Agenda
Regular Meeting of the City Commission

City of Kalamazoo

Monday, July 6, 2015 7:00 PM

City Commission Chambers, 241 W. South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: Minister Curtis Robinson, Galilee Baptist Church
2. Pledge of Allegiance
3. Introduction of Guests
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 July 20, 2015, and authorize the City Manager to sign all documents on behalf of the City)

1. Approval of a two-year contract extension with Williams & Works for professional surveying services in the amount of $213,611.50.
2. Approval of a one year contract extension with Consumers Concrete Corporation for ready mixed concrete in the amount of $156,750.
3. Approval of a one-year contract extension with F2 Industries, LLC for Sodium Hexametaphosphate in the amount of $146,559.60.
4. Approval of a contract with Michigan Paving and Materials for the 2015 Major Streets Paving Program the amount of $635,635.55.
5. Approval a contract with Maxwell & Associates for improvements to Woods Lake Park in the amount of $655,860.
6. Acceptance of a MSHDA NSP2 Program Income Grant in the amount of $258,500, and authorization for Community Development staff to submit all required reports.
7. Adoption of a RESOLUTION approving an amendment to the City of Kalamazoo's Brownfield Plan [Amended and Restated Brownfield Plan (Amendment No. 26)] implemented and recommended for approval by the City of Kalamazoo Brownfield Redevelopment Authority following a public hearing before the Brownfield Redevelopment Authority.
8.

Acceptance of a grant from the Kalamazoo Community Foundation to support the after school program at the Oakwood Neighborhood Association in the amount of $900.

9. Approval of the City Commission minutes from the meetings on June 15, 2015.

10. Adoption of a resolution to vacate the City's interest in West Main Street Court. *(Hold until July 20, 2015)*

G. REGULAR AGENDA

H. REPORTS AND LEGISLATION

I. UNFINISHED BUSINESS

J. POLICY ITEMS

K. NEW BUSINESS

L. CITIZEN COMMENTS

M. MISCELLANEOUS COMMENTS AND CONCERNS BY COMMISSIONERS

N. CLOSED SESSION

1. Closed session to consider material exempt from discussion or disclosure by state or federal statute. **(Action: Motion to go into closed session)**

O. ADJOURNMENT

ADDITIONAL INFORMATION

Get news, information, and alerts from the City of Kalamazoo. Sign up at www.kalamazoocity.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 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). The meetings are rebroadcast on Tuesdays at 8:00 a.m., Wednesdays, at 1:00 a.m., and Thursdays at 3:00 p.m.

Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

PREPARED BY: Shelby Moss, Deputy City Clerk

DATE: 6/29/2015

SUBJECT: Calendar of Upcoming Meetings

INFORMATIONAL ITEMS

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

ATTACHMENTS:

Type	Description
Meeting Schedule	Calendar of 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

July 20th and August 3rd

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

July 20th

Advisory Boards, Commissions and Committees (next two weeks)

The **Parks and Recreation Advisory Board** will meet on Tuesday, July 7, 2015 at 5:20 p.m., in the Parks and Recreation Community Room at Mayors' Riverfront Park, located at 251 Mills Street.

The **Friends of Recreation Board** will meet on Thursday, July 9, 2015 at 8:15 a.m., in the Parks and Recreation Community Room at Mayors' Riverfront Park, located at 251 Mills Street.

The **Traffic Board** will meet on Thursday, July 9, 2015 at 2:00 p.m., in the Public Services Conference Room, located at 415 Stockbridge Avenue.

The **Planning Commission** will meet on Thursday, July 9, 2015 at 7:00 p.m., in the City Commission Chambers at City Hall.

The **Zoning Board of Appeals** will meet on Thursday, July 9, 2015 at 7:00 p.m., in the Community Room at City Hall.

The **Kalamazoo Historic Preservation Commission** will meet on Tuesday, July 14, 2015 at 7:00 p.m., in the Community Room at City Hall.

The **Environmental Concerns Committee** will meet on Wednesday, July 15, 2015 at 4:30 p.m., in the Community Room at City Hall.

