED ON AN ASSUMED DATUM WITH THE ORIGIN BEING LOCATED AT THE NORTHEAST CORNER OF SECTION 22, TOWN 03 SOUTH, RANGE 12 WEST WITH A NORTHING OF 10,000.00 AND AN EASTING OF 10,000.000.
3. PUBLIC UTILITY SERVICES WITHIN THE PROJECT "MUST BE BUILT".
4. ACCESS TO THE CONDOMINIUM WILL BE PROVIDED BY A PROPOSED PUBLIC ROAD FROM SOUTH 8TH STREET.
5. THE FOLLOWING UNITS AND ALL APPURTENANT FEATURES SERVING THEM "MUST BE BUILT": 1 THROUGH 48.



BELLE MEADE COTTAGE LIVING
SEC. 22, T03S, R12W TEXAS TWP., KALAMAZOO CO.
BOSCH ARCHITECTURE
8065 VINEYARD PARKWAY
KALAMAZOO, MICHIGAN 49009

Designed By:	
Drawn By:	
VEF	
Checked By:	Date:
Plot:	
1" = 40'	
Scale:	
01-26-2017	
Date:	
1650928.5B	
Job No.:	
Sheet No.:	

3 of 7

REVISIONS

1 REVISED 05-19-2017 ADDED
30" WIDE SANITARY SEWER
EASEMENT ALONG CLUBHOUSE
DRIVE. REFER TO SHEET 5 &

[illegible]

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Detroit, MI - 734-368-9483

LOCATION MAP — NO SCALE

LOCATION MAP – NO SCALE

0' 20' 40' 80'

SCALE: 1" = 40'

N01°22'26"1
81.56'

S88°37'01"E 298.02'

PROPOSED 40' WIDE
SANITARY SEWER EASEMENT
FOLLOWS ROAD RIGHT OF WAY
EXCLUDING AREAS NOTED

S88°36'46"E 308.90'
MATCH LINE SURVEY PLAN NORTH
MATCH LINE SURVEY PLAN SOUTHEAST

INDIGO WAY (PVT.)

PROPOSED 15' WIDE
- WATER EASEMENT
(TYPICAL)

PROPOSED
40' WIDE SANITARY
SEWER EASEMENT
(RIGHT OF WAY)

COREOPSIS COVE (PVT.)

TRAIL (PVT.)

36.81 83.29
S76°53'57"W
MATCH LINE SURVEY PLAN NORTH
MATCH LINE SURVEY PLAN SOUTHWEST

END OF 40' WIDE
SANITARY SEWER
EASEMENT ALONG
RIGHT OF WAY

TELEPHONE

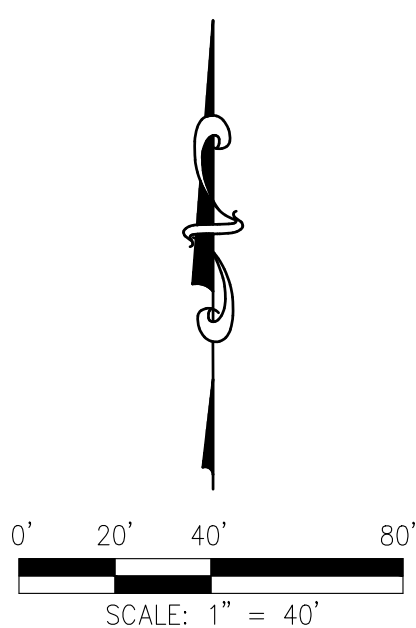
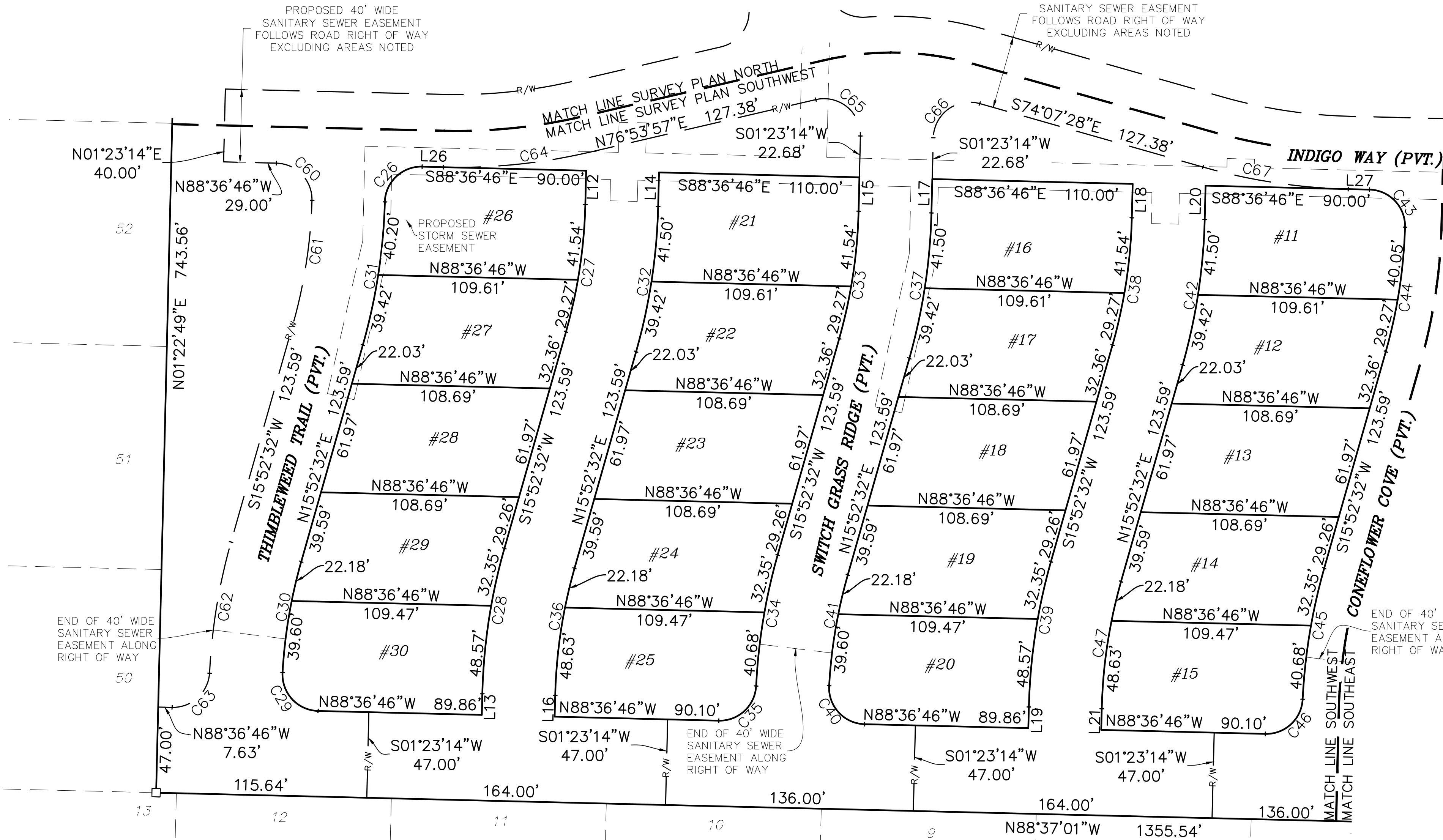
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55

5.

