



Agenda

Regular Meeting of the City Commission

City of Kalamazoo

Monday, December 17, 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: Pastor Ervin Armstrong, Stones Church
2. Pledge of Allegiance
3. Introduction of Guests
 - a. Special Recognition of Gold Medalist and Special Olympics Champion Julian Borst
4. Proclamations

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

1. Calendar of Upcoming Meetings

E. PUBLIC HEARINGS

F. CONSENT AGENDA

(Action: Motion to approve Items "1-9"; hold Item "10" until January 7, 2019; and authorize the City Manager to sign all documents on behalf of the City

1. Approval of a change order with Carrier and Gable for traffic signal supplies to be provided through December 31, 2018 in the amount of \$80,000 and a budget adjustment in the amount of \$40,000.
2. Approval of a sole source contract with Evoqua Water Technologies to rebuild a screw pump unit at the wastewater treatment plant in the amount of \$165,000.
3. Approval of a change order to the contract with SWT Excavating, Inc. for the 2018 Lead Services Replacement Project, in the amount of \$200,000.
4. First reading of an ordinance addressing the operation of bicycles on sidewalks in furtherance of the City's Complete Streets initiative.

5. First reading of an ordinance addressing the rights and responsibilities of pedestrians and bicyclists at crosswalks in furtherance of the City's Complete Streets initiative.
6. Adoption of a RESOLUTION setting the schedule of regular City Commission meetings for the 2019 calendar year.
7. Adoption of a RESOLUTION setting a public hearing on January 7, 2019 to consider the proposed Fiscal Year 2019 Budget for the City of Kalamazoo.
8. Approval of a special permit for a miniature pig to be kept at 3650 Cardinal Avenue, subject to compliance with applicable statutes, ordinances and health codes.
9. Approval of the Mayor's appointment of **Kyle Gulau** to the Economic Development Corporation and Brownfield Redevelopment Authority Boards of Directors for a term expiring on March 31, 2025.
10. Approval of the sale of 925 Grant Street to Andy Van Lente in the amount of \$1,500. (*Hold until January 7, 2019*)

G. REGULAR AGENDA

H. REPORTS AND LEGISLATION

1. City Manager's Report

I. UNFINISHED BUSINESS

J. POLICY ITEMS

K. NEW BUSINESS

L. CITIZEN COMMENTS

M. MISCELLANEOUS COMMENTS BY COMMISSIONERS

N. CLOSED SESSION

O. ADJOURNMENT

ADDITIONAL INFORMATION

Get news, information, and alerts from the City of Kalamazoo. Sign up at www.kalamazooconnect.org/connect, follow @KalamazooCity on Twitter, and search for The City of Kalamazoo on Facebook.

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: 12/11/2018

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	20181217 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

Monday, January 7th and Tuesday, January 22nd

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

February 18th

Advisory Boards, Commissions and Committees (next two weeks)

The **Kalamazoo Historic District Commission** will meet on Tuesday, December 18, 2018 at 5:00 p.m., in the Community Room at City Hall.

The **Environmental Concerns Committee** will meet on Wednesday, December 19, 2018 at 4:30 p.m., in the Community Room at City Hall.

The **Economic Development Corporation** will meet on Thursday, December 20, 2018 at 7:30 a.m., in the Community Room at City Hall. The **Brownfield Redevelopment Authority** will meet immediately following.



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: Eric Arnsman, PE, Traffic Engineer

DATE: 11/29/2018

SUBJECT: Carrier & Gable Change Order and Budget Adjustment Bid Ref #000-00-018.9

RECOMMENDATION

It is recommended that City Commission approve a change order with Carrier and Gable for traffic signal supplies to be provided through December 31, 2018 in the amount of \$80,000 and a budget adjustment in the amount of \$40,000.

BACKGROUND

Carrier & Gable provides traffic signal supplies for the maintenance of traffic signals in the city of Kalamazoo. The City of Kalamazoo contracts with the Road Commission of Kalamazoo County (RCKC) to provide maintenance and repair services for traffic signals owned by RCKC. Therefore an increased demand by RCKC for traffic signal repairs has necessitated an increase in the purchase order from Carrier & Gable.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Purchases from Carrier & Gable are budgeted in the Major Streets fund, however, the additional purchases requires a budget increase of \$40,000. In accordance with our contract with RCKC, materials are billed on a monthly basis of cost plus five percent. These additional funds will be recorded as Miscellaneous Major Streets revenue, fully offsetting the requested expenditure adjustment.

ALTERNATIVES

The alternative is to cease performing work through year-end above the original purchase order amount. This is not recommended as this would violate the contract with RCKC.