The **Economic Development Corporation** will meet on Thursday, July 16, 2015 at 7:30 a.m., in the Community Room at City Hall. The **Brownfield Redevelopment Authority** will meet immediately following.

The **Building Board of Appeals** will meet on Thursday, July 16, 2015 at 2:00 p.m., in the Commission Chambers at City Hall.

The **Kalamazoo Municipal Golf Association** will meet on Thursday, July 16, 2015 at 5:30 p.m., in the clubhouse at Milham Park Golf Course, located at 4200 Lovers Lane.

The **Downtown Development Authority** will meet on Monday, July 20, 2015 at 3:00 p.m., in the Community Room at City Hall.

Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Sue Foune, Public Services Managing Director

PREPARED BY: Matt Johnson, P.E. City Engineer

DATE: 6/16/2015

SUBJECT: Annual Surveying Contract

RECOMMENDATION

It is recommended that the City Commission approve a two year contract extension with Williams & Works of Grand Rapids for professional surveying services in the amount of $213,611.50.

BACKGROUND

The Department of Public Services retains a consultant to perform surveying and mapping for various projects on an as-needed basis. Requests for Qualifications and Proposals for surveying services were opened on April 18, 2012. Nine proposals were received and ranked by a team of Engineering and Purchasing personnel and price quotes were reviewed for the top five firms. Williams and Works of Grand Rapids, was the lowest bidder and the top ranked firm. In July of 2012, the City Commission awarded a three year contract with Williams and Works in the amount of $205,587.50.

Purchasing Policy allows for a contract extension to extend yearly contracts to five total years. In May of 2015, the City requested Williams and Works provide unit prices to extend the contract from August 1, 2015 to July 31, 2017. On May 14, 2015 Purchasing received an updated bid form with new contract prices. Public Services personnel reviewed the pricing and found it acceptable given the increase in work and rate of inflation from 2012 to 2015.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Funding for surveying services has been included in the various Street, Water and Wastewater Capital Improvement Budgets for the 2015 through 2017 proposed projects.

ALTERNATIVES

The alternative of not approving the contract is not recommended as many of the surveys require that the work be done under the supervision of a professional surveyor and no one on staff is registered as a professional surveyor.

Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Sue Foune, Public Services Managing Director

PREPARED BY: Jim Hoekstra, Traffic Engineer

DATE: 6/19/2015

SUBJECT: Term Contract Extension for Ready Mixed Concrete

RECOMMENDATION

It is recommended that the City Commission approve a one year contract extension beginning July 01, 2015 and ending June 30, 2016 with Consumers Concrete Corporation of Kalamazoo, MI in the amount of $156,750.

BACKGROUND

The Department of Public Services Water, Wastewater and Public Works divisions use this material in the repair of roads, sidewalks, and other construction projects.

The original contract was approved by the City Commission in June 2014, in the amount of $155,400. This contract extension represents a less than 1% increase in price from the 2014-2015 contract. The contract in the amount of $156,750 will run from July 01, 2015 through June 30, 2016 and represents the first extension.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

The 2015 portion of this contract will be $78,375.00 and was included in the 2015 budget. The 2016 portion of this contract in the amount of $78,375.00 will be included in the 2016 budget for streets and sidewalks as well as the Water and Wastewater operating budgets.

ALTERNATIVES

There are no viable alternatives to this material. Failure to provide and replenish inventory levels would mean new projects and repairs may not be completed in a timely manner.

ATTACHMENTS:

Type	Description
Proposal	Bid Results

Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Sue Foune, Public Services Managing Director

PREPARED BY: Thomas Spitzner, Water Operations Supervisor

DATE: 6/26/2015

SUBJECT: Sodium Hexametaphosphate One-Year Contract Extension

RECOMMENDATION

It is recommended that the City Commission approve a one-year contract extension beginning August 1, 2015 and ending July 31, 2016 in the total amount of $146,559.60 with F2 Industries, LLC of Smyrna, Tennessee. The 2015 portion of this one-year contract extension, August 1, 2015 through December 31, 2014 will be in the amount of $61,066.50. The January 1, 2016 through July 31, 2016 portion will be $85,493.10.