File Name: N:\Kalamazoo Replicated\Projects\2016\1650928.5B Texas Corners Site Condo\dwg\1650928-CONDO LAYOUT 2016-12-20.dwg Last Saved: 8/3/2017 9:15:08 AM

SURVEY PLAN SOUTHWEST



GENERAL NOTES:

1. BEARINGS ARE BASED ON AN ASSUMED BEARING OF S89°15'50"E ON THE NORTH LINE OF NORTHEAST 1/4 OF SECTION 22, TOWN 03 SOUTH, RANGE 12 WEST.
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1 THROUGH 48.

SURVEYOR'S CERTIFICATE:

I, TRAVIS KRENTZ, PROFESSIONAL SURVEYOR OF THE STATE OF MICHIGAN HEREBY CERTIFY:

THAT THE SUBDIVISION PLAN KNOWN AS BELLE MEADE COTTAGE LIVING, KALAMAZOO COUNTY CONDOMINIUM SUBDIVISION PLAN NO. _____, AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION.

THAT THERE ARE NO EXISTING ENCROACHMENTS UPON THE LANDS AND THE PROPERTY
HEREIN DESCRIBED.

THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978.

THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978.

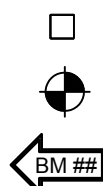
THAT THE BEARINGS, AS SHOWN, ARE NOTED ON THE SURVEY PLAN AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978.

CURVE	LENGTH	RADIUS	BEARING	CHORD
C26	31.33'	20.00'	N46°30'14"E	28.23'
C27	70.81'	280.00'	S08°37'53"W	70.61'
C28	80.92'	320.00'	S08°37'53"W	80.70'
C29	32.06'	20.00'	N42°41'20"W	28.74'
C30	61.78'	280.00'	N09°33'19"E	61.65'
C31	79.62'	320.00'	N08°44'52"E	79.41'
C32	80.92'	320.00'	N08°37'53"E	80.70'
C33	70.81'	280.00'	S08°37'53"W	70.61'
C34	73.03'	320.00'	S09°20'16W	72.87'
C35	30.92'	20.00'	S47°05'37"W	27.93'
C36	70.81'	280.00'	N08°37'53"E	70.61'
C37	80.92'	320.00'	N08°37'53"E	80.70'
C38	70.81'	280.00'	S08°37'53"W	70.61'
C39	80.92'	320.00'	S08°37'53"W	80.70'
C40	32.06'	20.00'	N42°41'20"W	28.74'
C41	61.78'	280.00'	N09°33'19"E	61.65'
C42	80.92'	320.00'	N08°37'53"E	80.70'
C43	31.52'	20.00'	S43°27'37"E	28.36'
C44	69.25'	280.00'	S08°47'25"W	69.07'
C45	73.03'	320.00'	S09°20'16W	72.87'
C46	30.92'	20.00'	S47°05'37"W	27.93'
C47	70.81'	280.00'	N08°37'53"W	70.61'
C60	31.42'	20.00'	S43°36'46"E	28.28'
C61	69.42'	280.00'	S08°46'22"W	69.24'
C62	73.29'	320.00'	S09°18'51"W	73.13'
C63	30.70'	20.19'	S47°38'22"W	27.83'
C64	80.92'	320.00'	N84°08'36"E	80.70'
C65	36.47'	20.00'	S50°51'25"E	31.63'
C66	36.47'	20.00'	N53°37'53"E	31.63'
C67	81.07'	320.00'	S81°21'17"E	80.86'

LINE TABLE		
LINE NO.	BEARING	LENGTH
L12	S01°23'14"W	18.62'
L13	S01°23'14"W	11.62'
L14	N01°23'14"E	18.62'
L15	S01°23'14"W	41.30'
L16	N01°23'14"E	11.62'
L17	N01°23'14"E	41.30'
L18	S01°23'14"W	18.62'
L19	S01°23'14"W	11.62'
L20	N01°23'14"E	18.62'
L21	N01°23'14"E	11.62'
L26	N88°36'46"W	11.61'
L27	N88°36'46"W	11.46'

