



Agenda

Regular Meeting of the City Commission

City of Kalamazoo

Monday, May 7, 2018

7:00 PM

City Commission Chambers at City Hall - 241 W. South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: Bishop Daniel S. Cunningham, Greater Faith Empowerment Center
2. Pledge of Allegiance
3. Introduction of Guests
 - a. Urban Growth Initiative Update
4. Proclamations
 - a. Rotary is for Reading, May 14-19, 2018

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

1. Calendar of Upcoming Meetings

E. PUBLIC HEARINGS

1. Public hearing to receive comments on the proposed Park - Cedar - Burdick - Lovell Area Neighborhood Enterprise Zone.

F. CONSENT AGENDA

(Action: Motion to approve Items "1-17" and authorize the City Manager to sign all documents on behalf of the City)

1. Approval of a one-year contract extension with Elite Pipeline Services for routine sanitary sewer cleaning and inspection in the amount of \$178,600.
2. Approval of a contract with Jones & Henry Engineers for professional services related to the Station 22 Elevated Water Storage Facility, Booster Station and Water Main in the amount of \$147,970.
3. Approval of the purchase of a 80,000 pound capacity Rotary V-REX Drive On Lift from Rotary Lift in the amount of \$121,407.94.

4. Approval of a contract with Hubbell, Roth & Clark, Inc. for Construction Engineering Services for the W. Michigan/Howard Traffic Signal Upgrades & Howard Street Repaving (Stadium to Oakland) Projects in the amount of \$132,900.
5. Approval of a 5-year lease for a 2018 Kalamazoo Department of Public Safety Laboratory and Forensic Services Vehicle through Enterprise Fleet Management in the amount of \$104,249.
6. Approval of the purchase of a Broderson IC803J industrial carry all crane from Cloverdale Equipment Company in the amount of \$148,900.
7. Approval of a contract with M-K Construction Company, Inc. for the Pratt Road Culvert Replacement Project, in the amount of \$195,405.88.
8. First reading of an ordinance to rezone 713 Simpson Street from Zone M-1 (Manufacturing, Limited District) to Zone RM-15 (Residential, Multi-Dwelling District); and schedule a public hearing for May 21, 2018.
9. First reading of an ordinance repealing Chapter 6 of the Kalamazoo City Code of Ordinances, which requires the licensure of "Amusements".
10. Adoption of a RESOLUTION granting the City Manager the authority to commit the City of Kalamazoo to honor the Kalamazoo County-issued photo identification card.
11. It is recommended that the City Commission approve the attached schedule of amendments and adjustments to the Adopted FY 2018 Budget to carry forward expenditures of \$779,300 that were included in the FY 2017 Budget but not completed, and also to increase the Adopted FY 2018 Budget for additional appropriations in the amount of \$1,813,991.
12. Approval of the use of \$425,000 of working capital to fund Major Street projects and create contingency capacity for additional project funding issues.
13. Acceptance of a Michigan Department of Environmental Quality Pilot Drinking Water Community Water Supply Grant in the amount of \$1,000,000.

14. Approval of proposed amendments to the employment agreement with City Manager James Ritsema.
15. Authorization for the Mayor and City Manager to execute a one-year lease for Bronson Park with Kalamazoo County.
16. Approval of the appointment of Public Safety Chief Karianne Thomas as the Mayor's alternate on the Kalamazoo County Consolidated Dispatch Authority Governing Board of Directors; and the appointment of Captain Christopher Franks as Chief Thomas's alternate on the Kalamazoo County Consolidated Dispatch Technical Advisory Committee. These appointments will expire on December 31, 2018.
17. Approval of the minutes from the City Commission meetings on April 16, 2018.

G. REGULAR AGENDA

1. Adoption of an ORDINANCE to amend Section 2-224 of the City Retirement System Ordinance to permit all exempt member (non-union employees) to retire at age 62 with 5 years of service. Currently, exempt members hired on or after September 1, 2010 may retire at age 60 with 10 years of service. **(Action: Motion to adopt the ordinance)**
2. Adoption of an ORDINANCES amending Chapter 33 - Streets and Other Public Grounds, Chapter 2 - Administration, and Chapter 23 - Parks and Recreation, of the Kalamazoo City Code of Ordinances. **(Action: Motion to adopt the ordinances)**

H. REPORTS AND LEGISLATION

1. City Manager's Report

I. UNFINISHED BUSINESS

J. POLICY ITEMS

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 Knott, and City Commissioners

FROM: Scott A. Borling, City Clerk

PREPARED BY: Shelby Moss, Deputy City Clerk

DATE: 4/23/2018

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	20180507 Calendar of 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

May 21st and June 4th

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

May 21st

Advisory Boards, Commissions and Committees (next two weeks)

The **Parks and Recreation Advisory Board** will meet on Tuesday, May 8, 2018 at 5:30 p.m., in the Parks and Recreation Community Room at Mayors' Riverfront Park, located at 251 Mills Street.

The **Kalamazoo Historic Preservation Commission** will meet on Tuesday, May 8, 2018 at 7:00 p.m., in the Community Room at City Hall.

The **Traffic Board** will meet on Thursday, May 10, 2018 at 2:00 p.m., in the Public Services Conference Room, located at 415 Stockbridge Avenue.

The **Community Development Act Advisory Committee** will meet on Thursday, May 10, 2018 at 6:30 p.m., in the Community Room at City Hall.

The **Zoning Board of Appeals** will meet on Thursday, May 10, 2018 at 7:00 p.m., in the in the City Commission Chambers at City Hall.

The **Kalamazoo Historic District Commission** will meet on Tuesday, May 15, 2018 at 5:00 p.m., in the Community Room at City Hall.

The **Environmental Concerns Committee** will meet on Wednesday, May 16, 2018 at 4:30 p.m., in the Community Room at City Hall.

The **Economic Development Corporation** will meet on Thursday, May 17, 2018 at 7:30 a.m., in the Community Room at City Hall. The **Brownfield Redevelopment Authority** will meet immediately following.

The **Kalamazoo Municipal Golf Association** will meet on Thursday, May 17, 2018 at 12:00 p.m., in the clubhouse at Milham Park Golf Course, located at 4200 Lovers Lane.

The **Downtown Development Authority** will meet on Monday, May 21, 2018 at 3:00 p.m., in the Community Room at City Hall.



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: Rebekah Kik, Director Community Planning and Economic Development

PREPARED BY: Sara Jo Shipley, Redevelopment Project Manager

DATE: 4/30/2018

SUBJECT: Neighborhood Enterprise Zone (NEZ) Public Hearing for the proposed Park - Cedar - Burdick - Lovell Area NEZ.

RECOMMENDATION

It is recommended that the City Commission hold a public hearing on May 7, 2018 to receive public comments on the proposed NEZ for the Lovell-Rose-Cedar Area.

BACKGROUND

The Neighborhood Enterprise Zone Act (Act 147 of 1992, as amended) ("Act") provides a tax incentive for a defined period of time for new construction or substantial rehabilitation of residential structures, and under certain circumstances, for rental apartments. The stated purpose of the legislation is to: improve the housing stock in distressed or declining urban areas where little or no new construction is occurring and where housing is in need of repair. The legislation is intended to spur residential investment where it might not otherwise occur. Properties benefiting from a Neighborhood Enterprise Zone (NEZ) exemption must be located within an NEZ established by the City Commission. The Act provides for the establishment of Geographic NEZs or Project Specific NEZs.

The goals for establishing the Lovell-Rose-Cedar NEZ are to:

1. Revitalize the north edge of the Vine neighborhood as it serves as a gateway to Downtown and the Mall;
2. Promote the creation of new residential areas;
3. Advance the City's vision for attainable housing, economic development, mixed income development, housing type diversity, utilization of public transit and mobility focused initiatives, infill, and elimination of blight;
4. Utilize vacant and underutilized properties;
5. Increase the value of real property; and
6. Implement the City's Strategic Vision goals and the vision put forth in the 2025 Master Plan.

Notice of the intention to create a NEZ was sent to the governing body of each relevant taxing unit. The May 7th public hearing is in accordance with the requirement that a public hearing be held within 45 days of the notice to the taxing bodies. Property owners within the proposed boundary were also notified and invited to an informational meeting held on April 19th about NEZs. The property owners in attendance were very supportive of

the proposal.

Following the public hearing on May 7th, staff will prepare a resolution to approve the formation of the Lovell-Rose-Cedar NEZ for action at the June 4th meeting.

POLICY CONSIDERATIONS

The creation of the NEZ in this location is consistent with the Strategic Vision - Economic Vitality and Complete Neighborhood Goals. It is also consistent with the 2025 Master Plan, including goals to encourage mixed use development adjacent to Downtown and increase the number of housing options.

COMMUNITY RESOURCES CONSULTED

The relevant taxing bodies were noticed of the intent to create a NEZ in this location. In addition to this State requirement, a property owner's meeting was held on April 19, 2018. Three property owners attended the meeting and were in support of development and potential tax incentives within the NEZ boundary.

FISCAL IMPACT

Developments with an approved NEZ certificate will receive a tax abatement of approximately half of what their full tax obligation for 9 years and reduce significantly over the final three years, 10%, 5%, and 2.5% respectively.

The impact to the city in terms of staff time is as follows:

- i. Staff time will be needed for the additional assessing and treasury paperwork associated with the NEZ certificates;
- ii. Staff time will be needed for housing and buildings inspections. This work will be offset with a cost recovery fee, so the net impact on the city's budget will be negligible;
- iii. This proposed NEZ will be accomplished with existing staffing.

ALTERNATIVES

The City Commission could choose to not hold or to delay the public hearing. Doing so would impact the approval of a resolution to create the NEZ, slated for the June 4th meeting. It is recommended that the City Commission proceed with the hearing on May 7, 2018, to take comment on the creation of the NEZ.

ATTACHMENTS:

	Type	Description
▣	Map	NEZ parcels
▣	Aerial Photo	NEZ MAP

NEZ Designation Area

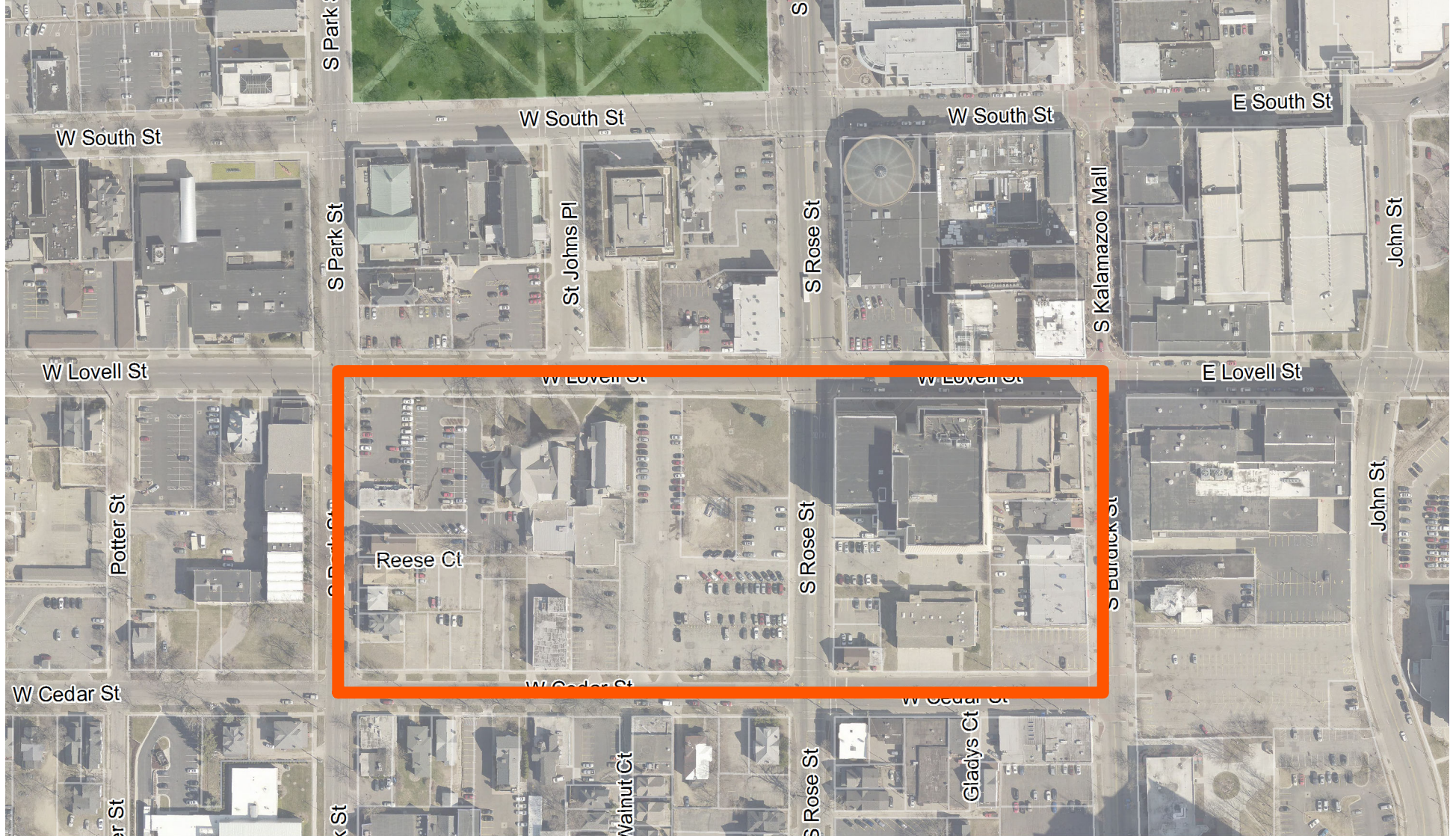


 Parcel selection

0 0.065 0.13 Miles



Proposed Park-Cedar-Burdick-Lovell Neighborhood Enterprise Zone



 NEZ Boundary

0 0.05 0.1
Miles





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: Ryan S. Stoughton, Asst. City Engineer - Wastewater

DATE: 4/4/2018

SUBJECT: 2018 Township Sanitary Sewer O&M Cleaning & Inspection Bid Ref# 670-61-005.3

RECOMMENDATION

It is recommended that the City Commission approve a one year contract extension with Elite Pipeline Services of Allendale, MI for routine sanitary sewer cleaning and inspection in the amount of \$178,600.

BACKGROUND

Per the current Wastewater Service Agreements between the City of Kalamazoo and the Townships of Oshtemo, Pavilion, Comstock, Kalamazoo, Charleston, Cooper, Richland and Texas the City is responsible for routine maintenance of the sanitary collection system. Part of the maintenance consists of routine sewer cleaning and inspection

On January 13, 2015 the City solicited bids for the Sanitary Sewer Cleaning of Townships with Elite Pipeline Services being the lowest responsive bidder. The contract allows for the City to opt to renew the contract for up to four (4) one-year periods. On March 16, 2018 the City solicited the intent to renew contract for Sanitary Sewer Cleaning of Townships with Elite Pipeline Services.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

The funding for this project is available in the City's 2018 Wastewater Operation and Maintenance Budget. Project funding and estimated costs are as follows:

Funding:	<u>2018 Wastewater O&M Budget (590-541-02-)</u>	
	(611-845.001) Sewer Preventative Maint. & Cleaning	\$61,600.00

(610-845.001) T.V. Inspection	<u>\$117,000.00</u>
	\$178,600.00

Costs:		
	Construction Costs	<u>\$177,795.95</u>
		\$178,600.00

ALTERNATIVES

The City of Kalamazoo determined it to be cost effective to hire an outside firm to clean and inspect the Townships system and have City crews focus on the City system as well as Townships emergency response.

The alternative of not approving the purchase order is not recommended as the City would be unable to meet the contract requirements without hiring additional staff and purchasing additional equipment.



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, PE, Assistant City Engineer – Water Resources

DATE: 4/9/2018

SUBJECT: Professional Services for Station 22 Elevated Water Storage Facility - Bid Ref # 906-29-017.1.2

RECOMMENDATION

It is recommended that the Commission approve a contract with Jones & Henry Engineers for professional services related Station 22 Elevated Water Storage Facility, Booster Station and Water Main in the amount of \$147,970.

BACKGROUND

In 2016, the Station 22 Elevated Water Storage Facility was identified by the City of Kalamazoo Water Resources Division as a priority project for the High Pressure District within the City's Water System. Currently, there is approximately 5% of the maximum daily flow available in storage for the District; the recommended amount is 25%. Water Resources staff retained the professional services of Jones & Henry Engineers for the design of the new Elevated Water Storage Facility during 2016 and 2017 budget years.

Water Resources requested a quote from Jones & Henry Engineers for professional services related to construction management for the Station 22 Elevated Water Storage Facility. Jones & Henry Engineers provided a quote of \$147,970 for the work. Jones & Henry Engineers has performed well on similar projects with the City of Kalamazoo in the past, and Water Resources recommends approval of this contract.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

The funding for the project is available in the City's 2018 Water Capital Improvement Budgets. Project funding and estimated costs are as follows:

Funding:

\$147,970.00
\$147,970.00

Costs:

\$147,970.00
\$147,970.00

ALTERNATIVES

The City could choose to use City staff to perform the required work, however this is not recommended.

ATTACHMENTS:

Type	Description
▣	Proposal Proposal



Jones & Henry Engineers, Ltd.

4791 CAMPUS DRIVE, KALAMAZOO, MICHIGAN 49008 • 269/353-9650
www.jheng.com Fax • 269/353-9651

February 26, 2018

Mr. James J. Baker, P.E.
Public Services Director
City of Kalamazoo Department of Public Services
1415 N Harrison St
Kalamazoo, MI 49007

Subject: Proposal to Provide Construction Engineering Services - WPS #22
2.5 MG Composite Elevated Water Storage Tank, Booster Station and Water Main

Dear Mr. Baker:

Jones & Henry Engineers, Ltd. is pleased to provide this proposal to provide construction engineering services to the City of Kalamazoo (City) for the above referenced project. This proposal allows the construction engineering to occur following the bidding and award of this project in 2018.

Scope of Services

It has been determined that part-time construction administrative and field inspection services are the best approach to this project. This scope is based on a 540 day construction schedule.

A. Construction Administration/Observation

- Contract administration will include processing of contract documents, conducting a pre-construction meeting, reviewing/approving shop drawings and responding to contractor concerns as necessary.
- Upon receipt of a project schedule from the contractor, Jones & Henry will monitor construction to ensure design plan and construction schedule compliance. Jones & Henry will routinely hold construction progress meetings. A designated representative from Jones & Henry will be responsible to act as a direct liaison between the City and Contractor regarding issues which may arise.
- A designated Jones & Henry representative will make on-site inspections on a part-time basis. The field inspector will work with in unison City staff regarding covering relevant inspections and ensuring adequate testing.
- The field inspector will work with the construction engineer and City staff to certify quantities and payment requests.
- Dixon Engineering will observe the tank's erection and painting, and file inspection reports.

B. Record Drawings/O&M Manuals

- Upon start-up, Jones & Henry will review operating procedures to make sure they concur with those specified in the O&M manual. This should allow for final payment to be made to the contractor.



Mr. James J. Baker, P.E.

February 26, 2018

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- Jones & Henry will provide shop drawings, relevant records and as-built drawings (hard copy and digital format) to appropriate parties. Jones & Henry will specify the date of substantial completion to commence the 1-year warranty period and will re-inspect the project at the 1-year milestone to ensure that the improvements are continuing to perform as designed.

2. Proposed Fee

Based on the requirements of the Scope of Services as described above, Jones & Henry will perform the necessary professional engineering services (Items A & B above) for a not to exceed amount of \$110,000.00. The stated fee includes reimbursable items (i.e. travel, reproducible plans, etc.) and provides for necessary construction engineering services related to the project.

Jones & Henry will work in unison with Dixon Engineering & Inspection Services. Their fee for the project (proposal attached) is \$37,970.00. In summary of the construction services:

Jones & Henry Eng. - \$110,000.00

Dixon Eng. - \$37,970.00

Total Fee – \$147,970.00

Engineering services will be performed by or under the direct supervision of a professional engineer. The standard of care for all professional engineering performed by Jones & Henry Engineers, Ltd. will be the care and skill ordinarily used by members of the profession practicing under similar circumstances at the same time and in the same locality. Jones & Henry makes no warranties, express or implied, in connection with the services described in our agreement.

Our firm values every client in an effort to foster long-term relationships. Jones & Henry is confident that our commitment to providing exceptional service coupled with the City's desire to address important water infrastructure related issues will allow for our professional and successful partnership to continue to develop.

Thank you again for affording us the opportunity to submit this proposal to the City. Our project team looks forward to working with the City on this project if selected to do so.

Sincerely,

JONES & HENRY ENGINEERS, LTD.

Paul S. Romano, P.E.

Office Director

C: Anna Crandall, E.I.T., Senior Civil Engineer (City)



Typical Hourly fee, including overhead - 2018

Schedule of Charges

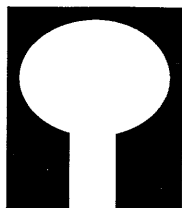
Classification	Hourly Rate
Senior Principal	\$155-\$165
Principal	\$125-\$145
Project Manager	\$115-\$140
Senior Engineer	\$105-\$150
Project Engineer	\$100-\$140
Engineer	\$75-\$100
O&M Specialists	\$90-\$115
Senior Construction Services Specialist	\$90-\$110
Construction Services Specialist	\$70-\$105
Information Systems Specialist	\$70-\$110
Senior I&C Specialist	\$95-\$110
Designer, Senior Technician	\$80-\$95
Technician	\$55-\$85
CAD Operator	\$50-\$60
Word Processor	\$45-\$60

For expenses incurred in the work for travel, subsistence, toll telephone calls, fax, printing, copying, etc., the actual cost plus ten percent (10%) thereof.

Computer modeling and CAD charges are based on \$10.00 per hour of use.

For services and supplies furnished by others at the expense of the Engineers beyond typical services, the actual cost plus thirty percent (30%) thereof.

The time and expense fees shall be payable monthly, each payment being equal to the amount earned during the preceding month.



DIXON

**ENGINEERING & INSPECTION SERVICES
FOR THE COATING INDUSTRY**

1104 Third Avenue
Lake Odessa, MI 48849
Telephone: (616) 374-3221
Fax: (616) 374-7116

PROPOSAL AND CONTRACT AGREEMENT
2,500,000 Gallon Composite, (Siesta Street), #22-39-07-10

This Agreement between **Jones & Henry Engineers, Kalamazoo, Michigan** (Project Engineer) and Dixon Engineering, Inc. (DIXON) for technical inspection services on the **2,500,000 Gallon Composite Elevated Tank** water storage tank (Project) located at **City of Kalamazoo, Michigan** (Owner) is as follows:

The Project Engineer agrees to engage DIXON for **Consulting and Inspection** services hereinafter set forth.

- A. DIXON agrees to perform the **New Construction Inspection Services** as detailed in the attached SCHEDULE A.
- B. Project Engineer agrees to pay DIXON as compensation for his services, not to exceed the sum of **Thirty Seven Thousand, Nine Hundred, and Seventy dollars (\$37,970.00)**. Terms of service fee and payment shall be detailed in SCHEDULE B. Prices quoted in contract are subject to change ninety (90) days after proposal date.
- C. If additional services are requested by the Project Engineer which are not within the proposed scope of the services defined in SCHEDULE A, then these services will be charged per attached SCHEDULE C, plus reimbursable expenses.
- D. The Project Engineer and DIXON agree to the conditions as set forth in the attached General Provisions of the Agreement. The Project Engineer shall be responsible for all provisions which refer to the Owner.

This contract format shall include this cover sheet, Schedules A, B, C, and General Provisions. If this proposal/contract is for more than one service, multiple Schedules A and B may be used. Any changes in this proposal/contract should be addressed by a separate addendum.

Ira M. Gabin, P.E., Vice President

PROPOSED by DIXON (Not a contract until approved by an officer)

February 8, 2018

PROPOSAL DATE

CONTRACT APPROVED by PROJECT ENGINEER

POSITION

DATE

CO SIGNATURE (if required)

POSITION

DATE

CONTRACT APPROVED by DIXON OFFICER

POSITION

EFFECTIVE CONTRACT DATE

**Members: Society of Protective Coatings • American Water Works Association
Consulting Engineers Council**

SCHEDULE A
2,500,000 Gallon Composite, (Siesta Street), #22-39-07-10
Kalamazoo, Michigan

I. Pre-construction Meeting:

1. Attend a pre-construction meeting, and address questions regarding inspection services and coordination of field inspections.

II. Critical Phase Inspections:

A. Weld Inspection:

1. One (1) visit to inspect steel delivered to site for thickness, conformance to specifications, and quantity. Review initial erection procedures and qualifications of all welders.
2. Six (6) visits for inspection of completed welding and locating of sites on completed welding for radiographic inspection of steel at ground level. Inspect welding procedures and practices.
3. One (1) visit for review of construction for completeness, review installation of tank appurtenances, and final inspection of all welding prior to removal of the erection crew and equipment.

B. Wet Interior – Painting:

1. Inspect interior abrasive blast cleaning for thoroughness, surface profile, and compliance with specifications.
2. Inspect the interior primer coat for uniformity, coverage, and dry film thickness, prior to application of the succeeding paint coat.
3. Inspect the interior intermediate coating uniformity, coverage, dry film thickness, and holiday detection, prior to application of the succeeding paint coat.
4. Inspect the interior stripe coat for uniformity, coverage, and thoroughness.
5. Inspect the interior topcoat for uniformity, coverage, performance, and dry film thickness for compliance with specifications. Examine the overall project for possible damage caused by equipment removal.
6. Inspect application of seam sealer to roof lap seams.

C. Exterior – Painting:

1. Inspect exterior abrasive blast cleaning for thoroughness, surface profile, and compliance with specifications.
2. Inspect the exterior prime coating for uniformity, coverage, and dry film thickness prior to application of the succeeding paint coat.
3. Inspect the exterior intermediate epoxy coating for uniformity, coverage, and dry film thickness prior to application of the succeeding paint coat.

4. Inspect the exterior intermediate urethane coating for uniformity, coverage, and dry film thickness prior to application of the succeeding paint coat.
 5. Inspect the exterior topcoat for uniformity, coverage, performance, and dry film thickness for compliance with specifications. Examine the overall project for possible damage caused by equipment removal.
- D. Dry Interior – Painting:
1. Inspect dry interior abrasive blast cleaning for thoroughness, surface profile, and compliance with specifications.
 2. Inspect the dry interior primer coat for uniformity, coverage, and dry film thickness, prior to application of the succeeding paint coat.
 3. Inspect the interior stripe coat for uniformity, coverage, and thoroughness.
 4. Inspect the dry interior topcoat for uniformity, coverage, performance, and dry film thickness for compliance with specifications. Examine the overall project for possible damage caused by equipment removal.
- E. Pump Station Piping – Painting:
1. Inspect abrasive blast cleaning of the pit piping, examine surface profile, and cleanliness for compliance with specifications.
 2. Inspect the pit piping primer coat for uniformity, coverage, and dry film thickness, prior to application of the succeeding paint coat.
 3. Inspect the interior stripe coat for uniformity, coverage, and thoroughness.
 4. Inspect the pit piping topcoat for uniformity, coverage, performance, and dry film thickness for compliance with specifications. Examine the overall project for possible damage caused by equipment removal.
- F. Project Finalization
1. Formulate a punch list of items to complete.
 2. Finalize the project to assure all items in the contract specifications have been completed, and the quality of workmanship meets contract requirements.

III. Inspection Services:

1. Review Contractor's crew size and equipment for ability to meet specification requirements and time constraints.
2. Review abrasive and coating materials for approved manufacturers.
3. Inspect compressed air at blast nozzle for cleanliness (i.e. oil, moisture).
4. Measure surface profile created by abrasive blast cleaning by compressive tape or surface comparator.

5. Inspect abrasive blast cleanliness for specification requirements using SSPC Visual Standards, latest edition thereof.
6. Review coating mixing, thinning, and manufacturer's application requirements.
7. Monitor environmental conditions prior to and during coating application (i.e. ambient temperature, surface temperature, relative humidity, and dew point).
8. Inspect applied coating for dry film thickness, coverage, uniformity, and cure.
9. Prepare daily inspection report detailing above mentioned items and daily progress.

SCHEDULE B

2,500,000 Gallon Composite, (Siesta Street), #22-39-07-10 Kalamazoo, Michigan

1. Compensation for participation at the pre-construction meeting shall be the lump sum fee of \$600.00, and will include preparation and travel time.
2. Compensation for weld inspection, Schedule A – Critical Phase Inspections is \$6,000.00 based on a \$750.00 per visit fee with eight (8) visits recommended.
3. DIXON will provide daily inspection services as outlined in Schedule A – Inspection Services. Compensation for these services is \$31,370.00, estimated using an average of five and one half (5.5) hours on-site daily. This time frame will vary based on Contractor speed, Contractor activity, complexity of individual inspection, and environmental or neighbor concerns. DIXON reserves the right to send the level of inspector they feel necessary based on the Contractor, project scope, and project progress. All fees are time and material per Schedule C. DIXON will notify the Engineer bi-weekly of the “ESTIMATED” remaining budget, and will advise if a change in fees or Scope of Services is necessary. The fee and Scope of Services are negotiable between DIXON and the Engineer.

Typical inspection schedule and associated rates:

Daily Inspection:

Travel time 2.5 hrs. @ \$80.00/hr.	=	\$200.00
Inspection time 5.5 hrs. @ \$80.00/hr.	=	440.00
Mileage 130 miles @ \$0.60/mile	=	78.00
Secretarial 0.5 hrs. @ \$50.00/hr.	=	25.00
Contract Administration 0.33 hrs. @ \$125.00/hr.	=	<u>41.25</u>
Total Estimated Daily Fee:	=	\$784.25

Estimated Daily Fee	\$784.25
Project Length	x <u>40</u> days
Total Inspection Fee	\$31,370.00

4. DIXON reserves the right to adjust individual inspection line items as necessary based on the Contractor's performance and pace of work. The total fees for Schedule B will not be exceeded without prior approval from the Engineer.
5. Invoices will be compiled after the 20th of the month and shall include from the 20th of the preceding month to the 20th of the invoiced month. Bimonthly invoicing will be completed on larger projects, or at the Engineer's request.
6. All DIXON service invoices which are paid within ten (10) days of date of issue shall be discounted (Engineer's favor) one percent (1%).
7. Failure by the Contractor to notify DIXON of the necessity to change inspection dates more than twenty-four (24) hours in advance and which results in unnecessary travel and/or expense to DIXON shall cause this travel and expense to be considered an additional service, and

DIXON shall be compensated for travel and/or expense under the provisions of Schedule C of the Agreement.