BACKGROUND

Sodium Hexametaphosphate has been added to the City water supply for many years as a means of keeping iron and other minerals that naturally occur in groundwater dissolved in the water. The addition of phosphate results in a higher quality, more aesthetically pleasing water supply with a reduction in both sediment buildup in water mains and private plumbing systems.

Sodium Hexametaphosphate also is used in maintaining the regulatory requirement to reduce copper and lead releases into the City's water distribution system. The phosphate helps to coat the inside of water mains to prevent corrosion of metals. It is the main ingredient in the City's regulated corrosion control program agreed upon with the USEPA and MDEQ.

This contract is for the purchase of Sodium Hexametaphosphate used in the treatment of City water. Bids were taken in August 2011 for the City's requirements of Sodium Hexametaphosphate and of the four bids received F2 Industries was the low responsive bidder.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Funds for this purchase are included in the 2015 Public Services Water Operations Budget.

ALTERNATIVES

An alternative would be to cease using phosphate in the water supply; however, sodium hexametaphosphate has proven to be the safest and most effective in providing both iron sequestering and corrosion control of the City's water distribution system.

Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Sue Foune, Public Services Managing Director

PREPARED BY: Debbie Jung, Assistant City Engineer

DATE: 6/26/2015

SUBJECT: Contract with Michigan Paving and Materials for the 2015 Major Street Paving Program

RECOMMENDATION

It is recommended that the City Commission approve a contract with Michigan Paving and Materials of Kalamazoo, MI in the amount of $635,635.55 for the 2015 Major Streets Paving Program.

BACKGROUND

On June 16, 2015, bids were opened for the 2015 Major Streets Paving Program. The 2015 major streets to be paved are:

Alamo Avenue from the City Limits to Douglas
Manchester Road from Kilgore to the north end
Pitcher Street from Water to Kalamazoo and from Ransom to North
Portage Street from Egleston to Crosstown

Three bids were received, with Michigan Paving being the low responsive bidder at $635,635.55. Michigan Paving has contracted with the City on many projects and Engineering has been consistently pleased with their work.

COMMUNITY RESOURCES CONSULTED

Engineering utilizes a computerized Pavement Management System to compile a list of streets that are in need of improvement. Engineering then combines the computerized output with a list of citizen concerns received throughout the year to determine which streets to include in the paving program.

FISCAL IMPACT

In addition to the $635,635.55 in construction costs it is anticipated that $128,364.45 will be needed for engineering and contingencies for a total of $764,000. Funds in the amount of $764,000 are available in the 2015 Major Street CIP budget.

Funding and estimated costs can be summarized as follows:

Funding:

2015 Major Streets CIP	$764,000.00

Costs:

Construction	$635,635.55
Engineering	$ 64,182.22
Contingencies	$ 64,182.23
Total Costs	$764,000.00

ALTERNATIVES

The option to have City crews perform the work has been reviewed. City crews are scheduled to perform a portion of the City's Local Streets Paving Program work under Local Streets Scattered Sites Paving. This, along with regular maintenance operations will keep the City crews occupied and unable to do any major street paving.

ATTACHMENTS:

Type	Description
Bid Results Summary	Bid Results Summary

BID RESULTS SUMMARY

PROJECT: 2015 Major Streets Paving Program

DATE: June 25, 2015

BIDDERS SOLICITED: 40

BIDDERS RESPONDED: 3

MBE/WBE BIDS SOLICITED: 7

MBE/WBE BIDDERS RESPONDED: 0

BID REFERENCE NO: 968-54-029/ME

MBE/WBE AWARDED: No

ISSUE DATE: May 22, 2015

BID OPENING: June 16, 2015

APPROVAL REQUIRED: City Commission

FUNDED BY: City

BIDDERS	**AMOUNT BID**	**LOCATION**
Michigan Paving & Materials Co.	$ 635,635.55	City
Rieth-Riley Construction Company, Inc.	$ 650,552.80	City
Peters Construction Co.	$ 720,804.43	City

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

Teresa T. Johnson

Teresa T. Johnson, CPPB
Purchasing Manager

Commission Agenda Report

City of Kalamazoo

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

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

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

DATE: 6/25/2015

SUBJECT: Approve contract with Maxwell & Associates for improvements to Woods Lake Park.

