

	A regular meeting of the Kalamazoo City Commission was held on Monday, August 6, 2018 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 West South Street.	
Roll Call	COMMISSIONERS PRESENT: Mayor Bobby J. Hopewell Vice Mayor Erin Knott Eric Cunningham Jack Urban COMMISSIONERS ABSENT: David Anderson Don Cooney Shannon Sykes*	
	Also present were City Manager Jim Ritsema, City Attorney Clyde Robinson, and City Clerk Scott Borling.	
Commissioner	Commissioner Cunningham, seconded by Commissioner Urban, moved to excuse the absences of Commissioners Anderson, Cooney, and Sykes. With a voice vote this motion passed.	
Invocation	The invocation, given by Reverend Dr. Sanchita Kisku, Associate Pastor at First Baptist Church of Kalamazoo, was followed by the Pledge of Allegiance.	
Adoption of the Agenda	By unanimous consent the City Commission adopted its meeting agenda with the following change: *Commissioner Sykes arrived at 7:06 p.m. City Manager Ritsema requested that Item F-8, a Payment in Lieu of Taxes (PILOT) for a project at 1101 Portage Street, be removed from the agenda. City Manager Ritsema stated staff would bring this item back to the Commission at its next meeting.	
Public Hearing re: Subarea 9 Correction Ordinance	At 7:06 p.m. Mayor Hopewell opened a public hearing to received comments on an ordinance to create Subarea 9 of the Riverfront Overlay District and apply the Subarea to 45 parcels in the E. Michigan area. At 7:07 p.m. Mayor Hopewell closed the public hearing.	
Ordinance 1969 re: Subarea 9 of the Riverfront Overlay District	Vice Mayor Knott, seconded by Commissioner Sykes, moved to adopt an ORDINANCE to create Subarea 9 of the Riverfront Overlay District and apply the Subarea to 45 parcels in the E. Michigan area. (This is correcting an error made in January 2017 when language was omitted from a rezoning action for parcels on the eastside of Downtown Kalamazoo). With a roll call vote this motion passed. AYES: Commissioners Cunningham, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell NAYS: None	

At 7:07 p.m. Mayor Hopewell opened a public hearing to receive comments on the creation of a Downtown Kalamazoo Economic Growth Authority (DKEGA) and designating the qualified development area.

Andrew Haan, Executive Director of Downtown Kalamazoo, Incorporated (DKI) delivered a PowerPoint presentation entitled *Kalamazoo Downtown Economic Growth Authority*.

In response to questions from Commissioner Cunningham, Mr. Haan stated there would be more of an outreach to the philanthropic community as a funding source than in the past. Mr. Haan stated the City and Michigan Department of Transportation would have primary responsibility for right-of-way improvements along the Stadium Drive corridor, but the DKEGA could potentially play a role in streetscape improvements.

In response to questions from Commissioner Urban, Mr. Haan explained the Zoetis property was excluded from the DKEGA district because improvements made under the DKEGA would have little positive impact on that property. Mr. Haan stated that investment in things like bike lanes along the Stadium Drive corridor would have a direct impact on the downtown and the community. Mr. Haan stated he was ready to do the hard work necessary to effect changes to the Stadium Drive corridor.

Commissioner Urban observed that Zoetis did not seem to share the Upjohn Company's belief that Tax Increment Financing (TIF) provided a benefit to the whole community.

When given an opportunity to comment on the creation of a DKEGA, the following people addressed the City Commission:

The following people expressed support for the creation of a DKEGA:

Chris Crowell, downtown business owner
Greg Diamant, representing Kalamazoo College (submitted correspondence)
Mark Schauer, City resident
Carol Schreiner, City resident, representing the residents of the Marlborough Apartments
Doug Havera, representing BDO USA
Andy Widner, non-resident and downtown business owner
Dean Hauck, City resident and downtown business owner
Larry Leuth, non-resident, representing First America Bank
Carrie Pickett-Erway, City resident, representing the Kalamazoo Community Foundation
Bob Lewis, on behalf of Millenium Restaurant Group

Mark Kraai, City resident, encouraged the City and Downtown Kalamazoo Incorporated (DKI) to listen to the voices of residents as it developed the citizen coalitions.