SCHEDULE C

Engineering Services Fees

<u>Labor Class</u>	<u>Per Hour</u>	<u>*Overtime Rate</u>
Principal.....	\$175.00	
Principal Expert Witness (Office, Travel & Court).....	\$285.00	
Expert Witness (Office, Travel & Court).....	\$200.00	
Project Manager.....	\$125.00	
Registered Professional Engineer.....	\$125.00	
Certified NACE Inspector.....	\$100.00	
Assistant Project Manager.....	\$100.00	
Staff Engineer.....	\$85.00 to \$100.00	
CAD Supervisor.....	\$75.00 to \$90.00	
CAWI or CWI Welding Inspector.....	\$90.00 to \$125.00	
Inspector – Level III.....	\$65.00 to \$80.00	
Inspector – Level II.....	\$65.00 to \$75.00	
Inspector – Level I.....	\$65.00 to \$70.00	
CAD Technician.....	\$70.00 to \$80.00	
Secretarial Services.....	\$50.00 & expenses	
Bookkeeping Services.....	\$44.00	
Project Status Meetings w/Project Engineers and Council or Board Meetings.....	Time and Expenses, Including Preparation Time	

*All Saturday, Sunday, and holiday inspections are overtime rate. Overtime rate is 1 ½ time the hourly rate. Overtime rate does not apply to Principal.

Expenses:

	<u>Metropolitan</u>	<u>Non-Metropolitan</u>
Mileage.....	\$0.70/mile (including tolls)	\$0.60/mile
Meals & Lodging,	\$145 per diem (may be increased based on location)	\$135 per diem
Without Lodging.....	\$35/day	\$30/day
Air Travel.....	Business fare from Grand Rapids, Chicago O'Hare, or Milwaukee, plus full size car rental	
Material (gaskets, cathodic protection caps, etc.).....	Negotiated	

FEES EFFECTIVE THROUGH DECEMBER 31, 2019

Revised 01/22/2016

GENERAL PROVISIONS – PROJECT ENGINEER:

Project Engineer shall provide all criteria and full information as Project Engineer's requirements for the project; designate a person to act with authority on Project Engineer's behalf in respect to all aspects of the Project; examine and respond promptly to DIXON's submissions; and give prompt written notice to DIXON whenever he observes or otherwise becomes aware of any defect in the work or breach of Contract or portions conducted by DIXON or any Contractor.

Project Engineer shall also do the following and pay all costs incident thereto:

- Guarantee access to and make all provisions for DIXON to enter upon public and private property.
- Provide such legal, accounting, independent cost estimates and insurance counseling services as may be required for the Project, and any auditing services required in respect of Contractor(s) applications for payment, and any inspection services to determine if Contractor(s) is performing the work legally.
- Provide field control surveys and fix reference points and base lines as determined necessary for good control during construction.
- Furnish approvals and permits for all governmental authorities having jurisdiction over the Project.

DIXON will not be responsible nor will they pay any costs incurred in advertising or procuring bids or proposals from Contractor(s) on behalf of the Project Engineer or the OWNER.

DIXON SERVICE FEES (Schedule C) used as a basis for compensation for additional and/or basic services includes all salaries and wages (basic and incentive) paid to all personnel engaged directly on the Project including, but not limited to, engineers, technical personnel, typists and clerks. The fee schedule also includes all fringe benefits, indirect payroll expenses, corporate overhead ratio and profit ration.

Reimbursable Expenses mean expenses incurred directly or indirectly in connection with the for: transportation and subsistence incidental thereto; obtaining bids or proposals from Contractor(s); furnish and maintain field office facilities; subsistence and transportation of Resident Project Representatives and their assistants; toll telephone calls and facsimile transmission; reproduction of Reports, Drawings, Specifications, and similar Project related items in addition to those required under Section A; expenses of photographic production techniques; and, if authorized in advance by Project Engineer, overtime work requiring higher than regular rates.

Reuse of Documents: All documents including Drawings and Specifications prepared by DIXON pursuant to this Contract are instruments of service in respect of the Project. They are not intended or represented to be suitable for reuse by Project Engineer or others on extensions of the Project or on any other Project. Any reuse without written verification or adaptation by DIXON for the specific purposes intended will be at Project Engineer's sole risk and without liability or legal exposure to DIXON; and Project Engineer shall indemnify and hold harmless DIXON from all claims, damages, losses and expenses including attorney's fees arising out of or resulting therefrom. Any such

verification or adaptation will entitle DIXON to further compensation at rates to be agreed upon by Project Engineer and DIXON.

The services to be performed by DIXON under this agreement are intended solely for the benefit of the Project Engineer and OWNER. Nothing contained herein shall confer any rights upon or create any duties on the part of DIXON toward any person or persons not a party to this agreement. Including, but not limited to, any contractors, subcontractors, or suppliers, or the agents, officers, employees, insurers or sureties of any of them.

Termination: The obligation to provide further services under this Contract may be terminated by either party upon seven days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. In the event of any termination, DIXON will be paid for all services rendered to the date of termination, all reimbursable expenses, termination expenses and anticipated profits if termination is without fault of DIXON.

Project Engineer and DIXON each binds himself and his legal partners, successors, executors, administrators, assigns and legal representatives to the other party of this Contract and to the partners, successors, executors, administrators, assigns, and legal representatives of such other party, in respect to all covenants, agreements and obligations of this Contract.

Neither Project Engineer nor DIXON shall assign, sublet or transfer any rights under or interest in (including but without limitation, moneys that may become due or moneys that are due) this Contract without the written consent of the other, except as stated and except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Contract. Nothing contained in this paragraph shall prevent DIXON from employing such independent consultants, associates and subcontractors as he may deem appropriate to assist him in performance of services hereunder.

Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than Project Engineer and DIXON.

Dispute Resolution: All claims, counterclaims, disputes and other matters in question between the parties hereto arising out of or relating to this Agreement or the breach thereof will be decided through non-binding mediation by mutually agreeable parties of experts or lawyers. If mediation fails, the dispute shall be resolved in the local court of law following the laws of the State of Michigan.



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: Gary Doorlag, City Fleet Manager

DATE: 4/25/2018

SUBJECT: Purchase of a V-REX Drive On Lift - Bid Ref# 000-00-018.43

RECOMMENDATION

It is recommended that City Commission approve the purchase of a 80,000 pound capacity Rotary V-REX Drive On Lift from Rotary Lift of Madison, Indiana in the amount of \$121,407.94.

BACKGROUND

The City of Kalamazoo, Fleet Services Division is in need of replacing its current drive on hoist that is in poor condition, only has a lift capacity of 50,000 pounds and is over 30 years old. This Hoist is used for lifting heavy duty trucks and equipment for repair by fleet mechanics and is also used by streets department for snow plow blade changing in the winter months.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Funds have been budgeted for this expenditure in the Capital Improvement Budget.

ALTERNATIVES

There are no other recommended alternatives as this a very important tool for fleet repairs.



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: Abhishek Prodduturi, Senior Civil Engineer

DATE: 4/23/2018

SUBJECT: Construction Engineering for W. Michigan/Howard Traffic Signal Upgrades & Howard Street Repaving (Stadium to Oakland) Projects
Bid Ref #: 906-46-015-0.6

RECOMMENDATION

It is recommended that the City Commission approve a contract with Hubbell, Roth & Clark, Inc. (HRC) for Construction Engineering Services for the W. Michigan/Howard Traffic Signal Upgrades & Howard Street Repaving (Stadium to Oakland) Projects in the amount of \$132,900.

BACKGROUND

The W. Michigan/Howard Traffic Signal Upgrades & Howard Street Repaving (Stadium to Oakland) Project was identified for the 2018 Construction season. Hubbell, Roth & Clark, Inc. (HRC) have already been under the contract for design engineering services on this project and are familiar with it. This project includes approximately \$1,256,428 in Federal Funds with an anticipated local match of \$509,772 and will be administered through MDOT Local Agency Programs (LAP).

This project work includes but is not limited to 5.00 miles of HMA cold milling and resurfacing, concrete sidewalk, ADA ramps and signal work at various intersections and on Howard Street from Stadium Drive to Oakland Drive.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Funds were identified within the 2018 Major Streets Budget.

ALTERNATIVES

The City of Kalamazoo Public Works Division could perform this work with current staff. This alternative is not

recommended because current staff are assigned to other projects and would be unable to perform this additional work without increased number of employees.

ATTACHMENTS:

	Type	Description
▢	Proposal	Proposal

PRINCIPALS

Daniel W. Mitchell
Nancy M.D. Faught
Keith D. McCormack
Jesse B. VanDeCreek
Roland N. Alix
Michael C. MacDonald
James F. Burton
Charles E. Hart

CONTROLLER

Donna M. Martin

SENIOR ASSOCIATES

Gary J. Tressel
Randal L. Ford
William R. Davis
Dennis J. Benoit
Robert F. DeFrain
Thomas D. LaCross
Albert P. Mickalich
Timothy H. Sullivan
Thomas G. Maxwell

ASSOCIATES

Marshall J. Grazioli
Colleen L. Hill-Stramsak
Bradley W. Shepler
Karyn M. Stickel
Jane M. Graham
Todd J. Sneathen
Aaron A. Uranga
Salvatore Conigliaro
Melissa A. Coatta
Michael P. Darga
Brian K. Davies
James E. Scholl
Matthew G. Slicker
James J. Surhigh
Trevor S. Wagenmaker

HUBBELL, ROTH & CLARK, INC.

STREET: 834 King Highway, Suite 107
Kalamazoo, MI 49001

PHONE: 269-665-2005

WEBSITE: hrcengr.com

OTHER OFFICE LOCATIONS

Bloomfield Hills
Delhi Township
Detroit
Grand Rapids
Howell
Jackson
Lansing

April 4, 2018

City of Kalamazoo
Engineering Department
415 Stockbridge Avenue
Kalamazoo, MI 49001
Via e-mail: dorro@kalamazoocity.org

Attn: Mr. Orrin Dorr

Re: Pedestrian Upgrades, Signal Interconnect and Roadway Rehabilitation Proposal for
Construction Engineering Services HRC JN 20170126 & 20170558

Dear Mr. Dorr:

Hubbell, Roth & Clark, Inc. (HRC) has been asked to provide a proposal for construction engineering services for the following project:

- ≡ West Michigan and Howard Signal interconnect – MDOT JN 123958 (HRC JN 20170126)
 - 11th to Drake on W. Michigan, Crosstown to Valley on Howard
 - CMAQ Funded
- ≡ Howard Street 1.5" Mill and Overlay – MDOT JN 131002 (HRC JN 20170558)
 - Stadium Drive to Oakland Drive
 - STP Funded

These projects were let together, however are under separate Purchase Orders with the City of Kalamazoo.

Below is a scope of services based on meetings held on Thursday, February 9, 2017 and on Thursday, March 2, 2017 and final design plans:

Construction Engineering Services West Michigan and Howard Signal Interconnect:

- ≡ Assumes 22 weeks of construction
- ≡ Part time observation (24 hours per week for 22 weeks)
- ≡ Field Manager and file management for 22 weeks
- ≡ Project Engineering and Construction oversight for 22 weeks
- ≡ Interim file review
- ≡ Project start-up – 20 hours
- ≡ Project close-out – 30 hours
- ≡ Shop drawing reviews
- ≡ As-builts for handhole locations only
- ≡ RR Grade check pre and post construction (Survey)
- ≡ RR Permit for survey check
- ≡ Coordination with the City's On-Call Material Testing Consultant
- ≡ Assumes two (2) weeks overlap and shared observation/project oversight with the Mill and Overlay Project

Construction Engineering Services Howard Street 1.5" Mill and Overlay:

- ≡ Assumes 7 weeks of construction
- ≡ Part time observation (24 hours per week for 7 weeks)
- ≡ Field Manager and file management for 7 weeks
- ≡ Project Engineering and Construction oversight for 7 weeks
- ≡ Interim file review
- ≡ Project start-up – 20 hours
- ≡ Project close-out – 30 hours
- ≡ Shop drawing reviews
- ≡ As-builts for handhole locations only
- ≡ Coordination with the City's On-Call Material Testing Consultant
- ≡ Assumes two (2) weeks overlap and shared observation/project oversight with the signal interconnect project

Services do NOT include the following:

- ≡ Material testing (field or lab)
- ≡ Construction Staking
- ≡ Contractor performance evaluation appeal meetings
- ≡ Full time observation

HRC assumes all existing conduit is in good condition and will not require locating or replacement during construction.

The effort for the above noted location has been split out based on funding sources. The not to exceed effort for each is as follows:

≡ **West Michigan and Howard Signal Interconnect – MDOT JN 123958 (HRC JN 20170126)**

- Total CE Effort - **\$96,700**
 - KL/Drake intersection CE effort
 - \$22,600
 - Remaining project CE effort
 - \$74,100

≡ **Howard Street 3" Mill and Overlay – MDOT JN 131002 (HRC JN 20170558)**

- Total CE Effort – **\$36,200**

Construction engineering effort is contingent on the schedule provided by the contractor and could require adjustment after the contractor has provided a progress schedule.

If additional services are requested, HRC will provide an amendment to the City of Kalamazoo prior to beginning out of scope work.

We appreciate this opportunity to be of service to the City of Kalamazoo. Please feel free to contact Jesse Morgan at (616) 430-9708 if you have any questions.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Nancy M.D. Faught, PE
Executive Vice-President



Jesse Morgan, PE
Project Manager

pc: HRC; File



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: Karianne Thomas, Public Safety Chief

PREPARED BY: Ryan Tibbets, Assistant Chief- Fire Administration/Finance

SUBJECT: 2018 Laboratory and Forensic Services Vehicle Lease, and increase appropriation by \$47,000 in the General Fund.

RECOMMENDATION

It is recommended that the City Commission approve the lease of a 2018 Kalamazoo Department of Public Safety Laboratory and Forensic Services Vehicle through Enterprise Fleet Management, 29301 Grand River Ave., Farmington Hills, MI 48336 in the amount of \$104,249.

BACKGROUND

Kalamazoo Public Safety's Laboratory and Forensic Services was taken out of service in 2017 after significant mechanical failure. The Laboratory and Forensic Services personnel respond to crime and accident scenes in order to process evidence. The proposed Laboratory and Forensic Services was designed by staff who will utilize the vehicle and will allow personnel to carry and house all of the specialized equipment needed to function in the field.

POLICY CONSIDERATIONS

None

COMMUNITY RESOURCES CONSULTED

Public Safety consulted the Kalamazoo County Sheriff's Department.

FISCAL IMPACT

An increase in appropriation of \$47,000 for the FY 2018 Budget is required to cover the down payment of \$38,557, and six monthly lease payments totaling \$8,443.

ALTERNATIVES

No alternatives are recommended.

ATTACHMENTS:

Type Description

- ▣ Lease 2018 Laboratory and Forensic Services Vehicle Pricing
- ▣ Lease 2018 Laboratory and Forensic Services Vehicle Specs

BID PER ENCLOSED SPECIFICATIONS

Cost per vehicle \$104,249.00

Number of units 1

Total Bid Amount \$104,249.00

Vehicle Description:

Year 2018

Make Chevrolet

Model 3500 Express
cutaway with 12'
Supreme service
body

Vendor:

Berger Chevrolet Inc.

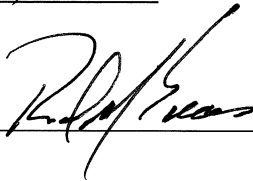
Address 2525 28th Street S.E.

Grand Rapids, MI 49512

Phone (616) 949-5200

Fax (616) 988-9178

Signature



Printed Signature Robert M. Evans

Date 3/16/2018

Bid Prepared For :

City of Kalamazoo

Price includes title fee and delivery.



Berger Chevrolet

Robert Evans | 616-575-9629 | bevans@bergerchevy.com

City of Kalamazoo 2018 Chevrolet Express Commercial Cutaway (CG33503) Van 139

Selected Model and Options

MODEL

CODE	MODEL
CG33503	2018 Chevrolet Express Commercial Cutaway 3500 Van 139"

COLORS

CODE	DESCRIPTION
GBA	Black

PREFERRED EQUIPMENT GROUP

CODE	DESCRIPTION
1WT	3500 Van Preferred Equipment Group Includes Standard Equipment

ADDITIONAL EQUIPMENT - EXTERIOR

CODE	DESCRIPTION
5G0	Wheels, painted Black in lieu of standard Gray painted wheels (Not available with (40P) white wheels.)
DHC	Mirrors, outside wide-stance sail panel mounted (Velvac). Provides Velvac convex combination RH and LH outside rear view mirrors that are sail panel mounted with arms that provide a wide stance. Mirrors can be utilized with bodies that are up to 96 inch width. Mirrors provide a 63.3 sq. inch flat glass positioned over a 30.1 sq. inch convex glass within a common head. Mirrors are shipped loose in vehicle (Not available with (B3D) School Bus Package.)
V22	Grille, chrome (Included and only available with (ZR7) Chrome Appearance Package.)
V46	Bumper, front chrome with step-pad (Included with (ZR7) Chrome Appearance Package.)

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City of Kalamazoo 2018 Chevrolet Express Commercial Cutaway (CG33503) Van 139

ADDITIONAL EQUIPMENT - INTERIOR

CODE	DESCRIPTION
5H1	Key equipment, two additional keys for single key system Provides two additional spare keys for a total of (4). (Not available with SEO (9T7) passenger side door delete or SEO (6E2) key, single.)
A31	Windows, power (Included and only available with (ZQ2) Power Convenience Package.)
AG1	Seat adjuster, driver, 6-way power, riser only, Upfitter option Multi-directional 6-way power driver seat riser. Does not include driver seat (For Retail order types, requires (AS5) front bucket seats with Custom Cloth. For Non-Retail order types, requires SEO (ZP1) temporary driver only seating, (AS5) front bucket seats with Custom Cloth or (ZP0) delete driver and passenger seats, to be ordered and priced in addition to SEO (AG1)
AG2	Seat adjuster, front passenger, 6-way power, riser only, Upfitter option Multi-directional 6-way power passenger seat riser. Does not include passenger seat. (For Retail order types, requires SEO (AG1) driver 6-way power seat adjuster and (AS5) front bucket seats with Custom Cloth. For Non-Retail order types, requires SEO (AG1) driver 6-way power seat adjuster and (AS5) front bucket seats with Custom Cloth or (ZP0) delete driver and passenger seats, to be ordered and priced in addition to SEO (AG2)
AS5	Seats, front bucket with Custom Cloth trim, head restraints and inboard armrests (Requires (**G) trim. Not available with SEO (ZP0) driver and passenger seat delete. Includes only driver high-back bucket seat with Custom Cloth trim when ordered with (ZX1) driver-only high-back bucket seating arrangement. Includes (BA3) engine cover console with swing-out bin.)
ATG	Remote Keyless Entry with 2 transmitters and remote panic button (Requires (AU3) power door locks. Not available with (B3D) School Bus Package.)
AU3	Door locks, power with lock-out protection (Included with (ZQ2) Power Convenience Package.
BA3	Console, engine cover with swing-out storage bin (Included with (AS5) Custom Cloth front bucket seats and (YF1) RV Package.)
K34	Cruise control (Included and only available with (ZQ3) Driver Convenience Package, (YF2) Ambulance Package or (UF3) High idle switch.)

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NP5	Steering wheel, leather wrapped (Requires (ZQ3) Driver Convenience Package and (U0F) AM/FM stereo with MP3 player, (U0H) AM/FM stereo with MP3 player and USB port, (US8) AM/FM stereo with CD/MP3 player or (UI8) Chevrolet MyLink radio with Navigation.)
UF3	High idle switch (Requires (L96) Vortec 6.0L V8 SFI engine or (LC8) 6.0L V8 SFI gaseous engine and (ZQ3) Driver Convenience Package or (K34) cruise control. Included with (YF2) Ambulance Package.)
UFA	Outside temperature display (Requires (ZR7) Chrome Appearance Package.)
W1Y	Steering wheel controls, mounted audio controls (Included and only available with (NP5) leather-wrapped steering wheel.)

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ADDITIONAL EQUIPMENT - MECHANICAL

CODE	DESCRIPTION
8E1	Fuel, additional 3-gallons 3 gallons of fuel in addition to normal assembly plant fill (Included with (YF1) RV Package.)
9L7	Wiring junction block, equipment accessory includes 2-30 amp circuits (Requires (KG4) alternator 150 amp or (KW5) alternator 220 amp and (TP2) dual 600 and 770 isolated batteries. Included with (YF2) Ambulance Package, (YF1) RV Package, (B3D) School Bus Package and (ANC) Shuttle Bus Package. Not available with (RG1) front instrument panel routing grommet.)
BNC	Body, soft-mount donut and bolt (for mounting Upfit body to chassis) (Included with (YF1) RV Package or (ANC) Shuttle Bus Package.)
G80	Differential, heavy-duty locking rear (Included with (YF2) Ambulance Package.)
K50	Fuel fitting, auxiliary feed in the fuel tank (Requires (L96) Vortec 6.0L V8 SFI engine or (LC8) 6.0L V8 SFI gaseous engine.)
KW5	Alternator, 220 amps (Included with (YF2) Ambulance Package, (YF1) RV Package, (B3D) School Bus Package or (ANC) Shuttle Bus Package.)
TP2	Battery, 600 cold-cranking amps primary, isolated 2nd heavy-duty 770 cold-cranking amps allows 2nd battery to be used when the vehicle is not running without affecting ability to start the vehicle (Included with (YF2) Ambulance Package, (YF1) RV Package, (B3D) School Bus Package or (ANC) Shuttle Bus Package.)

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ADDITIONAL EQUIPMENT - PACKAGE

CODE	DESCRIPTION
DT4	Smoker's Package includes ashtray and lighter
ZQ2	Power Convenience Package includes (A31) power windows and (AU3) power door locks (Included with (YF1) RV Package. Not available with (9T7) passenger side door delete.
ZQ3	Driver Convenience Package includes Tilt-Wheel and (K34) cruise control (Included with (YF1) RV Package or (ANC) Shuttle Bus Package.)
ZR7	Chrome Appearance Package (Includes (V46) front chrome bumper and (V22) chrome grille. Included with (YF1) RV Package or (YF2) Ambulance Package or (ANC) Shuttle Bus Package.)

ADDITIONAL EQUIPMENT - ENTERTAINMENT

CODE	DESCRIPTION
USR	Audio system feature, USB port (Included and only available with (U0H) AM/FM stereo with MP3 player, (US8) AM/FM stereo with MP3 compatible CD player or (UI8) Chevrolet MyLink radio with Navigation.)

ADDITIONAL EQUIPMENT - SAFETY-INTERIOR

CODE	DESCRIPTION
UVC	Rear Vision Camera camera and cable shipped loose

SEAT TRIM

CODE	DESCRIPTION
93G	Medium Pewter, Custom Cloth seat trim

AIR CONDITIONING

CODE	DESCRIPTION
C60	Air conditioning, single-zone manual (Not available with (R6G) air conditioning delete.) (STD)

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City of Kalamazoo 2018 Chevrolet Express Commercial Cutaway (CG33503) Van 139

GVWR

CODE	DESCRIPTION
C7N	GVWR, 12,300 lbs. (5579 kg) (Includes (R05) dual rear wheel configuration. Not available with (R04) single rear wheel combination.

REQUIRED OPTION

CODE	DESCRIPTION
DRJ	Mirror, inside rearview (STD) (Included and only available with (UVC) Rear Vision Camera.)

EMISSIONS

CODE	DESCRIPTION
FE9	Emissions, Federal requirements

PAINT

CODE	DESCRIPTION
GBA	Black

AXLE

CODE	DESCRIPTION
GT4	Rear Axle, 3.73 Ratio (Requires (R05) dual rear wheel configuration.)

ENGINE

CODE	DESCRIPTION
L96	Engine, Vortec 6.0L V8 (341 hp [254.3 kW] @ 5400 rpm, 373 lb-ft of torque [503.6 N-m] @ 4200 rpm) (Includes external oil cooler. Requires (MYD) 6-speed heavy-duty automatic transmission.

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TRANSMISSION

CODE	DESCRIPTION
MYD	Transmission, 6-speed automatic, heavy-duty electronically controlled with overdrive and tow/haul mode. Includes Cruise Grade Braking, Powertrain Grade Braking, and Tap-Up/Tap-Down Driver Shift Control (Requires (L96) Vortec 6.0L V8 SFI engine or (LC8) 6.0L V8 SFI gaseous engine.

WHEELS

CODE	DESCRIPTION
QT4	Wheels, 6 - 16" x 6.5" (40.6 cm x 16.5 cm) 8-lug painted steel, heavy duty (Only available with (R05) dual rear wheel configuration)

REAR WHEEL CONFIGURATION

CODE	DESCRIPTION
R05	Wheel configuration, rear, dual (Not available with (C4M) 9900 lb. (4490 kg) GVWR or (JFF) 10,100 lb. (4581 kg) GVWR.)

RADIO

CODE	DESCRIPTION
U0H	Audio system, AM/FM stereo with MP3 player and USB port includes seek-and-scan, digital clock, TheftLock, random select, auxiliary jack and 2 front door speakers (Not available with (U2K) SiriusXM Satellite Radio.)

FRONT TIRES

CODE	DESCRIPTION
XHF	Tires, front LT225/75R16E all-season, blackwall (Requires (R05) dual rear wheel configuration.

REAR TIRES

CODE	DESCRIPTION
YHF	Tires, rear LT225/75R16E all-season, blackwall (Requires (R05) dual rear wheel configuration.

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Berger Chevrolet

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City of Kalamazoo 2018 Chevrolet Express Commercial Cutaway (CG33503) Van 139

BODY CODE

CODE	DESCRIPTION
ZW9	Body, standard (STD)

SEATING ARRANGEMENT

CODE	DESCRIPTION
ZX2	Seating arrangement, driver and front passenger high-back bucket includes head restraints and vinyl or cloth trim (STD) (Not available with (AJ3) driver-side only frontal air bag.)

PAINT SCHEME

CODE	DESCRIPTION
ZY1	Paint, solid

Options Total

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Standard Equipment

Mechanical

Engine, 4.3L V6 with Direct Injection and Variable Valve Timing, includes aluminum block construction (276 hp [206 kW] @ 5200 rpm, 298 lb-ft of torque [404 Nm] @ 3900 rpm) (STD) (Requires (C4M) 9900 lbs. (4490 kg) GVWR, (C7A) 10,000 lbs. (4536 kg) GVWR or (JFF) 10,100 lb. (4581 kg) GVWR . Not available with (YF2) Ambulance Package, (YF1) RV Package, (ANC) Shuttle Bus Package or (C7N) 12,300 lbs. (5579 kg) GVWR. Includes external engine oil cooler. Reference the Engine/Axle page for availability.)

Transmission, 8-speed automatic electronically controlled with overdrive and tow/haul mode. Includes Cruise Grade Braking and Powertrain Grade Braking (STD)

Rear axle, 3.42 ratio (Requires (R04) single rear wheel configuration.)

Body, standard (STD)

GVWR, 9900 lbs. (4490 kg) (STD) (Includes (R04) single rear wheel configuration. Not available with (R05) dual rear wheel combination. Reference the Engine/Axle page for availability.)

Tow/haul mode selector, instrument panel-mounted

Transmission oil cooler, external

Rear wheel drive

Cooling, external engine oil cooler

Battery, 600 cold-cranking amps maintenance-free with rundown protection and retained accessory power

Alternator, 150 amps

Frame, ladder-type

Incomplete vehicle certification

Suspension, front independent with coil springs and stabilizer bar

Suspension, rear hypoid drive axle with multi-leaf springs

Steering, power

Brakes, 4-wheel antilock, 4-wheel disc

Fuel tank capacity, mid-frame and approximately 33 gallons (124.9L)

Exhaust, aluminized stainless-steel muffler and tailpipe

Exterior

Wheels, 4 -16" x 6.5" (40.6 cm x 16.5 cm), 8-lug painted steel, heavy-duty (STD) (Only available with (R04) single rear wheel configuration.)

Tires, front LT245/75R16E all-season, blackwall (STD) (Requires (R04) single rear wheel configuration. Jack and spare tire equipment bracket are not included.)

Tires, rear LT245/75R16E all-season, blackwall (STD) (Requires (R04) single rear wheel configuration. Jack and spare tire equipment bracket are not included.)

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Exterior

Wheel configuration, rear, single (STD) (Not available with (C7A) 10,000 lbs. (4536 kg) GVWR or (C7N) 12,300 lbs. (5579 kg.) GVWR.)

Bumper, front painted Black with step-pad (Deleted when (ZR7) Chrome Appearance Package is ordered.)

Grille, Black composite (Not available with (ZR7) Chrome Appearance Package.)

Headlamps, dual halogen composite

Flasher, heavy duty light emitting diode (LED)

Glass, Solar-Ray light-tinted, all windows

Mirrors, outside delete (Not available with (5Q7) Upfitter option Blank Sail Panel Delete when ordered with (YF2) Ambulance Package.)

Wipers, front intermittent wet-arm with pulse washers

Entertainment

Audio system, AM/FM stereo with MP3 player seek-and-scan, digital clock, TheftLock, random select, auxiliary jack and 2 front door speakers (STD) (Not available with (U2K) SiriusXM Satellite Radio or (YF1) RV Package.)

Interior

Mirror, inside rearview (STD) (Included and only available with (UVC) Rear Vision Camera.)

Seating arrangement, driver and front passenger high-back bucket includes head restraints and vinyl or cloth trim (STD) (Not available with (AJ3) driver-side only frontal air bag.)

Air conditioning, single-zone manual (Not available with (R6G) air conditioning delete.) (STD)

Seats, front bucket with vinyl trim and head restraints includes inboard armrests (Requires (**W) trim. Not available with SEO (ZP0) delete driver and passenger seats. Includes only driver high-back bucket seat with vinyl trim when ordered with (ZX1) driver-only high-back bucket seating arrangement.)