LEGEND

SET CONCRETE MONUMENT
SECTION CORNER
BENCHMARK
LIMITS OF OWNERSHIP



Travis Kutz

5/19/2017

TRAVIS KRENTZ P.S. NO. 57885 DATE
DRIESEN & ASSOCIATES, INC.
552 SOUTH 8TH STREET
KALAMAZOO, MICHIGAN, 49009

PROPOSED DATED 01-26-2017

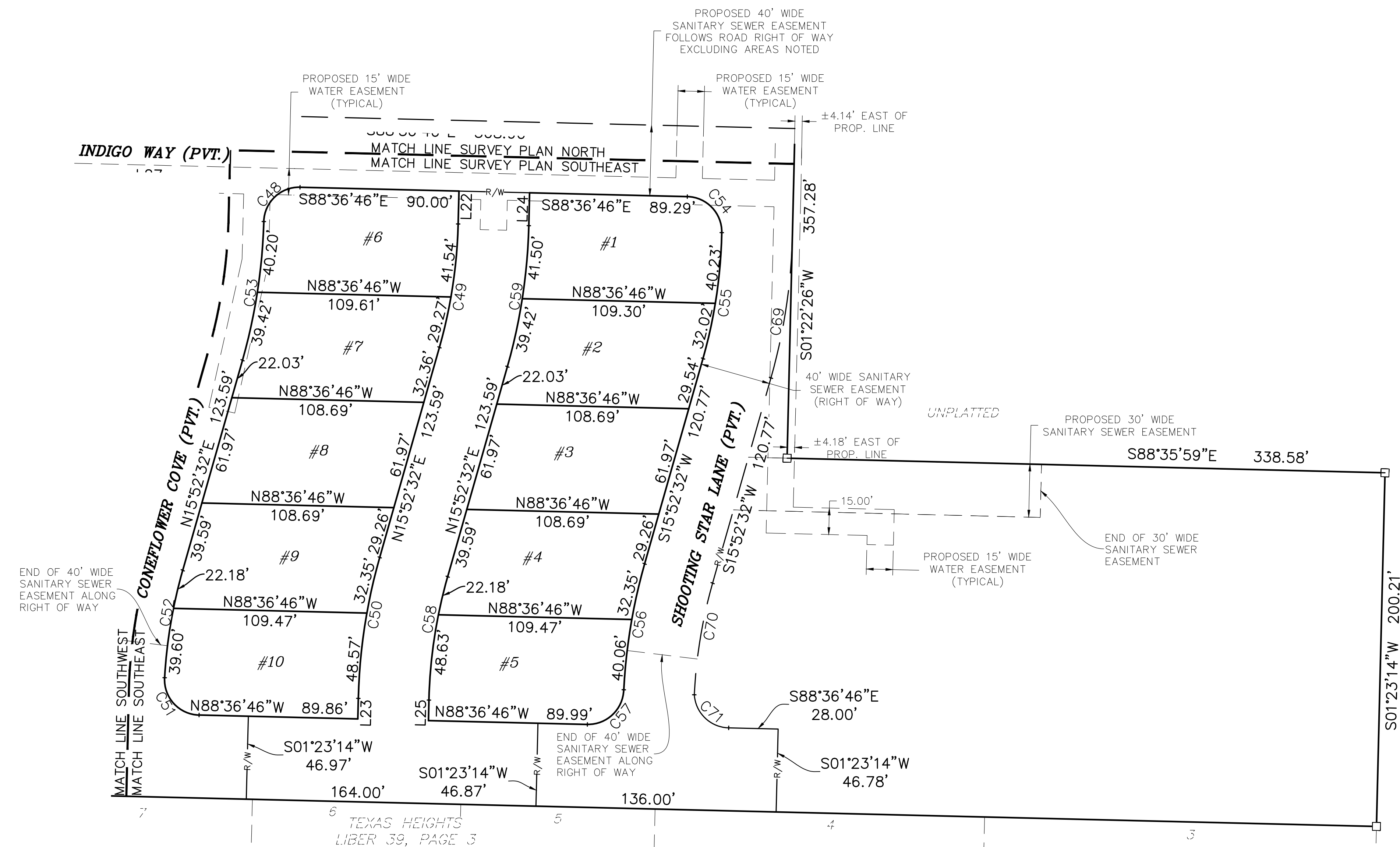
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BELLE MEADE COTTAGE LIVING
SECT. 22, T03S, R12W TEXAS TWP., KALAMAZOO CO.
BOSCH ARCHITECTURE
8065 VINEYARD PARKWAY
KALAMAZOO, MICHIGAN 49009
CONDOMINIUM SURVEY PLAN SOUTHWEST



Designed By:	
Drawn By:	
VEF	
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Plot:	
1" = 40'	
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01-26-2017	
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1650928.5B	
Job No.:	
Sheet No.:	

SURVEY PLAN SOUTHEAST

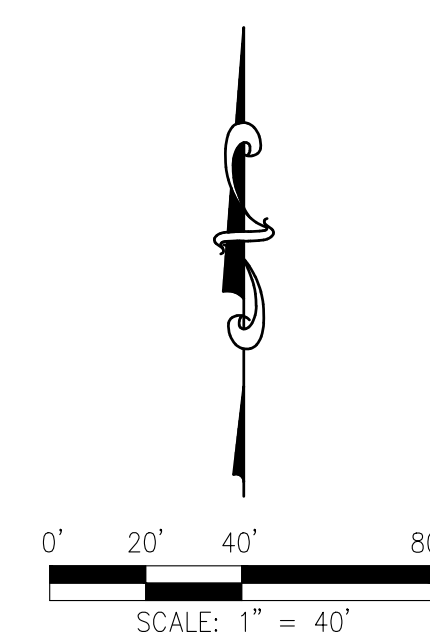
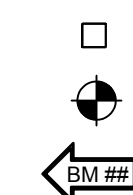


CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C48	31.33'	20.00'	N46°30'14"E	28.23'
C49	70.81'	280.00'	S08°37'53"W	70.61'
C50	80.92'	320.00'	S08°37'53"W	80.70'
C51	32.06'	20.00'	N42°41'20"E	28.74'
C52	61.78'	280.00'	N09°33'19"E	61.65'
C53	79.62'	320.00'	N08°44'52"E	79.41'
C54	31.31'	20.00'	S43°45'39"E	28.21'
C55	72.25'	280.00'	S08°28'59"W	72.05'
C56	72.41'	320.00'	S09°23'35"W	72.25'
C57	31.58'	20.19'	S46°23'16"W	28.46'
C58	70.81'	280.00'	N08°37'53"E	70.61'
C59	80.92'	320.00'	N08°37'53"E	80.70'
C68	34.56'	22.00'	N46°23'13"E	31.11'
C69	80.99'	320.00'	S08°37'29"W	80.78'
C70	64.19'	280.00'	S09°18'30"W	64.04'
C71	29.65'	20.00'	S46°08'48"E	27.01'

LINE TABLE		
LINE NO.	BEARING	LENGTH
L22	S01°23'14"W	18.62'
L23	S01°23'14"W	11.62'
L24	N01°23'14"E	18.62'
L25	N01°23'14"E	11.62'