Mattie Jordan-Woods, City resident and Executive Director of the Northside Association for Community Development, stated the DKEGA plan and planning process left out the Northside

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Neighborhood. Ms. Jordan-Woods noted the Park Street Market was not included in the DKEGA boundaries, and she asked how these boundaries would overlap and interact with the boundaries of the proposed Northside Cultural Business District.

Nehemiah Scudder, City resident, spoke about the large number of alcohol establishments in the downtown area.

At 8:00 p.m. Mayor Hopewell closed the public hearing.

Mayor Hopewell noted he had urged Mr. Haan not to take advantage of the Northside Neighborhood by including it in the DKEGA, which might take away benefits the Northside could reap.

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 the Peerless-Midwest Company to perform well rehabilitation and associated maintenance on wells 3-2A, 8-3, 11-1, 12-2B, 24-5A, 24-6A, and 24-18A in 2018 in the amount of \$145,300.
- approval of a three-year contract for auto parts with Ridge Napa Auto Parts in the amount of \$50,000 per year for a total of \$150,000 for the three year period.
- approval of a *Contract for Independent Contractor Services* with Comstock Public Schools authorizing the Department of Public Safety to continue a partnership with Kalamazoo Regional Education Service Agency for the Education for Employment Law Enforcement Program for the 2018-2019 school year.
- first reading of an ordinance amending Chapter 33- Streets and Other Public Grounds of the Kalamazoo City Code of Ordinances.

Resolutions 18-50,
18-51, and 18-52

- adoption of **RESOLUTIONS** #1, 2, and 3 for the purpose of approving the 2017 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$14.322. Adoption of Resolution 3 schedules a public hearing for October 1, 2018.

Resolution 18-53

- adoption of a **RESOLUTION** waiving penalty fees for failure to file a Property Transfer Affidavit.

Resolution 18-54

- adoption of a **RESOLUTION** approving an application for the new Park - Cedar - Burdick - Lovell Neighborhood Enterprise Zone certificate.

Resolution 18-55

- adoption of a corrective **RESOLUTION** accepting a Department of Natural Resources/Michigan Natural Resources Trust Fund Grant for Bronson Park Improvements, and rescinding Resolution No. 18-43.

- approval of the Intergovernmental Fire Protection Hazardous Materials Incident Response Agreement.
- approval of the dissolution of the historic Economic Opportunity Fund (Fund 288); the re-purposing of this fund as the Business Development Fund; the collapse the fund's residual balances into the new Business Development Fund; and the adoption of proposed guidelines for the Building Development Fund.
- approval of a recommendation to hold until August 20, 2018 adoption of a resolution vacating Heilman Court east of S. Burdick Street.
- approval of a recommendation to hold until August 20, 2018 adoption of a resolution approving the acquisition of one tax foreclosed property parcel from the Kalamazoo County Treasurer under first right of refusal, in an amount not to exceed \$26,755.85. If acquired, the parcel would subsequently be transferred from the City to the BRA where environmental clean-up activities would occur.
- approval of a recommendation to hold until August 20, 2018 approval of the sale of 1213 John Street to Alfredo and Linda Zuniga for \$120.00.
- approval of a recommendation to hold until August 20, 2018 approval of the sale of the City-owned lot at 1612 Charles Street to Kalamazoo Valley Habitat for Humanity for \$120.00.

Vice Mayor Knott, seconded by Commissioner Cunningham, 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.

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

NAYS: None

Regular Agenda items were considered next.

City Manager Ritsema thanked Public Services Director James Baker for his leadership during the Parchment water crisis and City Attorney Robinson for quickly drafting a water service agreement. City Manager Ritsema stated City staff accomplished in one weekend what would normally take around three months to complete. City Manager Ritsema specifically commended Assistant City Engineer Steve Skalski, Assistant Field Services Supervisor Bob McClenney, Environmental Programs Manager Shannon Dieter, Water Resources Division Manager John Paquin, and Wastewater Division Manager Jim Cornell for the roles they played in responding to the crisis.

Consent Agenda
(cont'd)

Regular Agenda

Water Service
Agreement with the
City of Parchment

Water Service
Agreement with the
City of Parchment
(cont'd)

When an opportunity was given for citizens to comment on a proposed agreement to provide potable water to the City of Parchment, the following people addressed the City Commission:

Nehemiah Scudder, City resident, expressed support for the proposed agreement.