Cup holders, 3 on the engine console cover

Power outlets 2 auxiliary on engine console cover with covers, 12-volt

Power outlet, 120-volt

Floor covering, Black rubberized-vinyl front

Instrumentation, analog with speedometer, odometer with trip odometer, fuel level, voltmeter, engine temperature and oil pressure

Driver Information Center includes fuel range, average speed, oil life, fuel used, ice warning, engine hours, average fuel economy, tachometer and maintenance reminders

Warning tones, headlamp on and key-in-ignition

Oil life monitor

Theft-deterrent system, vehicle, PASS-Key III

Heater and defogger with front and side window defoggers

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Interior

Headliner, cloth, over driver and passenger
Visors, driver and front passenger, cloth, padded
Assist handles, driver and right-front passenger
Lighting, interior with dome light and door handle-activated switches

Safety-Exterior

Daytime Running Lamps

Safety-Mechanical

StabiliTrak, traction assistance and vehicle stability enhancement system
Brake/transmission shift interlock for automatic transmissions
Hill Start Assist

Safety-Interior

Air bags, frontal, driver and right-front passenger (Included and only available with (ZX2) driver and front passenger high-back bucket seats or (ZP0) driver and passenger temporary seats. Always use safety belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)

Air bags, driver and right-front passenger, seat-mounted side-impact and head curtain side-impact (Included and only available with (C4M) 9900 lb. (4490 kg) GVWR or (C7A) 10,000 lb. (4536 kg) GVWR. Always use safety belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)

Air bag deactivation switch, frontal, passenger-side (Not available with (AJ3) frontal, driver-side only air bag. Always use safety belts and the correct child restraints. NOTE: Passenger seat is removed when ordered. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)

Rear Vision Camera

Tire Pressure Monitor System (does not monitor spare tires) (Required with (C4M) 9900 lbs. (4490 kg) GVWR and (R04) single rear 4 - 16" x 6.5" (40.6 cm x 16.5 cm) wheels.)

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WARRANTY

Basic Years: 3
Basic Miles/km: 36,000
Drivetrain Years: 5
Drivetrain Miles/km: 60,000
Drivetrain Note: Qualified Fleet Purchases: 5 Years/100,000 Miles
Corrosion Years (Rust-Through): 6
Corrosion Years: 3
Corrosion Miles/km (Rust-Through): 100,000
Corrosion Miles/km: 36,000
Roadside Assistance Years: 5
Roadside Assistance Miles/km: 60,000
Roadside Assistance Note: Qualified Fleet Purchases: 5 Years/100,000 Miles
Maintenance Years: 2
Maintenance Miles/km: 24,000
Maintenance Note: 2 Visits



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**Body Number**

Model: SSB12078096

2/20/2018

Ship to Address

Customer #: 25629

Customer Name: Berger Chevrolet

Address: 2525 28th ST. S.E.

City: Grand Rapids ST: MI Zip: 49512

Quote #: Kalamazoo PD

PO #:

Customer #: 25629

Customer Name: Berger Chevrolet

Address: 2525 28th ST. S.E.

City: Grand Rapids ST: MI Zip: 49512

Contact Name: Bob Evans

Phone #: 616-575-9629

Email: bevans@bergerchevy.com☐ Signed PO ☐ Signed Drawings ☐ Signed Quote☐ Chassis Invoice ☐ Any misc. documents pertinent to order☐ Handwritten Order with header sheet

Ship VIA:

Salesman Name: Jeff McPherson

Salesman #: 1X

Chassis Specifications

Year, Make, & Model: 2018 Chevrolet CQ3NM

Wheelbase: 139"

CA: 80"

GVWR: 12,300

Frame Width: 42

Engine: gas

VIN#:

☐ Drop Ship Chassis☐ Pool Chassis☐ Bought Chassis

Chassis ETA:

Dealer Code:

Dealer Name:

Chassis Order Number:

Fleet Code:

Incentive Code:

General Specifications

Base Body:	SSB12078096
Floor:	Wheel wells - 1-1/2" formed crossmembers - 10 ga. Formed C- channel longsills - 3/4" anti-skid black coated flooring - undercoat floor and frame
Front Wall:	.040 aluminum skins with Z post on 16" centers - rivetless body use 3M tape
Sidewalls:	.040 aluminum skins with Z post on 16" centers - rivetless body use 3M tape
Rear Frame:	extruded aluminum small radius corners with 3/8" FRP rear wall framed for a 36" single narrow rear door
Roof:	one-piece .032 aluminum roof skin with galvanized roof bows on 16" centers
Corners:	extruded aluminum vertical front corners
Wind Deflector:	fiberglass front wind fairing with no roof cutout - area will be opened to body area for A/C installation
Exterior Lights:	LED FMVSS 108 clearance lights
S/T/T Lights:	LED oval taillights with integrated back-up lights -surface mounted
mounting	mounted at Supreme, Cleburne TX with standard mudflaps
Bumper:	12" deep pooched step width of the door that will fold up to decrease length
Rear Door:	challenger 1200 single narrow rear door with dead bolt and shock assist to hold door at 95 degrees- (2) 36" stainless steel grab bars, one the exterior of the door and one fastened to the inside of the door at an angle to help with egress - hinge door on curbside
lining	1-1/4" fiberglass insulation, 3/8" plywood lining and .090 glasboard interior sides, front, rear and ceiling
generator	Onan commercial quiet 7K gas generator with remote start, hour meter and battery charger #065046 - include command 30 auto start - install generator compartment on the streetside near the front and connect to the OEM aux. port - install remote control above work desk directly above generator - compartment to be insulated with a challenger 1200 series door
streetside compartment	on streetside rear install a compartment approx. 50" tall x 24" wide and 22" deep with a challenger 1200 series door - door will include deadbolt and shock assist to hold open at 95 degrees - no shelves leave open

curbside compartment	(2) compartments on the curbside with extruded aluminum canister doors- rear compartment approx. 34" wide and horizontal compartment approx. 60" wide - rear compartment to have a slide out tray rated at 100 lbs and horizontal compartment 1 adjustable shelf (see drawings)
inside curbside compartments	curbside interior area over the rear two lower compartments will be divided into (3) equal compartments - each compartment will have an extruded aluminum canister door on the interior - each compartment will have (1) adjustable shelf
desk	install a desk area on the curbside front with a stainless steel desk top up 30" from the floor - 12" down from ceiling install a stainless steel shelf 16" deep with a 2" front lip. Shelf should go from front wall to rear compartments over bench seat - install a 24" LED light bar under shelf for desk area with switch on front wall
inside street side rear cabinet drawers	directly above the exterior rear compartment install a interior compartment with extruded aluminum canister door - bottom of compartment will be approx. 40" from floor on streetside between the generator and rear compartment install (4) three drawer cabinet- cabinets will be on a raised platform to go over the wheel well - bottom drawer on front cabinet will probably be modified for fuel fill
work top	install a 24" deep x full length stainless steel work top on the streetside over bottom cabinets - table top height approx. 40"
upper cabinets	install (4) 16"h x 12" d x 24" wide upper cabinets over work top on the streetside- cabinets to have swing up doors with shock assist
A/C	install a Hoseline A/C system #2200444 - install evaporator over cab in fairing area - install compressor under the skirts - thermostat should be located over work top on streetside
heater	install toe-kick heater #221162 on streetside under cabinets behind wheel well
breaker box	120/240 125 amp 8 space breaker box # 0630214 with (1) 30 amp breaker and (7) 20 amp breakers #062610 - locate behind bulkhead or over cab
interior outlets	install a wire trough over work top with (3) single gang 120 volt outlets spaced evenly- connect connect to 1 breaker - install (1) single gang outlet for plug to battery charger on it's own breaker - one single gang outlets on the front wall by desk area on it's own breaker
exterior outlets	(3) exterior GFCI single gang outlets, one on each side and rear of truck with each on it's own breaker
aux battery	single battery aux. system includes battery # 0639106 , battery box #0662302 and 200 amp separator #063075
land line	15 amp straight shore plug #063721 with 50 amp automatic transfer switch #0637183 - install land line on streetside near generator
Charger	65 amp charger #0630001006NA to run 12 volt lighting and charge batteries - install under work top over generator
scene lights	(6) Whelen 900 series LED scene lights #071001 with chrome flange #071002 mounted in upper corners of each side and rear walls - each side to be on their own switch on the arrow control in cab
interior lights	(3) 40" LED light bars #0699133 spaced evenly in center of roof with a rear switch hotwired to aux. battery
work top light	(1) 40" LED light bar # 0699133 under overhead cabinets, centered over work top with switch in wire trough hot wired to aux. battery
emergency lights	(14) TIR 3 blue lights #0690047 with chrome flange #071158 two mounted in the roof rail on each side and rear with two in the grill - also install 2 per side and rear at lower edge of wall per drawings - connect to arrow control in cab
arrow stick	amber 8 light arrow stick # 0699065 with switch control #069903 - mount light over rear door with control box in cab connected to aux battery
back up camera	CSS back up system with 7" monitor #2250001

CO2 detector	install carbon monoxide detector in back of vehicle
windows	install (2) 18"h x22" wide vertical slider with screen window, on over desk area and one directly across over bench seat - install (2) 24" x 24" windows in rear door, one high and one low
paint	paint body black to match cab base coat clear coat
note	standard lead time is 10-12 weeks from receipt of chassis or signed drawings whichever is latest

Thank you for considering Supreme Specialty Vehicles!

Jeff McPherson
Director of Sales
Armored/Specialty Vehicles
Office (817) 641-8002 Ext 2202
Cell (817) 819-4569
E-Fax (574) 642-0347
Email jeff.mcpherson@supremecorp.com

State and/or Federal taxes may be applicable at time of invoicing.
All prices are firm for 90 days from date of quotation.
Prices will be reviewed and are subject to revision after this date.
Payment terms are COD unless prior credit arrangements have been made.

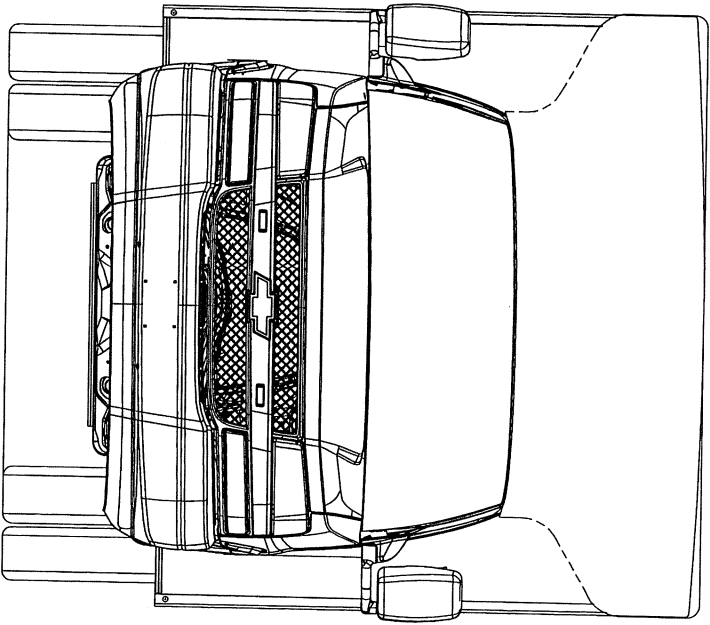
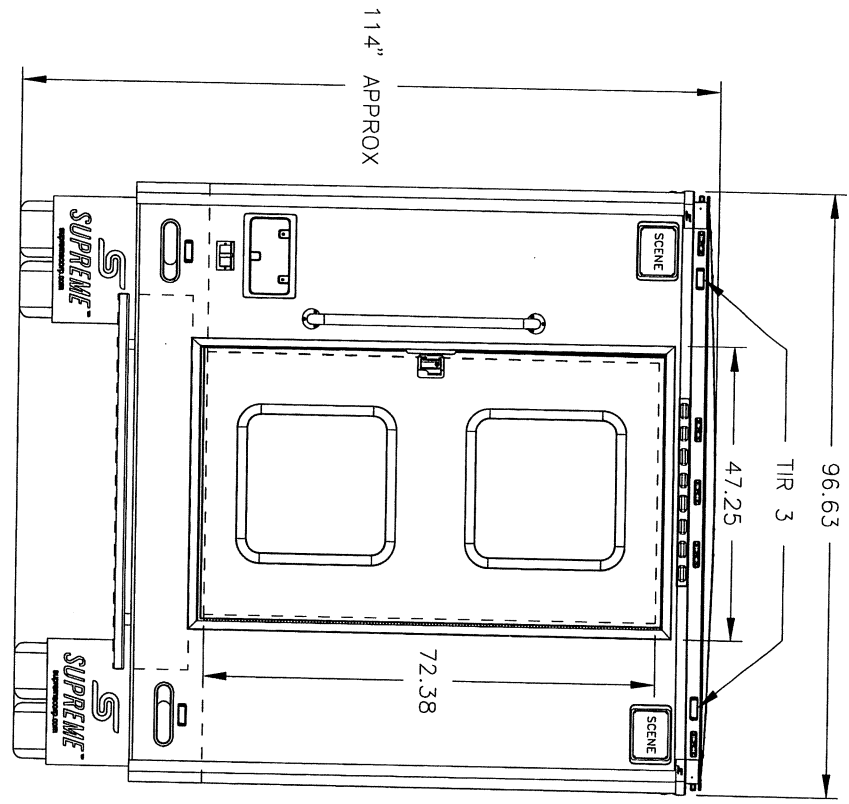
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Date: _____

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REV.	ECN	ECD	DESCRIPTION	DATE	BY
			CHG DOOR/ADD WINDOWS	2/12/18	
			ADD TIR 3 LIGHTS/ CHG BUMPER	2/14/18	



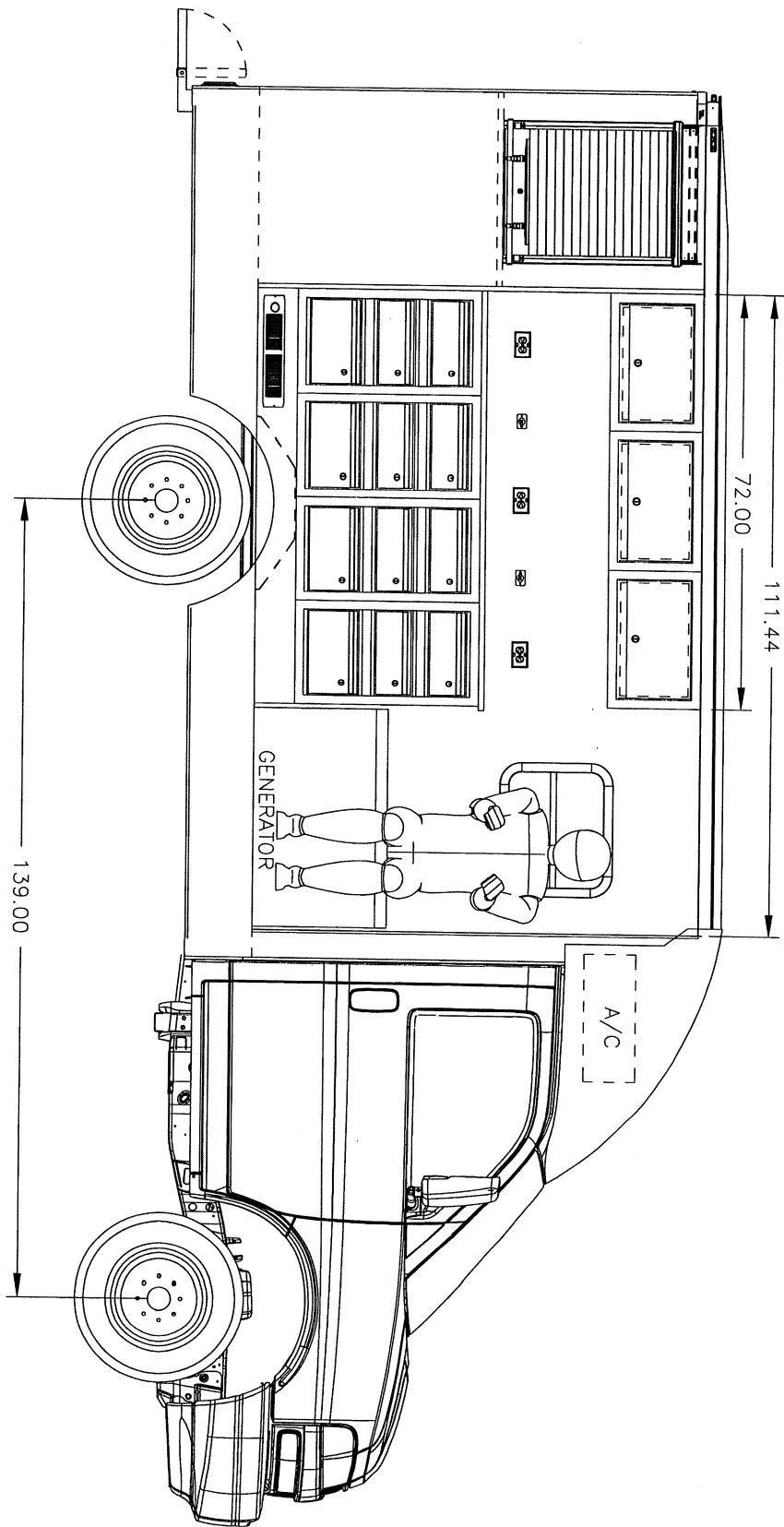
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MINOR DIMS ± 0.1"	MATERIAL: --	SCALE: DWG# jml_1003710	
BY: [Signature]	REVISED: --	PART NO. --	

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REV.	ECN	ECO	DESCRIPTION	DATE	BY
			CHG INTERIOR	2/12/18	
			CHANGE WINDOW, BUMPER	2/14/18	

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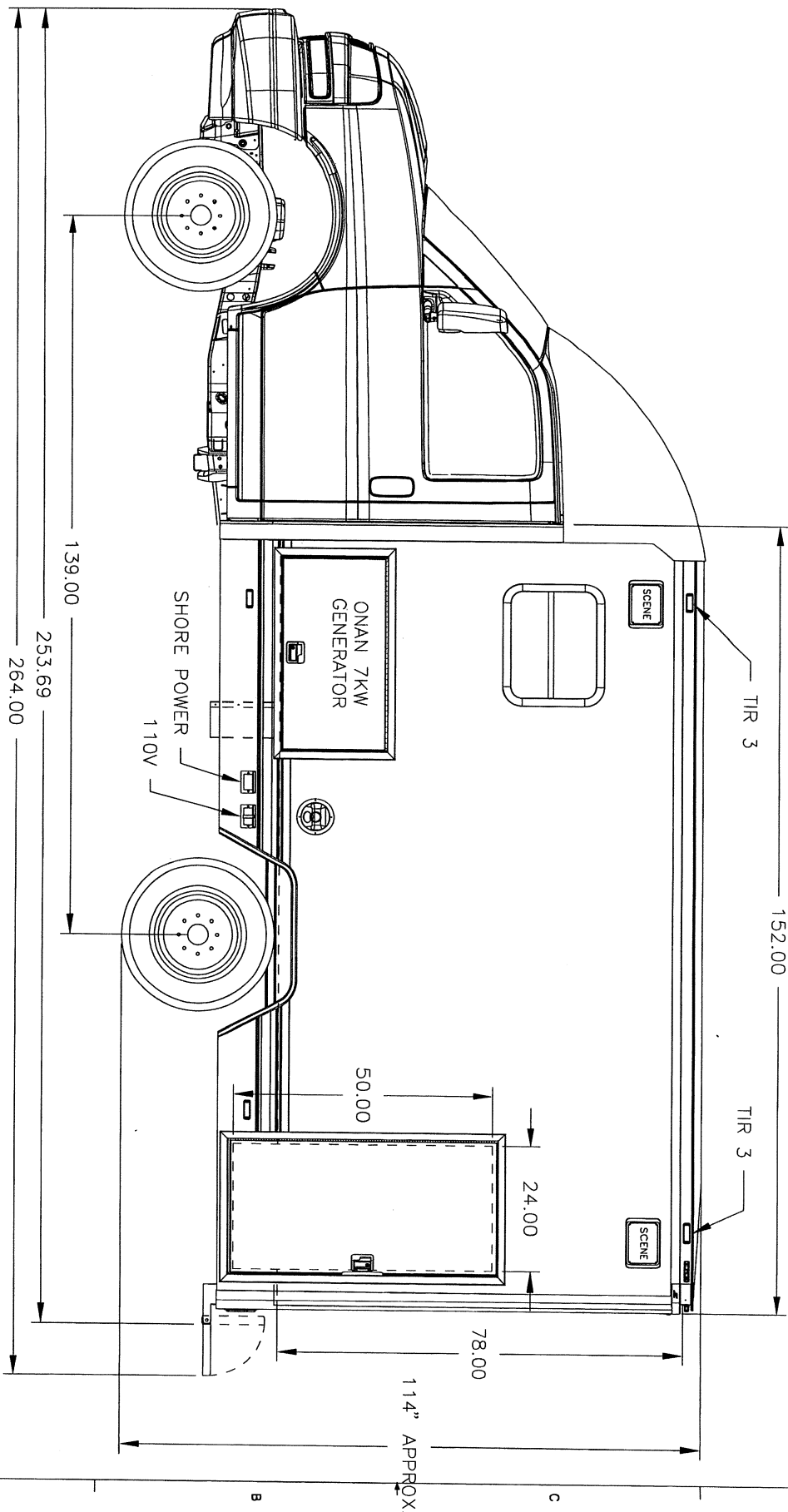
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REV	ECD	DESCRIPTION	DATE	BY
		ADD WINDOW/ OUTLETS/ ALUM BODY	2/12/18	
		CHG WINDOW, BUMPER/ADD TIR3 LIGHTS	2/14/18	

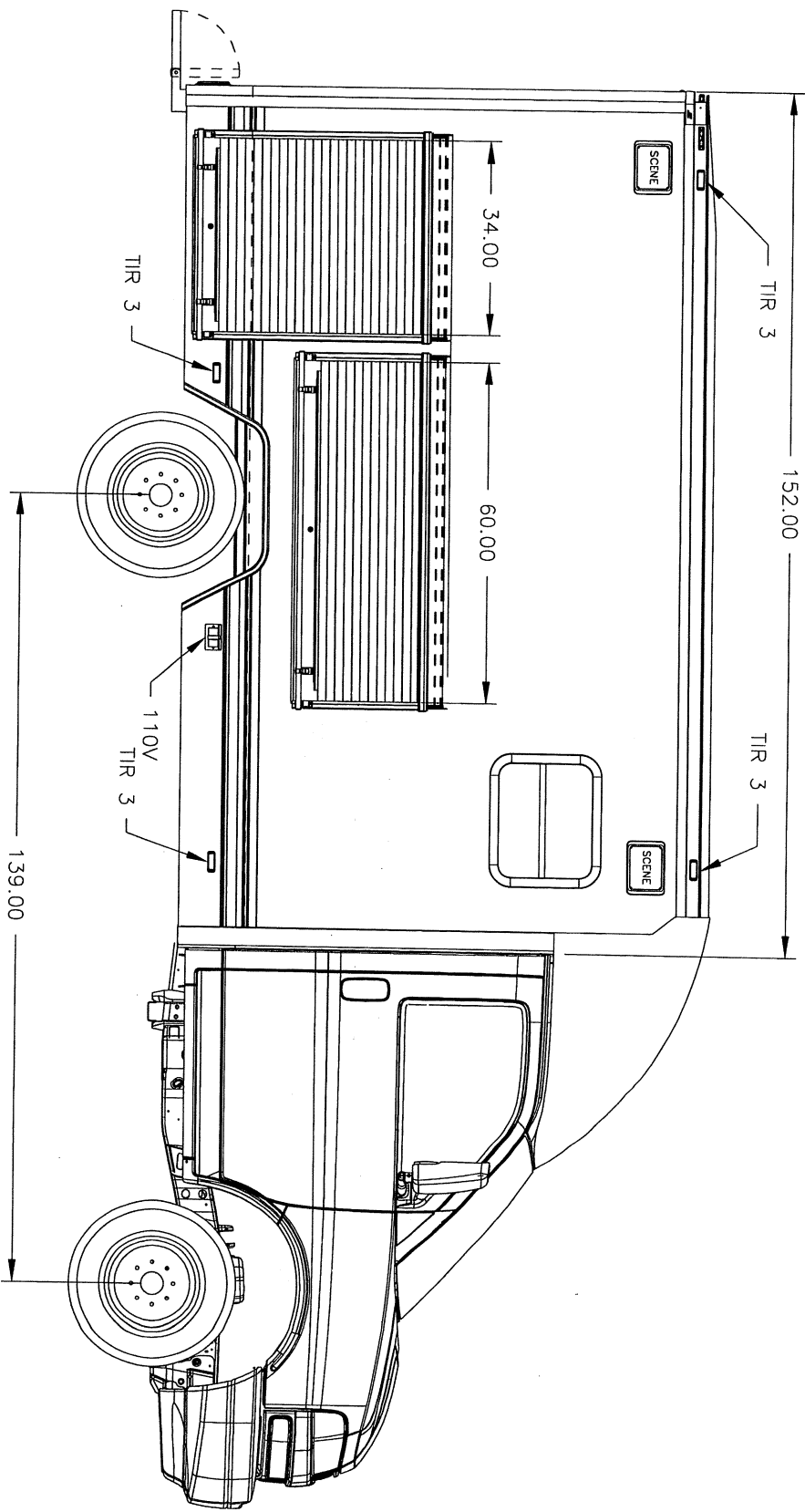


STANDARD TOLERANCE UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES				CUSTOMER			
JCF				KALAMAZOO CITY			
TITLE: ROADSIDE ELEVATION				PROJECT: SSB12078096			
ASST DIMS ±0.13"				SERIES: 21448			
X.X ±0.1"				SIZE: A			
X.XXX ±0.06"				FILE LOC: I:\design\engineering\drawing\unreleased\quotes			
X.XXX ±0.08"				DWG: Jn_12078096			
ANGULAR ±10°				REV/ECD: 1			
MATERIAL				PART NO.			

PRELIMINARY
NON-PRODUCTION PRINT
FOR R&D USE ONLY

REVISED

REV.	ECN	ECN	DESCRIPTION	DATE	BY
			ADD WINDOW/OUTLET/REMOVE DOOR/ALUM BODY	2/12/18	
			CHG WINDOW, BUMPER/ADD TIR 3 LIGHTS	2/14/18	



STANDARD TOLERANCE				CUSTOMER			
SPECIFIED DIMENSIONS				KALAMAZOO CITY			
ARE IN INCHES				CURBSIDE ELEVATION			
ASSY DIMS ± 0.13"				MODEL			
X.X ± 0.1"				SIZE A			
X.XX ± 0.06"				FILE LOC: i:\design\engineering\drawings\lamord\equipe			
X.XXX ± 0.005"				SCALE: DWG			
ANGULAR ± 1.0°				DATE: 2/14/18			
TYPED DIMS ± 0.1"				BY: jm			
MATERIAL				REV/ECO: --			

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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: Gary Doorlag, City Fleet Manager

DATE: 4/10/2018

SUBJECT: Purchase of a Broderon Industrial Crane - Bid Ref # 000-00-018.42

RECOMMENDATION

It is recommended that City Commission approve the purchase of a Broderon IC803J Industrial carry all crane from Cloverdale Equipment Company in the amount of \$148,900.

BACKGROUND

The City of Kalamazoo, Wastewater Treatment Plant is in need of replacing its current Industrial crane that is in poor condition and over 35 years old. This crane is used exclusively in the Wastewater treatment plant for many tasks including removal off large pumps for repair or replacement.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Funds have been budgeted for this expenditure in the Wastewater 2018 budget.

ALTERNATIVES

Many sources and alternative types of cranes where considered for this operation with only one vender offering the required style and lift capacity of the current carry all deck crane.



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, PE, Assistant City Engineer

DATE: 4/11/2018

SUBJECT: Pratt Road Culvert Replacement Bid Reference No. 968-19-010.0

RECOMMENDATION

It is recommended that the City Commission approve a contract with M-K Construction Company, Inc. for the Pratt Road Culvert Replacement Project, in the amount of \$195,405.88.

BACKGROUND

The Pratt Road Culvert Replacement Project was identified as a necessary project for the 2018 construction year. During periodic inspections, several defects on the culvert were identified as in need of repair or replacement. Public Services retained the professional services of OHM Advisors to design a replacement structure, and the project was placed out for bid.

Bids were opened on March 29th, with M-K Construction Company, Inc. being the low responsive bidder. M-K Construction Company, Inc. has completed several similar projects for other communities in the past, and Public Services recommends approval of this contract

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Funding for this project is accounted for in the 2018 Local Streets Capital Improvement Budget. Funding summary is as follows:

Funding:		
	2018 Local Streets CIP Budget	<u>\$195,405.88</u>
		\$195,405.88

Costs:

\$195,405.88

\$195,405.88

ALTERNATIVES

An alternative would be not to approve this contract, however the culvert would continue to deteriorate and risk experiencing critical failure.

ATTACHMENTS:

	Type	Description
▣	Aerial Photo	Bid Results Summary

BID RESULTS SUMMARY

PROJECT: Pratt Road Culvert

DATE: April 11, 2018

BIDDERS SOLICITED: 58

BIDDERS RESPONDED: 10

MBE/WBE BIDS SOLICITED: 10

MBE/WBE BIDDERS RESPONDED: 0

BID REFERENCE NO: 968-19-010.0

MBE/WBE AWARDED: No

ISSUE DATE: February 19, 2018

BID OPENING: March 29, 2018

APPROVAL REQUIRED: City Commission

FUNDED BY: City

<u>BIDDERS</u>	<u>AMOUNT BID</u>	<u>LOCATION</u>
M-K Construction Company, Inc.	\$195,405.88	Brownstown, MI
Nashville Construction Company	\$233,667.52	Nashville, MI
Cross Lake Construction Inc.	\$239,403.50	Horton, MI
Davis Construction, Inc.	\$251,734.35	Lansing, MI
Balkema Construction Inc.	\$258,144.31	Kalamazoo, MI
E.T. MacKenzie Company	\$262,100.90	Grand Ledge, MI
Riverworks Construction	\$300,771.90	Holland, MI
J.E. Kloote Contracting, Inc.	\$341,211.00	Nunica, MI
Peters Construction Co.	\$348,633.18	Kalamazoo, MI
Anlaan Corporation	\$408,844.00	Grand Haven, MI

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

Melissa Fuller

Melissa Fuller
*Deputy Director of Mgmt Services/
Purchasing Agent*



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: 4/16/2018

SUBJECT: Rezone 713 Simpson Street

RECOMMENDATION

It is recommended that the City Commission offer for first reading an ordinance to rezone 713 Simpson Street from Zone M-1 (Manufacturing, Limited District) to Zone RM-15 (Residential, Multi-Dwelling District), and schedule the public hearing on the request for May 21, 2018.