LEGEND

SET CONCRETE MONUMENT
SECTION CORNER
BENCHMARK
LIMITS OF OWNERSHIP



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5/19/2017

Travis Kutz

TRAVIS KRENTZ P.S. NO. 57885 DATE
DRIESEN & ASSOCIATES, INC.
552 SOUTH 8TH STREET
KALAMAZOO, MICHIGAN, 49009

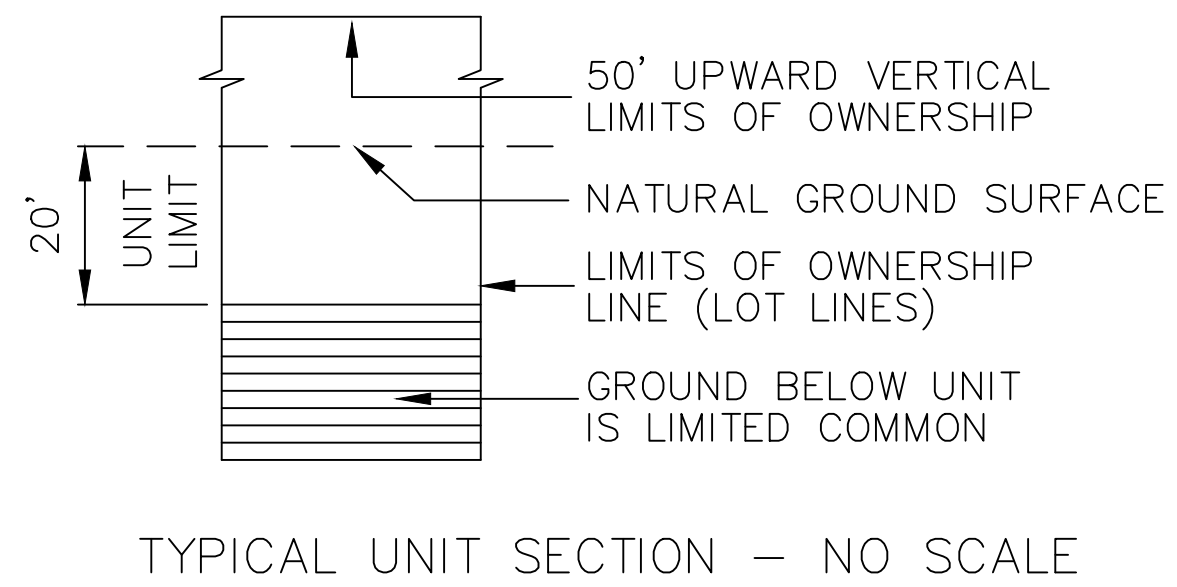
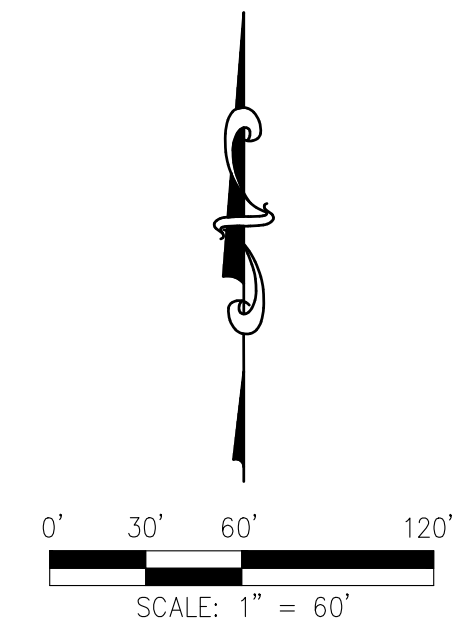
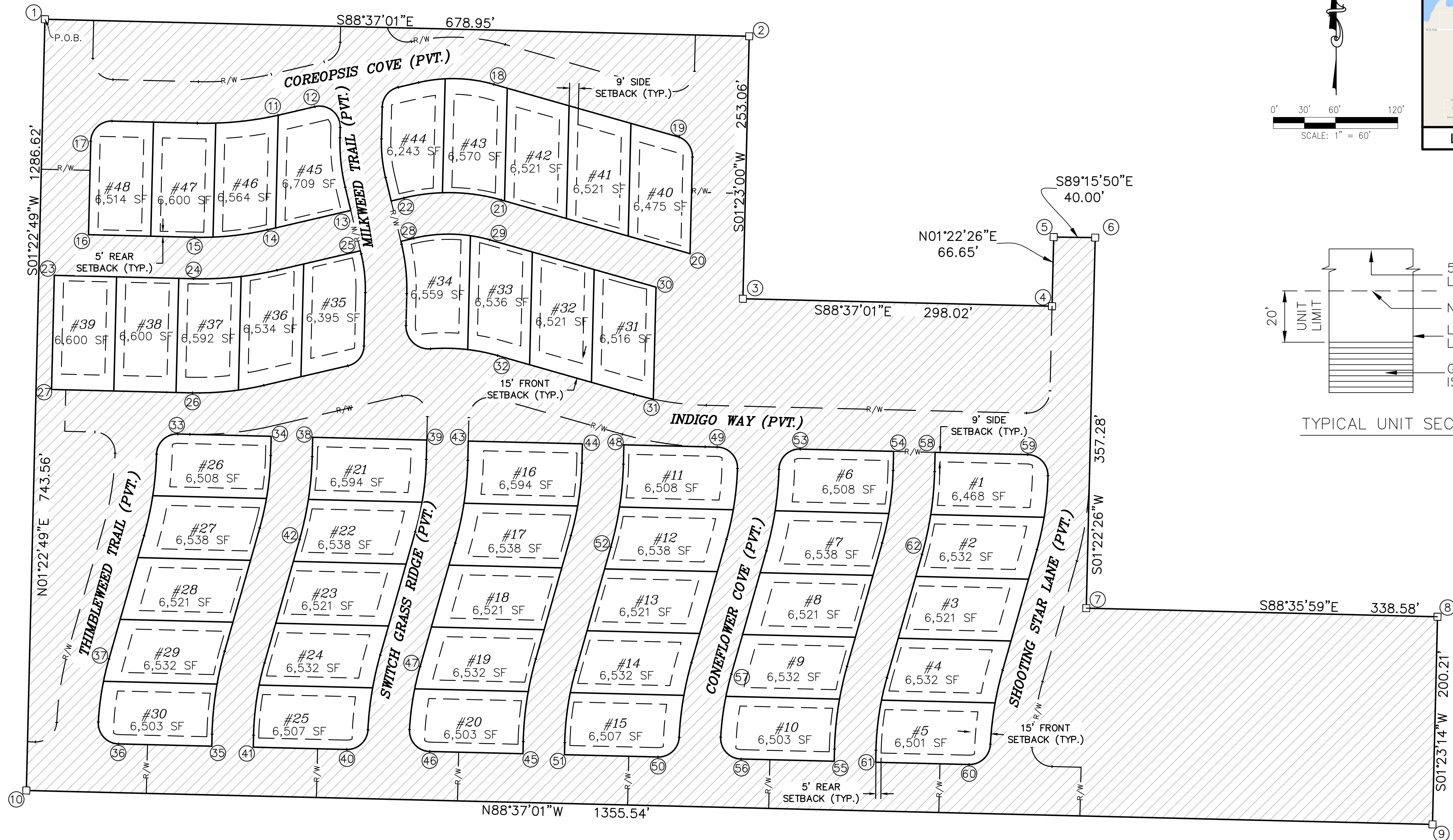
PROPOSED DATED 01-26-2017

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BOSCH ARCHITECTURE
8065 VINEYARD PARKWAY
KALAMAZOO, MICHIGAN 49009
CONDOMINIUM SURVEY PLAN SOUTHEAST

Designed By:	
Drawn By:	
VEF	
Checked By:	Date:
Plot:	
1" = 40'	
Scale:	
01-26-2017	
Date:	
1650928.5B	
Job No.:	
Sheet No.:	

SITE PLAN



COORDINATE TABLE		
CURVE	NORTHING	EASTING
1	9477.9548	8363.3462
2	9461.5661	9042.1013
3	9208.5788	9035.9916
4	9201.3852	9333.9231
5	9268.0144	9335.5210
6	9267.5005	9375.5202
7	8910.3211	9366.9545
8	8902.0470	9705.4315
9	8701.8950	9700.5845
10	8734.6153	8345.4354
11	9385.4991	8588.2068
12	9393.6826	8623.4116
13	9293.7124	8658.0951
14	9275.0464	8577.8888
15	9267.8406	8507.6432
16	9270.3214	8405.3648
17	9360.2950	8407.5436
18	9415.2031	8795.9618
19	9364.3737	8974.6907
20	9252.0132	8985.0915
21	9303.7689	8803.1055
22	9305.7327	8709.3920
23	9231.1078	8372.4058