RECOMMENDATION

It is recommended that the City Commission approve a contract with the low responsive bidder, Maxwell & Associates for improvements to Woods Lake Park in the amount of $655,860.

BACKGROUND

The process to make improvements to Woods Lake Park began several years ago and has been delayed for several reasons, including DEQ permitting and high bids in 2014. The project received a Department of Natural Resources Trust Fund Grant of $363,200 with a match amount of $271,000. The DNR grant was awarded in 2010 and requires the project begin and make substantial completion in 2015, otherwise there's a risk of losing these grant dollars.

Improvements to Woods Lake Park include a new restroom and changing facility, playground, fishing deck, observation deck, accessible parking, rain garden, pathways, and landscape improvements.

The park has seen little improvement in the recent past. The park currently has no park play equipment and the restroom/changing facility is very outdated. Accessible parking is also very inadequate and will be addressed with the improvements.

Bids for the project were solicited in 2014. Two bids were received and both came in over budget. With hopes of not rebidding the project we reviewed the project plans and made changes to the scope of the project to see if it would lower the cost of the project. The second bids also came in high and it was determined that the project scope should be reviewed again and bids solicited again in 2015.

Bids were solicited again in May 2015, with a bid opening on June 11th. Maxwell & Associates was the low responsive bidder.

COMMUNITY RESOURCES CONSULTED

Parks and Recreation Advisory Board
2009 Parks & Recreation Master Plan

FISCAL IMPACT

The total budget for the project is $810,470. The project includes site demolition electrical, park improvements, site clearing and grubbing, playground equipment, landscaping, park furnishings, recommended alternates, engineering, construction administration, and contingencies.

Please see the Woods Lake Park Sources and Uses spreadsheet for a detailed breakdown of expenses and revenues for the project.

Included in the Adopted FY 2015 Budget's Capital Improvement Program is $175,000 for a Spray Park at Upjohn Park and $50,000 for the Henderson Park Tot Lot Project. These projects would be great additions to the City's park system, however given recent developments and other possibilities, the decision has been made to delay these projects for 2015 and reconsider them in future budget years.

As indicated to the City Commission in the May 18, 2015 Regular Business Meeting packet, the Hays Park project was slated to receive $100,000 of funds originally assigned to the Splash Park project in 2015. However, in light of the bids received for the Woods Lake project, the Hays Park project will receive $75,000 and the Woods Lake project will receive the balance of the Splash Park's 2015 project funds ($100,000).

ALTERNATIVES

The City Commission may choose to not to approve the recommendation to award this contract to Maxwell & Associates, however this is not recommended since much needed improvements in Woods Lake would not be made and the grant funding would be lost.

ATTACHMENTS:

Type	Description
Budget	Woods Lake Sources and Uses
Bid Results Summary	Woods Lake Bid Summary

Woods Lake Park Improvement Project 2015

Expenses		
Expenses (to date)	60,710	
Maxwell and Associates Proposed Project	655,860	
Playground Equipment	40,000	
Engineering, Project Admin, Contingency	53,900	
Total Expenses	**810,470**	
Revenues		
Department of Natural Resources	363,200	
Kalamazoo Community Foundation	50,000	
Irving S. Gilmore Foundation	50,000	
Dorothy U. Dalton Foundation	10,000	
Harold and Grace Upjohn Foundation	7,500	
Capital Project Reserve	6,061	
Bond Proceeds	152,280	
Transfer from Upjohn Splash Pad (2015)	100,000	Per 5/18/15 CC Memo (re: Hays Park): "released funds for other park improvements".
Transfer from Henderson Tot Lot (2015)	50,000	Reassignment of 2015 Bond Proceeds.
Released Bond Proceeds (pre-2015)	21,429	Savings from completed projects.
Total Revenue	**810,470**	
Balanced Revenues/Expenses	-	