BACKGROUND

The subject parcel for the rezoning is located in the Northside neighborhood. It contains an approximately 1,000-square-foot, two-story house that was constructed in 1890. Under the current zoning classification of M-1, new residential structures or units are not permitted, but existing structures or units are considered conforming. This home has existed on the subject parcel for residential purposes for over 100 years. M-1 is not the most appropriate zoning designation in this location given the surrounding residential and commercial uses. The properties to the east across Simpson Street and to the west across the trail are RM-15, which is the proposed zone for the subject parcel.

The applicants have been operating a transitional residence use in the house at 713 Simpson Street for approximately three years. This represents a violation of the Zoning Ordinance as such uses are not permitted in the industrial zones. The use is permitted in the RM-15 zone with approval of a special use permit. At the April 10th Planning Commission meeting, the Planning Commission voted unanimously to recommend to the City Commission to approve the rezoning request and approve a special use permit to allow the continued operation of the transitional residential. The Planning Commission's approval of the special use permit was conditioned on the rezoning be approved. The City Commission is not required to review special use permit requests, which are reviewed and approved by the Planning Commission.

POLICY CONSIDERATIONS

The rezoning to RM-15 meets with the future land use plan in the 2025 Master Plan. It also addresses the goal identified in the Strategic Vision of "Strength Through Diversity" that envisions an inclusive city where everyone feels at home.

COMMUNITY RESOURCES CONSULTED

The applicant sent out their own letters to adjacent property owners and reached out in person to discuss the request. The applicant also met with the NACD director. Numerous residents attended the April 10th Planning Commission to voice their support of the special use and rezoning request. Notices of the public hearing before the Planning Commission on the request were sent to all property owners and occupants within 300 feet of the subject parcel, and a notice was published in the Kalamazoo Gazette prior to the hearing. The same process will be conducted for the City Commission public hearing on the request.

FISCAL IMPACT

The approval of the rezoning is not anticipated to have any fiscal impact on the City.

ALTERNATIVES

The City Commission has the option of not approving the rezoning. If the subject property is not rezoned, the existing transitional residence program operated out of the house will have to close and relocate. It is recommended that the City Commission approve the rezoning.

ATTACHMENTS:

Type	Description
▣ Ordinances	Ordinance
▣ Minutes	PC meeting minutes
▣ Aerial Photo	Aerial photo
▣ Map – Proposed Zoning	Proposed zoning
▣ Map – Future Land Use	Future land use
▣ Map - Existing Land Use	Existing land use
▣ Map – Existing Zoning	Existing zoning

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 rezoned from Zone M-1 (Manufacturing, Limited District) to Zone RM-15 (Residential, Multi-Dwelling District) is located in Section 16 of the City of Kalamazoo, County of Kalamazoo, State of Michigan, commonly referred to as 713 Simpson Street and described as the following:

Lot 31 of the Addition of Balch and Thompson plat

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 _____, 2018, 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
April 10, 2018
DRAFT

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

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

Members Excused: None

City Staff: Christina Anderson, City Planner; Robert Bauckham, Senior Development Planner; Clyde Robinson, City Attorney and Beth Cheeseman, Code Administration Clerk and Cashier

A. CALL TO ORDER

Commissioner Hughes-Nilsson called the meeting to order at 7:00 p.m.

B. ROLL CALL

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

C. ADOPTION OF FORMAL AGENDA

Commissioner Wissner, supported by Commissioner Greenman Wright, moved approval of the April 10, 2018 Planning Commission agenda. With a voice vote, the motion carried unanimously.

D. APPROVAL OF MINUTES

Commissioner Milliken, supported by Commissioner Vyas, moved approval of the February 1, 2018 Planning Commission minutes as presented. With a voice vote, the motion carried unanimously.

E. COMMUNICATIONS AND ANNOUNCEMENTS

None

F. PUBLIC HEARINGS

P.C. #2018.02: Request from Patrick Coffey to rezone 713 Simpson Street from Zone M-1 (Manufacturing, Limited District) to Zone RM-15 (Residential, Multi-Dwelling District). **[Recommendation: motion to recommend to the City Commission to approve the rezoning request.]**

Planner Anderson asked Attorney Robinson for clarification about opening both public hearings at once since they were related. Attorney Robinson advised opening each hearing separately.

Planner Bauckham proceeded to present the staff report. The applicant owns 713 Simpson Street and operates Healthy House 4 Women, a transitional residence for women recovering from addictions. The applicant has operated the transitional residence from this property for approximately three years. The zoning for this property is M-1, Manufacturing, Limited District and this zoning does not permit new residential uses or structures. The transitional house is not a permitted use in the M-1 zone. The applicant would like to have the property rezoned to RM-15, Residential, Multi-Dwelling District. The second request is for a special use permit to allow the transitional housing to continue. The transitional housing is permitted within the RM-15 zoning with approval of a special use permit.

The program allows a maximum of eight adult women to reside in the home with an average stay of 90 days to one year. Besides staff and family members, no men are allowed in the house. A staff member lives in the house and the women are supervised at all times. The program includes recovery coaches, counseling and other assistance three days per week. The residents attend AA and/or NA daily. They have a curfew of 9:00 p.m. each day. The residents do not have vehicles on site. The goals of the program are to help the women with their recovery, provide life and job skills, and transition them into permanent housing. The applicant has spoken to the Director of the Northside Association for Community Development, sent out letters to the neighbors, gone door to door to speak with the neighbors about the request, and received positive comments about continuing the program in their area.

Staff believes the transitional residence use is compatible with existing adjacent uses. The rezoning is compatible with the future land use plan. The request also helps to accomplish the Strategic Vision goal of "Strength through Diversity." Planner Bauckham added that the applicant will need to submit a site plan if the rezoning and special use permit are approved. Staff is recommending approval of the rezoning and special use permit. Planner Bauckham stated that the special use permit would be contingent upon the rezoning of the property.

Commissioner Milliken asked why the issue has come before the Commissioners at this time. Planner Bauckham stated that staff only recently became aware of the transitional use in the house.

The applicant, Ms. Pam Coffey, came forward to speak assuring the Commissioners that she never intended to break any zoning ordinances. She indicated they sought to follow the process once they were aware of the issue. Ms. Coffey said the house is for women transitioning from prison or treatment centers who need a safe place to start over. She believes it is very needed in the community. Ms. Coffey shared that she is a recovering addict of 25 years and she has a passion for serving these women. She cited the case of one woman who served 15 years in prison who had three children. She stated that the woman was ready to recover. She followed all of the rules of the program and stayed in the house for about seven months. The woman was able to get an apartment, a car, and was eventually hired with Pharmacia.

Commissioner Pitts asked about other houses in the area with similar purposes. Ms. Coffey responded that she knows of a home for homeless families on Eleanor Street. She also stated the possibility of a family house coming to Ada Street.

Commissioner Wissner asked her to explain her business model. Ms. Coffey explained that they work on a referral basis from treatment centers and have a contract with Professional Consultant Services. She also has a contract with GFM - The Synergy Center. The women are funded through Southwest Michigan Behavioral Association (SWMBA) for outpatient treatment and they can get 90 days of housing. Ms. Coffey attempts to get funding and resources for each woman to stay with them for at least 6 months. She gets referrals on a regular basis.

Commissioner Milliken asked how the conversations with the neighbors went. Ms. Coffey responded that they went well. She mailed a letter to all of the neighbors in the 300' radius. The neighbors she talked with had no problem with the program remaining in place. She added that there have been no problems with the neighbors.

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

Ms. Gwendoyne Lanier, resident and one of the founders and president of the Board of Directors for Mothers of Hope, came forward to speak in support of the rezoning and special use permit. She is also a recovering addict – sober for 30 years. She highlighted how important these kinds of houses are in light of the opioid crisis.

Ms. Valarie Cunningham, Founder and Executive Director of GFM - The Synergy Center, came forward in support of Ms. Coffey. She strongly urged the Commissioners to consider the rezoning request and special use permit for transitional housing. She said they have partnered with Ms. Coffey for the last three years. Ms. Cunningham stated that when they get referrals, they contact residential housing to see if there are places available. To receive the funds from SWMBA, the women need to be in a place that can offer substance abuse counseling or group counseling. She stated that the services provided by Ms. Coffey have been giving these women the opportunity to get their lives back and to have an improved quality of life.

Ms. Stephanie Moore, resident, serves on the Kalamazoo County Commission. She chairs the board for District 1, and urged the Commissioners to consider approving the requests. Ms. Moore indicated she is leading her board to have conversations about how to address the opioid epidemic and how to work with the people in the community who provide safe, healing spaces for those on the journey to recovery. She believes supporting the rezoning to allow people in the community to provide those spaces is an awesome way to do that. She encouraged the Commissioners that Ms. Coffey's program is a benefit to Kalamazoo and the residents in the neighborhood. She stated that the Coffeys are from Kalamazoo and are invested in the community. Ms. Moore also said that the applicant has been a business owner in the community for decades and Ms. Coffey truly has a heart to help people in the community.

Mr. Jon Weeldreyer, psychologist, addictions counselor, manager and counselor at the Kalamazoo Pine Rest Clinic, came forward to speak in favor of the rezoning and special use permit requests. He stated that substance abusers in treatment see a large improvement in a short period of time, but they are fragile for the first year. He indicated that the recovery environment is one factor that often sabotages people in recovery. He also said that it may require a residential setting for treatment for people to understand what a healthy family is like. He cited experiences of people on waiting lists for residential beds who died before receiving a spot in residential treatment.

Ms. Brenda Earhart serves on the Board at Healthy House and is aware of the services and the benefits those in the house are receiving. She requested support of the rezoning of Healthy House.

Ms. Nikkole Riojas, resident, came forward in support of the Healthy House 4 Women. Ms. Riojas stated that she feels the City of Kalamazoo has neglected their neighborhood as a whole and this program gives hope for families to come together and heal.

Mr. Patrick Coffey, applicant, came forward asking the Commissioners to vote in favor of Ms. Coffey's proposal. He stated that the nature of addiction leads to the person being unemployable, leading to homelessness and the possibility of becoming victims of rape, depression and exploitation which impacts whole families. He stated that their mission statement is, "All women safe, sober and self-sufficient." Mr. Coffey also noted that there is a peer support recovery system within the house. Ms. Coffey strives to get the residents connected to mental health services and conducts mandatory meetings. Ms. Coffey assists them in budgeting and finding alternative housing when they are ready to leave. He stated that they believe it is such vital work that they ran the house for about a year using their own funds and then became a 501C3 agency.

Ms. Rochelle Ayers-Brannen is a physician on the board of Healthy House 4 Women. She also strongly encouraged Commissioners to support the program at Healthy House. She stated that substance abuse is a mental health and physical condition.

Mr. Malcolm Earhart noted his experiences growing up in Kalamazoo and seeing neighborhoods decline. He stated that whatever goes into that area will be positive for the neighborhood. He believes it is a very good use of the property. He stated that the board's decisions are very important to the community. He encouraged Commissioners to think about the consequences "down the road" of the decisions they make.

Commissioner Wissner, supported by Commissioner Pitts, moved to close the public comment portion of the hearing. A voice vote was taken and the public comment portion was closed.

Commissioner Greenman Wright requested clarification regarding ownership of the property and who was making the request. Mr. Coffey came forward and stated that he and Ms. Pam Coffey own the property together under the name of Income with Integrity. Ms. Coffey is the Executive Director of the program.

Commissioner Espinosa expressed concern for the future of the factory North of 713 Simpson. Ms. Coffey stated that the owner of the property currently lives there. Planner Anderson stated that there is likely to be additional rezoning on the Northside in the future, and the future land use map shows much of the property as generally residential in nature. Commissioner Milliken asked to see the future land use map again, and it was confirmed that the request is in compliance with the future land use plan.

Commissioner Vyas, supported by Commissioner Pitts, moved to recommend to the City Commission the rezoning of 713 Simpson Street from zone M-1 to zone RM-15.

Commissioner Vyas stated that she was excited to support this request. She believes it is an important work and they are well-researched, well-staffed and have a great program.

Commissioner Milliken noted that the request is compliant with the future land use map and consistent with the current zoning of the property immediately to the east. Commissioner Pitts expressed agreement with Commissioners Vyas and Milliken.

Commissioner Wissner stated that he was in favor of the request. He said it was a well-presented plan and he loved to see all of the community support.

Commissioner Greenman Wright appreciated the way it fits into the Strategic Vision goal of diversity for the City, citing that it is good to gradually step back from heavy industrial uses. She stated that she was proud of the work they were doing as a family to meet a major need in the community. Commissioner Greenman Wright stated that she hopes it gives more people the courage to take a risk and do something positive in the community. She noted the personal commitment and investment given by the Coffeys and that she would be voting in support of the request.

A roll call vote was taken and the motion was unanimously passed.

P.C. #2018.03: Request from Patrick Coffey for a special use permit to allow a transitional residence use at 713 Simpson Street. **[Recommendation: motion to approve the special use permit with one condition.]**

Planner Bauckham stepped forward to state that the recommendation for the rezoning will go to the City Commissioners for approval. He reminded the Planning Commissioners that the special use permit is contingent upon the City Commissioners' approval of the rezoning.

The applicant decided not to speak to this request. No one from the public came forward to comment.

Commissioner Coss, supported by Commissioner Espinosa, moved to close the public comment portion of the hearing.

Commissioner Wissner clarified with staff that it was the owner of the property making the request. Planner Bauckham verified this was correct.

Commissioner Pitts, supported by Commissioner Baartman, moved to approve the special use permit for 713 Simpson Street with the condition of the rezoning of the parcel.

Commissioner Pitts stated that he believed this was a very good idea and well needed in the community. He said he was proud to be a part of the community and make this motion.

Commissioner Greenman Wright asked what would happen if the Commission did not support the rezoning. Planner Anderson responded that a transitional house is not permitted in M-1. If the City Commission did not approve the rezoning request, they would be faced with a conflict and would then attempt to find other options. She stated that the request does meet the Master Plan and Strategic Vision, and they are fairly confident in their recommendation to the City Commission.

Commissioner Milliken pointed out that this request is compliant with the criteria for a special use permit and meets all the standards. He commended the Coffeys on the work they have already done and the neighbors for their support.

A roll call vote was taken and unanimously passed with the stated condition. Motion was approved.

G. UNFINISHED BUSINESS

None

H. NEW BUSINESS

Planner Anderson conducted the election of officers for the Planning Commission.

Chair

Commissioner Rachel Hughes-Nilsson was nominated by Commissioner Vyas with support from Commissioner Wissner.

Commissioner Greg Milliken was nominated by Commissioner Coss with support from Commissioner Greenman Wright.

A roll call vote was taken. Commissioner Rachel Hughes-Nilsson was elected Chair with a vote of 7-2.

Vice Chair

Commissioner Greg Milliken was nominated by Commissioner Espinosa with support from Commissioner Wissner.

Commissioner Charley Coss was nominated by Commissioner Hughes-Nilsson with support from Commissioner Greenman Wright.

A roll call vote was taken. Commissioner Greg Milliken was elected Vice Chair with a vote of 7-2.

Secretary

Commissioner Derek Wissner was nominated by Commissioner Hughes-Nilsson with support from Commissioner Greenman Wright.

A voice vote was taken and passed unanimously. Commissioner Derek Wissner was elected Secretary.

Planner Bauckham summarized the 2017 Annual Report of the Planning Commission and Planning Division. He cited that there were seven Commissioners at the start of 2017. Two Commissioners left the board and three Commissioners were added during the year. Eleven meetings were held last year with

the Annual Meeting on April 13. There was also a Planning Commission retreat on November 15. He then reviewed the twenty requests acted upon by the Planning Commission. Planner Bauckham highlighted some of the notable site plan projects that the Planning Division processed through the year saying that they also closed out 40 cases from 2017 and prior years. Other activities of interest included: the City received the Redevelopment Ready Community certification through the MEDC; the 2025 Strategic Vision and the 2025 Master Plan were both approved through the Imagine Kalamazoo process; three Neighborhood Enterprise Zone requests were processed and approved; the Site Plan Review program was revamped; many activities continue related to the construction of the Exchange Building; and a new Neighborhood Activator was hired.

Planner Bauckham spoke about the changes in the Site Plan Review Process. Mr. Mark Reynolds, Consultant for the Lean Six Sigma program, along with a staff team, reviewed the Site Plan Process. A new Site Plan Review Policy was developed including a new application form, site plan checklist, and a pre-application questionnaire. Staff believe the new process will improve efficiency with less paperwork allowing electronic review of site plans through the Blue Beam system. A pre-application process for all projects was created. The new system allows applicants to submit one 11x17 paper copy and an electronic version of their site plan. This system allows results to be given to the applicant prior to the meeting. Copies of the plans are sent electronically to the Planning Commissioners and the neighborhoods where the plan is located. To aid the process, there will be applicant surveys at the conclusion of projects and quarterly staff meetings with the committee.

Planner Bauckham informed the Commissioners that the zoning ordinance allows the Planning Commission to decide how the Site Plan Review Program will be administered. It can be administered by staff or the Planning Commissioners. He stated that if the Commissioners decide to administer the Program, they will need to have a second monthly meeting in order to keep within developers' timeframes for their projects.

Commissioner Milliken, supported by Commissioner Coss, moved to allow staff to continue to administer the Site Plan Review Process.

A voice vote was taken and passed.

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

Mr. Matthew Maycroft came forward and reported that a jogger was hit in front of his house on Winchell Avenue. He requested a sidewalk be added to about 600 feet of the road. Mr. Maycroft shared a map with the Commissioners showing the location for the proposed sidewalk. Planner Anderson thanked Mr. Maycroft for bringing it forward and said that the Planning Commission will be reviewing Complete Streets and this request will be included.

Commissioner Milliken encouraged Mr. Maycroft to talk with his Neighborhood Association in order to include the sidewalk in the Neighborhood Plan.

J. CITY COMMISSION LIAISON COMMENTS

City Commission Liaison, Mr. Jack Urban, thanked the Commissioners for handling the 716 Simpson case as a rezoning rather than a variance. He believes that rezoning the property will give the whole operation a firmer standing.

K. CITY PLANNER'S REPORT

Planner Bauckham said they have received nine site plan projects for review so far this year. He noted the projects for the Kalamazoo Nature Center and the Midtown Marketplace. Planner Bauckham reported there are also six projects in the pre-application stage. In a future meeting, staff will submit a rezoning request for the E. Cork Street hotel area in order to bring them into zoning compliance. He stated that they are also looking at updating the City website for changes in the Planning Division and Site Plan Review Process.

L. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Milliken asked Attorney Robinson if there was any action on the Medical Marijuana ordinances at the City Commission. Attorney Robinson stated that they passed the zoning ordinance and the licensing regulation ordinance. He stated that the changes made had to do with the buffer zone between jurisdictions and some changes due to the emergency rules. There were no substantial changes to the amendments passed by the Planning Commission.

Commissioner Greenman Wright asked the Commissioners to continue to support the homeowners impacted by the flood in Kalamazoo. She stated there are still hundreds of home owners who don't have heat, hot water or electricity. There is still a great need.

Commissioner Hughes-Nilsson welcomed Mr. Jack Baartman to the Planning Commission.

M. ADJOURNMENT

Commissioner Coss, supported by Commissioner Espinsosa, moved to adjourn the meeting. A voice vote was taken and passed unanimously. Meeting was adjourned at 8:27pm.

P. C. #2018.02 & P.C. #2018.03 - 713 Simpson Street
Rezone from M-1 to RM-15 and special use permit
to allow a transitional residence.

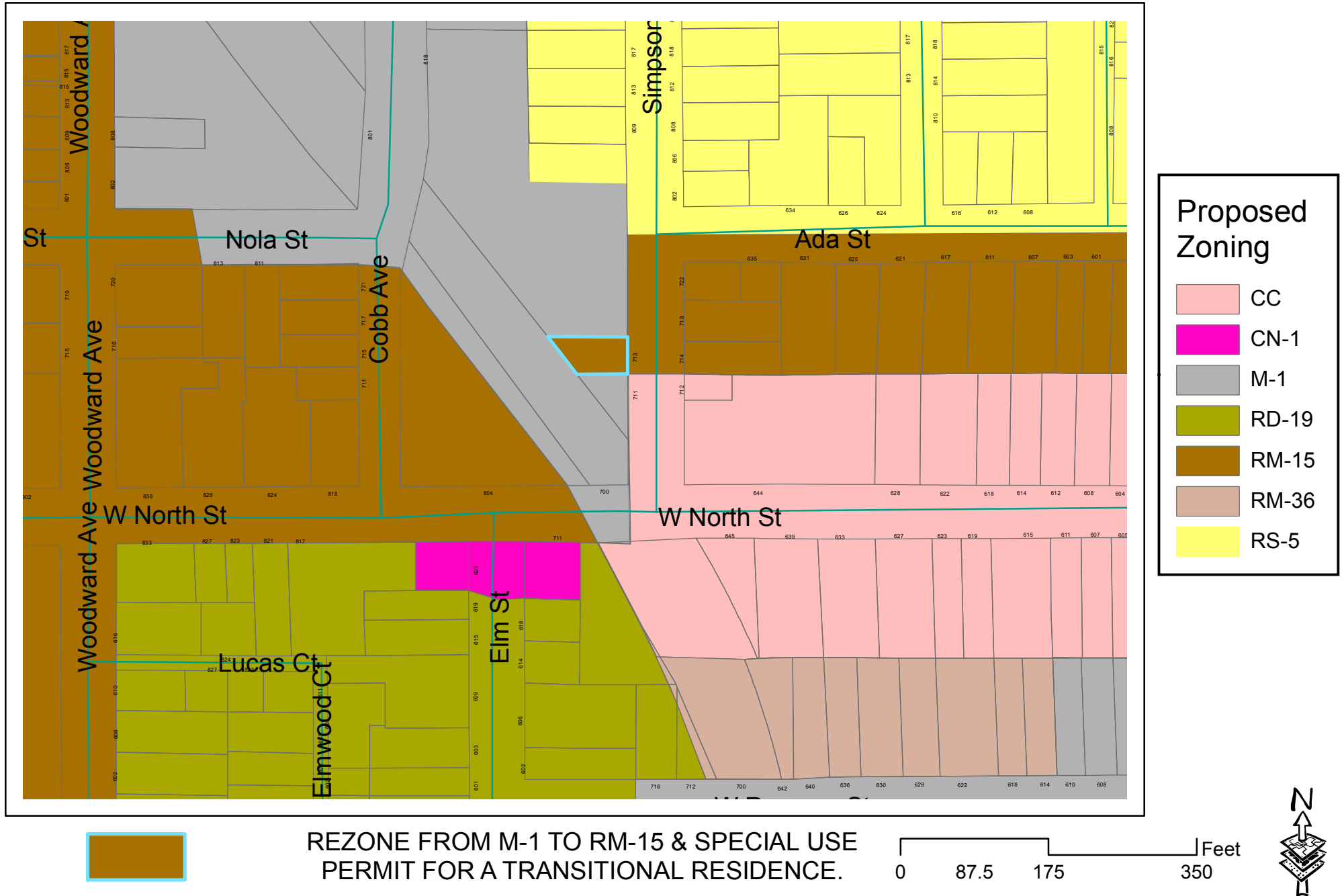


REZONE FROM M-1 TO RM-15 & SPECIAL
USE PERMIT FOR A TRANSITIONAL RESIDENCE.

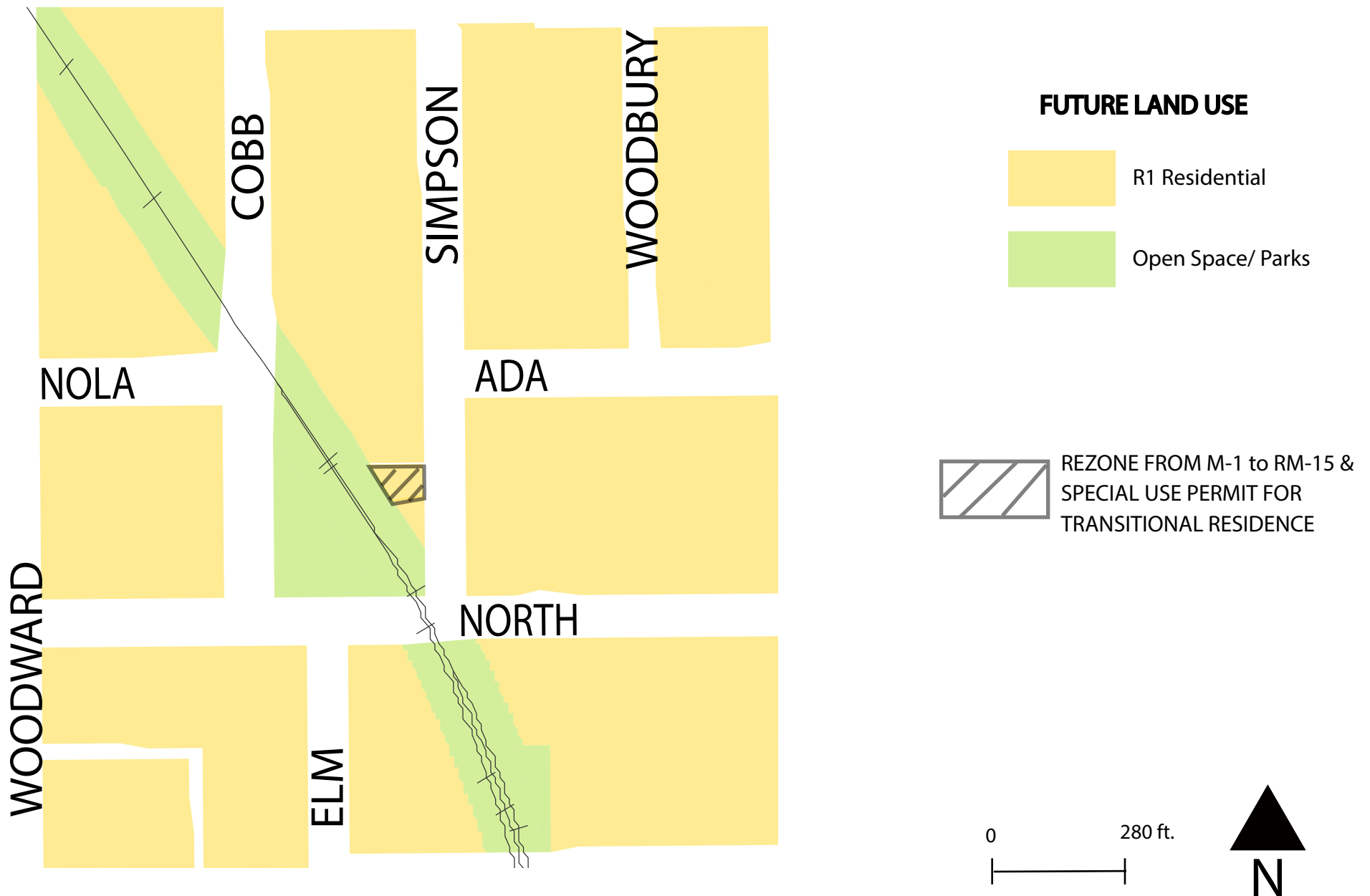
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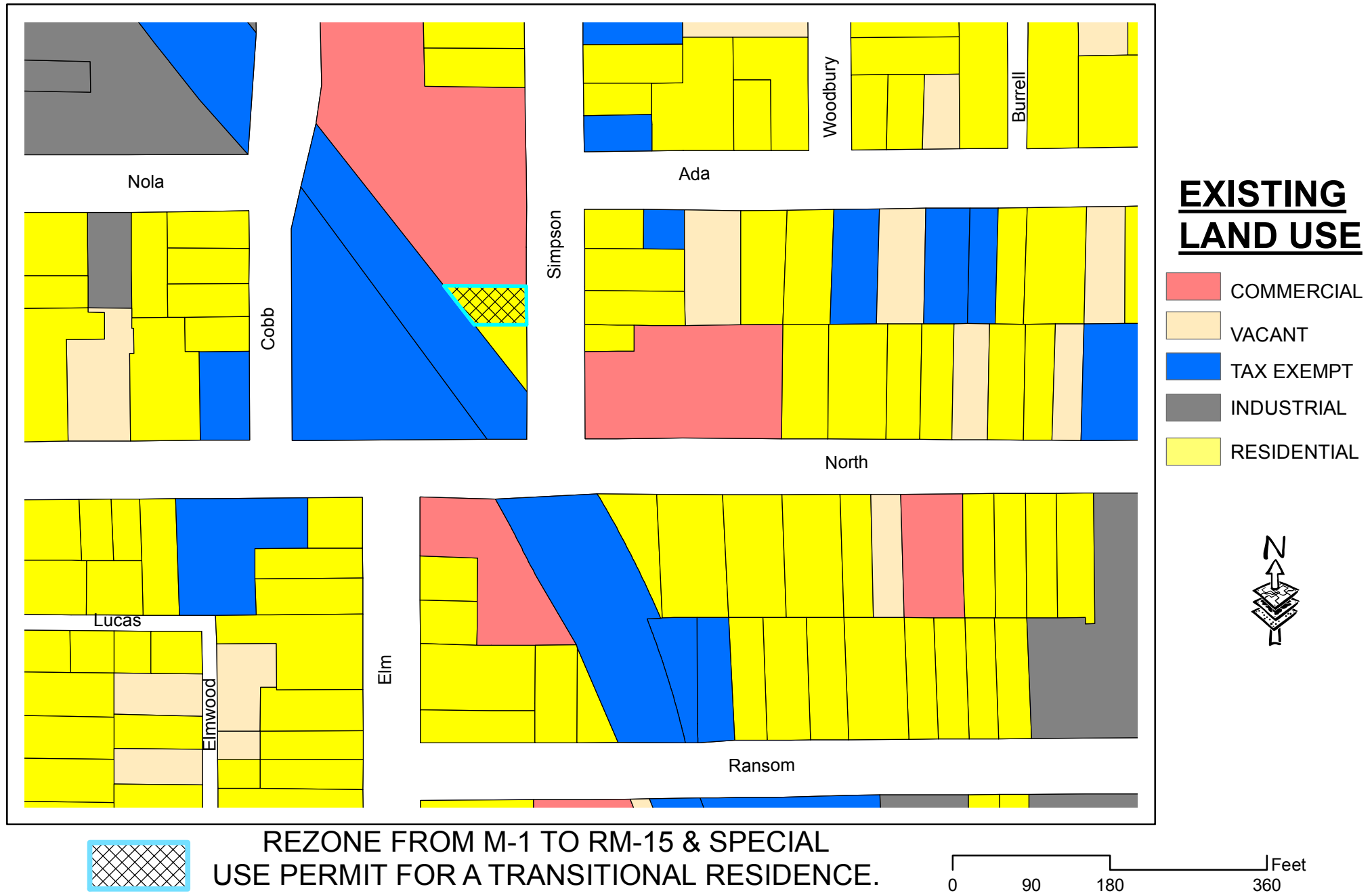
P.C. #2018.02 & P.C. #2018.03 - 713 Simpson Street Rezone from M-1 to RM-15 and special use permit to allow a transitional residence.



