

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, December 18, 2017 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 West South Street.

COMMISSIONERS PRESENT:

Mayor Bobby J. Hopewell
Vice Mayor Erin Knott
David Anderson
Don Cooney
Eric Cunningham
Shannon Sykes
Jack Urban

COMMISSIONERS ABSENT:

None

Also present were City Manager Jim Ritsema, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Invocation

The invocation, given by Pastor Nathan Dannison, First Congregational Church, was followed by the Pledge of Allegiance.

Oath of Office Ceremony

City Clerk Borling administered the constitutional oath of office to the following new Public Safety Officers:

Max Koch
Allison Baker
Eric Epps
Davion Phillips
Mike Ostrander

City Manager Ritsema introduced Karianne Thomas as the new Chief of the Kalamazoo Department of Public Safety. City Clerk Borling administered the oath of office to Chief Thomas.

Chief Thomas offered remarks on her appointment as Public Safety Chief.

Mayor Hopewell recognized the presence of Tim Bourgeois, the retiring Chief of Police for Kalamazoo Township, and Lt. Bryan Ergang, who would be sworn in as the new Chief after the first of the year.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Public Hearing re: an Ordinance Rezoning Mayor's Riverfront Park

At 7:19 p.m. Mayor Hopewell opened a public hearing to receive comments on 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).

Tyler Osburn, non-resident and an attorney representing Kalamazoo Metal Recyclers, spoke in opposition to the proposed ordinance. Mr. Osburn noted the Master Plan recommended Mayors' Riverfront Park be zoned as open space, and he questioned why the park would be rezoned at this time when the Zoning Ordinance would be rewritten to comply with the Master Plan in 2018 and 2019.

Dave Homrich, owner of Homrich's Garage, described the noise generated by his business and stated the Mills Street/King's Highway area was not suitable for residential development. Mr. Homrich suggested Red Arrow Golf Course be used for parking.

Dan Balkema, representing Aggregate Resources, stated his company had just purchased the Georgia Pacific property, and he expressed concern about noise complaints from future residents if residential development were allowed to take place at Mayors' Riverfront Park. Mr. Balkema expressed opposition to the proposed rezoning.

Richard VanBeck, non-resident and owner of VanBeck's Roofing and Siding, expressed opposition to the proposed ordinance.

At 7:28 p.m. Mayor Hopewell closed the public hearing.

Vice Mayor Knott, seconded by Commissioner Urban, moved to adopt 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).

Prior to a vote on the motion and in response to a question from Commissioner Anderson, City Planner Christina Anderson stated park uses were allowed in the CMU zoning district, and she explained that future land use designations were different than zoning districts. City Planner Anderson stated the City was requesting the rezoning because the parcels across the street were in the CMU zone, and the park had been left out of a rezoning or nearby parcels to the CMU zone early in the year. City Planner Anderson indicated she did not see the use of the park changing anytime soon.

In response to questions from Commissioner Urban, City Planner Anderson explained the timing of the proposed ordinance was designed to use momentum from the adoption of the Master Plan to move forward some easy zoning changes that would prevent problematic development and clean-up inappropriate designations. City Planner Anderson noted there were a variety of uses and residential structures in this area already, and if someone proposed a residential development the only response the City could give the developers was to let them know about the impacts of neighboring industrial uses.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Cunningham, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

At 7:36 p.m. Mayor Hopewell opened a public hearing to receive comments on the proposed Fiscal Year 2018 Budget for the City of Kalamazoo.

At 7:37 p.m. Mayor Hopewell closed the public hearing.

Public Hearing re: an Ordinance Rezoning Mayor's Riverfront Park

Ordinance 1951 Rezoning Mayor's Riverfront Park

Public Hearing re: the Proposed FY2018 Budget

Consent Agenda

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

- approval of a professional service agreement for traffic technical services with Traffic Tech Services, LLC, a company owned and operated by City retiree Brian Burlingham.
- approval of a contract with L.D. Docsa Associates, Inc. for Frays Park Improvements in the amount of \$164,000.00.
- approval of a twelve-month maintenance contract with Hexagon/Intergraph Corporation in the amount of \$172,319.02 for the continued maintenance of the City's computer-aided dispatching, records management systems and mobile data computing systems.
- approval of the purchase of a LED video display board for Homer Stryker Field from DAKTRONICS Company in the amount of \$250,000.00 through the National IPA Cooperative Contract.
- approval of a one-year contract extension with Consumers Concrete Corporation for ready mixed concrete in the amount of \$334,375.00.
- approval of a one-year contract extension for gasoline and diesel fuel with Kalamazoo Oil, Inc. for an amount not to exceed \$600,000.
- approval of a contract with the Michigan Department of Transportation for the Vine Street Improvements Project from Davis Street to Westnedge Avenue in the amount of \$628,930.
- approval of a professional services agreement with Prein & Newhof, Inc. for professional engineering services associated with the City's wastewater and storm water asset management program in the amount of \$2,000,000.
- first reading of an ordinance to rezone 243 parcels located between W. Lovell Street and Stockbridge Avenue from Zones CC, CN-1 and M-1 to Zones CCB, CN-1, CN-2 and RM-36; and schedule a public hearing for January 2, 2018.