BID RESULTS SUMMARY

PROJECT: Woods Lake Park Improvements-REBID

DATE: June 29, 2015

BIDDERS SOLICITED: 50

BIDDERS RESPONDED: 4

MBE/WBE BIDS SOLICITED: 14

MBE/WBE BIDDERS RESPONDED: 0

BID REFERENCE NO: 988-52-038/TJ

MBE/WBE AWARDED: No

ISSUE DATE: May 8, 2015

BID OPENING: June 11, 2015

APPROVAL REQUIRED: City Commission

FUNDED BY: State of Michigan/City

BIDDERS	AMOUNT BID	LOCATION
TJM Services[1]	$400,000.00	Allegan, MI
Maxwell & Associates, Inc.[2]	$595,000.00 base bid $655,860.00 w/alternates*	Kalamazoo County
Rivertown Contractors, Inc.	$ 717,500.00	Grandville, MI
7Gen Construction, LLC	$765,343.00	South Bend, IN

[1]Not responsive, contractor bid based on bonding limitation and specifications required authorized park furnishings provider to be the contractor.

*Additional services added at the request of the City.

[2] Recommending award to low responsive bid

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

Teresa T. Johnson, CPPB
Purchasing Manager

Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Laura Lam. Community Planning and Development Director

PREPARED BY: Dorla Bonner, Community Development Manager

DATE: 6/25/2015

RECOMMENDATION

It is recommended that the City Commission accept a MSHDA NSP2 Program Income Grant in the amount of $258,500; and authorize the City Manager, or his designee, to sign and submit all appropriate documents. The funding will be used to demolish seventeen residential blighted properties. It is also recommended that Community Development staff be authorized to submit all required reports.

BACKGROUND

On March 16, 2015, the City Commission approved the NSP Program Income Grant Round 1 for $181,500. MSHDA has awarded the City an additional $77,000 for demolitions under Round 2 of the grant and has combined both grant rounds into a single award of $258,500.

In 2010, MSHDA and the Michigan NSP2 Consortium were awarded $223,875,339 to address the negative side effects of abandonment and foreclosure on neighborhoods. The City of Kalamazoo and Kalamazoo County Land Bank were awarded and invested over $15 million to place abandoned, foreclosed and/or vacant property back into productive use. Most of these properties were redeveloped and sold or rented to low-moderate-middle income (LMMI) households through acquisition, rehabilitation and homebuyer assistance. The City and the Land Bank successfully sold 43 homes. Prairie Gardens was also built to provide rental units for low to moderate individuals 55 and older.

Program Income is the gross income generated directly from the initial investment of MSHDA and the NSP2 Consortium. This program income must be used in the same manner as the initial award. MSHDA staff initially notified Community Planning and Development (CP&D) staff last fall of the Program Income Funding Round 1 grant award, and MSHDA informed CP&D staff in April 2015 that Round 2 funds were also being awarded. CP&D staff have spent the last several months working with MSHDA staff on program compliance to make sure the City could fulfill the terms of the grant.

COMMUNITY RESOURCES CONSULTED

This project is consistent with the City of Kalamazoo Consolidated Plan 2014 – 2018, which supports the goal of Neighborhood Enhancement by advancing sustainability with the demolition of vacant and blighted residential structures in Community Development Block Grant eligible neighborhoods.

FISCAL IMPACT

As part of the NSP2 Program Income Grant, the City identified $50,000 in match funding. The match comes from 2014 Community Development Block Grant funding designated for residential demolitions. $25,850 for staff costs will be covered by the grant. The City of Kalamazoo's general funds will not be required to support this program.

ALTERNATIVES

The City Commission may elect to not accept the NSP2 Program Income funds from MSHDA. This alternative is not recommended.