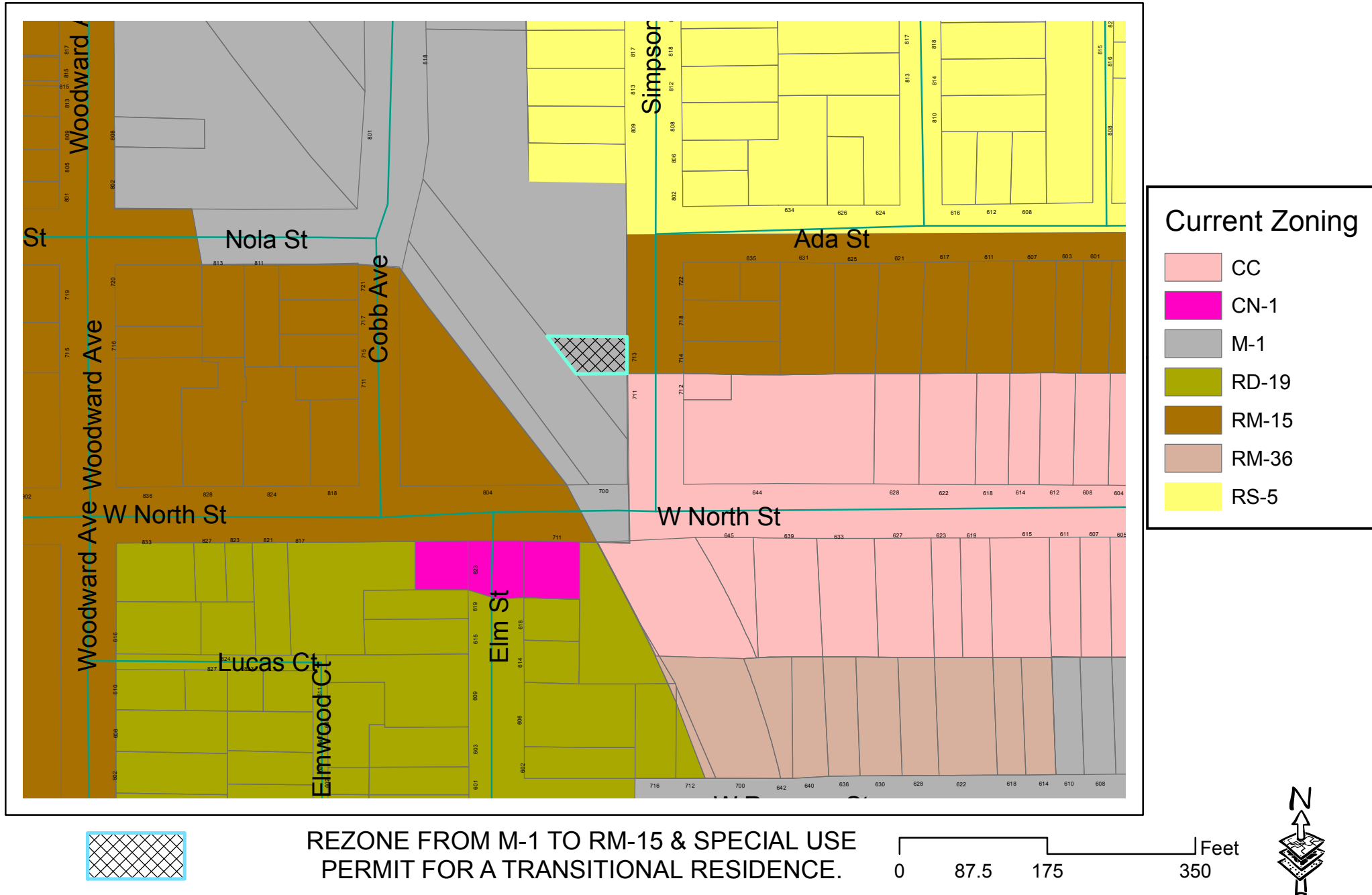
P.C. #2018.02 & P.C. #2018.03 - 713 Simpson Street
Rezone from M-1 to RM-15 and special use permit to
allow a transitional residence



P.C. #2018.02 & P.C. #2018.03 - 713 Simpson Street
 Rezone 713 Simpson from M-1 to RM-15
 and special use permit to allow a transitional residence.



P.C. #2018.02 & P.C. #2018.03 - 713 Simpson Street
Rezone from M-1 to RM-15 and special use
permit to allow a transitional residence.





Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Carrie Funk, Legal Secretary

DATE: 4/17/2018

SUBJECT: Repeal of Chapter 6 "Amusements"

RECOMMENDATION

It is recommended that the City Commission adopt an ordinance repealing Chapter 6 of the City Code of Ordinances, which requires the licensure of "Amusements".

BACKGROUND

At one time the City licensed a variety of entertainments and amusements, but ordinances requiring the licensure of theaters, circuses, skating rinks, bowling alleys, and shooting galleries were repealed in 1985. The only remaining amusements requiring licensure are billiard, pool, bagatelle and pigeonhole tables and public dance halls. While the regulation of dance halls was addressed as recently as 2002, the City Clerk has not for many years issued licenses for any table amusements or dance halls.

COMMUNITY RESOURCES CONSULTED

No community resources were consulted.

FISCAL IMPACT

None

ALTERNATIVES

The City Commission could choose not to repeal Chapter 6, and leave what in reality is an archaic and rarely enforced ordinance in place.

ATTACHMENTS:

Type	Description
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☐	Aerial Photo Chapter 6 Repeal
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CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE TO REPEAL CHAPTER 6 “AMUSEMENTS” OF THE
KALAMAZOO CITY CODE OF ORDINANCES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Chapter 6, “Amusements” is repealed in its entirety..

Section 2. 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 _____, 2018. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (1976 PA 267). 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 A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Richard O. Cherry, Assistant City Attorney

DATE: 4/27/2018

SUBJECT: Kalamazoo County ID Program

RECOMMENDATION

It is recommended that City Commission grant the City Manager the authority to commit the City to honor the County issued ID. If the City Manager enters into the commitment with Kalamazoo County, the City of Kalamazoo will honor the County ID as an acceptable form of identification, unless there is a federal or state law that prohibits the use of such identification, i.e., voting and operating a motor vehicle.

BACKGROUND

Following public outcry for a program to address Kalamazoo County residents' inability to obtain state or federal proofs of identification, the Kalamazoo County created a Kalamazoo County Identification Task Force to research the issue. The County discovered that approximately 27,000 of Kalamazoo County residents lacked photo identification cards. They also discovered that as a result of not having a valid form of identification, citizens were often excluded from basic services like: setting up utilities in their name, establishing bank accounts, or even getting housing. In an effort to be a more inclusive community, the Kalamazoo County Commission voted to establish a County ID program where County ID's would be issued to citizens who cannot obtain a state or federal issued photo ID. The County's program looked to other municipal ID programs for guidance, (i.e., Washtenaw County and the City of Detroit) from there the County created a system where once a person verifies their identity by providing certain documentation, they can be issued a Kalamazoo County photo ID. (See the attached document- Kalamazoo County ID Criteria for Eligibility).

The County is now requesting that organizations, such as the City of Kalamazoo, commit to honor the County issued identification cards. With that commitment the County is also requesting that the City promote the program by providing space to display information about the program. The City Attorney has conducted an informal survey to determine whether honoring County ID's would create a legal or internal City policy issue. The City Attorney has concluded that outside of using this identification for driving and voting, which is prohibited by state and local law, that the City could honor this form of identification as a general policy. Therefore in an effort to align the City of Kalamazoo with its own goals of inclusion, and with the goals of the County, the City Attorney recommends that the City Commission grant the City Manager the authority to commit the City of Kalamazoo to honor the County issued ID.

COMMUNITY RESOURCES CONSULTED

None.

FISCAL IMPACT

None.

ALTERNATIVES

Only accept state and federal issued ID's for identification purposes. This is not recommended.

ATTACHMENTS:

	Type	Description
▣	Resolution	County ID Resolution
▣	Background Material	Organization Commitment Form
▣	Background Material	ID Criteria

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. _____

**A RESOLUTION GRANTING THE CITY
MANAGER THE AUTHORITY TO COMMIT
THE CITY OF KALAMAZOO TO HONOR
THE KALAMAZOO COUNTY ISSUED
PHOTO IDENTIFICATION CARD**

Minutes of a regular meeting of the City Commission of the City held on _____, at
_____ o'clock p.m., local time, at the City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

WHEREAS, utilizing data and statistics, there are approximately 27,000 Kalamazoo County residence who lack photo identification cards; and

WHEREAS, Kalamazoo County, motivated by values of inclusion and equity, created the Kalamazoo County Identification Card Program to address this issue locally; and

WHEREAS, Kalamazoo County researched case studies of existing municipal identification programs, card security and production technology, identity validation techniques and eligibility protocol, and developed a comprehensive strategy for implementing a County ID program that ensures that applicants for the County ID identities are verified, without requiring a birth certificate; and

WHEREAS, the Kalamazoo County is requesting that the City of Kalamazoo commit to honoring these photo identification cards; and

WHEREAS, part of the commitment is to display information about the Kalamazoo County ID Program; and

WHEREAS, the City Attorney has reviewed the County ID program and concluded that other than for the purposes of voting and operating motorized vehicles, that there are no legal or internal policy barriers for the City to honor these pieces of identification.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Commission grants the City Manager the authority to commit the City of Kalamazoo to honor the Kalamazoo County issued ID.

BE IT FURTHER RESOLVED the City of Kalamazoo will provide space to display information about the Kalamazoo County ID program.

BE IT FURTHER RESOLVED that at any time the City of Kalamazoo, through its City Manager, may revoke its commitment if the Kalamazoo County ID Program is dissolved or otherwise legally defective for any reason.

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 _____. 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.

_____, City Clerk

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KALAMAZOO COUNTY GOVERNMENT

In the Pursuit of Extraordinary Governance...

ORGANIZATION COMMITMENT FORM KALAMAZOO COUNTY ID PROGRAM

Organization Name

Organization Address

Organization Telephone

Organization Website

Contact Person

Contact Person e-mail



Organization will honor the Kalamazoo County ID as sufficient identification for participation in the benefits/services the organization offers.

Specific programs:

Continue on back of form if necessary



Organization will provide a space to display information about the Kalamazoo County ID Program.

Authorized Signature

Date

Please return to: countyid@kalcounty.com

Or mail to: Kalamazoo County ID Program, 201 W. Kalamazoo Ave., Kalamazoo, MI 49007

OFFICE OF THE COUNTY CLERK & REGISTER OF DEEDS – COUNTY ID PROGRAM

TIMOTHY A. SNOW, CMC, MCCO, CLERK & REGISTER OF DEEDS

201 West Kalamazoo Avenue | Kalamazoo, MI 49007 | Clerk: 269.383.8840 | Register: 269.384.8970 | www.kalcounty.com/clerk

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The Kalamazoo County Identification program is open to residents age 14 and older.

When applying for a Kalamazoo County ID card, you must fulfill one of two criteria:

- A.** Provide documents worth at least 300 points from Section A **and** B and show proof of residency.
- B.** Provide documents worth at least 400 points from Section B and show proof of residency.

Furthermore, the applicant must also provide a minimum of one identity credential that contains their date of birth

Spouses and domestic partners: Applicants who are unable to prove residency by providing one of the documents from Section C with their own name, may present a document with their spouse or domestic partner's name and either a certificate of marriage, civil union, or domestic partnership, or a child's birth certificate, demonstrating the applicant's relationship to the spouse or domestic partner.

Category A

Provide at least one document for 300 points

Current or expired within
5 years of application date
Expired within 5-10 years
of application date

A-1	Current MI state ID/drivers license with Kalamazoo Co address	300
A-2	US or foreign passport	200
A-3	US or foreign driver license	200
A-4	US state identification card	200
A-5	Consular ID card	200
A-6	US or foreign military identification	200
A-7	Common access card (military personnel)	200
A-8	Visa issued by a government agency	200
A-9	Tribal identification card	200
A-10	US permanent resident card or alien registration receipt card (form I-551)	200
A-11	US work permit/DACA with photo	200
A-12	Elector identification card with photo	200
A-13	Kalamazoo County ID card (renewals only, card surrendered)	300
A-14	Current MI handgun license	200
A-15	Criminal record check (AFIS) with photograph	200
A-16	Offender Tracking Information System record (OTIS)	200
A-17	Homeless Management Information System (HMIS) service point ID or record service with photo	200
A-18	Michigan Department of Corrections prisoner identification card	200
A-19	Certificate of US citizenship/naturalization	200
A-20	Michigan social services agency card	100
A-21	Kalamazoo Metro Transit ID card with photo	75
A-22	US union photo ID	75
A-23	Educational institution ID card	75
A-24	Employee identification card	75

★ Affidavit of interdependence or copy of marriage certificate accompanied by residency document in name of head of household (head of household must appear with the applicant and present photo ID)

Category B

Other Identity Credentials

B-1	★ Electronic benefit transfer (EBT) card	150
B-2	★ Medicare card	150
B-3	★ US Selective Service registration card	125
B-4	US voter registration card	125
B-5	I-797, I-797A/B or I-797D issued by DHS	125
B-6	Court order issued by a state or federal court to verify applicant's identity (original or certified copy)	125
B-7	Social Security card	100
B-8	Military discharge/separation documents (DD-214) original or certified copy	125
B-9	US marriage license or divorce decree (original or certified copy)	125
B-10	Michigan adoption record (original or certified copy)	125
B-11	★ Michigan driver education certificate (for applicants age 17 and younger)	125
B-12	Criminal record check (AFIS) without a photograph	125
B-13	Taxpayer ID number (TIN) authorization letter (contains applicant's name)	125
B-14	★ Emancipation petition with file stamp	125
B-15	Federal or state tax return	100
B-16	★ Birth certificate [certified copy] issued to child of applicant (must include applicant's name and date of birth)	100
B-17	Employment verification form (I-9)	100
B-18	Affidavit of identifying witness who appears with applicant & presents photo ID	100
B-19	Criminal complaint or summons with proof of personal service	100
B-20	Financial institution account records	50
B-21	Employment records (W-4, W-2, 1099 or pay stubs)	50
B-22	School and trade school records including diplomas, transcripts (original)	50
B-23	Baptismal records	50
Category B		
Additional credentials (within 60 days of application unless noted)		
B-24	Cable, phone, utility bill	75
B-25	Lease or sublease	75
B-26	Local property tax statement (within 1 year)	75
B-27	Property mortgage payment receipt	75
B-28	Banking, financial, credit card statement	75
B-29	Employment pay stub	75
B-30	Health institution statement (within 1 year)	125
B-31	Jury summons or court order	125
B-32	USPS change of address confirmation	75
B-33	Letter from Department of Education with proof of relationship	75
B-34	Insurance statement	75
B-35	Survivors of domestic violence letter from city agency	75
B-36	Letter from administration for Children's Services	75

Category C

Proof of Kalamazoo Co Residency

Documents must be current
or dated within the previous 60 days from the applicable date

C-1	Financial institution account statement
C-2	Utility (electricity, gas, heating, water or internet) or credit card bill or statement
C-3	Letter or record addressed to applicant from a school, college, or university located in Kalamazoo County that the applicant or child of the applicant attended
C-4	Housing lease or rental agreement, unexpired (subleases are acceptable if accompanied by original lease)
C-5	Employment record including pay stub, W-2, W-4 or earnings statement issued with the name and address of employer
C-6	Life, health, auto or home insurance policy document
C-7	Letter or record from a hospital or medical treatment facility addressed to applicant or letter confirming residency in the previous 60 days
C-8	Federal, state or Kalamazoo County government-issued document, letter or record
C-9	Michigan title or vehicle registration
C-10	Letter or record from a religious organization, social services agency, or homeless shelter located in Kalamazoo County confirming residency or services provided within previous 60 days
C-11	Mortgage or local property tax statements





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: Stephanie McGowan, Budget Division Manager

DATE: 4/6/2018

SUBJECT: FY 2017 Budget Carryforwards and FY 2018 Budget Adjustments.

RECOMMENDATION

It is recommended that the City Commission approve the attached schedule of amendments and adjustments to the Adopted FY 2018 Budget to carry forward expenditures of \$779,300 that were included in the FY 2017 Budget but not completed, and also to increase the Adopted FY 2018 Budget for additional appropriations in the amount of \$1,813,991.

BACKGROUND

General Fund Carryforwards:

The General Fund requests carry forwards in the amount of \$674,200 for Management Services to facilitate a review of the City's Chart of Accounts for efficiencies and compliance, reconfiguring staff space, Public Safety promotional exams, safety equipment, clothing and uniforms, and city wide maintenance for the facilities study. The request also includes the balance of Foundation for Excellence funded aspirational projects relating to Complete Neighborhoods, Shared Prosperity, and Youth Development.

The City's budget policies authorize approved capital project budgets to be re-appropriated at the end of the year. This includes contributions in aid for water and wastewater projects that was received in excess of the anticipated budget. The attached schedule includes capital project budgets carried forward from 2017 to 2018 for informational purposes.

Enterprise Fund Carryforwards:

The Water Fund is requesting a budget carryforward of \$105,100 for equipment ordered during fourth quarter 2017 and received in 2018.

General Fund Budget Adjustments:

City Administration is requesting three new position allocations for \$70,700. This includes a 311 Customer Service Supervisor to assist with the system implementation, and two full time security guards to be budgeted in city-wide maintenance. The FY 2018 budget impact is offset by the amount of the security guard contract that will be cancelled in June.

Information Technology is requesting \$200,000 for the data software project to track city-wide key performance indicators. This will fund the implementation of the new software and the required user licenses.

City Administration is requesting \$150,000 to increase the Capital Contingency Reserve in the General Fund, and it will be re-named the "Contingency Reserve". The new reserve balance will be \$500,000, and the funds will be available for priority initiatives. The use of reserve funds will be approved based on the established levels in the city purchasing policy. Consistent with the purpose and process for the existing reserve, the City Manager, at his discretion, will still be able to appropriate funds from this reserve for emergencies.

Special Revenue Fund Adjustments:

The Major Street fund will complete the Ransom Gull Roundabout project in the spring of 2018. Additional funding of \$70,891 is being provided by Brownfield LSRRF to cover additional expense associated with the project. These funds will be transferred to the Major Street Project.

Community Planning and Economic Development is requesting \$400,000 for the blight abatement fund to assist with housing demolitions. The demolitions will include burnt and condemned housing units within the city limits.

Capital Fund Adjustments and Transfers:

The FY 2018 bond sizing approved in February by City Commission included \$750,000 to continue phase II of the parking ramp improvements project. The amount was not requested by the DDA in time to be included in the Adopted FY 2018 Budget. This additional funding will support the ongoing parking ramp project started in 2016.

Public Safety is requesting a new capital project for \$72,000 to fund facility renovations at Station #6, and additional conference and interview room updates. This project would be funded with 2017 bond reserves.

The city-wide facilities study was included in the FY 2018 capital plan with \$200,000 of bond funding. The budget for the study will be re-appropriated to the General Fund and covered with operating funds carried forward from facility improvements delayed until the new plan is in place.

Enterprise Funds:

Parks and Recreation has partnered with the People's Food Co-op to operate the Farmers Market. The agreement did not generate sufficient revenue to support the market independently. The decision was made to collapse the expenses into the General Fund during 2017, and the Market is not budgeted separately in the Adopted FY 2018 Budget. It's recommended the fund balance of approximately \$103,264 from the Farmer's Market Enterprise Fund be transferred to the General Fund along with all Market assets.

The Water fund is requesting an additional appropriation of \$95,000 for the purchase of equipment to assist water crews. This equipment has been rented in previous years for the construction season, and it would be more cost effective to purchase than rent annually.

POLICY CONSIDERATIONS

None

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

The impact on the funds appropriated in the FY 2018 Adopted Budget is outlined below:

Fund	Carryforward	Adjustment
General Fund Carryforward & Adjustment	\$ 674,200	\$ 426,100
Major Street Capital	\$ 0	\$ 70,891

Blight Abatement	\$ 0	\$ 400,000
Capital Improvement	\$ 0	\$ 822,000
Water	\$ 105,100	\$ 95,000
Total Carryforward and Adjustment	\$ 799,300	\$1,813,991

The increase in General Fund appropriation is offset by \$220,229 of Foundation for Excellence revenue, originally approved by the City Commission in FY 2017 for the Super Recreation program, Shared Prosperity consulting services, and the Complete Neighborhoods program, for a net increase of \$880,071.

ALTERNATIVES

The City Commission could choose not to amend the FY2018 budget for all or a portion of the operational carry forwards and adjustments. This would hinder the completion of projects originally included in the FY2017 budget, and not provide the appropriate level of funding for the additional needs identified by the departments.

ATTACHMENTS:

Type	Description
▢ Background Material	Capital Carryforwards
▢ Budget	2017 Carryforwards and Amendments-05032018

City of Kalamazoo
2017 - 2018 Capital Project Budget Carryforwards

	Carried Forward to 2018	Outside Funding	Foundation for Excellence	Other City Funding	Bond Reserves	Other Reserves
CAPITAL IMPROVEMENT PROGRAM						
Public Safety Projects						
STATION #2-BRYANT	21	-	-	-	21	-
REPLACE ENGINE #2 & #5	8,622	-	-	-	8,622	-
Total Public Safety Projects	8,644	-	-	-	8,643	-
Parks and Recreation Projects						
HENDERSON TOT-LOT	6,062				6,062	-
BRONSON PARK IMPROVEMENTS	1,821,600	1,700,000	-	-	121,600	-
FARMERS MARKET REDEVELOPMENT	1,072,563	1,000,000	-	-	72,563	-
DAVIS STREET PARK IMPROVEMENTS	162,008	-	150,000	12,008	-	-
CRANE PARK REDEVELOPMENT	3,670	-	-	-	3,670	-
ROCKWELL PARK IMPROVEMENTS	361,028	-	361,028	-	-	-
FRAYS PARK IMPROVEMENTS	195,500	-	195,500	-	-	-
HOMER STRYKER FIELD VIDEOBOARD	249	-	-	-	249	-
Total Parks Projects	3,622,679	2,700,000	706,528	12,008	204,144	-
General Fund Projects						
SNOW-MELT SYSTEM	65,055	-	-	-	65,055	-
FIBER OPTIC NETWORK	31,500	-	-	-	31,500	-
VOTING EQUIPMENT	6,769	-	-	-	6,769	-
IN-GROUND HOIST	50,510	-	-	-	50,510	-
CITY MANAGERS OFFICE REMODEL	9,677	-	-	-	9,677	-
LED LIGHTING - CITY HALL FAÇADE	3,725	-	-	-	3,725	-
Total General Government Projects	167,236	-	-	-	167,236	-
Public Services						
KAL RIVER VALLEY TRAIL-DOWNTOWN CONNECT	5,191	-	-	-	5,191	-
PORTAGE CREEK TRAILWAY	10,000	-	-	-	10,000	-
KRVT- PORTAGE CREEK-UPJOHN PARK (DNR)	2,567	-	-	-	2,567	-
PARKING ACCESS REVENUE CONTROL SYSTEM	999,887	-	-	-	999,887	-
Total Public Services Projects	1,017,645	-	-	-	1,017,645	-
TOTAL CAPITAL IMPROVEMENT PROGRAM	4,816,203	2,700,000		12,008	1,397,668	-
LOCAL STREETS CAPITAL PROJECTS						
FARMERS ALLEY-SOUTH ST. TO MI AVE	74,626	-	-	-	74,626	-
PRAT ROAD CULVERT	17,119	-	-	-	17,119	-
PARKWOOD-WESTNEDGE TO GLENWOOD	16,798	-	-	-	16,798	-
BRYANT ALLEY - JAMES TO CAMERON	17,986	-	-	-	17,986	-
BETSY ANN PLACE RECONSTRUCTION	46,380	-	-	-	46,380	-
WOODWARD - PATTERSON TO DUNKLEY SIDEWALKS	97,580	-	97,580	-	-	-
MABEL - WESTNEDGE TO COBB SIDEWALKS	213,700	-	213,700	-	-	-
DUTON STREET SIDEWALK REPAIRS	16,500	-	-	16,500	-	-
TOTAL LOCAL STREETS	500,689	-	311,280	16,500	172,909	-

City of Kalamazoo
2017 - 2018 Capital Project Budget Carryforwards

	Carried Forward to 2018	Outside Funding	Foundation for Excellence	Other City Funding	Bond Reserves	Other Reserves
MAJOR STREETS CAPITAL PROJECTS						
RANSOM/GULL ROUNDABOUT	12,871	12,871	-	-	-	-
EAST MAIN (EAST MICHIGAN TO WALLACE)	15,192	-	-	-	15,192	-
KILGORE (SERVICE DR TO SPRINKLE)	87,814	-	-	-	87,814	-
EAST MICHIGAN (RIVERVIEW TO WALLACE)	11,563	-	-	-	11,563	-
KILGORE & WESTNEDGE TRAFFICE SIGNAL	125,000	-	-	-	125,000	-
DRAKE ROAD SHARED USE PATHWAY	81,000	81,000	-	-	-	-
PATERSON STREET BRIDGE	151,535	-	-	-	151,535	-
NORTH DRAKE TRAFFIC SIGNAL UPGRADE	-	-	-	-	-	-
BURDICK STREET TRAFFIC SIGNAL	389,171	-	-	-	389,171	-
STADIUM DR AT W-MI RR CROSSING	120,633	-	-	-	120,633	-
PORTAGE (SHERIDAN TO STOCKBRIDGE)	356,232	-	-	-	356,232	-
VINE (WESTNEDGE TO CROSSTOWN)	203,476	-	-	-	203,476	-
VINE (DAVIS TO OAK)	135,314	-	-	-	135,314	-
ROSE ACADEMY TO WATER	48,235	-	-	-	-	48,235
CORK (PORTAGE TO SPRINKLE)	-	-	-	-	-	-
HARRISOIN STREET EXTENSION	42,087	-	-	-	-	42,087
HARRISON TRAFFIC SIGNAL	25,171	-	-	-	25,171	-
HOWARD STREET PEDESTRIAN IMPROVEMENTS	12,243	-	-	-	-	12,243
PITCHER STREET BRIDGE REHABILITATION	28,000	-	-	-	28,000	-
W MI/HOWARD TRAFFIC SIGNAL UPGRADE	20,587	-	-	-	20,587	-
M43-US 131 TO PITCHER	14,500	-	-	-	14,500	-
PITCHER STREET RECONSTRUCTION	2,357	-	-	-	2,357	-
HOWARD STREET REPAVING	2,653	-	-	-	2,653	-
TOTAL MAJOR STREETS	1,885,633	93,871		-	1,689,198	102,565

WATER CAPITAL PROJECTS						
TEXAS TWSP BOOSTER/BLEEDER STATION	803,944	-	-	-	803,944	-
CENTRAL PS-REPLACE 4 SAND FILTERS	17,592	-	-	-	-	17,592
KL LANDFILL WATER SYSTEM EXPANSION	598,405	598,405	-	-	-	-
STA #22-ELEVATED STORAGE/BOOSTER	15,000	-	-	-	15,000	-
WELL #4-6 REPLACEMENT	65,200	-	-	-	65,200	-
WELL #8-5 REPLACEMENT	75,200	-	-	-	75,200	-
PS #24-REPLACE PUMP #2	4,342	-	-	-	4,342	-
PS #24-REPLACE PUMP #4	111,391	-	-	-	111,391	-
HENSON & SHAFFER AIR RELEASE VALVES	11,792	-	-	-	11,792	-
PUMP STATION #14 ROOF REPLACEMENT	28,379	-	-	-	28,379	-
SAMPLE SITE PLAN	31,400	-	-	-	31,400	-
PUMP STATION #18 - POWER UPGRADES	5,209	-	-	-	5,209	-
PORTAGE ROAD - REPLACE 11 HYDRANTS	41,687	-	-	-	-	41,687
MISCELLANEOUS HYDRANT PROJECTS	12,552	-	-	-	-	12,552
FARMERS ALLEY WATER MAIN REPLACEMENT	18,217	-	-	-	-	18,217
SPRINKLE ROAD WATER MAIN REPLACEMENT	123,953	-	-	-	-	123,953
11TH STREET FROM MISTY CREEK TO N AVE	4,334	-	-	-	-	4,334
11TH STREET - 2,000 NORTH OF N AVE	9,859	-	-	-	-	9,859
TEXAS TWSP LOOPING	8,330	-	-	-	-	8,330
600 EAST MICHIGAN AVE	22,743	-	-	-	22,743	-
ROSE STREET MAIN REPLACEMENT	2,380	-	-	-	2,380	-
VINE STREET & LOCUST CT WATER IMPROVEMENTS	-	-	-	-	-	-
MISCELLANEOUS WATER MAIN CONSTRUCTION	49,529	-	-	-	-	49,529
LEAD SERVICE REPLACEMENT - EPA REGULATION	134,058	-	-	-	134,058	-
CITY OF KZOO LEAD SERVICE REPLACEMENT	277,719	-	277,719	-	-	-
SMART METER PROGRAM	50,000	-	-	-	50,000	-
COMPUTER REPLACEMENT	8,513	-	-	-	-	8,513
ASSET MGMT-MOBILE WORK ORDER	20,811	-	-	-	-	20,811
WATER SYSTEM SCADA REPLACEMENT-2014	111,828	-	-	-	111,828	-
SCADA HARDWARE AND SOFTWARE	259,964	-	-	-	15,779	244,185
TOTAL WATER	2,924,330	598,405	277,719	-	1,488,645	559,562