COORDINATE TABLE		
CURVE	NORTHING	EASTING
24	9227.8523	8506.6749
25	9254.8126	8667.4158
26	9117.8520	8505.5215
27	9121.1401	8369.7428
28	9266.8337	8718.7125
29	9265.2945	8792.1637
30	9219.7525	8952.3008
31	9111.7947	8949.6865
32	9153.7654	8799.6409
33	9078.1814	8491.4345
34	9076.0025	8581.4109
35	8777.3009	8524.1627
36	8779.4765	8434.3243
37	8861.3916	8425.0737
38	9075.0341	8621.3992
39	9072.3711	8731.3669
40	8774.1512	8654.2280
41	8776.3325	8564.1510
42	8976.6350	8608.8370
43	9071.4027	8771.3552
44	9068.7397	8881.3230
45	8770.0381	8824.0748
46	8772.2136	8734.2363

COORDINATE TABLE			
CURVE		NORTHING	EASTING
47	8854.1287	8724.9858	
48	9067.7713	8921.3112	
49	9065.5925	9011.2812	
50	8766.8883	8954.1400	
51	8769.0697	8864.0631	
52	8969.3722	8908.7491	
53	9063.6557	9091.2586	
54	9061.4768	9181.2350	
55	8762.7752	9123.9869	
56	8764.9508	9034.1484	
57	8846.8659	9024.8978	
58	9060.5084	9221.2233	
59	9058.3468	9310.4887	
60	8759.6283	9253.9365	
61	8761.8068	9163.9751	
62	8962.1094	9208.6612	
NORTH 1/4 CORNER SEC 22,T03S,R12W		10034.0119	7352.6442
NORTHEAST CORNER SEC 22,T03S,R12W		10000.0000	10000.0000
EAST 1/4 CORNER SEC 22,T03S,R12W		7355.992	9935.9715

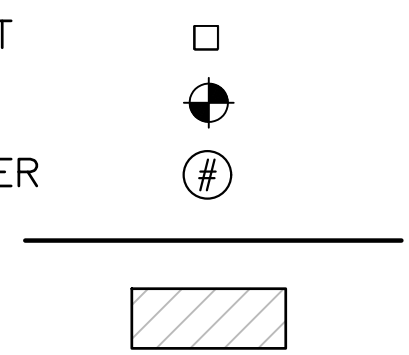
*NOTE: REFER TO SURVEY PLAN OVERVIEW FOR

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6. UNIT SQUARE FOOTAGE SHOWN ON SITE PLAN EXTENDS TO LIMITS OF OWNERSHIP.

LEGEND

SET CONCRETE MONUMENT
SECTION CORNER
POINT COORDINATE NUMBER
LIMITS OF OWNERSHIP —
GENERAL COMMON AREA



Travis Kutz

A circular professional seal for Travis Adam Krentz, a Professional Surveyor in the State of Michigan. The seal features a double-lined border with the words "STATE OF MICHIGAN" at the top and "LICENSED PROFESSIONAL SURVEYOR" at the bottom, separated by two stars. The center of the seal contains the text: "TRAVIS ADAM KRENTZ", "PROFESSIONAL SURVEYOR", "No.", and "4001057685".

5/19/2017

TRAVIS KRENTZ P.S. NO. 57885 DATE
DRIESEN & ASSOCIATES, INC.
552 SOUTH 8TH STREET
KALAMAZOO, MICHIGAN, 49009
PROPOSED DATED 01-26-2017

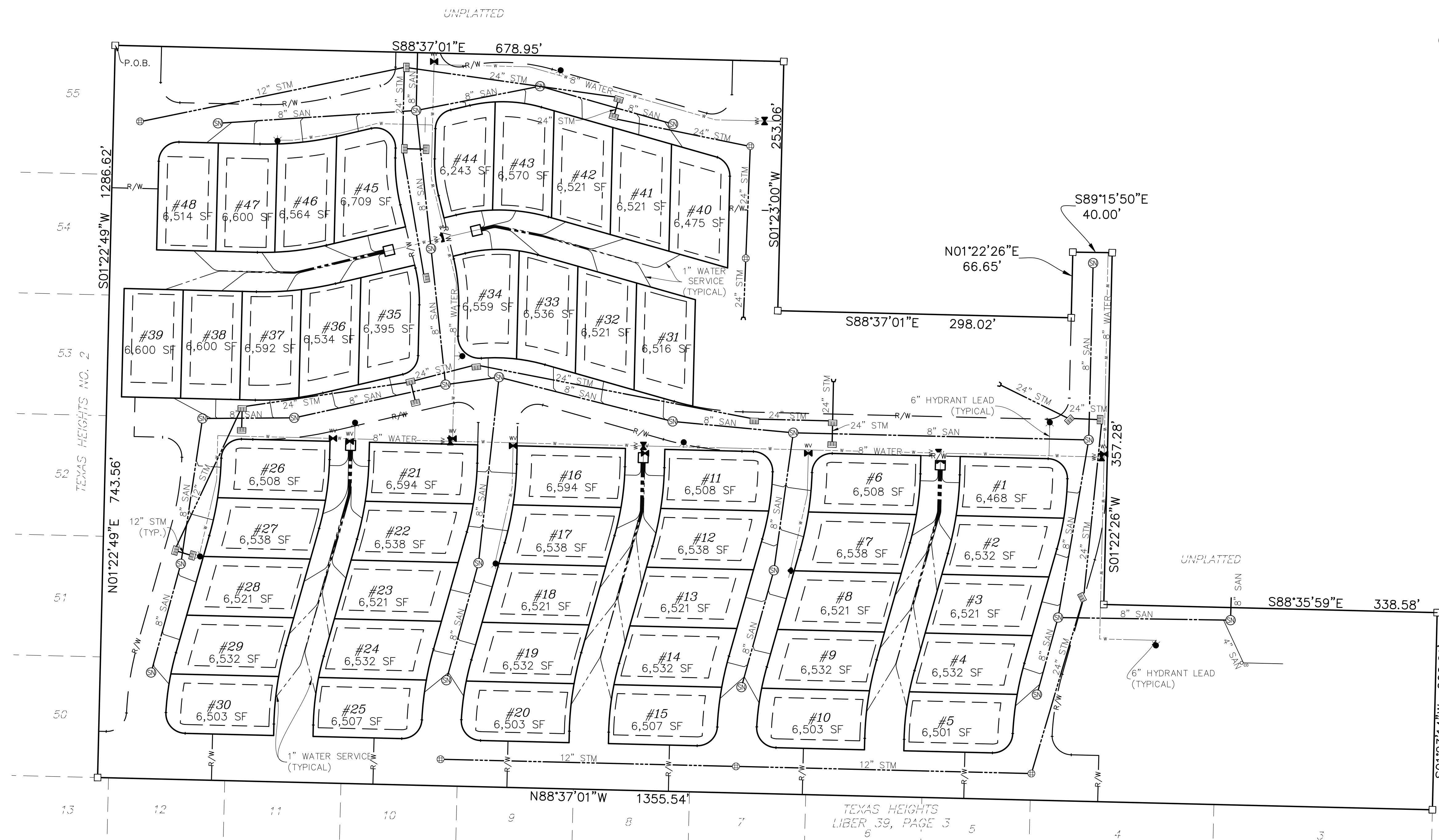
REVISIONS	
1	REVISED 05-19-2017 ADDED 30' WDE SANITARY SEWER EASEMENT ALONG CLUBHOUSE DRIVE. REFER TO SHEET 5 & 7