ATTACHMENTS:

Type	Description
Agreement	MSHDA/NSP2 Grant Agreement

June 24, 2015

Mr. James Ritsema, City Manager
City of Kalamazoo
415 Stockbridge Ave.
Kalamazoo, Michigan 49001

RE: **Announcement of Funding Award Grant # NS2-2015-0323-NPI, Round 1 & 2 Required Documentation and OPAL**

Dear Mr. Ritsema:

Congratulations! The Michigan State Housing Development Authority (MSHDA) has approved your request for NSP2 Program Income Round Two funds in the amount of **$258,500**. The purpose of this letter is to inform you of the documentation needed to initiate this grant, and how to manage it on the On-Line Project Administration Link (OPAL).

Enclosed you will find the following documents necessary to initiate your grant:

- Written Agreement and Exhibits A, B, C & D (2 originals)
- Legislative/Public Relations Inquiry Form
- Authorized Signature Designation Form

Return both of the original signed Written Agreements, one completed original Authorized Signature Designation Form, and Legislative Public Relations Inquiry Form, and reply to the special conditions (if identified in the Written Agreement) within 45 days to Sharon Cassidy at the Michigan State Housing Development Authority, 735 E. Michigan Ave., Lansing, MI 48912. MSHDA will return one fully executed Written Agreement.

Executing the Written Agreement and Exhibits

Your agency's Board Chairperson must sign the Written Agreement before a witness. Others are permitted to sign IF they have been specifically designated by your agency's governing body to act on their behalf. If someone other than the Board Chairperson signs the Agreement, that person must be designated by the Board Chair, and that person's name must be entered as an Authorized Signer on the Certified Board Resolution and the Grant Closing Statement. **NOTE: MSHDA will not allow Consultants and/or Third-Party Administrators to be designated to act on behalf of the governing body.**

Legislative/Public Relations Inquiry Form

The form identifies and designates the Public Relations Coordinator for the grant. In addition, the request information regarding scheduled public events.

Authorized Signature Designation Form

The Authorized Signature Form formally identifies and designates the person or persons authorized to sign and/or submit grant related reports, forms, and documents on behalf of the governing board. Each signatory must sign in the appropriate spaces on the form next to his or her printed or typed name. **NOTE: MSHDA will NOT allow consultants and/or third-party administrators to be designated to act on behalf of the governing body.**

MANAGING YOUR GRANT USING OPAL

MSHDA's Office of Community Development is now utilizing OPAL to manage our application and grant process on-line. MSHDA has identified you, the recipient of this letter, as your agency's Authorized Official. By now you should have received written notification of your user name and password for OPAL. If not, please contact your CD Specialist (identified later in this letter).

Logging onto OPAL

Using your Internet web-browser, use the following address to access OPAL: http://www.mshda-opal.org/login.asp. Upon entering your user name and password you will be taken to the OPAL "Start Menu". Please log-in to familiarize yourself with the system.

Under no circumstances should users share their passwords or log onto OPAL using another person's user name and password. DOING SO MAY JEOPARDIZE THE SECURITY OF THE SYSTEM AND THESE GRANT FUNDS. FAILURE TO COMPLY WITH THIS RULE MAY RESULT IN THE RECAPTURE OF GRANT FUNDS. If you need assistance you may contact your CD Specialist.

Utilizing the Resources

Grantee User Manual: It is recommended that anyone using OPAL consult the Grantee User Manual. The manual may be accessed through the "Start Menu" screen, lower right-hand corner, under the word "Downloads" click on "Manuals, Applications, etc." This link will contain the most up-to-date version of the manual. You may print the manual at any time; however, you should compare the version date of your printed manual to the version date on the website to be sure you are using current information.

Utilizing the Resources

Grantee User Manual: It is recommended that anyone using OPAL consult the Grantee User Manual. The manual may be accessed through the "Start Menu" screen, lower right-hand corner, under the word "Downloads" click on "Manuals, Applications, etc." This link will contain the most up-to-date version of the manual. You may print the manual at any time; however, you should compare the version date of your printed manual to the version date on the website to be sure you are using current information.