City of Kalamazoo
2017 - 2018 Capital Project Budget Carryforwards

	Carried Forward to 2018	Outside Funding	Foundation for Excellence	Other City Funding	Bond Reserves	Other Reserves
WASTEWATER CAPITAL PROJECTS						
COMPUTER REPLACEMENT	10,106	-	-	-	-	10,106
ASSET MANAGEMENT - MOBILE WORK ORDER	66,360	-	-	-	-	66,360
LOAD CENTER 5 REPLACEMENT	151,995	-	-	-	-	151,995
WW SCADA SYSTEM UPGRADE	56,520	-	-	-	-	56,520
RIVERVIEW DRIVE MAINTENANCE ACCESS	28,972	-	-	-	-	28,972
ACCESS CONTROL AND SECURITY UPGRADES	12,033	-	-	-	-	12,033
LIFT STATION RADIOS	541	-	-	-	-	541
WRP ROAD RESURFACING	13,311	-	-	-	-	13,311
SEWER EQUIPMENT FACILITY	1,450,479	-	-	-	-	1,450,479
WW TRUCK SCALE UPGRADE	34,700	-	-	-	-	34,700
SW & PORTAGE INTERCEPTOR	7,200	-	-	-	-	7,200
TERTIARY MCC UPGRADE	109,964	-	-	-	-	109,964
WATER PLANT BLDGE #16 REPLACE 3 PUMPS	1	-	-	-	-	1
SOLIDS HANDLING PROCESS UPGRADE	70,000	-	-	-	-	70,000
FINE SCREENS PROCESS UPGRADE	19,000	-	-	-	-	19,000
MERCHANT VALVE STORM	27,717	-	-	-	-	27,717
LIFT STATION MECHANICAL IMPROVEMENTS	30,000	-	-	-	-	30,000
CARRY DECK CRANE	70,000	-	-	-	-	70,000
LABORATORY RENOVATIONS	26,173	-	-	-	-	26,173
FIBER EQUIPMENT UPGRADES	825	-	-	-	-	825
30" FLOW METER - CLARIFIER #7	18,321	-	-	-	-	18,321
2018 SECA 900 SEWER TRUCK	425,709	-	-	-	-	425,709
TANDEM AXEL DUMP TRUCK	220,000	-	-	-	-	220,000
FARMERS ALLEY SEWER MAIN REPLACEMENT	47,500	-	-	-	-	47,500
RANSOM/GULL INTERCEPTOR REPLACEMENT	9,236	-	-	-	-	9,236
LOCUST PLACE SANITARY SEWER	7,214	-	-	-	-	7,214
ROSE STREET SANITARY SEWER	97,933	-	-	-	-	97,933
2017 CIPP SEWER LINERS	290,995	-	-	-	-	290,995
PARKWAY FLATS DEVELOPMENT	2,499	2,499	-	-	-	-
DUTTON PL SANITARY REPLACEMENT	4,800	-	-	-	-	4,800
SUTHERLAND AVE SANITARY EXTENSION	85,000	-	-	-	-	85,000
TOTAL WASTEWATER	3,395,104	2,499	-	-	-	3,392,606

CITY OF KALAMAZOO
GENERAL FUND PROPOSED CARRYFORWARDS & ADJUSTMENTS

	2018 Adopted Budget	2017 - 2018 Carryforwards	2018 Budget Amendments	2018 Proposed Amended
REVENUE				
Tax Levy Revenue	19,046,164			19,046,164
Other Tax or PILOT Payments	2,059,148			2,059,148
Licenses, Permits & Fees	2,350,900			2,350,900
Intergovernmental Revenue	10,353,890			10,353,890
Charges for Services	9,016,237			9,016,237
Interest	172,652			172,652
Fines and Forfeitures	36,300			36,300
Other Revenue	349,700			349,700
Transfer from Other Funds	1,110,000			1,110,000
Foundation for Excellence	15,952,225	220,229		16,172,454
Total Revenue	60,447,216	220,229	-	60,667,445
EXPENDITURES				
City Commission	85,607			85,607
City Administration	1,827,015		42,700	1,869,715
City Attorney	766,240			766,240
City Clerk	801,015			801,015
Internal Auditor	87,961			87,961
Human Resources	788,879			788,879
Information Technology	1,924,094		200,000	2,124,094
Management Services	3,564,549	56,707	5,400	3,626,656
Public Safety	30,372,632	103,593		30,476,225
Public Services	5,955,613	455,178	28,000	6,438,791
Community Planning & Development	2,267,283	51,508		2,318,791
Economic Development	307,656			307,656
Parks & Recreation	2,378,130	7,214		2,385,344
Non-Departmental Expenditures	469,657			469,657
OPEB Expense	6,326,412			6,326,412
Total Operating Expenditure	57,922,743	674,200	276,100	58,873,043
Transfer to Local Street Fund	-			-
Transfer to CIP Fund	2,450,000			2,450,000
Total Transfer for Capital Improvement	2,450,000	-	-	2,450,000
TOTAL EXPENDITURES	60,372,743	674,200	276,100	61,323,043
Beginning Fund Balance	12,001,601			12,001,601
Surplus / (Deficit)	74,473	(453,971)	(276,100)	(655,598)
Contribution from/(to) Contingency Reserve	-		(150,000)	(150,000)
Contribution from/(to) Insurance Fund	-			-
Ending Fund Balance	12,076,074			11,196,003
Target Fund Balance	9,067,082			9,100,117
Amount Over (Under) Target	3,008,992			2,095,887



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

DATE: 4/10/2018

SUBJECT: Major Street Funding and Contingency Project

RECOMMENDATION

It is recommended the City Commission approve the use of \$425,000 of working capital to fund Major Street projects and create a contingency for additional project funding issues.

BACKGROUND

The City will receive approximately \$571,000 of additional ACT 51 road funding from the State of Michigan. Currently there are three Major Street projects that require additional support to ensure completion during the 2018 construction season. Changes in Public Services staffing and project scope has impacted planning. The contingency bucket will allow project managers to transfer necessary funding to support existing projects to avoid construction delays.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

The increase in appropriation for the Major Street Capital projects is as follows:

West Michigan & Howard Traffic Signal	\$ 50,000
Portage Road – Stockbridge to Pitcher	\$ 50,000
Ransom Gull Roundabout	\$ 25,000
<u>Major Street Contingency Bucket</u>	<u>\$300,000</u>
Total Project Increase	\$425,000

ALTERNATIVES

The City Commission could choose not to approve the additional appropriation, but this would hinder the

completion of projects by not providing the appropriate level of funding for the additional needs identified by the project managers.



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: Teresa T. Johnson, Public Services Deputy Director

DATE: 4/27/2018

SUBJECT: Michigan Department of Environmental Quality Pilot Drinking Water Community Water Supply Grant Acceptance

RECOMMENDATION

It is recommended that the City Commission accept the Michigan Department of Environmental Quality (MDEQ) Pilot Drinking Water Community Water Supply Grant in the amount of \$1,000,000 and authorize the City Manager to sign all related documents.

BACKGROUND

The City of Kalamazoo has been a leader across the State of Michigan with a Lead Services (Non-Copper) replacement program that has been in place since 1992. Funding challenges slowed the program until new initiatives were implemented in 2016 and even more resources were allocated for that purpose in both 2017 and 2018.

In March of 2018, Public Services applied for the Pilot Drinking Water Community Water Supply Grant. This grant was sent to targeted communities who are currently working on improving their water supply system and could fund up to \$1,000,000 in funding to assist with our current Lead Service Replacement project.

On April 23rd Public Services was notified that the City of Kalamazoo had awarded the Pilot Drinking Water Community Water Supply Grant in the full amount of \$1,000,000.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Funds have been budgeted in the Public Services 2018 Water budget for Lead Service Replacement. The \$1,000,000 in grant funding would assist providing additional lead removal services throughout the water system.

ALTERNATIVES

An alternative would be to not accept the \$1,000,000 in grant funding from MDEQ and perform fewer lead service replacements in 2018; this is not recommended.

ATTACHMENTS:

Type	Description
------	-------------

	Resolution Grant Agreement Authorizing Resolution
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CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 18

**RESOLUTION AUTHORIZING THE PILOT DRINKING WATER
COMMUNITY WATER SUPPLY GRANT AGREEMENT**

Minutes of a regular meeting of the City Commission of the City held on May 7, 2018, at or after 7:00 o'clock p.m., local time, at City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

WHEREAS, a pilot drinking water community water supply grant program was established with the passing of the supplemental budget of the Department of Environmental Quality ("DEQ"); and

WHEREAS, the pilot drinking water community water supply grant program, administered by the DEQ, provides assistance to municipalities for updating distribution system material inventories and asset management plans to identify lead service lines and galvanized steel service lines, and replacing lead service lines and galvanized steel service lines; and

WHEREAS, the Municipality does hereby determine it necessary to (*select one or more*)
☐ update inventory of distribution system material inventory, ☐ update or improve an asset management plan to identify lead service lines and galvanized steel service lines, and ☒ replace lead service lines and galvanized steel service lines; and

WHEREAS, it is the determination of the Municipality that, at this time, a grant in the aggregate principal amount not to exceed one million dollars ("Grant") be requested from the DEQ to pay for the above-mentioned undertaking(s); and

WHEREAS, the Municipality shall obtain this Grant by entering into a grant agreement ("Grant Agreement") with the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Assistant City Engineer-Water Resources Division, a position currently held by Steve Skalski, P.E., is designated as the Authorized Representative for purposes of the Grant Agreement.

2. The proposed form of the Grant Agreement between the Municipality and the DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative

is authorized and directed to execute the Grant Agreement with such revisions as are agreed to by the Authorized Representative.

3. The Authorized Representative is hereby authorized to take any actions necessary to comply with the requirements of the DEQ in connection with the issuance of the Grant, including executing and delivering such other contracts, certificates, documents, instruments, applications and other papers as may be required by the DEQ or as may be otherwise necessary to affect the approval and delivery of the Grant.

4. The Municipality acknowledges that the Grant Agreement is a contract between the Municipality and the DEQ.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

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

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

I hereby certify that 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 May 7, 2018; 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 made available as required by said Act.

Scott A. Borling

City of Kalamazoo, Clerk
City of Kalamazoo, County of Kalamazoo



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Clyde J. Robinson, City Attorney

DATE: 5/2/2018

SUBJECT: City Manager Contract Amendment

RECOMMENDATION

It is recommended that the City Commission approve the proposed amendments to the employment agreement with City Manager James Ritsema.

BACKGROUND

In 2013 the City and James Ritsema entered a City Manager employment agreement. Since then Mr. Ritsema has met or exceeded City Commission expectations for his innovative leadership. This has not gone unnoticed. Mr. Ritsema is viewed as an attractive city manager candidate by larger communities.

In order to retain the services of Mr. Ritsema through September 1, 2023, the City is prepared to offer several enhancements to his employment. Among the more significant inducements are: 1) an increase to the pension multiplier from 2.3% to 2.7%; 2) an annual post-retirement pension adjustment of 2%; 3) an increase to vacation to 6 weeks, with an option to cash out 80 unused hours each year; and 4) 100% cash payment for unused sick leave at retirement, instead of 50%. Lesser incentives include permitting him to receive expenses and honorariums for speaking engagements and the ability to teach (with prior City Commission approval) at colleges and universities in the Lower Peninsula.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

According to the attached actuary report the proposed pension enhancements are expected to cost \$31,040. The cost of the remaining changes cannot be accurately determined at this time.

ALTERNATIVES

The City Commission could decline to amend the City Manager's contract.

ATTACHMENTS:

Type	Description
------	-------------

- | | |
|----------------|---------------------------------|
| ▣ Aerial Photo | Jim Ritsema Agreement Amendment |
| ▣ Aerial Photo | Actuarial Impact Statement |

FIRST AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

This First Amendment (hereafter "Amendment") to the City Manager Employment Agreement between the City of Kalamazoo and James K. Ritsema is made and entered between the City of Kalamazoo (City), a home rule city and Municipal Corporation organized pursuant to the laws of the State of Michigan, and James K. Ritsema, (Ritsema).

RECITALS

The Kalamazoo City Commission (City Commission) appointed James K. Ritsema as City Manager for the City, and entered into an City Manager Employment Agreement ("Agreement") with him dated October 21, 2013; and

James K. Ritsema desires to be employed by the City as its City Manager, and the City Commission desires to provide certain benefits and establish certain terms and conditions of Ritsema's employment so as to retain his services as City Manager;

THEREFORE, in consideration of the mutual covenants contained in this Amendment, the City and Ritsema agree to the following changes to the **Terms and Conditions of Employment** of the Agreement:

- I. The reference to Section 17 at Section 2. Term of Employment; Termination, is amended to refer to Section 18.
- II. Section 3. Other Employment Prohibited, is amended to read as follows:

Except as otherwise provided in this Section, Ritsema agrees that he may not be an employee, consultant, director, or the agent (whether paid or unpaid) of any other person firm, corporation, or municipal, political or other legal entity of any kind during his employment with the City without the prior approval of the City Commission. Ritsema shall serve on the Board of Directors of the Kalamazoo Foundation for Excellence during his term of employment as City Manager. Ritsema may engage in civic and charitable activities, and receive remuneration in the form of speakers' honorarium and travel, lodging and meal expenses, when so engaged, provided that such activities do no conflict with the City's interests. Ritsema may also engage in a paid or unpaid teaching assignment at a college university, or institution of higher education located in the Lower Peninsula of Michigan, provided he informs the City Commission in writing prior to engaging in the assignment and such does not materially interfere with his employment as City Manager.

- III. Section 6. Benefit Plans, ¶ C. Pension/Retirement Benefit, is amended to read as follows:

Ritsema shall participate in the Employee Retirement System upon the commencement of his employment with the City on the same terms and conditions as other non-bargaining unit employees of the City as set forth in the City of Kalamazoo Employee Retirement System Ordinance, except as otherwise provided in this Section. Provided that Ritsema does not seek employment as a city manager, deputy or assistant city manager or similar administrator position, regardless of the position title, with another municipality until after September 1, 2023, then notwithstanding §2-237 A. (2) (b) of the Employee Retirement System Ordinance, Ritsema shall be entitled to a 2.7% multiplier of his final average compensation and he shall receive a post-retirement adjustment of 2% in January of each year, compounded annually as his pension benefit. Additionally, regardless how Ritsema's employment with the City is terminated, his pension shall not be reduced under the provisions of § 2-237 B. of the Employee Retirement System Ordinance. Consistent with Public Act 88 of 1961, being the Reciprocal Retirement Act, Ritsema is entitled to use his prior service with the City of Battle Creek to qualify for a pension benefit from the City of Kalamazoo. Except as provided here in, Ritsema's pension benefit shall be calculated consistent with and paid out in the same manner as that provided to other non-bargaining unit Retirement System members retiring at the same time. Provided however, Ritsema shall not be eligible to participate in any Early Retirement Program in the event that such is offered in the future to City employees. The provisions of this paragraph shall survive the termination of this Agreement.

IV. Section 6. Benefit Plans is amended by the addition of ¶ G. Sick Leave, to read as follows:

Ritsema shall be entitled to sick leave on the same terms and conditions as other non-bargaining employees of the City, provided however, should Ritsema retire under the City's retirement program, or die while employed by the City, he or his beneficiary shall receive 100% of the accumulated, unused sick leave as of the date of retirement or death in a lump sum, less Social Security Tax (FICA). The lump sum paid for unused sick leave shall not be used to determine Ritsema's final average compensation under the Employee Retirement System Ordinance.

V. Section 7. Paid Vacation, is amended to read as follows:

Ritsema will be granted five weeks (200 hours) of paid vacation on January 1st of each calendar year; and beginning January 1, 2019 will be granted six weeks (240 hours) of paid vacation each year. Ritsema will be permitted a maximum total accumulation of not more than 280 hours of vacation time, but shall have the option to exchange up to 80 hours of unused vacation time for the cash equivalent each calendar year. Vacation hours accumulated or not cashed out in excess of the 280 hour limit by December 31 of each year will be deemed forfeited by Ritsema at no cost to the City. At no time will Ritsema be permitted to take more than two consecutive weeks (10 business days) of vacation time without prior approval of the City Commission.

VI. In all other respects the terms of the City Manager Employment Agreement between the City and Ritsema dated October 21, 2013 remains unchanged and is affirmed by the parties.

Dated: _____

James K. Ritsema
City Manager

Date: _____

Mayor Bobby J. Hopewell
For the City of Kalamazoo

Drafted By:
Clyde J. Robinson
City Attorney



May 1, 2018

Mr. Thomas C. Skrobola
Director of Management Services/CFO
City of Kalamazoo
241 West South Street
Kalamazoo, MI 49007

**Re: City of Kalamazoo Employees Retirement System
Actuarial Impact Statement as of December 31, 2016**

Dear Tom:

As requested, we have prepared the enclosed Actuarial Impact Statement to measure the financial impact on the City of Kalamazoo Employees Retirement System of a proposed change to the City Manager's benefits from the Retirement System.

Proposed Provision: Provide the City Manager with a benefit multiplier of 2.7% and post-retirement adjustments (PRAs) of 2%, compounded annually; all other retirement provisions remain unchanged.

Required Disclosures:

This report was prepared at the request of the City and is intended for use by the City and those designated or approved by the City. This report may be provided to parties other than the City only in its entirety and only with the permission of the City. The purpose of this report is to describe the financial effect of the proposed plan change on the Retirement System. Except as otherwise noted, potential effects on other benefit plans were not considered. No statement in this report is intended to be interpreted as a recommendation in favor of the change, or in opposition to it. This report should not be relied on for any purpose other than the purpose described above. GRS is not responsible for unauthorized use of this report.

The results in this report are based on census and asset data as of December 31, 2016, as provided by the Plan Administrator for the December 31, 2016 Actuarial Valuation concerning plan benefits, financial transactions, plan provisions and active members, terminated members, retirees and beneficiaries. We reviewed this information for internal and year-to-year consistency, but did not audit the data. We are not responsible for the accuracy or completeness of the information provided by the Plan Administrator.

The date of the valuation was December 31, 2016. This means that the results of the supplemental valuation indicate what the December 31, 2016 valuation would have shown if the proposed benefit change had been in effect on that date. Supplemental valuations do **not** predict the result of future actuarial valuations. Rather, supplemental valuations give an indication of the probable long-term cost of the **benefit change only** without comment on the complete end result of future valuations.

If you have reason to believe that the information provided in this report is inaccurate, or is in any way incomplete, or if you need further information in order to make an informed decision on the subject matter of this report, please contact the authors of the report prior to making such decision.

In the event that more than one plan change is being considered, it is very important to remember that the results of separate actuarial valuations cannot generally be added together to produce a correct estimate of the combined effect of all of the changes. The total can be considerably different from the sum of the parts due to the interaction of various plan provisions with each other, and with the assumptions that must be used.

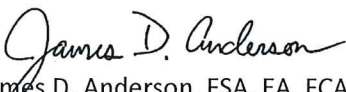
A review of the proposed plan change for compliance with Federal, State, or local law or regulations of the Internal Revenue Service, or any other regulatory body was outside the scope of this report and has not been performed by the actuary.

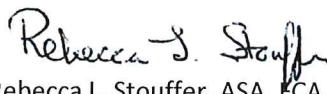
Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: plan experience differing from that anticipated by the economic or demographic assumptions; changes in economic or demographic assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period or additional cost or contribution requirements based on the System's funded status); and changes in plan provisions or applicable law. Due to the limited scope of the actuary's assignment, the actuary did not perform an analysis of the potential range of such future measurements.

This report has been prepared by actuaries who have substantial experience valuing public employee retirement systems. To the best of our knowledge the information contained in this report is accurate and fairly presents the actuarial position of the System as of the valuation date. All calculations have been made in conformity with generally accepted actuarial principles and practices, and with the Actuarial Standards of Practice issued by the Actuarial Standards Board and with applicable statutes.

James D. Anderson and Rebecca L. Stouffer are Members of the American Academy of Actuaries (MAAA) and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinions contained herein. The undersigned actuaries are independent of the plan sponsor.

Respectfully submitted,


James D. Anderson, FSA, EA, FCA, MAAA
Senior Consultant & Actuary


Rebecca L. Stouffer, ASA, FCA, MAAA
Consultant & Actuary

JDA/RLS:ah



Supplemental Actuarial Valuation Report

Plan

City of Kalamazoo Employees Retirement System

Valuation Date

December 31, 2016

Date of Report

May 1, 2018

Report Requested by

The City of Kalamazoo

Prepared by

James D. Anderson, FSA, EA, FCA, MAAA and Rebecca L. Stouffer ASA, FCA, MAAA

Group Valued

All active and inactive members.

Plan Provisions Affected

Provide City Manager with a benefit multiplier of 2.7% and post-retirement adjustments (PRAs) of 2%, compounded annually.

Actuarial Assumptions and Methods

Assumptions and methods are the same as the most recent Actuarial Valuation Report, as of December 31, 2016.

Some of the key assumptions/methods from the most recent Actuarial Valuation are:

Investment Return	—	7.5% per year
Base Wage Assumption	—	3.5% per year
Cost Method	—	Entry Age Normal

Amortization Period for Any Change in Actuarial Accrued Liability

10 years.

Summary of Data Used in Report

See attached page; based upon data used for the December 31, 2016 Actuarial Valuation Report, including an 8% adjustment to the base wages of the City Manager. The impact of proposed changes apply solely to the active member considered the City Manager.

Actuarial Impact of Proposal(s)

See attached pages.

Other Cost Considerations

None.

Comparative Summary of Valuation Results
as of December 31, 2016

	Before Changes		After	Change vs.
	Valuation	Restated	Changes	Restated
Participant Data				
A. Number of Participants				
Active	522	522	522	0
Vested Terminated	53	53	53	0
Retirees and Beneficiaries	906	906	906	0
Total	1,481	1,481	1,481	0
Total Covered Annual Payroll^	\$ 32,780,965	\$ 32,792,145	\$ 32,792,145	\$ -
Derivation of Unfunded Accrued Liability and Funded Ratio				
B. Accrued Liability				
1. For Retirees and Beneficiaries	\$334,517,262	\$334,517,262	\$334,517,262	\$0
2. For Vested Terminated Members	4,802,098	4,802,098	4,802,098	0
3. For Present Active Members				
a. Value of expected future benefit payments	157,640,637	157,658,992	157,755,934	96,942
b. Value of future normal costs	46,029,357	46,042,126	46,108,028	65,902
c. Active member liability: (a) - (b)	111,611,280	111,616,866	111,647,906	31,040
4. Total	450,930,640	450,936,226	450,967,266	31,040
C. Present Assets				
1. Valuation Basis	604,411,432	604,411,432	604,411,432	0
2. Market Basis	604,411,432	604,411,432	604,411,432	0
D. Unfunded Accrued Liability (Excess Assets)				
1. Valuation Basis: (B.4) - (C.1)	(153,480,792)	(153,475,206)	(153,444,166)	31,040
2. Market Basis: (B.4) - (C.2)	(153,480,792)	(153,475,206)	(153,444,166)	31,040
E. Funded percent				
1. Valuation Basis: (C.1) / (B.4)	134.0%	134.0%	134.0%	0.0%
2. Market Basis: (C.2) / (B.4)	134.0%	134.0%	134.0%	0.0%
Illustrative Contribution for the Year Beginning January 1, 2017				
F. As a Percent-of-Payroll				
Total normal cost	17.44 %	17.43 %	17.47 %	0.04 %
Administrative expense allowance	0.65	0.65	0.65	0.00
Less: Member contributions*	3.17	3.17	3.17	0.00
Employer normal cost	14.92	14.91	14.95	0.04
Amortization of unfunded accrued liability	(55.29)	(55.27)	(55.26)	0.01
Employer Contribution Requirement@	(40.37)	(40.36) %	(40.31) %	0.05 %
G. As a Dollar				
Total normal cost	\$ 5,917,096	\$ 5,915,720	\$ 5,929,296	\$ 13,576
Administrative expense allowance	220,534	220,609	220,609	0
Less: Member contributions*	1,075,527	1,075,894	1,075,894	0
Employer normal cost	5,062,103	5,060,435	5,074,011	13,576
Unfunded accrued liability	(18,758,957)	(18,758,567)	(18,755,173)	3,394
Employer Contribution Requirement@	\$ (13,696,854)	\$ (13,698,132)	\$ (13,681,162)	\$ 16,970
Recommended Employer Contribution	\$ 0	\$ 0	\$ 0	\$ 0

* Weighted average of various contribution rates.

[^] Valuation payroll for City Manager restated to reflect an 8% adjustment.

@ As the System cannot contribute back to the employer, no employer contribution is required. Payroll used to develop the Employer Contribution Requirement is adjusted for pay increases assumed to occur between the valuation date and the fiscal year of contribution.

City of Kalamazoo Employees Retirement System Actuarial Impact Statement as of December 31, 2016

Important Comments

For purposes of calculating the financial impact of the proposed benefit change, the following was assumed:

- a. The impacted member would be eligible for a 2% PRA, compounded annually, regardless of the amount of service accrued as of the date of retirement.
- b. PRA increases would be paid each January 1st following commencement of benefits.
- c. The impacted member would be eligible for a 2.7% multiplier applied to all years of service, independent of retirement type.
- d. There would be no benefit maximum, as defined by a percent (%) of FAC.
- e. Other provisions and eligibility conditions would remain unchanged from the existing provisions for members of the Exempt group.



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Clyde J. Robinson

DATE: 5/2/2018

SUBJECT: Extension of Bronson Park Lease with County

RECOMMENDATION

It is requested and recommended that the City Commission authorize the Mayor and City Manager to execute another one-year lease for Bronson Park with Kalamazoo County.

BACKGROUND

The City of Kalamazoo has leased the Bronson Park from the County since 1855. Although the City maintains and administers the Park, it does not own it. The City has proposed acquiring the Park from the County in an effort to establish title over the property as part of seeking grants and soliciting donations to help pay for improvements as part of the Master Plan for the Park.

The proposed three-year lease would run from January 5, 2018 to January 4, 2021, extending the terms and conditions which have been in place since a 50 year lease expired in 2014. It is anticipated that the City and County may be able to finalize the conditions so as to permit the City to acquire title to Bronson Park within the next three years.

COMMUNITY RESOURCES CONSULTED

The Kalamazoo County Board of Commissioners considered and approved the lease extension at its May 1, 2017 meeting.

FISCAL IMPACT

None. The continued maintenance of the Park by the City is part of the 2018 proposed budget

ALTERNATIVES

If the City does not extend the Lease, it would become a holdover tenant, without the benefit of a formal lease agreement. This situation would create uncertainty in applying for grants and for prospective donors. It would also create uncertainty for those organizations which have requested and received permission from the City to use the Park for special events in 2018.

ATTACHMENTS:

	Type	Description
▣	Aerial Photo	Bronson Park Lease

LEASE OF BRONSON PARK

This Lease is made this _____th day of May, 2018, by and between the COUNTY OF KALAMAZOO, a body corporate of the State of Michigan, and the CITY OF KALAMAZOO, a municipal corporation of the State of Michigan, pursuant to MCL 46.11.

WITNESSETH:

1. For one dollar (\$1.00) and other good and valuable consideration, the County does let and lease to City for a period of three (3) years from January 5, 2018, to January 4, 2021, the parcel of land hereinafter described and commonly known as "Bronson Park" located in said City and described as follows:

"A parcel of land bounded on the north by Academy Street, on the east by Rose Street, on the south by South Street, and on the west by Park Street, formerly known and described in the records of the Village and City of Kalamazoo as: "Jail Square" and Academy Square" together with that portion of Church Street duly vacated by recorded instrument of August 1, 1847, Liber M. page 182, register of Deeds records, Kalamazoo County, Michigan."

Said premises to be kept and maintained as a park, open and accessible to all of the inhabitants of said County during said term and for no other purpose.

2. The City, by executing this Lease, agrees to accept said premises subject to the above stated conditions; agrees that it will not assign or sub-let this lease to any other person, firm, or corporation (permits for temporary public, civic, social or other events excepted); and agrees that it will maintain, make improvements to, and administer said park in substantially the same manner which has been practiced heretofore.

3. If the City shall fail materially to comply with the above conditions or shall use said premises for purposes other than those herein allowed, then this lease shall become null and void and County, by proper proceedings conducted under law, may recover possession thereof and terminate this Lease.

4. The park maintenance and administration undertakings of the City as herein provided are declared to be full and adequate consideration for this Lease.

COUNTY OF KALAMAZOO

WITNESSES

Stephanie L. Moore, Chairperson
Kalamazoo County Board of
Commissioners

Timothy A. Snow
County Clerk/Register

CITY OF KALAMAZOO

WITNESSES

Bobby J. Hopewell, Mayor

James K. Ritsema, City Manager



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: Scott A. Borling, City Clerk

DATE: 5/3/2018

SUBJECT: Appointment of Alternates to the Kalamazoo County Consolidated Dispatch Authority Board

RECOMMENDATION

It is recommended that the City Commission approve the appointment of Public Safety Chief Karianne Thomas as the Mayor's alternate on the Kalamazoo County Consolidated Dispatch Authority Governing Board of Directors; and the appointment of Captain Christopher Franks as Chief Thomas's alternate on the Kalamazoo County Consolidated Dispatch Technical Advisory Committee. These appointments will expire on December 31, 2018.

BACKGROUND

On October 6, 2014 the Kalamazoo City Commission approved the *Interlocal Agreement Creating the Kalamazoo County Consolidated Dispatch Authority* which was signed by the five Public Safety Answering Points (PSAPs) and ratified on October 20, 2014.

Governing Board of Directors

Under the terms of the Agreement a 13-member Governing Board of Directors will be created with representatives as follows:

- One (1) member selected by the Kalamazoo County Board of Commissioners
- Two (2) members selected by the City Commission of the City of Kalamazoo
- Two (2) members selected by the City Council of the City of Portage
- Two (2) members selected by the Board of Trustees of the Charter Township of Kalamazoo
- Two (2) members selected by Western Michigan University
- The Kalamazoo County Sheriff or, his/her designee
- One (1) member selected by the Michigan State Police
- One (1) member selected by the Kalamazoo County Board of Commissioners who is a firefighter from an entity not already represented by the Parties and who is recommended by the Kalamazoo Fire Chief Association.
- One (1) member selected by the Kalamazoo County Medical Authority.