BELLE MEADE COTTAGE LIVING
SEC. 22, T03S, R12W TEXAS TWP., KALAMAZOO CO.
BOSCH ARCHITECTURE
8065 VINEYARD PARKWAY
KALAMAZOO, MICHIGAN 49009

Designed By:	
Drawn By:	
VEF	
Checked By:	Date:
Plot:	
1" = 60'	
Scale:	
01-26-2017	
Date:	
1650928.5B	
Job No.:	
Sheet No.:	

6 of 7

UTILITY PLAN



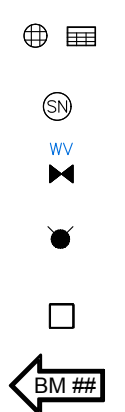
0' 30' 60' 120'

SCALE: 1" = 60'



LEGEND

STORM CATCH BASIN
SANITARY MANHOLE
WATER VALVE
FIRE HYDRANT
SET CONCRETE MONUMENT
BENCHMARK
LIMITS OF OWNERSHIP



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6. REFER TO SURVEY PLAN FOR ROAD NAMES.

Travis Kutz

5/19/2017

TRAVIS KRENTZ P.S. NO. 57885 DATE
DRIESEN & ASSOCIATES, INC.
552 SOUTH 8TH STREET
KALAMAZOO, MICHIGAN, 49009

PROPOSED DATED 01-26-2017



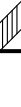
Designed By:	
Drawn By:	
VEF	
Checked By:	Date:
Plot:	
1"=60'	
Scale:	
01-26-2017	
Date:	
1650928.5B	
Job No.:	
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7 of 7

SEC. 22, T03S, R12W TEXAS TWP. KALAMAZOO CO.
BELLE MEADE COTTAGE LIVING
BOSCH ARCHITECTURE
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REVISIONS	
1	REVISED 05-19-2017 ADDED 30' WIDE SANITARY SEWER EASEMENT ALONG CLUBHOUSE DRIVE. REFER TO SHEET 5 & 7

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Commission Agenda Report

City of Kalamazoo

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

FROM: Bobby J. Hopewell, Mayor

PREPARED BY: Scott A. Borling, City Clerk

DATE: 11/30/2017

SUBJECT: Appointments to the Local Officers Compensation Commission

RECOMMENDATION

It is requested that the City Commission approve the Mayor's appointments to the Local Officers Compensation Commission:

- the appointment of **Mark Liddle** for a term expiring on March 31, 2024.
- the appointment of **Barbara Hamilton Miller** for a term expiring on March 31, 2024.

BACKGROUND

A special purpose body established under state law, the Local Officers Compensation Commission (LOCC) meets in odd numbered years to set the compensation levels for elected City officials (Mayor, Vice Mayor, and City Commissioners). Under the law and City ordinances, the Mayor makes appointments to the LOCC with the approval of the City Commission.

I have appointed Mark Liddle and Barbara Hamilton Miller to the LOCC, and I am now requesting approval of these appointments. Both candidates are active in the community, meet the requirements of the LOCC ordinance (registered elector in the City; not a current City Commissioner, City staff member, or relative of a City staff member), and contribute to the diversity of viewpoints on the Commission. Ms. Hamilton Miller offers the unique perspective of being a former City Commissioner, which is a perspective that was valued when former Commissioner Edgar Gordon was on the LOCC.

FISCAL IMPACT

There is no fiscal impact directly associated with these appointments.

ALTERNATIVES

The City Commission could choose not to approve the Mayor's appointments. The LOCC must complete its work by the end of 2017. Although the Commission can do its work with five members instead of seven, it is desirable to have all seven seats filled to make sure there is a quorum present at meetings and to ensure a

diversity of perspectives.



Commission Agenda Report

City of Kalamazoo

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

FROM: James K. Ritsema, ICMA-CM, City Manager

PREPARED BY: Steve Brown, FFE Coordinator, Resource Specialist

DATE: 11/28/2017

SUBJECT: Recommendation for Selection Process for Commission Directors to Foundation for Excellence Board of Directors

RECOMMENDATION

It is recommended that the City Commission uses the Board and Committee Chart, updated to include the Foundation for Excellence (FFE), to select the two (2) Commission Director appointments to the FFE Board of Directors that are outlined in "Section 4.02.A. Numbers, Selection, City Directors" of the FFE's Bylaws.

BACKGROUND

Appointing Two Commission Directors

Following recent precedents: At the beginning of a new City Commission term the City Clerk works with the Mayor to distribute the Board and Committee Chart (attached) that contains the names of the City Commission standing committees, ad hoc committees the Mayor wants to create, and the City advisory boards and commissions that have City Commission liaisons or members. Commissioners are asked to rank the various boards, commissions, and committees in order of preference. Once all the charts have been completed and returned, the Clerk compiles the results and presents them to the Mayor. The Mayor makes the board/commission/committee assignments and talks with individual Commissioners to work out conflicting preferences. When the assignments have been finalized the City Clerk prepares an agenda item, and the City Commission takes action to approve them.

COMMUNITY RESOURCES CONSULTED

This memorandum uses extensive input from the City Attorney and FFE Staff to build on research into City Commission precedents (attached), which includes the City Charter, City Commission Rules, City Commission Board/Commission/Committee Assignments documents, as well as input from City Commission at their November 20, 2017 Session.

ALTERNATIVES

A decision by the City Commission to delay action would have negative consequences, including a delay in the operational timeline for establishing the FFE.

ATTACHMENTS:

Type	Description
□	Report CC Appointment Process Memo

INTER-OFFICEMEMO

To: Clyde Robinson, City Attorney, Laura Lam, Assistant City Manager, Steve Brown, FFE Coordinator

From: Scott A. Borling, City Clerk

Date: September 26, 2017

Re: Processes for Appointing City Commissioners to Boards, Commissions, Committees

This memo is a response to your September 6th request for information on processes the City Commission uses to appoint its own members to various boards, committees, and commissions. It is my understanding you will use this information to advise Commissioners as they decide how to self-select two of their own for the Foundation for Excellence Board.

In summary there are three situations that prompt the City Commission to appoint its own members to various positions: 1) a vacancy on the City Commission that requires Commissioners to appoint a Kalamazoo citizen to fill the empty seat; 2) the beginning of a new City Commission term that prompts the organization of standing and ad-hoc committees and the appointment of Commissioners as either liaisons or members of various City boards, committee, and commissions (Planning Commission, Brownfield Redevelopment Authority, etc.); and 3) the City's participation on an external board, committee, or commission – most often an intergovernmental body like the Kalamazoo County Consolidated Dispatch Authority or the Kalamazoo Regional Water and Wastewater Authority – where there are seats reserved for City representatives. Below are descriptions of the processes that have been used to select Commissioners for these assignments.