Resolution 17-67

- adoption of a **RESOLUTION** setting the schedule of regular City Commission meetings for the 2018 calendar year.
- approval of the Second Amendment to the Interlocal Agreement Funding The Kalamazoo County Consolidated Dispatch Authority.
- acceptance of the 2017 COPS Hiring Program Award from the U.S. Department of Justice in the amount of \$1,375,000.
- appointment of D. Neil Bremer to the Public Media Network Board of Directors as a City of Kalamazoo representative.

Commissioner Urban, seconded by Commissioner Cooney, moved to approve the consent agenda requests and authorize the City Manager to sign all documents on behalf of the City.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Cunningham, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

Regular Agenda items were considered next.

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

Vice Mayor Knott, seconded by Commissioner Sykes, moved to adopt 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.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Cunningham, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

An opportunity was given for citizens to comment on an ordinance to amend section 22-42 of the Kalamazoo City Code regarding the purchase, consumption, or possession of alcoholic liquor by a minor, but no comments were offered.

Commissioner Sykes, seconded by Commissioner Anderson, moved to adopt an **ORDINANCE** to amend section 22-42 of the Kalamazoo City Code regarding the purchase, consumption, or possession of alcoholic liquor by a minor.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Cunningham, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

Consent Agenda
(cont'd)

Regular Agenda

Ordinance 1952 re:
Retirement System
Reciprocal Service
Credits

Ordinance 1953 re:
Minors in Possession
of Alcohol

Ordinance 1954 re:
Temporary Operation
of Certain Medical
Marihuana Facilities

An opportunity was given for citizens to comment on an ordinance to permit the temporary continued operation of certain medical marihuana facilities in the City, but no comments were offered.

Commissioner Cunningham, seconded by Vice Mayor Knott, moved to adopt an **ORDINANCE** to Permit the Temporary Continued Operation of Certain Medical Marihuana Facilities in the City.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Cunningham, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

Presentation re:
Candidates for the
Stakeholder Positions
on the FFE Board

Assistant City Manager Laura Lam introduced Carrie Pickett-Erway, Executive Director of the Kalamazoo Community Foundation, who delivered a PowerPoint presentation entitled *City of Kalamazoo Foundation for Excellence Governance Facilitator Presentation, December 18, 2017*. Ms. Pickett-Erway reviewed the slate of 10 Sector Representatives for the Foundation for Excellence (FFE) Board of Directors being recommended by the FFE Governance Facilitator, the Kalamazoo Community Foundation.

Commissioners thanked Ms. Pickett-Erway and commended her and her staff for their excellent work and thorough documentation.

In response to a question from Commissioner Urban, Ms. Pickett-Erway noted that having a diverse board would naturally result in differences of opinion, and the key to getting board members to work together was to make sure each one had a strong commitment to the mission and purpose of the FFE. Ms. Pickett-Erway also indicated the on-boarding process would be important.

In response to an observation from Commissioner Sykes, Ms. Pickett-Erway agreed there needed to be more diversity in the areas of religion and LGBTQ representation. Ms. Pickett-Erway recommended that positions in sectors with less diversity be appointed for shorter terms.

Mayor Hopewell left the meeting at 8:12 p.m. and did not return.

Discussion of the
Process for Selecting
the At-Large Member
for the FFE Board

Assistant City Manager (ACM) Laura Lam provided an overview of the City Commission's role in selecting members to serve on the Foundation for Excellence Board, and she recommended the Commission use the same process to fill the at-large position on the FFE Board as it had used in the past to fill vacancies on the City Commission.

In response to questions from Commissioner Anderson, ACM Lam reported 150 applications were submitted to KCF for the stakeholder positions, and 10 valid applications were submitted directly to the City for the at-large position. ACM Lam explained a number of people did not understand there were different processes for the stakeholder positions and the at-large position. As a result of this confusion, qualified KCF applicants were being allowed to opt-in to the applicant pool for the at-

large position. ACM Lam indicated 20 KCF applicants had chosen to opt-in so far, but there was still time for applicants to respond. ACM Lam noted there were 10 qualified people who applied directly to the City, so the current total number of qualified applicants was 30. ACM Lam asked Commissioners to winnow down the field of applicants on January 2nd to a manageable number for interviews, which were scheduled to take place on January 16th.

Commissioners discussed the process for selecting the at-large director for the FFE Board.