The powers and duties of the Governing Board of Directors are broad, but in general the Board oversees the development of an operational plan for Consolidated Dispatch, hires a Director, enters into contracts, establishes

budgets and other functions as allowed by law. Appointments are made by each agency and members serve at the will of their appointing agency.

Historically the Public Safety Chief has served as the Mayor's alternate on the Board of Directors. With the resignation of former Chief Jeff Hadley and the appointment of Karianne Thomas as the new Public Safety Chief, it is recommended that Chief Thomas be appointed as the Mayor's alternate.

Technical Advisory Committee

The *Interlocal Agreement* also calls for the creation of an 8-member Technical Advisory Committee that reports to the Governing Board of Directors. The Technical Advisory Committee assists the Board and the Director with the technical aspects of implementing a consolidated dispatch authority, its staffing and operations.

The members of the Technical Committee are recommended by their respective agencies and are appointed by, and report to, the Governing Board. Members of the Technical Committee are generally members of the agencies' public safety, police or fire departments. Each of the following agencies are allowed one member on the Technical Committee:

- Michigan State Police
- Kalamazoo County Sheriff's Office
- City of Kalamazoo
- City of Portage
- Charter Township of Kalamazoo
- Western Michigan University
- Kalamazoo County Medical Control Authority
- Kalamazoo County Association of Fire Chiefs

Chief Thomas has served as the City's representative on the Technical Advisory Committee from the KCCDA's inception in 2014, and she will continue to serve in that role. At this time it is recommended that Captain Christopher Franks be appointed as Chief Thomas's alternate on the Technical Advisory Committee.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

None



Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

DATE: 5/3/2018

SUBJECT: Approval of Minutes

RECOMMENDATION

It is recommended that the City Commission approve the minutes from its meetings on April 16, 2018.

ATTACHMENTS:

Type	Description
------	-------------

- | | |
|--------------------------|---|
| ☐ | Minutes April 16, 2018 Neighborhood Meeting |
| ☐ | Minutes April 16, 2018 Business Meeting |

Roll Call

A neighborhood meeting of the Kalamazoo City Commission was held on Monday, April 16, 2018 at 6:00 p.m. in the Community Room at City Hall, 241 West South Street.

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

Shannon Sykes*

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

Commissioners
Excused

Commissioner Cunningham, seconded by Commissioner Anderson, moved to excuse the absence of Commissioner Sykes. With a voice vote the motion passed.

Communications

An opportunity was given for miscellaneous communications, but no communications were offered.

Neighborhood
Communications

Neighborhood communications were received next.

Representatives from the following neighborhood associations were present and addressed the City Commission:

Eastside Neighborhood Association

Pat Taylor, Executive Director

Northside Association for Community Development

Mildred Smith, President

Mattie Jordan-Woods, Executive Director

Eastside Neighborhood
Association

The Eastside Neighborhood Association representatives:

- reported the Association had lost their ability to pay a custodian due to the minimum wage increase and stated they were partnering with AARP to have custodial work done.
- stated the Center for Community Progress and the Kalamazoo County Landbank were working to create a pocket park near the intersection of East Michigan and Phelps Avenues.

*Commissioner Sykes arrived at 6:04 p.m.

- reported on a recent trip to Macon, Georgia to learn more about public art with the executive directors from the Kalamazoo Institute of Art and Arts Council of Greater Kalamazoo.
- indicated the first priority for the Association was to work on the sustainability of the organization and then see where the Association's work tied in with the City's master plan.

- stated the Association was working with Neighborhood Business Coordinator Dwayne Powell on business development.
- expressed excitement about the Rockwell Park improvements.
- reported students from the Department of Business at Western Michigan University (WMU) did a service learning project during the winter semester in which they observed Association board meetings, identified problems, and recommended solutions.
- indicated the Association was renting out their facility to other non-profit organizations to help with facility expenses.

Eastside Neighborhood Association (cont'd)

In response to questions from Commissioner Anderson, Ms. Taylor stated Sam was still working at the Association part-time. Ms. Taylor reported Habitat for Humanity was no longer working with the Eastside Network (E-Net), and other organizations in E-Net had divided up the work Habitat had been doing.

Commissioner Cunningham informed Ms. Taylor he had been talking with Parks and Recreation Director Sean Fletcher and community partners about getting a youth center in the Eastside Neighborhood.

The Northside Association for Community Development (NACD) representatives:

Northside Association for Community Development

- distributed and reviewed the most recent activity report NACD had submitted to the Community Planning and Economic Development Department. A copy of this report was filed with the papers for this meeting.
- reported the Association would be acquiring property at Park and North Streets that would allow for the construction of six additional senior housing units. Ms. Jordan-Woods stated the units would be part of a mixed-use development, and grants from various sources would allow the project to be completed debt-free.
- discussed plans to work with the Kalamazoo Department of Public Safety again in 2018 to host and run a program for at-risk youth.
- indicated the Northside Neighborhood plan only needed some adjustments and it would be ready for City approval. Ms. Jordan-Woods stated resident-owned businesses and affordable housing were the main focus of the plan, along with trying to keep NACD sustainable while continuing to help people.
- reported the Michigan State Housing Development Authority (MSHDA) had announced the locations of its Opportunity Zones and stated census tract 2.02 was included but not tract 3.0. Ms. Jordan Woods indicated this decision would result in development tools and funding going to rich developers for large developments rather than developments in the poor sections of the Neighborhood. Ms. Jordan-Woods stated it was not worth it to fight MSHDA, but she asked the City to consider this situation

Northside Association
for Community
Development (cont'd)

when deciding where to invest its economic development funds.

Commissioner Cunningham observed the Northside/Southside rivalry had become more intense in the last 6-7 months.

Ms. Jordan-Woods stated she agreed to run the program for at-risk youth again, but she expressed concern about the possibility of violence between program participants. Ms. Jordan-Woods stated the threat of jail-time was not effective at controlling behavior, and the six week program was not long enough to change behavior. Ms. Jordan-Woods indicated the program needed to be a year-round program and needed to teach the participants skills that would allow them to make money.

In response to a question from Commissioner Sykes, Commissioner Cunningham reported the intensity of the Northside/Southside rivalry was similar to the rivalries that existed in 2008-2010. Commissioner Cunningham stated the differences between 2010 and 2018 were the prevalence of guns and the involvement of girls.

In response to a question from Ms. Smith, Mayor Hopewell stated a group of community leaders was going to attend a 2-day training on keeping young people out of jail.

Citizen Comments

Next, an opportunity was given for general citizen comments, but none were offered.

Commissioner
Comments

Finally, an opportunity was given for miscellaneous comments by City Commissioners, but none were offered.

Adjournment

The meeting adjourned at 6:46 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on May 7, 2018

Approved by: _____

Bobby J. Hopewell, Mayor
Dated: May 7, 2018

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	A regular meeting of the Kalamazoo City Commission was held on Monday, April 16, 2018 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 West South Street.
Roll Call	COMMISSIONERS PRESENT: Bobby J. Hopewell, Mayor 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 Reverend Sarah Schmidt-Lee, First Congregational Church, was followed by the Pledge of Allegiance.
Proclamation	Commissioner Anderson proclaimed April 27, 2018 <i>Arbor Day</i>. City of Kalamazoo Forestry Supervisor Todd Pryor received the proclamation.
Adoption of the Agenda	By unanimous consent the City Commission adopted its meeting agenda with the following change: - a citizen requested that Item F-15, an extension of the seller approval period for the sale of Lot 9, be moved to the Regular Agenda.
Communications	City Manager Ritsema announced the City Commission would hold a work session/retreat on Saturday, April 21, 2018 from 8:00 a.m. to 1:00 p.m. at The Foundry, located at 600 East Michigan Avenue.
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 contract with Rieth-Riley Construction Company for the purchase of asphalt paving materials in the amount of \$664,400. - approval of a one-year contract extension with Omni Materials, Inc. for the purchase of Powdered Activated Carbon in the total amount of \$930,000, with a 2018 amount of \$542,500. - approval of a one-year contract extension with Waste Management for the loading, hauling, and disposal of belt press solids in the amount of \$4,018,074; and approval of a budget adjustment of \$813,000 to cover the contract amount. - approval of a three-year contract with U.S. Lawns - Kalamazoo for the mowing of parks and green spaces in the amount of \$271,485.

- | | |
|---|------------------------------------|
| <ul style="list-style-type: none"> - authorization for the City Manager to enter into contracts with ice control salt suppliers as awarded by the State of Michigan for the 2018-2019 winter season requirements in an amount not to exceed \$450,000. - approval of a contract with Tetra Tech, Inc. for the Water System SCADA Project in the amount of \$232,710. - first reading of amendments to Chapter 33 - Streets and Other Public Grounds, Chapter 2 - Administration, and Chapter 23 – Parks and Recreation, of the Kalamazoo City Code of Ordinances. - first reading of an ordinance to amend Section 2-224 of the City Retirement System Ordinance to permit all exempt member (nonunion employees) to retire at age 62 with 5 years of service. Currently, exempt members hired on or after September 1, 2010 may retire at age 60 with 10 years of service. | <p>Consent Agenda
(cont'd)</p> |
| <ul style="list-style-type: none"> - adoption of a RESOLUTION granting a Payment in Lieu of Taxes for Full Circle Communities, Inc. (Parcel No. 06-16-183-001), pursuant to Section 35-4 of the Kalamazoo City Code. | <p>Resolution 18-24</p> |
| <ul style="list-style-type: none"> - adoption of a RESOLUTION authorizing the City's application for Local Bridge Program Funds for Paterson Street Bridge through the Michigan Department of Transportation. | <p>Resolution 18-25</p> |
| <ul style="list-style-type: none"> - adoption of a RESOLUTION authorizing the City's application for Local Bridge Program Funds for Inkster Avenue Bridge through the Michigan Department of Transportation. | <p>Resolution 18-26</p> |
| <ul style="list-style-type: none"> - adoption of a RESOLUTION authorizing the City's application for Local Bridge Program Funds for the Lake Street and Walnut Street Bridges through the Michigan Department of Transportation. | <p>Resolution 18-27</p> |
| <ul style="list-style-type: none"> - adoption of a RESOLUTION certifying 800 feet of Harrison Street from Michigan Avenue to the south end of the cul de sac as a public street in accordance with Public Act 51 of 1951. | <p>Resolution 18-28</p> |
| <ul style="list-style-type: none"> - adoption of a RESOLUTION from the Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission, recommending approval of a Small Winemaker License for Nicole Triplett at 1627 South Burdick Street. | <p>Resolution 18-29</p> |
| <ul style="list-style-type: none"> - approval of a request from Western Michigan University to publicly display fireworks at Hyames Field on Saturday, September 15, 2018. | |
| <ul style="list-style-type: none"> - approval of a request from the Kalamazoo Growlers to publicly display fireworks at Homer Stryker Field on June 1, June 8, June 15, June 22, July 3, July 4, July 13, July 27, and August 10, 2018. | |

Consent Agenda
(cont'd)

- approval of the Mayor's re-appointment of **Sue Robinson** to the Historic Preservation Commission for a term expiring on March 31, 2021.
- approval of the minutes from the City Commission meetings on March 19 and April 2, 2018.

Commissioner Cunningham, seconded by Commissioner Anderson, 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

Regular Agenda items were considered next.

Extension of the Seller
Approval Period/First
Amendment to the
Purchase Agreement
for the Sale of Lot 9

When an opportunity was given for citizens to comment on an extension of the "Seller Approval Period" under the Purchase Agreement for Lot 9 and authorize the City Manager to sign the *First Amendment to Purchase Agreement for Lot 9*, the following people addressed the City Commission:

Mark Kraai, City resident, expressed support for the recommendation and encouraged the City to use the extension period to engage residents in the adjacent buildings.

Commissioner Urban asked if the motion should include language requiring engagement with nearby residents during the Seller Approval Period, as requested by Mr. Kraai.

In response to Commissioner Urban, City Attorney Robinson advised that placing conditions on the approval would require that the change be taken to the other parties to the agreement for approval.

Mayor Hopewell stated he would reach out to the developers.

Commissioner Urban, seconded by Commissioner Anderson, moved to approve an extension of the "Seller Approval Period" under the Purchase Agreement for Lot 9 and authorize the City Manager to sign the *First Amendment to Purchase Agreement for Lot 9*.

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 a resolution setting forth the salaries of the City Commission appointees effective April 16, 2018, and approve lump sum payments, but no comments were offered.

Commissioner Sykes, seconded by Commissioner Cooney, moved to adopt a **RESOLUTION** setting forth the salaries of the City Commission appointees effective April 16, 2018 and approving lump sum payments.

Prior to a vote on the motion, Commissioner Anderson stated the City was lucky to have quality staff.

Commissioner Sykes stated the City's progress was resulting in the City Commission asking staff to do hard things. Commissioner Sykes stated the City needed to compensate staff for this work and pay competitive wages.

Commissioner Cunningham noted staff dealt with political issues as well as administrative responsibilities.

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
- March 2018 Purchases

City Manager Ritsema remarked on water quality issues in the community and noted the City's spring flushing program had just begun.

City Attorney Robinson noted he would not be present at Saturday's retreat, and Assistant City Attorney Richard Cherry would be representing him at the meeting. City Attorney Robinson remarked on the proposed ordinance to amend Chapters 2, 23, and 33 of the Kalamazoo City Code. City Attorney Robinson explained the proposed ordinance would make several minor changes and two major changes: 1) a provision that would allow the Parks and Recreation Director to approve alcohol in parks; and 2) changes in the City's approach to enforcing the requirement that property owners keep sidewalks clear of snow and ice.

Items of New Business were considered next.

Commissioner Urban initiated a discussion about the City Commission's leadership role in the community healing process following its decision to remove the Fountain of the Pioneers from Bronson Park. Commissioner Urban distributed a document entitled *Vision and Recommendations: Bronson Park Public Education Committee*, and he distributed and reviewed the following points for discussion:

- What has been committed to by City Staff regarding the changed direction of Bronson Park restoration, what needs to be

Resolution 18-30 re:
Salaries for City
Commission
Appointees

City Manager's Report

New Business

Discussion of Next
Steps and Future
Directions for the
Iannelli Fountain and
Bronson Park

strengthened, and what needs to be altered, given that the complex is to be removed;

- What the City Commission can do to maximize the likelihood that the decision to remove the Iannelli Complex will have healing, reconciling effect on our communities;
- Reaffirming the City's desire for the Education Committee to continue its work, with an invitation for the Tribal Council to continue its involvement with the Committee; and
- The commission's advice to City Staff on the disposition of the Iannelli Statue.

City Manager Ritsema reviewed the City Commission's March 5th action regarding the removal of the Fountain of the Pioneers from Bronson Park, and he reported on the actions that had been taken to date to implement the Commission's directive. City Manager Ritsema discussed the City's plans to document the fountain complex and preserve the artistic elements, and he presented a timeline for the complete removal of the fountain. A copy of City Manager Ritsema's remarks was filed with the papers for this meeting.

Commissioner Urban expressed concern that pictures would not be a sufficient means of documenting the fountain complex, and he recommended the City check with local historians to see if additional documentation was needed, such as measurements of the fountain. Commissioner Urban expressed concern about the City's ability to salvage the whole statue and asked for clarification on how that would be done. Commissioner Urban asked staff to document that the City had done everything possible to minimize damage to the integrity of the statue.

In response to Commissioner Urban, Public Services Director James Baker explained the three-dimensional laser scan would produce a model that could be loaded into AutoCAD, and that information would yield hyper-accurate, dimensionally-correct scans. Director Baker indicated it was the goal of staff and the contractor to preserve as much of the statue and other artistic elements as possible, but it was not clear whether they would be able to keep the concrete together due to the deteriorated condition of the turret structure.

Parks and Recreation Director Sean Fletcher reported his office had communicated the project plan to people who had reserved the park for events. Director Fletcher stated there would be "unknowns" as the fountain was dismantled, and he commended Senior Civil Engineer Ryan Stoughton for his professional work on the removal project.

Commissioner Urban encouraged City staff to keep local art historians informed of progress on the project.

Director Fletcher stated the Historic Preservation Commission had been kept informed, and Historic Preservation Coordinator Sharon Ferraro had been keeping other stakeholders informed of progress on the removal project.

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Commissioner Urban asked Commissioners whether there was a desire to have the Education Committee continue its work and, at a minimum, complete the components of the original education plan.

Commissioner Sykes expressed support for the Education Committee, their work, and the *Vision and Recommendations* document. Commissioner Sykes suggested the Education Committee grow to include indigenous people who wanted to be part of the work.

Commissioner Cooney stated it was understood at the time of the March 5th action that removal of the statue did not mean an end to the education work.

Commissioner Urban asked the City Commission to reaffirm its desire for the Education Committee to continue its work; and to direct the Mayor to compose a letter to the Tribal Council inviting the Tribe to continue its involvement with the Education Committee. Commissioner Urban noted the Tribe wanted reassurances that they were still wanted and needed for the education work.

Commissioner Urban, seconded by Commissioner Cooney, moved that the City Commission direct the Mayor to invite the Tribal Council to continue its work with the Bronson Park Public Education Committee.

Directive for the Mayor
to Invite the Tribal
Council to Continue its
Involvement with the
Bronson Park
Education Committee

When an opportunity was given for citizens to comment on the motion, the following people addressed the City Commission:

Chris Wahmhoff, City resident, stated he wished the City Commission would express as much concern for the kids in the Edison Neighborhood as they did for historic preservation.

Prior to a vote on the motion, Commissioner Anderson asked what communication had occurred with the Education Committee or the Gun Lake Tribe since the decision to remove the fountain.

City Manager Ritsema reported the Education Committee was still meeting to finalize plans so that budgeting and fundraising could begin. City Manager Ritsema stated there had been no official communication with the Gun Lake Tribe since the vote to remove the fountain, and he was fine with inviting the Tribe to participate in the continuing work on the education plan.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Commissioner Urban stated he was satisfied with the City's approach to the final disposition of the Iannelli statue. Commissioner Urban stated it appeared that the privileged, white community in the City did not get what they wanted, and there was learning taking place.

City Manager Ritsema noted the Truth and Racial Healing initiative was underway, and the fountain discussion would be folded into this initiative.

Commissioner Sykes expressed appreciation to Commissioner Urban for raising questions about the fountain and suggested the lack of discussion was due to Commissioners' agreement with his ideas. Commissioner Sykes stated healing was important to all of the City's work moving forward, not just the fountain.

Citizen Comments

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

Chris Wahmhoff, City resident, distributed pictures of his basement and expressed anger regarding his interactions with staff regarding his condemned home.

City Commissioner Comments

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

Commissioner Cooney thanked Forestry Supervisor Todd Pryor for his work with trees in the community. Commissioner Cooney thanked Frank Warren for raising awareness of veterans' issues and for working to better the lives of local veterans.

Commissioner Urban offered remarks on how Frank Warren had educated him about veterans.

Commissioner Cunningham remarked on the passing of Frank Warren, a frequent attendee of City Commission meetings, and noted he had sent flowers to the family on behalf of the Commission.

Mayor Hopewell stated he and Commissioner Urban had attended Mr. Warren's funeral and offered condolences to Mr. Warren's family.

Adjournment

The meeting adjourned at 7:57 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on May 7, 2018

Approved by: _____

Bobby J. Hopewell, Mayor
Dated: May 7, 2018

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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

PREPARED BY: Laura J. Echtenaw, Legal Secretary

DATE: 4/10/2018

SUBJECT: Amendment to Change Retirement Criteria for Exempt Members

RECOMMENDATION

It is recommended that the City Commission amend Section 2-224 of the City Retirement System Ordinance to permit all exempt member (non-union employees) to retire at age 62 with 5 years of service. Currently, exempt members hired on or after September 1, 2010 may retire at age 60 with 10 years of service.

BACKGROUND

The 10 year service requirement for employees hired after September 1, 2010 to be eligible to retire is seen as an impediment to attracting and retaining talent. The proposed change would also eliminate a distinction, based on date of hire, between otherwise similarly situated exempt employees. More practically, the change would make four current employees who were hired in 2012, eligible to retire in 2019 (at age 62) with full benefits, without having to work for ten years.

COMMUNITY RESOURCES CONSULTED

None. This ordinance is a reworking, to better clarify the intent of the amendment, of the one that was originally considered by the City Commission at its March 19, 2018 meeting.

FISCAL IMPACT

The fiscal impact of the amendment would be borne by Pension System. However, given the difference of the benefit between 10 and 5 years of service, the impact is estimated to be small.

ALTERNATIVES

The City Commission could choose not to adopt this amendment. This is not recommended as it would be inconsistent with the goal of making the City a high performing organization.

ATTACHMENTS:

Type Description

Ordinances

- ▣ - Redline Amendment to Change Retirement Criteria for Exempt Members
Version
- ▣ Ordinances Amendment to Change Retirement Criteria for Exempt Members

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. ____

**AN ORDINANCE TO AMEND SECTION 2-224
OF THE KALAMAZOO CODE OF ORDINANCES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 2-224 of the Kalamazoo City Code pertaining to "VOLUNTARY RETIREMENT AGE" is amended to read as follows:

VOLUNTARY RETIREMENT AGE

A. For a general member, shall be age 55 years, provided he or she has 15 or more years of credited service. For each year past age 55, the required number of years of credited service shall be reduced one year until:

- (1) For exempt employees ~~hired prior to September 1, 2010~~, at age 62 and thereafter the required number of years of credited service shall be five;
- (2) ~~For exempt employees hired on or after September 1, 2010, at age 60 and thereafter the required number of years of credited service shall be 10;~~
[Reserved]
- (3) For KMEA members hired prior to January 1, 2009, at age 62 and thereafter the required number of years of credited service shall be eight;
- (4) For KMEA members hired on or after January 1, 2009, at age 60 and thereafter the required number of years of credited service shall be 10;
- (5) For AFSCME members, at age 61 and thereafter the required number of years of credited service shall be nine; and
- (6) For ATU members, at age 60 and thereafter the required number of years of credited service shall be 10.

B. Beginning January 1, 1984, "voluntary retirement age" for a Public Safety member shall be after 25 years of credited service, or age 50 with 10 years of credited service, whichever occurs first.

C. Subject to the maximum benefits provisions set forth below, any member who continues in the employ of the City beyond his or her voluntary retirement age shall continue to accrue benefits under the retirement system; provided, however, that in the event that the City reemploys any member who has retired after reaching his or her voluntary retirement age and has commenced receiving a retirement allowance, such reemployment shall not cause said retirement allowance to be increased or altered in any way, nor shall such reemployment create for such member any accrual of any additional

benefits under the retirement system.

D. Subject to the terms of § 2-237, the amount of the retirement allowance to which a member may be entitled upon his or her voluntary retirement may be reduced.

Section 2. Repealer.

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

Section 3. Severability.

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

Section 4. Effective Date.

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

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____. 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.

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. ____

**AN ORDINANCE TO AMEND SECTION 2-224
OF THE KALAMAZOO CODE OF ORDINANCES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 2-224 of the Kalamazoo City Code pertaining to "VOLUNTARY RETIREMENT AGE" is amended to read as follows:

VOLUNTARY RETIREMENT AGE

A. For a general member, shall be age 55 years, provided he or she has 15 or more years of credited service. For each year past age 55, the required number of years of credited service shall be reduced one year until:

- (1) For exempt employees, at age 62 and thereafter the required number of years of credited service shall be five;
- (2) [Reserved]
- (3) For KMEA members hired prior to January 1, 2009, at age 62 and thereafter the required number of years of credited service shall be eight;
- (4) For KMEA members hired on or after January 1, 2009, at age 60 and thereafter the required number of years of credited service shall be 10;
- (5) For AFSCME members, at age 61 and thereafter the required number of years of credited service shall be nine; and
- (6) For ATU members, at age 60 and thereafter the required number of years of credited service shall be 10.

B. Beginning January 1, 1984, "voluntary retirement age" for a Public Safety member shall be after 25 years of credited service, or age 50 with 10 years of credited service, whichever occurs first.

C. Subject to the maximum benefits provisions set forth below, any member who continues in the employ of the City beyond his or her voluntary retirement age shall continue to accrue benefits under the retirement system; provided, however, that in the event that the City reemploys any member who has retired after reaching his or her voluntary retirement age and has commenced receiving a retirement allowance, such reemployment shall not cause said retirement allowance to be increased or altered in any way, nor shall such reemployment create for such member any accrual of any additional benefits under the retirement system.

D. Subject to the terms of § 2-237, the amount of the retirement allowance to which a member may be entitled upon his or her voluntary retirement may be reduced.

Section 2. Repealer.

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

Section 3. Severability.

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

Section 4. Effective Date.

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

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on_____. 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.



Commission Agenda Report

City of Kalamazoo

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

FROM: Richard O. Cherry, Assistant City Attorney

REVIEWED BY: Clyde J. Robinson, City Attorney

PREPARED BY: Laura J. Echtenaw, Legal Secretary

DATE: 4/6/2018

SUBJECT: Amendments to Chapter 33 - Streets and Other Public Grounds Chapter 2 - Administration, and Chapter 23 - Parks and Recreation

RECOMMENDATION

It is recommended that the City Commission offer for first reading amendments to Chapter 33- Streets and Other Public Grounds, Chapter 2- Administration, and Chapter 23- Parks and Recreation, of the Kalamazoo City Code of Ordinances.

BACKGROUND

This City Commission has issued a mandate that the City Attorney's Office decriminalize sections of the Kalamazoo City Code changing most of the violations from misdemeanors to municipal civil infractions. In response, the City Attorney has embarked on a comprehensive overhaul of the Kalamazoo City Code. The City Attorney's Office has elicited input from City departments to update the City code to allow each department the ability to be more effective in serving the citizens of the City of Kalamazoo.

In this proposed amendment the City Attorney recommends consolidating Chapter 23 Parks and Recreation and Chapter 33 Streets and Other Public Grounds in an effort to have all ordinances that concern our City Parks under one Chapter. Since the section concerning the Parks and Recreation Board is more administrative the City Attorney recommends moving that section to the Chapter 2-Administration. Chapter 23 will therefore be repealed.

Additionally, the City Attorney recommends that violations of the park rules be classified as municipal civil infractions, thus decriminalizing Chapter 33. The City Attorney at the request of the Parks and Recreation Department has also added Section 33-25 which has exceptions to the general prohibition of the consumption of alcoholic beverages in city parks. One of these exceptions allows individuals to consume alcoholic beverages in city parks at special events. The Parks and Recreation Director has the ability to designate which special events that individuals, over the age of 21, are allowed to bring and consume alcoholic beverages. The City of Grand Rapids has adopted a similar ordinance for its city parks with great success. The proposed ordinance allows for the same opportunity as the City of Grand Rapids' ordinance but with more control over when and where alcohol beverages can be consumed.

Further, the City Attorney also proposes amendments to Sections 33-18 thru 33-20 which primarily concern

snow removal on public sidewalks. This proposed amendment will give the City the ability to ensure that public sidewalks are clear of obstructions, ice and snow, so that sidewalks are safe for pedestrian travel. Currently the snow removal ordinance is unenforceable; the City cannot require that property owners clear sidewalks that are adjacent to their property. Public Safety and Public Services receive multiple complaints every winter from citizens about the accumulation of snow and ice on sidewalks that hinder safe pedestrian travel. Some citizens are forced to walk on the road because of snow and ice accumulation on sidewalks. This creates a hazard for pedestrians, and motorists, thus the need for the amendment. Public Services, Community Planning and Development, and the Kalamazoo Department of Public Safety will work in concert to enforce provisions of these sections.

The City will issue a written notice to the noncompliant resident that states that the resident must, within 48 hours, remove accumulated snow, ice and/or obstruction from the sidewalk that is immediately adjacent to their property. The notice will also inform the resident of the penalty for noncompliance. The penalty for noncompliance is \$50 fine for the first offense, \$100 for a second offense committed within 6 months of a first offense, and \$200 for a third or subsequent offense committed within 6 months of a first offense, and any costs imposed by the court. A violation of any one of these sections will be a municipal civil infraction. The resident may contest a violation in the Kalamazoo County 8th District Court.

Further, the City is equipped and staffed to make sure that all City owned properties are compliant with the ordinance. Just prior to the implementation of this ordinance the City will make sure to inform the public of the change to the ordinance and the ramifications of its enforcement.

COMMUNITY RESOURCES CONSULTED

none

FISCAL IMPACT

Nominal

ALTERNATIVES

The alternative would be to not enact the revisions to the ordinance, or require the City Attorney to revise the proposed amendments.

ATTACHMENTS:

Type	Description
Ordinances	AN ORDINANCE TO AMEND CHAPTER 2, 23 and 33 OF THE KALAMAZOO CODE OF ORDINANCES
▣ - Redline Version	
▣ Ordinances	AMENDMENTS TO CHAPTER 33 AND CHAPTER 23

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 2, 23 and 33
OF THE KALAMAZOO CODE OF ORDINANCES

THE CITY OF KALAMAZOO ORDAINS:

Section 1. The following provisions of Chapter 33 Streets and Other Public Grounds of the Kalamazoo City Code are amended to read as follows:

§ 33-1 through § 33-17 unchanged.

§ 33-18 Owners or occupants of adjacent property not to permit snow, ice or rubbish to remain on sidewalks or alleys.

A. The owner or occupant of any property within the City shall remove any accumulation of snow or rubbish from the public sidewalk adjacent, abutting, or adjoining such property within 48 hours of its accumulation or placement on said public sidewalk.

B. The owner or occupant of any property within the City shall remove any accumulation of ice or otherwise make safe by the application of sand, salt, sawdust, or similar material in such manner and quantity to prevent it from being slippery from the public sidewalk adjacent, abutting, or adjoining such property within 12 hours of its accumulation and thereafter remove such ice as soon as practicable.

C. Any person in violation of this section shall be a responsible for a municipal civil infraction and subject to a fine of \$50 for a first offense, \$100 for a second offense committed within 6 months of a first offense, and \$200 for a third or subsequent offense committed within 6 months of a first offense, and any costs imposed by the court.

~~It shall be unlawful for the owner or occupant of any lot or building within the corporate limits of the City to permit or suffer to remain, on the sidewalk opposite and in front of such lot or building or on any alley adjacent thereto, any snow, ice or rubbish of any kind. If said owner or occupant removes snow, ice or rubbish within 48 hours after receiving an appearance ticket or a summons and complaint of a violation of this section, the appearance ticket or complaint shall be dismissed.~~

§ 33-19 Deposit of snow on streets and sidewalks.