Filling Vacancies on the City Commission

Section 9(c) of the City Charter says, "...in case of a vacancy in the office of City Commissioner, the vacancy shall be filled by the affirmative vote of a majority of the remaining members of the City Commission within thirty days after such vacancy occurs;..." Beyond this language there is no additional direction given, no City Commission policy or rule that establishes a process for filling a vacancy on the Commission. However, since 2007 there has been three times the City Commission has needed to fill a vacancy and a similar process has been used each time. The elements common to each of these processes include:

- a call for applicants, which has been accomplished through a media release and information posted on the City's website and social media.
- use of the City's *Board and Commission Application* as the application form. Applicants have also been asked to submit a letter of interest, with the contents of the letter left unprescribed on purpose.

- an open application period of approximately two weeks. The exact length has varied based on the City Commission's meeting schedule at the time.
- a review and winnowing of applications by the Commission at a public meeting. The remaining applicants are considered "candidates" to fill the vacancy.
- interviews of the candidates at a public meeting. Each candidate is given an opportunity to make opening remarks, which are followed by questions from Commissioners. After all candidates are interviewed there is a time for citizen comments, followed by Commission discussion and a vote.

Although this process involves appointing a person to the City Commission rather than appointing a Commissioner to a position, it is the most formalized and public of the processes described in this memo and is being offered for consideration and comparison.

Appointments to City Boards, Commissions, and Committees

City Commission Rule #14 is entitled "Appointment of City Commissioners to Committees and Subcommittees." I have attached a copy of this rule for reference purposes. Although it gives some basic direction for how these appointments are made, it does not address the method for selecting Commissioners for these assignments. In fact, there are no written processes or procedures for this. What I have to offer is my experience working with Mayor Hopewell. (Previous mayors worked through the City Manager's Office to facilitate Commissioners' board/commission/committee assignments.)

At the beginning of a new City Commission term, the City Clerk works with the Mayor to distribute a matrix that contains the names of the City Commission standing committees, ad hoc committees the Mayor wants to create, and the City advisory boards and commissions that have City Commission liaisons or members. Commissioners are asked to rank the various boards, commissions, and committees in order of preference. Once all the matrices have been completed and returned, the Clerk compiles the results and presents them to the Mayor. The Mayor makes the board/commission/committee assignments and talks with individual Commissioners to work out conflicting preferences. When the assignments have been finalized the City Clerk prepares an agenda item, and the City Commission takes action to approve them. I have attached a copy of the blank matrix from 2015 for reference.

Appointments to External Boards

There is no established process for the selection of Commissioners to serve external boards like the Kalamazoo Regional Water and Wastewater Authority Board or the Kalamazoo County Consolidated Dispatch Authority Board. This is especially true when a special appointment is needed, as when an external board is first formed. In these cases it seems there is frequently a Commissioner who has a particular skill set or interest in the board's work that would suggest him or her as the obvious person to represent the City on that board. Once a board is formed the process is sometimes normalized, and the appointment is made with other board/commission/committee assignments at the beginning of a Commission's term (see above).

Subject: CITY COMMISSION RULES**No. 10.1****Date: September 21, 2015****Page: 7 of: 14**

- j. All boards and commissions shall operate under the Open Meetings Act, and citizens shall be afforded an opportunity to speak on any matter before the board or commission. All board and commission meeting agendas shall include a time for citizen comment on nonagenda items.
- k. Unless otherwise provided by statute, ordinance, or by the by-laws of a particular board or commission, or unless waived by a majority vote of the City Commission, no person shall serve on more than one board or commission at a time. All members of boards and commissions shall be residents of the City of Kalamazoo unless otherwise provided by statute, ordinance, or by the by-laws of a particular board or commission, in which case a majority of the members of such boards or commissions shall be City residents. The Economic Development Corporation of the City of Kalamazoo and the Brownfield Redevelopment Authority may have non-resident members who are employed by, or are affiliated with, business organizations, corporations or entities which have a significant economic impact on the City of Kalamazoo or are located within the City of Kalamazoo, provided that a majority of the members of the Economic Development Corporation Board of Directors must be City of Kalamazoo residents.
- l. Unless otherwise required by ordinance or statute, Commissioners who serve as liaisons to City Commission advisory boards and commissions shall not have voting privileges.

13. APPOINTMENT OF MAYOR PRO TEMPORE

In the absence of the Mayor and Vice Mayor at the same City Commission meeting, the Commissioner receiving the next greatest number of votes in the most recent Municipal Election shall chair the meeting and be considered and addressed as Mayor Pro tempore. This rule shall also govern any ceremonial or formal function on behalf of the City where the Mayor and Vice Mayor are both absent.

14. APPOINTMENT OF CITY COMMISSIONERS TO COMMITTEES AND SUBCOMMITTEES

- a. The following standing committees of the City Commission are hereby established: the Administrative Committee; the Legislative Committee; and the Audit Committee. Within six weeks of the beginning of its term of office the City Commission shall approve the appointment of its members to standing committees.

Subject: CITY COMMISSION RULES**No. 10.1****Date: September 21, 2015****Page: 8 of: 14**

- b. The Administrative Committee shall consist of the Mayor, Vice Mayor, and the City Commissioner who received the third highest number of votes in the most recent municipal election.
- c. After the initial standing committee assignments are made, any changes in their membership must be approved by the City Commission.
- d. The Mayor, with the concurrence of a majority of the City Commission, may establish, make appointments to, and dissolve ad-hoc committees and sub-committees as necessary. Ad-hoc committees and subcommittees also may be established, and dissolved by a majority vote of the City Commission.
- e. All ad-hoc committees shall dissolve automatically upon the expiration of the City Commission's term of office.

15. DISCLOSURE OF BOARD MEMBERSHIPS

The Mayor and Commissioners shall disclose their membership of all organizations, entities and clubs, regardless of whether they are voting members of board of such organization, entity or club. This requirement shall apply to membership of non-profit entities, as well as to voting membership on boards created by a governmental body or agency other than the City of Kalamazoo. Such disclosure shall be in writing, and shall be filed annually by January 31 of each year with the City Clerk.

16. WAIVER OF CITY COMMISSION RULES

Any City Commission rule may be waived by a simple majority vote of the City Commission.

17. AMENDING CITY COMMISSION RULES

Any City Commission rule may be amended by a majority vote of the City Commission.

18. APPLICABILITY OF RULES

These rules shall supersede any and all rules previously adopted by this Commission.