Help on Every Page: There is a "Help" link in the navigation bar at the top of each screen. Clicking on "Help" will reveal page-specific information that has been written to provide guidance in using the system.

OPAL Help Desk: Should you experience technical difficulties with OPAL, you should contact the Help Desk at 1-800-820-1890 or via email at helpdesk@agatesoftware.com.

Your CD Specialist: You should always feel free to contact your CD Specialist, Kelly Gram, at (517) 335-4358.

Assigning Staff to Administer This Grant

When this grant was awarded, MSHDA assigned a member of your agency as the Grant Administrator. Once the grant documents are returned, MSHDA will enter the Authorized Signers into OPAL. The Grant Administrator and Authorized Signers have the ability to give other agency members or other people outside of the agency, access to the grant. To be given access to a grant, that person must already exist on OPAL and be active within the system. Please refer to Section 7 of the Grantee Help Manual – Grant Users Access to a Grant to complete this process.

Financial Status Report/Payment Requests (FSR/PR):

Payment Requests will be submitted on-line through OPAL. Both the Grant Administrator and Authorized Signer(s) are permitted to create an FSR/PR, however, only an Authorized Signer is permitted to submit an FSR/PR.

Payment Requests must be submitted at least monthly. The request should cover expenses for the previous month and should be submitted by the 15th of the month following the report period.

Please do not incur any project costs, make financial commitments, or enter into any negotiation until all required environmental reviews are completed and approved, and the awarded funds are formally released.

Keep in mind that any deviations from the terms or conditions of the Grant Agreement, including budget allocations, must be requested and approved by the Community Development Division staff through OPAL. I congratulate you on receiving this award. If you have questions, please contact Kelly Gram at (517) 335-4358.

Sincerely,

Tonya Young

Tonya Young
Manager of Portfolio Management Unit
Community Development Division

Enclosures

Grantee: City of Kalamazoo
Grant #: NS2-2015-0323-NPI
Date: 06/24/2015

Legislative/Public Relations Inquiry Form

We are encouraging your office to notify us of any public relation activity scheduled and/or anticipated that is tied to this grant award.

Date: ________________

Activity: ____

____

____

Please provide us with your Public Relations Coordinator contact information below:

Name: ____

Phone: ____

E-Mail Address: ____

If a future event is scheduled that is not identified above please notify your Community Development staff contact and Esther Haugabook, CD Liaison Public Relations.

PLEASE RETURN THIS FORM WITH YOUR SIGNED GRANT AGREEMENT DOCUMENTS

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
COMMUNITY DEVELOPMENT DIVISION

AUTHORIZED SIGNATURE DESIGNATION FORM

As the highest elected official of City of Kalamazoo, I designate the following individual(s) as Authorized Signer(s) for NS2-2015-0323-NPI to sign the associated Grant Agreement, submit FSR payment requests, and Grant Amendments, if applicable, for the aforementioned grant.

Date: 6/29/15

Authorized Signer Printed Name: Laura Lam
Title: Director, CP+D

Date: 6/29/15

Authorized Signer Printed Name: Dark Bonner
Title: Manager, C.D.

APPROVED BY HIGHEST ELECTED OFFICIAL:

Date: ________________

Authorized Official Printed Name:
Title:

Grant Number: NS2-2015-0323-NPI

Effective Date: 05/01/2015

Source of Funds: **NSP2 Federal—CFDA #14.256**

MICHIGAN NSP2 CONSORTIUM PROGRAM INCOME

WRITTEN GRANT AGREEMENT

BETWEEN

THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY

AND

CITY OF KALAMAZOO

Michigan NSP2 Consortium Program Income

WRITTEN AGREEMENT

Community Development Division – State and Subrecipient

THIS NSP2 Consortium WRITTEN AGREEMENT is made effective as of the 1st day of May, 2015, by and between the City of Kalamazoo, an NSP2 Program Income Round Two recipient, the address of which is 415 Stockbridge Ave., Kalamazoo, Michigan 49001 (the "Subrecipient,"), and the **MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY**, a public body corporate and politic of the State of Michigan, the address of which is 735 E. Michigan Avenue, Lansing, Michigan 48912 (the "Authority").