A. It shall be unlawful for any person to deposit or cause to be deposited any accumulation of snow or ice from roofs of buildings, publicly or privately owned parking lots, drive-in service places and other off-street areas, upon any street, alley, sidewalk or crosswalk. Snow naturally falling on a public right-of-way may be deposited in the area between the curb and sidewalk.

B. A person in violation of this section shall be responsible for a municipal civil infraction and subject to a fine of \$100, and any costs imposed by the court.

~~It shall be unlawful for any person to deposit or cause to be deposited any accumulation of snow or ice from roofs of buildings, publicly or privately owned parking lots, drive-in service places and other off-street areas, upon any street, alley, sidewalk or crosswalk. Snow naturally falling on a public right-of-way may be deposited in the area between the curb and walk or in the gutter.~~

§ 33-20 Removal of snow and other obstructions by City at expense of owner or occupant of adjacent property.

- A. If any occupant or owner shall neglect or fail to remove ice, snow or rubbish from the public sidewalk adjacent, abutting or adjoining their property within the time allowed or shall otherwise permit ice, snow or rubbish to accumulate on such public sidewalk, the City Manager or the designee of the City Manager may cause the ice, snow or rubbish to be cleared at the expense of such occupant or owner. The expense of removal and its associated administrative fee, shall become a debt owed to the City from the occupant or owner of such property and shall be collected as any other debt to the City, and if not paid within thirty (30) days after billing, shall become a lien in favor of the City against the said benefitted property. The lien shall be assessed the same as real property taxes are assessed and levied.
- B. Property owners and occupants will be given notice of sections 33-18 through 33-20 in November of each year through a public posting in a public newspaper of general circulation in the City and on the webpage maintained by the City. These will be the only required public notices given for sections 33-18 through 33-20."

Article II
Parks and Recreation

§ 33-23 Definitions.

As used in this article, the following terms shall have the meanings indicated:

CITY PARKS

Any public park, playground, or beach within the City which is owned or operated by the City or the City Building Authority that is open to the public.

SPECIAL EVENT

Any public gathering that the City of Kalamazoo designates as a special event to celebrate, honor, educate, or observe human endeavors and/or holidays. These events generally last a few hours to a few days. The City of Kalamazoo shall provide advance notice of these special events, and that notice shall have the designation of Special Event.

§ 33-243 City parks/public spaces.

The following applies to all City parks; ~~which for purposes of this section, and this section only, shall be defined to include all outdoor areas owned or leased by the City or the City's Building Authority that are open to the public:~~

- A. No person shall enter into, remain in, or use any park at which hours of operation are restricted except during the park's posted hours of operation; nor may a person engage in activities that are prohibited by posted rules.
- B. In those parks that are open to the public during nighttime hours, no sleeping is permitted between the hours of 9:00 p.m. and 7:00 a.m.
- C. Fishing is not permitted in any park except where specifically designated at Spring Valley Park, Mayors' Riverfront Park, Rose Park, Verburg Park, and Woods Lake Beach Park.

- D. The operation and the parking of motor vehicles is permitted only on approved surfaces, or in areas specifically designated for the operation and/or parking of motor vehicles, unless otherwise approved by the City. Any vehicle parked in violation of this subsection may be issued a civil parking citation, and, in the City's sole discretion, may be towed and impounded at the owner's sole expense.
- E. Camping in any park is prohibited without written permission of the City.
- F. No person shall pick, damage, or remove any flora, whether wild or domesticated, in any park, dig or move soil, or cut or remove a tree or any part of a tree at any park without permission of the City. The spraying, defacing, or painting of any tree, building, or any other portion of any park is prohibited.
- G. Swimming or wading is prohibited except at Kik Pool and Woods Lake Beach Park during designated hours.
- H. Bicycles, skateboards, scooters, and other similar contrivances may be operated only on surfaces designated for use by motor vehicles or on designated bicycle paths or skateboard areas. Bicycles must be walked through Bronson Park. No bicycles are permitted in Blanche Hull Park, except on bike trail-ways that are identified as such by posted signs.
- I. Leashing of dogs.
- (1) All dogs must be securely held and controlled on a leash no longer than six feet in length, except in such areas as the City may post and identify by appropriate signs as permitting dogs to be at large. Under no circumstances, however, shall a person allow a dog (other than a service dog), on or off a leash, to be upon the sandy beach near, or in the water at, the public swimming area at the Woods Lake Park or upon the golf course at Milham Park at any time of year.
- (2) Section I shall not apply to City Parks that are a designated dog park. Dog owners must however abide by the specific rules posted in the dog parks.
- ~~Violation of this Subsection I is a municipal civil infraction punishable by a civil fine of \$100, plus court costs; and, for a subsequent violation within 6 months of a prior offense, punishable by a civil fine of \$200, plus court costs.~~
- J. All dog owners and those in control of any dog shall immediately pick up any fecal matter deposited in any park and dispose of it in a proper receptacle.
- K. No person shall build or maintain a fire in any park except in a City-provided grill or in grills brought to the park by the user. Where permitted, grills shall be used only for the preparation of food, shall never be placed upon a picnic table, and shall be elevated such that the bottom of the grill is no less the 25 inches above the ground. Under no circumstances shall a person build or maintain a fire, in a grill or otherwise, in Bronson Park or on the grounds adjacent to City Hall unless specially permitted in writing by the City.
- L. No person shall set up a tent, or awning, or similar structures that are held up by stakes or similar devices without written approval from the City.
- M. Sleeping or lying down to rest is not permitted at any time on a paved or otherwise improved surface, including stages or other elevated areas.

- N. No person shall consume or possess alcoholic beverages in a park except during events where such possession or consumption is expressly permitted by the City.
- O. No person shall wash clothing or other objects in or under park fountains, drinking fountains, faucets, spigots, pools, lakes, rivers or creeks within a park.
- P. No person shall use an electrical outlet found within a park unless such use is expressly authorized by the City.
- Q. Park equipment, fixtures, and other objects found within parks shall be used only for their intended purpose.
- R. Areas that are publicly posted to be used for only specified uses shall be used only for said uses.
- S. A Public Safety Officer may require any person violating this or any other City ordinance to leave any park for the balance of that day. A person who refuses to leave after being requested to do by a Public Safety Officer may be charged with and/or arrested for trespassing.
- T. No person shall smoke in an area or at an event that is posted or otherwise designated as being smoke-free.
- U. No person shall interfere with an event or activity, public or private, that has been specially permitted in writing by the City.
- V. No person shall charge or receive money or other consideration for admission into, activities in, or commodities of any type sold in a park, unless specially permitted in writing by the City.
- W. Unless otherwise specified, a violation of any of the above provisions shall be a misdemeanor.
- X. The fact that areas that are not formally dedicated parks are treated herein as if parks for this section does not otherwise change the designation of said areas, nor make such areas a City park.
- Y. In the event a person is convicted of a violation of any provision of this section, or if a person is otherwise convicted of causing damage to any park, the court shall, as part of any sentence imposed for such an offense, require that the defendant pay full restitution to the City for any expenses incurred by the City as a result of the violation and further may, as a term of probation, prohibit the person for a period of not more than one year, from entering into or using one or more specified parks. The court shall liberally construe this provision in order to make the City whole.

§ 33-25 Alcohol Restrictions/Exceptions.

No person shall consume, possess, or bring any beer, wine, liquor, malt or any other alcoholic beverage into a City Park.- Anyone who violates this section shall be guilty of a misdemeanor punishable by up to 90 days in jail and/or a maximum fine of -\$500, -except for the following two exceptions:

- A. The Director of Parks and Recreation may, for the duration of a special event, designate that beer, wine and liquor may be carried in, possessed and consumed in City Parks in a

container(s) not more than 72 ounces. During a designated special event alcoholic beverages may only be consumed within the designated City Park location. Only sealed, unopened containers of beer, wine and liquor may be transported to and from the City Park before and after the special event.

- B. Alcoholic liquor may be sold, possessed and/or consumed in a City Park during the period of a special license with the specific approval of the City Clerk and in conformance with the conditions of such approval and the condition of a special license granted by the Michigan Liquor Control Commission.

§ 33-26 Operation of motorboats on certain lakes prohibited.

- A. Consistent with the pertinent rules of the State Department of Natural Resources, the operation of a motorboat on the waters of the following lakes, or portions thereof, located within the City, is prohibited:

(1) Whites Lake, Section 30, Township 2 South, Range 11 West.

(2) Lake Hill-n-Brook, Section 31, Township 2 South, Range 11 West.

§ 33-27 Dates and hours of operation of City parks.

Any City park, in which the dates and hours of operation are restricted, shall have said dates and hours of operation posted at each vehicular entrance to such City park or at such other place within the City park as designated by the City Manager.

§ 33-28 High speed boating — Woods Lake.

- A. On the waters of Woods Lake (southeast quarter of Section 29, Town 2 South, Range 11 West, City of Kalamazoo, County of Kalamazoo, State of Michigan) it shall be unlawful for the operator of any vessel to operate said vessel at a high speed, which is defined (by PA 303 1967, Marine Safety Act) to mean a speed at or above which a vessel reaches a planing condition.

- B. The City shall place signs in or near the waters of Woods Lake which advise the public of said prohibition against high speed boating.

§ 33-29 through § 33-32. (Reserved)

Article III

Construction and Repair of Sidewalks, Crosswalks and Driveways

§ 33-33 through § 33-37 unchanged.

§ 33-38 Repair or replacement of sidewalks.

- A. It shall be the duty of all owners or occupants of premises within the corporate limits of the City to keep all cement sidewalks, which have been heretofore laid or which may be hereafter laid, in front of or adjacent to such premises, in and along any of the streets and alleys of the City, in good repair. Any owner or occupant of any such premises who shall allow any such sidewalk to remain out of repair, or in dangerous condition, without properly barricading the same, shall be deemed responsible for a municipal civil infraction, guilty of a misdemeanor.

§ 33-33 B. through § 33-52 unchanged.

Article ~~IV~~
Use for Utility Poles, Wires and Conduits

§ 33-53 through § 33-57 unchanged.

§ 33-58 Bond or insurance.

- A. Each utility governed by this article shall file and keep in force with the City Clerk a bond in the sum of \$25,000, unless changed hereafter by resolution of the City Commission, the same to be approved by the City Attorney. Such bond shall be conditioned upon the indemnification of the City for all losses or damages sustained by any person arising or growing out of the construction, operation or maintenance of poles, wires, cables, conduits or other equipment or services of the utility in the use of the public streets, alleys or sidewalks of the City, when, as and if the City shall become legally obligated and required to pay the same to any such person.

§ 33-58 B. through § 33-78 unchanged.

Article ~~IV~~
Use by Gas Utilities

§ 33-79 through § 33-80 unchanged.

§ 33-81 Bond or insurance.

- A. Each utility using the streets, alleys and other public places of the City shall file and keep in force, with the City Clerk, a bond in the sum of \$25,000, unless changed hereafter by resolution of the City Commission, the same to be approved by the City Commission and to be in a form provided and approved by the City Attorney. Such bond shall be conditioned upon the indemnification of the City for all losses or damages sustained by any person arising or growing out of the construction, operation or maintenance of the pipes, mains or conduits or other equipment or services of the utility in the streets, alleys, sidewalks or other public places of the City, when, as and if the City shall become legally obligated and required to pay the same to any such person.

§ 33-81 B, through § 33-101 unchanged.

Article ~~VI~~
Permit for Installation of Pipe Lines for Oil, Water, Etc.

§ 33-102 and § 33-103 unchanged.

§ 33-104 Fee.

In case a permit applied for under this article is granted, the person to whom it is granted shall pay to the City a fee of \$1 per foot per year, unless changed hereafter by resolution of the City Commission, on all of the pipe line that is installed or laid in, over or upon any of the streets, alleys or public places of the City. Such fee shall initially be paid when the permit is issued and subsequent payments shall be made to the Treasurer on or before each anniversary date of such permit.

§ 33-105 through § 33-120 unchanged.

Article VII
Revocable Franchises for Retail Wheel Electric Providers

§ 33-121 through § 33-125 unchanged.

§ 33-126 Violation; penalty.

A. The City of Kalamazoo may charge any person who violates any section of this chapter with a civil infraction, unless the section specifically states otherwise.

(1) A fine for a violation of this Chapter shall be not more than \$200.

(2) A second or subsequent violation of this Chapter committed by an individual who has been previously adjudicated responsible for a violation of this Chapter within any 12-month period may be fined a minimum fine of \$200 but not more than \$500.

~~A person who violates any provision of this chapter may be charged by the City with a criminal misdemeanor.~~

B. In addition to any remedies under this chapter, the City may:

(1) Bring an action for an injunction or other process against a person to restrain, prevent, or abate any violation of this chapter; and/or

(2) Revoke a person's revocable franchise.

C. Each day on which any violation of this chapter continues constitutes a separate infraction and shall be subject to penalties and other remedies as a separate infraction.

D. Any material, false or misleading statement or representation knowingly made by an applicant or provider in an application, in any document submitted to the City pursuant to this chapter shall be a violation of this chapter and, if made by a provider, a material breach of its revocable franchise, and shall subject the applicant or provider to all penalties and remedies which are available to the City, including the denial of the application or revocation of the revocable franchise.

Section 2. Chapter 23 of the Kalamazoo City Code is repealed in its entirety.

Section 3. Chapter 2 of the Kalamazoo City Code is amended to add Article IV Parks and Recreation Advisory Board, so that the entire article reads as follows:

§ 2-58 Definitions.

As used in this article, the following terms shall have the meanings indicated:

BOARD

The Parks and Recreation Advisory Board created by § 2-59.

§ 2-59 Created; composition.

There is ~~hereby~~ created and established a Parks and Recreation Advisory Board to consist of nine voting members, all of whom shall be residents of the City. At least two of the Board's members shall be 15 to 17 years old at the time of their appointment.

§ 2-60 Appointment and terms of members.

The members of the Board shall be appointed by the City Commission for terms of three years except the initial appointment shall provide for three three-year terms, two two-year terms and two one-year terms. Terms shall begin and terminate on January 1, except that a member shall continue in office until a successor is appointed and takes office. Vacancies shall be filled by the City Commission by appointment for the unexpired term.

§ 2-61 Election of officers.

The Board may elect a chairman and such other officers as it may desire, from its own members.

§ 2-62 Secretary.

The City Manager or his or her designee shall assign a City staff member to serve as secretary of the Board. That person shall provide such administrative support as may be required.

§ 2-63 General powers and duties.

A. The duties of the Board shall be of an advisory nature only to the City Manager and the City Commission. The Board may:

- (1) Consult with and make recommendations to the City Commission regarding parks and recreation planning and programming.
- (2) Have access to all records, information and data concerning the activities and operations of the Department of Public Services.
- (3) Have the privilege of visiting and inspecting, at reasonable times, all recreation facilities of the City.

§ 2-64 Adoption of rules and regulations.

The Board may adopt rules and make regulations for its own activities.

§ 2-65 through § 2-69 (Reserved).

Section 4. 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 April ____, 2018. 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 CHAPTER 2, 23 and 33
OF THE KALAMAZOO CODE OF ORDINANCES

THE CITY OF KALAMAZOO ORDAINS:

Section 1. The following provisions of Chapter 33 Streets and Other Public Grounds of the Kalamazoo City Code are amended to read as follows:

§ 33-1 through § 33-17 unchanged.

§ 33-18 Owners or occupants of adjacent property not to permit snow, ice or rubbish to remain on sidewalks or alleys.

- A. The owner or occupant of any property within the City shall remove any accumulation of snow or rubbish from the public sidewalk adjacent, abutting, or adjoining such property within 48 hours of its accumulation or placement on said public sidewalk.
- B. The owner or occupant of any property within the City shall remove any accumulation of ice or otherwise make safe by the application of sand, salt, sawdust, or similar material in such manner and quantity to prevent it from being slippery from the public sidewalk adjacent, abutting, or adjoining such property within 12 hours of its accumulation and thereafter remove such ice as soon as practicable.
- C. Any person in violation of this section shall be responsible for a municipal civil infraction and subject to a fine of \$50 for a first offense, \$100 for a second offense committed within 6 months of a first offense, and \$200 for a third or subsequent offense committed within 6 months of a first offense, and any costs imposed by the court.

§ 33-19 Deposit of snow on streets and sidewalks.

- A. It shall be unlawful for any person to deposit or cause to be deposited any accumulation of snow or ice from roofs of buildings, publicly or privately owned parking lots, drive-in service places and other off-street areas, upon any street, alley, sidewalk or crosswalk. Snow naturally falling on a public right-of-way may be deposited in the area between the curb and sidewalk.
- B. A person in violation of this section shall be responsible for a municipal civil infraction and subject to a fine of \$100, and any costs imposed by the court.

§ 33-20 Removal of snow and other obstructions by City at expense of owner or occupant of adjacent property.

- A. If any occupant or owner shall neglect or fail to remove ice, snow or rubbish from the public sidewalk adjacent, abutting or adjoining their property within the time allowed or shall otherwise permit ice, snow or rubbish to accumulate on such public sidewalk, the City Manager or the designee of the City Manager may cause the ice, snow or rubbish to be cleared at the expense of such occupant or owner. The expense of removal and its associated administrative fee, shall become a debt owed to the City from the occupant or owner of such property and shall be collected as any other debt to the City, and if not paid within thirty (30) days after billing, shall become a lien in favor of the City against the said benefitted property. The lien shall be assessed the same as real property taxes are assessed and levied.
- B. Property owners and occupants will be given notice of sections 33-18 through 33-20 in November of each year through a public posting in a public newspaper of general

circulation in the City and on the webpage maintained by the City. These will be the only required public notices given for sections 33-18 through 33-20."

Article II Parks and Recreation

§ 33-23 **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

CITY PARKS

Any public park, playground, or beach within the City which is owned or operated by the City or the City Building Authority that is open to the public. .

SPECIAL EVENT

Any public gathering that the City of Kalamazoo designates as a special event to celebrate, honor, educate, or observe human endeavors and/or holidays. These events generally last a few hours to a few days. The City of Kalamazoo shall provide advance notice of these special events, and that notice shall have the designation of Special Event.

§ 33-24 **City parks/public spaces.**

The following applies to all City parks:

- A. No person shall enter into, remain in, or use any park at which hours of operation are restricted except during the park's posted hours of operation; nor may a person engage in activities that are prohibited by posted rules.
- B. In those parks that are open to the public during nighttime hours, no sleeping is permitted between the hours of 9:00 p.m. and 7:00 a.m.
- C. Fishing is not permitted in any park except where specifically designated at Spring Valley Park, Mayors' Riverfront Park, Rose Park, Verburg Park, and Woods Lake Beach Park.
- D. The operation and the parking of motor vehicles is permitted only on approved surfaces, or in areas specifically designated for the operation and/or parking of motor vehicles, unless otherwise approved by the City. Any vehicle parked in violation of this subsection may be issued a civil parking citation, and, in the City's sole discretion, may be towed and impounded at the owner's sole expense.
- E. Camping in any park is prohibited without written permission of the City.
- F. No person shall pick, damage, or remove any flora, whether wild or domesticated, in any park, dig or move soil, or cut or remove a tree or any part of a tree at any park without permission of the City. The spraying, defacing, or painting of any tree, building, or any other portion of any park is prohibited.
- G. Swimming or wading is prohibited except at Kik Pool and Woods Lake Beach Park during designated hours.

- H. Bicycles, skateboards, scooters, and other similar contrivances may be operated only on surfaces designated for use by motor vehicles or on designated bicycle paths or skateboard areas. Bicycles must be walked through Bronson Park. No bicycles are permitted in Blanche Hull Park, except on bike trail-ways that are identified as such by posted signs.
- I. Leashing of dogs.
 - (1) All dogs must be securely held and controlled on a leash no longer than six feet in length, except in such areas as the City may post and identify by appropriate signs as permitting dogs to be at large. Under no circumstances, however, shall a person allow a dog (other than a service dog), on or off a leash, to be upon the sandy beach near, or in the water at, the public swimming area at the Woods Lake Park or upon the golf course at Milham Park at any time of year.
 - (2) Section I shall not apply to City Parks that are a designated dog park. Dog owners must however abide by the specific rules posted in the dog parks.
- J. All dog owners and those in control of any dog shall immediately pick up any fecal matter deposited in any park and dispose of it in a proper receptacle.
- K. No person shall build or maintain a fire in any park except in a City-provided grill or in grills brought to the park by the user. Where permitted, grills shall be used only for the preparation of food, shall never be placed upon a picnic table, and shall be elevated such that the bottom of the grill is no less the 25 inches above the ground. Under no circumstances shall a person build or maintain a fire, in a grill or otherwise, in Bronson Park or on the grounds adjacent to City Hall unless specially permitted in writing by the City.
- L. No person shall set up a tent, or awning, or similar structures that are held up by stakes or similar devices without written approval from the City.
- M. Sleeping or lying down to rest is not permitted at any time on a paved or otherwise improved surface, including stages or other elevated areas.
- N. No person shall consume or possess alcoholic beverages in a park except during events where such possession or consumption is expressly permitted by the City.
- O. No person shall wash clothing or other objects in or under park fountains, drinking fountains, faucets, spigots, pools, lakes, rivers or creeks within a park.
- P. No person shall use an electrical outlet found within a park unless such use is expressly authorized by the City.
- Q. Park equipment, fixtures, and other objects found within parks shall be used only for their intended purpose.
- R. Areas that are publicly posted to be used for only specified uses shall be used only for said uses.
- S. A Public Safety Officer may require any person violating this or any other City ordinance to leave any park for the balance of that day. A person who refuses to leave after being requested to do by a Public Safety Officer may be charged with and/or arrested for trespassing.

- T. No person shall smoke in an area or at an event that is posted or otherwise designated as being smoke-free.
- U. No person shall interfere with an event or activity, public or private, that has been specially permitted in writing by the City.
- V. No person shall charge or receive money or other consideration for admission into, activities in, or commodities of any type sold in a park, unless specially permitted in writing by the City.
- W. Unless otherwise specified, a violation of any of the above provisions shall be a misdemeanor.
- X. The fact that areas that are not formally dedicated parks are treated herein as if parks for this section does not otherwise change the designation of said areas, nor make such areas a City park.
- Y. In the event a person is convicted of a violation of any provision of this section, or if a person is otherwise convicted of causing damage to any park, the court shall, as part of any sentence imposed for such an offense, require that the defendant pay full restitution to the City for any expenses incurred by the City as a result of the violation and further may, as a term of probation, prohibit the person for a period of not more than one year, from entering into or using one or more specified parks. The court shall liberally construe this provision in order to make the City whole.

§ 33-25 Alcohol Restrictions/Exceptions.

No person shall consume, possess, or bring any beer, wine, liquor, malt or any other alcoholic beverage into a City Park. Anyone who violates this section shall be guilty of a misdemeanor punishable by up to 90 days in jail and/or a maximum fine of \$500, except for the following two exceptions:

- A. The Director of Parks and Recreation may, for the duration of a special event, designate that beer, wine and liquor may be carried in, possessed and consumed in City Parks in a container(s) not more than 72 ounces. During a designated special event alcoholic beverages may only be consumed within the designated City Park location. Only sealed, unopened containers of beer, wine and liquor may be transported to and from the City Park before and after the special event.
- B. Alcoholic liquor may be sold, possessed and/or consumed in a City Park during the period of a special license with the specific approval of the City Clerk and in conformance with the conditions of such approval and the condition of a special license granted by the Michigan Liquor Control Commission.

§ 33-26 Operation of motorboats on certain lakes prohibited.

- A. Consistent with the pertinent rules of the State Department of Natural Resources, the operation of a motorboat on the waters of the following lakes, or portions thereof, located within the City, is prohibited:

- (1) Whites Lake, Section 30, Township 2 South, Range 11 West.
- (2) Lake Hill-n-Brook, Section 31, Township 2 South, Range 11 West.

§ 33-27 Dates and hours of operation of City parks.

Any City park, in which the dates and hours of operation are restricted, shall have said dates and hours of operation posted at each vehicular entrance to such City park or at such other place within the City park as designated by the City Manager.

§ 33-28 High speed boating — Woods Lake.

- A. On the waters of Woods Lake (southeast quarter of Section 29, Town 2 South, Range 11 West, City of Kalamazoo, County of Kalamazoo, State of Michigan) it shall be unlawful for the operator of any vessel to operate said vessel at a high speed, which is defined (by PA 303 1967, Marine Safety Act) to mean a speed at or above which a vessel reaches a planing condition.
- B. The City shall place signs in or near the waters of Woods Lake which advise the public of said prohibition against high speed boating.

§ 33-29 through § 33-32. (Reserved)

Article III

Construction and Repair of Sidewalks, Crosswalks and Driveways

§ 33-33 through § 33-37 unchanged.

§ 33-38 Repair or replacement of sidewalks.

- A. It shall be the duty of all owners or occupants of premises within the corporate limits of the City to keep all cement sidewalks, which have been heretofore laid or which may be hereafter laid, in front of or adjacent to such premises, in and along any of the streets and alleys of the City, in good repair. Any owner or occupant of any such premises who shall allow any such sidewalk to remain out of repair, or in dangerous condition, without properly barricading the same, shall be deemed responsible for a municipal civil infraction.

§ 33-33 B. through § 33-52 unchanged.

Article IV

Use for Utility Poles, Wires and Conduits

§ 33-53 through § 33-57 unchanged.

§ 33-58 Bond or insurance.

- A. Each utility governed by this article shall file and keep in force with the City Clerk a bond in the sum of \$25,000, unless changed hereafter by resolution of the City Commission, the same to be approved by the City Attorney. Such bond shall be conditioned upon the indemnification of the City for all losses or damages sustained by any person arising or growing out of the construction, operation or maintenance of poles, wires, cables, conduits or other equipment or services of the utility in the use of the public streets, alleys or sidewalks of the City, when, as and if the City shall become legally obligated and required to pay the same to any such person.

§ 33-58 B. through § 33-78 unchanged.

Article V
Use by Gas Utilities

§ 33-79 through § 33-80 unchanged.

§ 33-81 Bond or insurance.

- A. Each utility using the streets, alleys and other public places of the City shall file and keep in force, with the City Clerk, a bond in the sum of \$25,000, unless changed hereafter by resolution of the City Commission, the same to be approved by the City Commission and to be in a form provided and approved by the City Attorney. Such bond shall be conditioned upon the indemnification of the City for all losses or damages sustained by any person arising or growing out of the construction, operation or maintenance of the pipes, mains or conduits or other equipment or services of the utility in the streets, alleys, sidewalks or other public places of the City, when, as and if the City shall become legally obligated and required to pay the same to any such person.

§ 33-81 B, through § 33-101 unchanged.

Article VI
Permit for Installation of Pipe Lines for Oil, Water, Etc.

§ 33-102 and § 33-103 unchanged.

§ 33-104 Fee.

In case a permit applied for under this article is granted, the person to whom it is granted shall pay to the City a fee of \$1 per foot per year, unless changed hereafter by resolution of the City Commission, on all of the pipe line that is installed or laid in, over or upon any of the streets, alleys or public places of the City. Such fee shall initially be paid when the permit is issued and subsequent payments shall be made to the Treasurer on or before each anniversary date of such permit.

§ 33-105 through § 33-120 unchanged.

Article VII
Revocable Franchises for Retail Wheel Electric Providers

§ 33-121 through § 33-125 unchanged.

§ 33-126 Violation; penalty.

- A. The City of Kalamazoo may charge any person who violates any section of this chapter with a civil infraction, unless the section specifically states otherwise.

- (1) A fine for a violation of this Chapter shall be not more than \$200.
- (2) A second or subsequent violation of this Chapter committed by an individual who has been previously adjudicated responsible for a violation of this Chapter within any 12-month period may be fined a minimum fine of \$200 but not more than \$500.

- B. In addition to any remedies under this chapter, the City may:

- (1) Bring an action for an injunction or other process against a person to restrain, prevent, or abate any violation of this chapter; and/or

- (2) Revoke a person's revocable franchise.
- C. Each day on which any violation of this chapter continues constitutes a separate infraction and shall be subject to penalties and other remedies as a separate infraction.
- D. Any material, false or misleading statement or representation knowingly made by an applicant or provider in an application, in any document submitted to the City pursuant to this chapter shall be a violation of this chapter and, if made by a provider, a material breach of its revocable franchise, and shall subject the applicant or provider to all penalties and remedies which are available to the City, including the denial of the application or revocation of the revocable franchise.

Section 2. Chapter 23 of the Kalamazoo City Code is repealed in its entirety.

Section 3. Chapter 2 of the Kalamazoo City Code is amended to add Article IV Parks and Recreation Advisory Board, so that the entire article reads as follows:

§ 2-58 Definitions.

As used in this article, the following terms shall have the meanings indicated:

BOARD

The Parks and Recreation Advisory Board created by § 2-59.

§ 2-59 Created; composition.

There is created and established a Parks and Recreation Advisory Board to consist of nine voting members, all of whom shall be residents of the City. At least two of the Board's members shall be 15 to 17 years old at the time of their appointment.

§ 2-60 Appointment and terms of members.

The members of the Board shall be appointed by the City Commission for terms of three years except the initial appointment shall provide for three three-year terms, two two-year terms and two one-year terms. Terms shall begin and terminate on January 1, except that a member shall continue in office until a successor is appointed and takes office. Vacancies shall be filled by the City Commission by appointment for the unexpired term.

§ 2-61 Election of officers.

The Board may elect a chairman and such other officers as it may desire, from its own members.

§ 2-62 Secretary.

The City Manager or his or her designee shall assign a City staff member to serve as secretary of the Board. That person shall provide such administrative support as may be required.

§ 2-63 General powers and duties.

- A. The duties of the Board shall be of an advisory nature only to the City Manager and the City Commission. The Board may:
 - (1) Consult with and make recommendations to the City Commission regarding parks and recreation planning and programming.
 - (2) Have access to all records, information and data concerning the activities and operations of

the Department of Public Services.

- (3) Have the privilege of visiting and inspecting, at reasonable times, all recreation facilities of the City.

§ 2-64 Adoption of rules and regulations.

The Board may adopt rules and make regulations for its own activities.

§ 2-65 through § 2-69 (Reserved).

Section 4. 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 April ___, 2018. 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