Commissioner Anderson, seconded by Commissioner Cooney, moved that the City Commission follow the proposed process for selecting the at-large director for the FFE Board, a process which included the following elements: 1) all Commissioners would review all of the applications; 2) the Commission's 2018 calendar would be amended to include a meeting on January 8th; and 3) the City Commission would interview candidates on January 16th and possibly make a decision at that meeting.

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

Prior to a vote on the motion, Commissioner Sykes thanked Commissioners for working together to figure out the selection process.

Commissioner Urban clarified that the purpose of the meeting on January 8th was to identify the six applicants who would be interviewed on January 16th.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Anderson, Cooney, Cunningham, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

City Manager Ritsema provided the following reports and updates:

- Departmental Reports and Project Updates
- *Inside the City* newsletter, December 2017 Edition
- November 2017 Purchases

City Clerk Borling introduced Creed Stegall, Chair of the Local Officers Compensation Commission (LOCC), who presented the *Report of Determination* from the LOCC regarding compensation levels for the City's elected officials.

Next, when an opportunity was given for general citizen comments, the following people addressed the City Commission:

Frank Warren, City resident, stated local veterans gave awards to the Seelye Wright car dealership on Stadium Drive for its patriotic display of flags.

Discussion of the Process for Selecting the At-Large Member for the FFE Board (cont'd)

City Manager's Report

Report from the LOCC

Citizen Comments

Citizen Comments
(cont'd)

John Bradshaw, City resident and Secretary of the Kalamazoo Municipal Golf Association, reported on activities at the City's golf courses and provided a revenue update.

Alphonso Harris, City resident, remarked on the need for healthcare providers to ask about their patients' sexual orientation and gender identity.

Chris Wahmhoff, City resident, asked the City Commission to approve his plans to build the Edison Ducks in a Row program at 1430 Bryant Street. Mr. Wahmhoff stated he was bringing this request to the City Commission because he was having difficulty with the Zoning Board of Appeals. Written materials provided by Mr. Wahmhoff were filed with the papers for this meeting.

Justin Sloan, City resident, expressed support for the Edison Ducks in a Row program.

Andrew Argo, City resident, spoke in support of Mr. Wahmhoff and Edison Ducks in a Row; suggested the City consider municipal broadband, given the recent changes to the federal Net Neutrality policy; thanked Ms. Pickett-Erway for her presentation; and remarked on the need for the FFE Board to support local businesses rather than trying to attract businesses from outside the City.

Nora Getz, City resident, congratulated newly elected Commissioners; expressed support for the Edison Ducks in a Row program and municipal broadband; and remarked on the lack of LGBTQ representation on the FFE Board.

Melissa Ray, non-resident, expressed support for Edison Ducks in a Row program.

City Commissioner
Comments

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

Commissioner Sykes expressed support for the Edison Ducks in a Row program but admitted the history of this issue and the processes involved were unclear to her. Commissioner Sykes thanked her colleagues and the KCF for their work to get a diverse FFE Board. Commissioner Sykes thanked the Kalamazoo Valley Museum director for meeting with someone who had been hurt by the "Hateful Things" exhibit and for being willing to make changes based on the patron's feedback. Commissioner Sykes stated she was very interested in exploring the idea of municipal broadband.

City Manager Ritsema stated he would provide background information on the ducks and what had transpired with that situation.

Commissioner Anderson asked everyone to keep the Mayor and his family in their thoughts and prayers, as well as people in the state of Washington with the train accident that had occurred earlier that day.

Commissioner Cooney congratulated people for protesting the proposed federal tax reform bill at the offices of U.S. Representative Fred Upton. Commissioner Cooney stated there would be less money to spend on needs like healthcare and education if the tax bill passed.

Commissioner Urban expressed hope that the City could find a way to accommodate the Edison Ducks in a Row program.

Commissioner Cunningham congratulated the recent Western Michigan University graduates; stated he was glad the slate of FFE Board candidates featured a lot of new people; expressed a desire to see Red Arrow Golf Course remain a golf course; asked people send him information on Net Neutrality and municipal broadband, and urged people to show love to others during the holidays.

Vice Mayor Knott thanked Frank Warren for his work in the community. Vice Mayor Knott stated she was not optimistic about Congress doing the right thing with Net Neutrality and the tax reform bill, and she indicated she would provide information on municipal broadband to Commissioners. Vice Mayor Knott recognized the need for LGBT representation on FFE Board. Vice Mayor Knott reported she had talked with City Manager Ritsema and Assistant City Manager Lam about increasing the City's support for neighborhood associations in the 2018 budget.

The meeting adjourned at 9:31 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on January 16, 2018

Approved by: _____
Bobby J. Hopewell, Mayor
Dated: January 16, 2018

City Commissioner
Comments (cont'd)

Adjournment