City Commission Board/Commission/Committe Assignments
2015-2017

	<i>Anderson</i>	<i>Cooney</i>	<i>Hopewell</i>	<i>Knott</i>	<i>Milcarek</i>	<i>Sykes</i>	<i>Urban</i>
Community Development Act Advisory Committee							
Downtown Development Authority							
Economic Development Corporation/Brownfield Redevelopment Authority							
Environmental Concerns Committee							
Friends of Recreation Board							
Parks and Recreation Advisory Board							
Pension Board							
Planning Commission							
Retirement Investment Committee/Perpetual Care Investment Committee							
Transit Authority Board							
Metro Transition Team Workgroup							

City Commission Board/Commission/Committee Assignments
2015-2017

[illegible]

City Commission Board/Commission/Committee Assignments
2015-2017

[illegible]



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Laura J. Echtenaw, Legal Secretary

DATE: 11/29/2017

SUBJECT: Amended City Commission Rules

RECOMMENDATION

It is recommended that the City Commission consider the adoption of a resolution amending its City Commission Rules; the only amendments being those that relate to the designation of the Mayor pro tempore and the language addressing City Commission standing and appointed committees to reflect that City Commissioners are elected to staggered 4 year terms and that every two years is considered a new City Commission legislative session.

BACKGROUND

In 2014 City electors approved amendments which drastically altered the election of members to the City Commission from an at-large 7 member body elected every two years, of which the mayor was person who received the most votes to a 7 member body for which the office was mayor was separately elected every two years and staggered 4 year terms for city commissioners, of which the vice mayor is elected for a two year term. This effectively creates a new legislative session every two years even though three Commissioners are only halfway through their terms, three Commissioners are beginning four-year terms and the Mayor has a two-year term.

This change required a review of the City Commission Rules governing the designation of the Mayor Pro Tempore, the composition of the Administration Committee, and the dissolution of ad-hoc committees appointed by the City Commission.

ALTERNATIVES

The Commission could decline to adopt the amended rules and simply continue with those rules which are currently in effect. This is not recommended.

ATTACHMENTS:

Type	Description
□ Resolution	Amended City Commission Rules
	Ordinances
□ - Redline	Amendment of City Commission Rules

Version

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. _____

**A RESOLUTION AMENDING CITY COMMISSION RULES TO ADDRESS CHANGES
NECESSITATED BY CITY COMMISSIONERS HOLDING STAGGERED 4 YEAR TERMS**

Minutes of a regular meeting of the City Commission of the City held on December 4, 2017, at 7:00 o'clock p.m., local time, at the City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

WHEREAS, the City Charter was amended in 2014 to provide staggered four year terms for City Commissioners, and the election of a new Vice Mayor every two years, thus necessitating amendments to the City Commission Rules governing the position of Mayor Pro Tempore and the appointment of City Commissioners to the standing Administrative Committee,

NOW, THEREFORE, IT IS RESOLVED as follows: that Commission Policy 10.1, being the City Commission Rules, specifically Rules 13 and 14 are amended to read as follows:

13. DESIGNATION OF MAYOR PRO TEMPORE

The City Commissioner who is the immediate-past Vice Mayor is designated Mayor Pro Tempore. In the absence of the Mayor and Vice Mayor at the same City Commission meeting, the Mayor Pro Tempore shall chair the meeting and be addressed as Mayor Pro Tempore. This rule shall also govern any ceremonial or formal function on behalf of the City where the Mayor and Vice Mayor are both absent. In the event that a sitting City Commissioner does not qualify for designation as Mayor Pro Tempore, such vacancy shall be filled by the City Commission from its members at the Organizational Meeting for that session of the City Commission.

14. APPOINTMENT OF CITY COMMISSIONERS TO COMMITTEES AND SUBCOMMITTEES

- a. The following standing committees of the City Commission are established: the Administrative Committee; the Legislative Committee; and the Audit Committee. Within six weeks of the Organizational Meeting required by Section 8 of the City Charter for each session of the City Commission, the City Commission shall act to approve the appointment of its members to standing committees.

- b. The Administrative Committee will consist of the Mayor, Vice Mayor, and the Mayor Pro Tempore.
- c. After the initial standing committee assignments are made, any changes in their membership must be approved by the City Commission.
- d. The Mayor, with the concurrence of a majority of the City Commission, may establish, make appointments to, and dissolve ad-hoc committees and subcommittees as necessary. Ad-hoc committees and subcommittees also may be established, and dissolved by a majority vote of the City Commission.
- e. All ad-hoc committees, unless extended by action of the next session of the City Commission at its Organizational Meeting or the following regular meeting, shall dissolve automatically at the adjournment *sine die* of the session of the City Commission which established the ad-hoc committee.

The above resolution was offered by _____ and supported by _____.

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on December 4, 2017. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by the Act.

Scott Borling, City Clerk

REDLINE VERSION OF PROPOSED AMENDMENT OF CURRENT CITY COMMISSION RULES 13 & 14

13. APPOINTMENT ~~DESIGNATION~~ OF MAYOR PRO TEMPORE

~~The City Commissioner who is the immediate-past Vice Mayor is designated Mayor Pro tempore.~~In the absence of the Mayor and Vice Mayor at the same City Commission meeting, ~~the Commissioner receiving the next greatest number of votes in the most recent Municipal Election~~ ~~the Mayor Pro tempore~~ shall chair the meeting and be ~~considered and addressed as~~ Mayor Pro tempore. This rule shall also govern any ceremonial or formal function on behalf of the City where the Mayor and Vice Mayor are both absent. ~~In the event that a sitting City Commissioner does not qualify for designation as Mayor Pro tempore, such vacancy shall be filled by the City Commission from its members at the Organizational Meeting for that session of the City Commission~~

14. APPOINTMENT OF CITY COMMISSIONERS TO COMMITTEES AND SUBCOMMITTEES

- a. The following standing committees of the City Commission are ~~hereby~~ established: the Administrative Committee; the Legislative Committee; and the Audit Committee. Within six weeks of ~~the beginning of its term of office~~ ~~Organizational Meeting required by Section 8 of the City Charter for each session of the City Commission,~~ the City Commission shall ~~act ot~~ approve the appointment of its members to standing committees.
- b. The Administrative Committee ~~shall~~ consists of the Mayor, Vice Mayor, and ~~the City Commissioner who received the third highest number of votes in the most recent municipal election~~ ~~the Mayor Pro tempore.~~
- c. After the initial standing committee assignments are made, any changes in their membership must be approved by the City Commission.
- d. The Mayor, with the concurrence of a majority of the City Commission, may establish, make appointments to, and dissolve ad-hoc committees and subcommittees as necessary. Ad-hoc committees and subcommittees also may be established, and dissolved by a majority vote of the City Commission.
- e. All ad-hoc committees, ~~unless extended by action of the next session of the City Commission at its Organizational Meeting or the following regular meeting~~ shall dissolve automatically ~~upon the expiration of the City Commission's term of office at the adjournment sine die of the session of the City Commission which established the ad-hoc committee.~~