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 H. Cornell, Wastewater Division Manager

DATE: 11/27/2018

SUBJECT: Repair of Number Three Screw Pump Bid Ref#000-00-018.89

RECOMMENDATION

It is recommended that the City Commission approve a sole source contract with Evoqua Water Technologies to rebuild the screw pump unit at the wastewater treatment plant in the amount of \$165,000.00.

BACKGROUND

The Kalamazoo Water Reclamation Plant (KWRP) has five screw pumps. These pumps are redundant for increased plant flow emergencies, and also for total plant flow capacity. The quoted repair will bring this unit back to "Like new" condition.

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 Public Services 2018 CIP budget.

ALTERNATIVES

Alternative would be to continue to buy parts individually as the units break down. This is not recommended since all parts have significant wear.



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: Anna C. Crandall, EIT, Senior Civil Engineer – Water Resources

DATE: 12/3/2018

SUBJECT: 2018 Lead Services Replacement Project Change Order Bid Reference # 968-39-014.0

RECOMMENDATION

It is recommended that the City Commission approve a change order to the contract with SWT Excavating, Inc. for the 2018 Lead Services Replacement Project, in the amount of \$200,000.00.

BACKGROUND

The Michigan Department of Environmental Quality (MDEQ) has recommended that all existing lead service lines be replaced. The Department of Public Services is working to have all lead service lines replaced, with a goal to replace at least 500 per year. This project initially had 302 houses in it. Bids were opened for the project on May 8, 2018. Two bids were received, with SWT Excavating, Inc. being the low responsive bidder

Many services in this project of unknown material were identified to be copper. In order to replace 500 services in 2018, additional services need to be added to the project. Based on the average service replacement cost, \$200,000.00 needs to be added to the contract to reach the goal of 500 services replaced. Public Services recommends the approval of this change order.

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 Budget, code wat0600396. Project funding and estimated costs are as follows:

Funding:		
	2018 Water Capital – wat0600396	<u>\$200,000.00</u>
		\$200,000.00

Costs:

\$200,000.00
\$200,000.00

ALTERNATIVES

The City could choose to use City staff to perform the required work; however, this is not recommended as City crews are already working on lead service replacements for other projects and there is not sufficient staffing to complete the work in the required time.



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: 12/6/2018

SUBJECT: City Traffic Code Amendments Regarding the Operation of Bicycles on Sidewalks

RECOMMENDATION

It is recommended that the City Commission adopt an ordinance addressing the operation of bicycles on sidewalks in furtherance of the City's Complete Streets initiative.

BACKGROUND

As part of its Complete Streets initiative, the City is affirmatively addressing the rights and responsibilities of pedestrians and bicyclists who use sidewalks and streets. In particular, the amendment to § 36-280 is intended to strengthen current ordinance language requiring vehicles to yield to pedestrians in marked crosswalks. The proposed language is similar to that used in Ann Arbor and Grand Rapids and in the State Police-issued Uniform Traffic Code. The language also includes bicyclists who use sidewalks and crosswalks in lieu of riding in the street.

The second ordinance amends §§ 36-215 and 36-225 (and repeals § 36-226 because it was largely duplicative of 36-225 and therefore redundant) to clearly permit bicyclist to use sidewalks, where in the past it was merely inferred, and to set forth the responsibilities of bicyclists using sidewalks. The proposed language reflects both Michigan Vehicle Code and Uniform Traffic Code provisions addressing bicyclists.

Given how closely the two ordinance amendments are related, they are tie-barred so as to require adoption of both so as to be effective. Additionally, since the City seeks to educate the public on these changes and put appropriate signage in place, the ordinances will become effective June 1, 2019.

POLICY CONSIDERATIONS

The proposed changes are consistent with IK 2025 Goals of *Connected City*, in particular the sub-goals of accessibility and non-motorized transportation; *Environmental Responsibility* thorough support of non-motorized modes of transportation; and *Safe Community* by affirmatively recognizing the rights and responsibilities of pedestrians and bicyclists.

COMMUNITY RESOURCES CONSULTED

Similar ordinances in other Michigan cities and State law and rules were consulted in drafting the proposed amendments.

FISCAL IMPACT

None

ALTERNATIVES

None

ATTACHMENTS:

Type	Description
Ordinances	Ordinance Amendment 36-215 & 36-225

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE AMENDING §§ 36-215, 36-225 & REPEALING § 36-226
ADDRESSING THE OPERATION OF BICYCLES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Sections 36-215 & 36-225 of the Kalamazoo City Code are amended to read as follows:

“§ 36-215

The provisions of this article shall apply whenever a bicycle is operated upon any street or sidewalk subject to those exceptions stated herein. An individual lawfully operating a bicycle upon a sidewalk or a pedestrian crosswalk has all of the rights and responsibilities applicable to a pedestrian using that sidewalk or crosswalk.