Commissioner Urban, seconded by Commissioner Sykes, moved to approve a proposed agreement to provide potable water to the City of Parchment.

Prior to a vote on the motion, and in response to a question from Commissioner Cunningham, Director Baker stated it was not possible for Parchment water to contaminate the City's water supply because backflow valves were installed as the two systems were connected, which prevented Parchment water from flowing back into the City system.

Commissioner Sykes stated the City did an outstanding job to address the Parchment water crisis, and she was very proud. Commissioner Sykes commended Director Baker and stated this was a stellar moment in his career.

In response to a question from Commissioner Sykes, Director Baker explained that water from the Parchment water tower was drained, and dams were placed in the storm water system to divert the water to the Kalamazoo Wastewater Treatment Plant. Director Baker stated there were some areas that did not have storm water drains, and in those areas the water drained into the Kalamazoo River. Director Baker noted the amount of water that went into the river was a very small percentage of the total about of water that was drained from the Parchment system. Director Baker stated he was very proud to lead the men and women of the Public Services Department.

In response to a question from Commissioner Urban, Director Baker stated he was not qualified to explain the health dangers of PFAS, and he indicated the Kalamazoo County Health Department would be a good resource for that information.

Mayor Hopewell thanked Director Baker for his work over the past 10 days. Mayor Hopewell stated the City had a great water system, and he was glad it was available and able to help others in the region. Mayor Hopewell noted that municipalities were not forced to use the City's water system.

With a roll call vote this motion passed.

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

NAYS: None

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

Jodi Dozeman, City resident, spoke on various topics.

Dean Houck, City resident, thanked the City Commission for being willing to listen to citizens.

Jamie Bowers, City resident, spoke about homelessness and asked about City programs to help the homeless. Mr. Bowen said the City should do something about homelessness.

Mark Dunham, City resident, spoke about the development of 615 W. Kalamazoo Avenue and stated the new apartments would have a negative effect on residents in the 700 block of W. Eleanor Street. Correspondence submitted by Mr. Dunham was filed with the papers for this meeting.

Mattie Jordan-Woods, City resident, thanked the City Commission for listening to all people. Ms. Jordan-Woods invited Commissioners to the Northside Neighborhood's National Night Out event. Ms. Jordan-Woods announced the Michigan Economic Development Corporation was awarding \$100,000 for use in the proposed NCBD.

Nehemiah Scudder, City resident, spoke about the connection between alcohol abuse and the high number of individuals in the U.S. who were incarcerated.

Jason Newton, non-resident, offered remarks on the flourishing of the downtown but noted there were a lot of problems with violence in areas that were on the edge of the downtown.

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

Commissioner Urban urged people to vote and encouraged people to support the Kalamazoo County Senior Millage.

Commissioner Sykes urged people to vote and expressed support for the Senior Millage. Commissioner Sykes remarked that she had participated recently in a conversation with people from different backgrounds and perspectives on how to make Michigan better. Commissioner Sykes stated this conversation had been very encouraging.

Commissioner Cunningham encouraged people to vote and expressed support for the Senior Millage. Commissioner Cunningham asked that the downtown business community support DKI's leadership around implementation of the DKEGA. Commissioner Cunningham stated the City was focusing in on affordable housing, education, and substance abuse. Commissioner Cunningham expressed pride in City staff for their efforts during the Parchment water crisis.

Citizen Comments

City Commissioner
Comments

City Commissioner
Comments (cont'd)

Vice Mayor Knott noted that Mr. Newton had raised concerns about issues happening in the Douglas Avenue corridor.

Mayor Hopewell encouraged people to vote. Mayor Hopewell explained that he had worked for years to keep the downtown area from encroaching north. Mayor Hopewell stated the issue at hand was a matter of being good neighbors.

Commissioner Sykes, seconded by Commissioner Cunningham, moved that the City Commission go into closed session to discuss the pending litigation Reidnback, et al. v City of Kalamazoo.

Prior to a vote on the motion Mayor Hopewell indicated the City Commission would not be returning to open session following the closed session.

With a roll call vote this motion passed.

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

NAYS: None

Adjournment

The meeting adjourned at 8:44 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on August 20, 2018

Approved by: _____
Bobby J. Hopewell, Mayor
Dated: August 20, 2018

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