§ 36-225

A. No person shall ride any bicycle upon any sidewalk, part of sidewalk, street, within a park, or on the Kalamazoo Mall where signs have been erected prohibiting bicycle riding.

B. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing any pedestrian.

C. The operator of a bicycle who emerges from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on the sidewalk area and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.”

Section 2. Repealer.

Section 36-226 of the Kalamazoo City Code and any former ordinance or part of an ordinance conflicting or inconsistent with the provisions of this ordinance is 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, but shall not become effective and enforceable until June 1, 2019, and only if an ordinance amending Section 36-280 permitting bicyclists to use crosswalks is adopted.

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, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott Borling, City Clerk

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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: 12/6/2018

SUBJECT: City Traffic Code Amendments Regarding Pedestrian and Bicyclist Right of Way at Crosswalks

RECOMMENDATION

It is recommended that the City Commission adopt an ordinance addressing the rights and responsibilities of pedestrians and bicyclists at crosswalks in furtherance of the City's Complete Streets initiative.

BACKGROUND

As part of its Complete Streets initiative, the City is affirmatively addressing the rights and responsibilities of pedestrians and bicyclists who use sidewalks and streets. In particular, the amendment to § 36-280 is intended to strengthen current ordinance language requiring vehicles to yield to pedestrians in marked crosswalks. The proposed language is similar to that used in Ann Arbor and Grand Rapids and in the State Police-issued Uniform Traffic Code. The language also includes bicyclists who use sidewalks and crosswalks in lieu of riding in the street.

The second ordinance amends §§ 36-215 and 36-225 (and repeals § 36-226 because it was largely duplicative of 36-225 and therefore redundant) to clearly permit bicyclist to use sidewalks, where in the past it was merely inferred, and to set forth the responsibilities of bicyclists using sidewalks. The proposed language reflects both Michigan Vehicle Code and Uniform Traffic Code provisions addressing bicyclists.

Given how closely the two ordinance amendments are related, they are tie-barred so as to require adoption of both so as to be effective. Additionally, since the City seeks to educate the public on these changes and put appropriate signage in place, the ordinances will become effective June 1, 2019.

POLICY CONSIDERATIONS

The proposed changes are consistent with IK 2025 Goals of *Connected City*, in particular the sub-goals of accessibility and non-motorized transportation; *Environmental Responsibility* thorough support of non-motorized modes of transportation; and *Safe Community* by affirmatively recognizing the rights and responsibilities of pedestrians and bicyclists.

COMMUNITY RESOURCES CONSULTED

Similar ordinances in other Michigan cities and State law and rules were consulted in drafting the proposed

amendments.

FISCAL IMPACT

None

ALTERNATIVES

None

ATTACHMENTS:

Type		Description
Ordinances		Ordinance 36-280 Amendment

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE AMENDING §36-280 TO ADDRESS PEDESTRIAN AND BICYCLIST
RIGHT OF WAY AT CROSSWALKS**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 36-280 of the Kalamazoo City Code is amended to read as follows:

“Sec. 36-280 Right of way at crosswalks

A. Except as otherwise provided in this article, where traffic-control signals are not in place or in operation, or traffic is being regulated by a public safety officer, the driver of a vehicle shall stop and yield the right-of-way to a pedestrian or bicyclist stopped at the curb, curb line, or ramp leading to the crosswalk and to every pedestrian and bicyclist crossing the roadway within 1) any marked crosswalk or 2) within any unmarked crosswalk at an intersection.

B. Whenever any vehicle is stopped at either a marked crosswalk or an unmarked crosswalk at an intersection to permit a pedestrian or bicyclist to cross a roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

C. A pedestrian or bicyclist shall stop at the curb, curb line, or ramp leading to a crosswalk before entering the roadway. A pedestrian or bicyclist shall not suddenly leave a curb or other place of safety and walk, run, or ride into the path of a vehicle that is so close to the crosswalk that it is difficult for the driver of the vehicle to yield.

D. Every pedestrian or bicyclist crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all on-coming vehicles upon the roadway.

E. A pedestrian or bicyclist crossing a roadway shall yield the right of way to an authorized emergency vehicle sounding an audible signal, unless engaged in an emergency run in which silence is required and displaying a flashing, oscillating, or rotating red or blue light.”

Section 2. Repealer.

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

Section 3. Severability.

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

Section 4. Effective Date.

Pursuant to Section 13(a) of the City Charter, this ordinance shall take effect from and after 10 days from the date of its passage, but shall not become effective and enforceable until June 1, 2019, and only if an ordinance amending Sections 36-215 and 36-225 permitting bicyclists to operate on sidewalks is adopted.

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, (PA 267,1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott Borling, City Clerk

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Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

DATE: 12/11/2018

SUBJECT: Adoption of the 2019 City Commission Regular Meeting Schedule

RECOMMENDATION

It is recommended that the City Commission adopt a resolution setting the schedule of regular City Commission meetings for the 2019 calendar year.

BACKGROUND

The proposed 2019 schedule of regular City Commission meetings was designed with following parameters in mind:

- both the Open Meetings Act (OMA) and City Commission Rule #1 require the Commission to establish a schedule of its regular meetings for the calendar year.
- City Commission Rule #1 specifies the Commission will hold its Regular Business Meetings on the first and third Mondays of the month, except as specified in the annual schedule of meetings.
- Section 8(a) of the City Charter requires that the City Commission meet "not less than twice each month."
- if a City-observed holiday falls on the first or third Monday of the month, the Commission meeting has been moved to the next business day.

In addition to Business Meetings, the proposed 2019 schedule also includes Neighborhood Meetings on the third Monday of every month except January and December.

The recommendation to adopt a regular meeting schedule does not interfere with the ability of the City Commission to hold special Business Meetings, Committee of the Whole Meetings, or Work Sessions when necessary.

COMMUNITY RESOURCES CONSULTED

No community resources were consulted.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

ALTERNATIVES

City Commission Rule #1 requires the City Commission to "establish and publish" its schedule of regular meetings for the calendar year prior to January 1st.

The City Commission may choose to schedule additional meetings or amend the attached schedule. However, the City Administration is confident all matters which require City Commission action can be conducted in an efficient manner using the proposed schedule of regular meetings. In addition, the City Commission may amend its meeting schedule at any time during the year if it determines that the number of meetings should be reduced or increased.

ATTACHMENTS:

Type	Description
Resolution	Adopting the City Commission's Schedule of Regular Meetings for 2019
Meeting Schedule	Draft 2019 City Commission Meeting Schedule

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 18-

A RESOLUTION APPROVING AND ESTABLISHING THE SCHEDULE OF REGULAR CITY COMMISSION MEETINGS FOR THE 2019 CALENDAR YEAR

Minutes of a regular meeting of the City Commission of the City held on December 17, 2018, at or after 7:00 p.m., local time, at City Hall.

PRESENT: Commissioners:

ABSENT: Commissioners:

WHEREAS, MCL 15.265(2) requires that a public body post notice of the dates, times and places of its regular meetings within 10 days of its first meeting in a calendar year; and

WHEREAS, City Commission Rule #1 states the City Commission shall establish and publish a schedule of regular meetings that are to be held throughout the calendar year prior to January 1st of each year.

NOW, THEREFORE, BE IT RESOLVED, that the Kalamazoo City Commission hereby approves and establishes the attached schedule of meetings as its Regular Meeting Schedule for the 2019 calendar year; and

BE IT FURTHER RESOLVED, that the City Clerk is directed to post the Regular Meeting Schedule in compliance with the provisions of MCL 15.264-265; and

BE IT FURTHER RESOLVED, that the City Commission reserves the right to modify its Regular Meeting Schedule at any time, subject to the noticing requirements specified in MCL 15.265(3).

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

AYES: Commissioners:

NAYS: Commissioners:

ABSTAIN: Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The forgoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on December 17, 2018. Public notice was given and the meeting was conducted in full compliant with the Michigan Open Meetings Act (PA 267,1976). Minutes of the meeting will be available as required by the Act.

Scott A. Borling, City Clerk

Kalamazoo City Commission

DRAFT 2019 Meeting Schedule

January

7 Business Meeting
22 Business Meeting*

February

4 Business Meeting
18 Neighborhood Meeting
18 Business Meeting

March

4 Business Meeting
18 Neighborhood Meeting
18 Business Meeting

April

1 Business Meeting
15 Neighborhood Meeting
15 Business Meeting

May

6 Business Meeting
20 Neighborhood Meeting
20 Business Meeting

June

3 Business Meeting
17 Neighborhood Meeting
17 Business Meeting

July

1 Business Meeting
15 Neighborhood Meeting
15 Business Meeting

August

5 Business Meeting
19 Neighborhood Meeting
19 Business Meeting

September

3 Business Meeting*
16 Neighborhood Meeting
16 Business Meeting

October

7 Business Meeting
21 Neighborhood Meeting
21 Business Meeting

November

11 Business Meeting**
18 Neighborhood Meeting
18 Business Meeting

December

2 Business Meeting
16 Business Meeting

Times and Locations

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

Neighborhood Meetings - 6:00 p.m. in the City Hall Community Room

*These meetings will take place on Tuesday rather than Monday due to the observance of national holidays

**City Commission Oath of Office Ceremony



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: Melissa Fuller, Deputy Director of Management Services/Purchasing Agent

PREPARED BY: Neena Porter, Management Services

DATE: 11/21/2018

SUBJECT: Resolution Setting a Public Hearing for the Proposed FY 2019 Budget

RECOMMENDATION

It is recommended that the City Commission adopt the attached resolution setting a public hearing to consider the proposed Fiscal Year 2019 Budget for the City of Kalamazoo. This resolution provides notice of a public hearing to be held on January 7, 2019 regarding the proposed City of Kalamazoo FY 2019 Budget.

BACKGROUND

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

The attached resolution regarding the budget hearing provides for the hearing to take place at or after 7 p.m., local time, on January 7, 2019. The final budget actions by the City Commission are scheduled for January 22, 2019 and include the adoption of a General Appropriation Resolution for the Year of 2019 setting property tax millage rates, the final appropriations to be adopted by the City Commission for each fund and operation within the City, and other related actions such as resolutions regarding fee increases.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

None

ALTERNATIVES

There is no alternative to holding a public hearing as charter and state law requires this process. A notice to the public is required in order to hold the mandatory public hearing prior to the adoption of the FY 2019 Budget.

ATTACHMENTS:

	Type	Description
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- | | | |
|---|-----------------|--|
| ▣ | Aerial
Photo | Resolution Setting a Public Hearing 2019 |
|---|-----------------|--|

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 17-

**A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE PROPOSED
FISCAL YEAR 2019 BUDGET FOR THE CITY OF KALAMAZOO**

Minutes of a regular meeting of the City Commission of the City held on December 17, 2018, at 7:00 o'clock p.m., local time, at the City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

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

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

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

NOW, THEREFORE, BE IT HEREBY RESOLVED that a hearing will be held on the proposed 2019 Budget for the City of Kalamazoo by the City Commission in the City Commission Chambers, Second Floor of City Hall, 241 West South Street, Kalamazoo, Michigan, on or after 7:00 p.m., local time, on January 7, 2019, and notice of said hearing shall be published at least six (6) days prior to said hearing in the following form:

CITY OF KALAMAZOO, MICHIGAN
NOTICE OF BUDGET HEARING

Notice is hereby given that the City Commission of the City of Kalamazoo will conduct a public hearing on the proposed 2019 Budget of said city in the City Commission Chambers, Second Floor of City Hall, 241 West South Street, Kalamazoo, Michigan, on January 7, 2019 on or after 7 p.m., local time, and that a copy of the said budget is available for inspection at the office of the City Clerk and on the City of Kalamazoo's website, www.kalamazoocity.org. The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.

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

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The forgoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on December 17, 2018. Public notice was given and the meeting was conducted in full compliant with the Michigan Open Meetings Act (PA 267,1976). Minutes of the meeting will be available as required by the Act.

Scott A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

DATE: 12/12/2018

SUBJECT: Request for Special Permit

RECOMMENDATION

It is recommended that the City Commission approve a special permit for a miniature pig to be kept at 3650 Cardinal Avenue, subject to compliance with applicable statutes, ordinances and health codes.

BACKGROUND

This request is being submitted to you pursuant to the provisions of Section 7-4 of the Code of Ordinances:

No person shall keep, upon any premises within the City limits, any swine whatever, without a special permit from the City Commission or its designee, which permit shall be granted only upon the written application of the person desiring the permit. Such application shall specify the location of the premises upon which the swine are proposed to be kept and the number desired to be kept. Such permit, if granted, shall state the location of the premises and the number of swine allowed to be kept, and it shall be unlawful to keep such swine upon any other premises or to keep any greater number than specified in the permit.

The City has received a request from Ms. Jessica Guerriero to adopt an eight-week old American Miniature Pig named Olive to be kept at her residence at 3650 Cardinal Drive. According to Ms. Guerriero, Olive will be an emotional support animal for a member of her family who suffers from multiple medical issues, and her request included a letter of support from the family physician. Ms. Guerriero indicates that she has done extensive research on the proper care for and socialization of American Miniature Pigs.

Ms. Guerriero has met all requirements of the ordinance, as she has submitted a written request that indicates the number of pigs to be kept and the address at which they will be kept. Furthermore, there have been no animal-related complaints at that address.

COMMUNITY RESOURCES CONSULTED

The City Attorney's Office has confirmed that there have been no animal-related complaints against Ms. Guerriero or other residents at the Cardinal Avenue address.

FISCAL IMPACT

There is no fiscal impact related to this request.

ALTERNATIVES

The City Commission could deny the request or approve the request with additional conditions. Since there are no violations of City Ordinances and no known health or safety issues, denying this request is not recommended.



Commission Agenda Report

City of Kalamazoo

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

FROM: Bobby J. Hopewell, Mayor

PREPARED BY: Scott A. Borling, City Clerk

DATE: 12/11/2018

SUBJECT: Appointment to the Economic Development Corporation and Brownfield Redevelopment Authority

RECOMMENDATION

It is requested that the City Commission approve the Mayor's appointment of **Kyle Gulau** to the Economic Development Corporation and Brownfield Redevelopment Authority Board of Directors for a term expiring on March 31, 2025.

BACKGROUND

State statute, City ordinance, and City resolution establishes that the Mayor appoints and re-appoints members to the Economic Development Corporation and Brownfield Redevelopment Authority Boards of Directors (EDC/BRA). I have reviewed the Nomination Report for Kyle Gulau and have appointed him to the EDC/BRA. I am now requesting City Commission approval for this appointment as required by statute, ordinance, and resolution. The attached *Appointee Nomination Report* describes Mr. Gulau's qualifications.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

There is no fiscal impact directly associated with this appointment and reappointment.

ALTERNATIVES

The City Commission could approve the appointment, not approve it, or postpone action to a date certain.

ATTACHMENTS:

Type	Description
□	Report EDC/BRA Nomination Report



Advisory Boards and Commissions Appointee Nomination Report

City of Kalamazoo

RECOMMENDATION

The Economic Development Corporation (EDC) and Brownfield Redevelopment Authority (BRA) Boards of Directors recommend that the City Commission appoint **Kyle Gulau** to fill the expired term of John MacKenzie (expired March 31, 2017).

SPECIAL REQUIREMENTS FOR THIS POSITION

Members of these boards must possess knowledge of the City of Kalamazoo's economic development climate and goals outlined within Imagine Kalamazoo 2025. The board also strives to maintain representation from the banking, development and legal professions, with the goal of having at least one board member representing each of those fields on the board at all times.

SELECTION PROCESS

After careful review of the applications, the Executive Committee discussed the candidates' qualifications and recommended the appointments outlined above. The Economic Development Corporation and Brownfield Redevelopment Authority voted unanimously on November 15, 2018 to approve the appointment.

NOMINEE QUALIFICATIONS

Dual Board Memberships

Mr. Gulau is not a member of another City advisory board.

Residency

Mr. Gulau is a City resident, as well as manages and owns a micro development within the City.

Term Limits

Neither Mr. Gulau has served on either the EDC or BRA boards. This would be Mr. Gulau's first full-term on both boards.

Training, Experience, Education And Skills

Mr. Gulau is a Western Michigan University graduate with a double major in Finance and Electronic Business design. He worked a few years at a tech company in the Portage area, and relocated the company to the City of Kalamazoo. With his first experience in real estate, Mr. Gulau wanted to explore the world of micro-development. He purchased a few abandoned buildings in Kalamazoo where he not only developed into his home, but also is working to create spaces for other businesses to grow and expand, and drive some

positive change in the community. With Mr. Gulau having experience in the business technology world, and representing the micro-developers in the area, the board feels that he will bring a perspective that has not been represented before within the boards and open the door for more development opportunities within the City of Kalamazoo.

NOMINATION RATIONALE

The EDC and BRA boards have recommended Mr. Gulau's appointment unanimously. The appointment would provide a seat to someone possessing unique qualifications and knowledge in the areas of economic and brownfield development.

CITY CLERK'S CERTIFICATION

The nominee's qualifications regarding dual board memberships, residency, and term limits have been reviewed and verified by the City Clerk's Office.

Scott A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

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

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

PREPARED BY: Sean Fletcher, Parks & Recreation Director

DATE: 12/4/2018

SUBJECT: Approve the Sale of 925 Grant Street to Andy Van Lente

RECOMMENDATION

It is recommended that the City of Kalamazoo sell the lot at 925 Grant Street to Andy Van Lente in the amount of \$1,500.00 and authorize the City Manager to sign all related documents.

BACKGROUND

The lot at 925 Grant Street is adjacent to Mr. Van Lente's home and his desire is to construct a new home on the property, adding a new home to the City's tax roll.

The lot is designated as being owned by the City of Kalamazoo's Parks & Recreation Department, but due to the topography and close proximity to Davis Street Park, it is not desirable as a park.

COMMUNITY RESOURCES CONSULTED

Steve Walsh and the Vine Neighborhood Executive Committee were consulted and approved the sale of the lot.

FISCAL IMPACT

The sale of the lot will provide tax revenue to the City.

ALTERNATIVES

There is the alternative for the City to continue to own this lot, but that is not being recommended.



Commission Agenda Report

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor Knott, and City Commissioners
FROM: James K. Ritsema, ICMA-CM, City Manager
DATE: 11/19/2018
SUBJECT: City Manager's Report

INFORMATIONAL ITEMS

Attached for your information is the City Manager's Report for Monday, December 17, 2018.

ATTACHMENTS:

Type	Description
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- | | |
|--------------------------|---|
| ☐ | Report Departmental Reports and Project Updates |
| ☐ | Report November 2018 Purchases |

City Manager's Report

DECEMBER 17, 2018

Monthly Grants Status Report

Organization	Grant	Purpose	Amount	Status
ISG	Grant	Youth Development Plan	\$15,000	Awarded
ISG	Grant	Accessible kayak launch	\$52,000	Declined

Community Planning & Economic Development (CPED)

Zoning Amendments

The first text amendments for the post IK2025 Master Plan were approved by City Commission in November. The new districts were also mapped in locations corresponding to the Northside Cultural Business District in the Northside neighborhood – an area which was the focus of their recently approved Neighborhood Plan and Corridor Improvement Authority. The Authority, to be known as the Northside Cultural Business District Authority, was also approved in November.

Site Plan Review

Fifty site plans have been submitted so far in 2018.

Economic Development

Visits to potential sites are scheduled for December 6. The schedule is as follows:

3pm	10 Mills St.	Merchants Crossing	
345pm	904 Hotop Ave	Riverview Industrial Building	
415pm	348 N. Burdick St	Traveling Nurse Building	
445pm	116 Cedar Street	Old Public Safety/Fire	Exterior Only

Brownfield Redevelopment Authority (BRA)

The BRA approved the development plan for 615 Holdings, LLC who will be redeveloping the 615 W. Kalamazoo Avenue parcel into two, three-story buildings, each totaling approx. 12,000 square feet. There will be a mixture of commercial offices and residential units.

I.T.

Staff completed the technical stand-up and soft-launch of the 311 Call Center.

Staff closed 384 help desk tickets in the month of November.

Human Resources (HR)

Staff coordinated on-site flu shot clinics at four different City sites in November which resulted in 64 vaccinations. This is in addition to the 40 vaccinations done in October at the Employee Appreciation event.

Kalamazoo Department of Public Safety (KDPS)

Eleven PSO candidates passed final Chiefs' interviews and will now enter Lansing Community College's Police Academy in January of 2019.

The Kalamazoo Valley Enforcement Team (KVET) continued the battle against drug trafficking in and about the City of Kalamazoo. They performed ten investigations and seized two guns. There have been no labs discovered to-date.

Management Services

➤ Accounting & Budget

The 2019 proposed budget was submitted to City Commission for review and approval on November 30.

➤ Purchasing

Staff worked collaboratively with City departments and bid documents were prepared and distributed through the City's website for three purchasing projects. As part of our vendor inclusion program 440 vendors, 78 of which are minority or women owned businesses, were notified of bidding opportunities.

Staff reviewed and set up 180 purchase orders and processed 50 change orders.

Purchasing staff are administering prevailing wages for twelve construction contracts.

➤ Treasury

311 Ambassadors began answering Treasury phone calls on November 28.

Parks and Recreation

➤ Recreation Division

The Recreation Division has continued programming for youth and adults, as well as planning multiple community special events in November.

The Youth Development staff closed the final session of Swim for Success for 2018 this month. This program has continued to be one of the most popular being at maximum capacity for both fall sessions. We rely heavily on our partnership with Kalamazoo College to provide the coaches and the pool. This is something that is being looked into as Kalamazoo College plans to demolish their current pool and construct a new pool in the

same location over the next few years.

Youth Development staff have also continued to work on enhancing our after school programs. We are in three different locations reaching nearly 50 youth between the time they are released from school and while many parents are still at work.

Program staff have been busy with our middle school bowling program, adult volleyball, Lunch and Learn, and Moxie Volleyball programs. Our middle school sport programs continue to be a popular choice among youth, while the adult volleyball program took a dip in registrations for the first time in the last few years. This will be monitored in the next year to ensure we are providing programs current with trends and needs of the community.

Special Events staff had their hands full planning the Tree Lighting Ceremony while continuing to work on the Candy Cane Hunt that will take place in December. The Tree Lighting Ceremony is in partnership with the City Manager's Office in coordinating the event. There was perfect weather and a fantastic turnout to this annual event.

➤ Communication/Outreach

The Recreation Team pitched in to help Kalamazoo Downtown Partnership with the Kalamazoo Holiday Parade on November 10. Despite the cold weather, the parade was very well attended.

➤ Parks Division

Winterization has been completed in all of the parks and sport facilities, along with the Farmers Market. Parks staff are preparing equipment for winter and snow removal.

The Parks Division participated in the organization and successful completion of the 55th Annual Kalamazoo Holiday Parade. This was the departments second time being involved in the parade and it was another great event.

The annual Tree Lighting Ceremony was held November 23. Our Parks staff did a great job in preparation for the event by getting decorations up early and working with the Forestry department. It was a beautiful evening and the ceremony had record attendance.

Crane Park improvements stopped for the rest of 2018 due to weather. The balance of the work will be completed in the spring of 2019. The construction company was able to get about 70 percent of the improvements completed this year.

Rockwell Park improvements are almost complete. The play equipment, engineered wood fiber, and basketball components were completed before the snow. The only equipment left to be installed is the outdoor exercise equipment. Those four pieces may be installed yet this year, pending weather.

The Henderson Tot Lot was completed at the beginning of the month. All the improvements turned out great and we received numerous compliments from neighbors. We will be installing the outdoor ping pong table and working on the bollard lighting concept in the spring once the weather breaks.

➤ **Communication/Outreach**

Parks staff met with the Neighborhood Activator and planned placement of new bike racks the Vine Neighborhood Association received from Open Roads. There will be two racks installed at South Westnedge Park and two racks at Dutton Street Park in the spring of 2019.

Public Services

➤ **Support Services Division**

Fleet staff completed necessary equipment up-fitting for leaf pickup. An early snow event caused significant additional work to prepare and repair snow plowing and removal equipment.

There were 35 new recycling cart requests taken during November, bringing the new total carts delivered to 10,561.

➤ **Public Works Division**

Howard Street Pedestrian Improvements

Staff are working with Western Michigan University to obtain an easement.

W. Michigan/Howard Traffic Signal

Direction boring continues for conduit installation.

Pitcher Street - Kalamazoo to Michigan

Mast arm fabrication will be starting soon and installed in the spring of 2019.

➤ **Wastewater Operations Division**

The Wastewater Treatment Plant experienced an inhibition and “pass through” event due to an exceedance of Methylene Chloride from an industrial user. The Michigan Department of Environmental Quality (MDEQ) has been notified. There is follow up with the industrial user and a notice of significant violation will be issued.

The Wastewater Treatment Plant has continued to sample plant influent and effluent for PFAS compounds. The latest round of data shows the Kalamazoo Wastewater Reclamation Plant (KWRP) effluent is continuing to meet the Water Quality Standard (WQS) limit of twelve parts per trillion (ppt) for PFOS.

The Wastewater Treatment Plant performed additional sampling of Industrial users to obtain additional data for the treatment plant model. This is being done as part of a continual improvement process to help in the design of future capital projects.

Wastewater Treatment Plant staff held an Industry Day to highlight emerging topics in Wastewater and Water. The event was well attended and was a good networking opportunity for new staff at various industries.

➤ **Water Operations Division**

In November, 56 non-copper services were replaced. To date in 2018, 433 non-copper services have been replaced: 180 by City crews and 253 by contractors.

Eight Boil Water Advisory notifications and eight associated Lifting Notices were completed in November due to seven main breaks, service leaks/repairs and hydrant replacements.

The Parchment PFAS emergency has resulted in the City of Kalamazoo PWSS replacing the Parchment PWSS. This has resulted in twice a day water quality sampling, to once a day, now down to three times a week. In addition, City staff have provided an additional service to perform their lead and copper sampling. New corrosion control demands by the MDEQ initiated a transition into a liquid poly blend phosphate at three of our WPSs with the capacity to provide water to Parchment.

Staff prepared the Financial Status Report (FSR) and all of the associated documentation and project deliverables for the grant period October 1, 2017 through September 30, 2018.



INTEROFFICE MEMO

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

From: Michelle Emig, Purchasing Division Manager
Prepared By: Craig Hull, Buyer

Date: December 3, 2018

Subject: November 2018 Purchases

I am forwarding for the City Commission, and your information, a summary of the purchases and change orders between \$50,000 and \$100,000 administratively approved during November 2018.

c: Melissa Fuller, Deputy Director of Management Services/Purchasing Agent

November 2018

PURCHASES ADMINISTRATIVELY APPROVED BETWEEN \$50,000 AND \$100,000

VENDOR	VENDOR Location MBE/WBE?	AMOUNT	DESCRIPTION
PRO SERVICES INC.	8132 MERCHANT PLACE PORTAGE, MI 49002	\$88,194.00	925-68-015.0 BOILER INSTALL FOR SNOW MELT
KNEAS, JOHN W.	C/O CITY ATTORNEY'S OFFICE 241 W SOUTH ST	\$52,500.00	BRA LEGAL SERVICES - J. KNEAS 2018/19

November 2018

CHANGE ORDERS ADMINISTRATIVELY APPROVED BETWEEN \$50,000 AND \$100,000

VENDOR	VENDOR Location MBE/WBE?	AMOUNT	DESCRIPTION
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There were zero change orders administratively approved between \$50,000 and \$100,000 for November 2018.