RECITALS:

The Subrecipient has been selected by the Authority to administer certain components of the Authority's NSP2 Program Income in the City of Kalamazoo targeted neighborhoods located within the NSP2 census tracts 1, 2.02, 3, 5, 6, 9, and 10 to be funded by the Michigan NSP2 Consortium Program Income dollars generated from the United States Department of Housing and Urban Development under the American Recovery and Reinvestment Act of 2009 (Recovery Act), Public Law 111-005, for the Neighborhood Stabilization Program 2 (NSP2);

Whereas, MSHDA will engage the City of Kalamzoo to assist Michigan in utilizing NSP2 Program Income funds in accordance with the Notice of Funding Availability for the Neighborhood Stabilization Program 2 under the American Recovery and Reinvestment Act of 2009 (Notice FR-5321-N-01, published May 5, 2009), the Notice of Fund Availability for the Neighborhood Stabilization Program 2 under the American Recovery and Reinvestment Act of 2009; Correction (Notice FR-5321-C-02, published June 11, 2009), and the Notice of Fund Availability for the Neighborhood Stabilization Program 2 under the American Recovery and Reinvestment Act of 2009; Correction (Notice FR-5321-C-03, published November 9, 2009) and any subsequent published amendments (the NSP2 NOFA) by the U.S. Department of Housing and Urban Development (HUD):

A. Subject to the Subrecipient's performance of all its obligations under this Agreement and the NSP2 Program, the Authority has agreed to provide funding to the Subrecipient in the maximum amount of up to **$258,500** (the "Grant").

B. The Grant will be used by the Subrecipient to undertake the demolition of residential blighted structures within HUD identified low, moderate, and middle income areas (LMMA) within the HUD previously approved NSP2 census tracts, as permitted under the NSP2 Program and shall not demolish any public housing as defined in 42USC1437a.

C. A description of the projects to be funded and the components of the NSP2 Program to be undertaken by Subrecipient, and the schedule for completing the components must be provided and approved by MSHDA prior to incurring any costs.

D. The City of Kalamazoo has until December 31, 2015 to fully expend the NSP2 Program Income awarded above. The December 31, 2015 deadline for expenditure of funds is absolute (absent statutory change).

E. The City of Kalamazoo will be responsible for administering NSP2 activities in a manner satisfactory to MSHDA and consistent with all policies and standards required as a condition of providing these demolition funds.

F. The Subrecipient and the Authority are also entering into a Grant Agreement outlining the additional conditions and terms of the Grant, which is attached hereto and incorporated herein as Exhibit D.

NOW, THEREFORE, the parties agree as follows:

1. **Written Agreement.** This Agreement is intended to satisfy the requirements of a "commitment" between the Authority and the Subrecipient and include the minimum required provisions of a "written agreement".

2. **Term of Agreement; Reversion; Grant Term.** Upon expiration of the Grant Term (as identified in Exhibit D), if the Grant is not fully disbursed by Subrecipient, the unused funds will be subject to reversion or recapture, as set forth in Section 3.

3. **Amount and Use of NSP2 Program Income funds.** The Authority agrees to provide up to **$258,500** in NSP2 Program Income funding to the Subrecipient, which the Subrecipient will use to undertake Eligible Use D, Demolition Activities, in the City of Kalamazoo targeted neighborhoods located within the eligible NSP2 LMMA census tracts 1, 2.02, 3, 5, 6, 9, and 10. The Subrecipient will only undertake those activities necessary to administer the components listed on Exhibit A and will make every effort to meet the time frames and deadlines set forth in Exhibit A. In the event that there are any unrequested funds, the remaining OPAL balance will be recaptured by the Authority on **January 1, 2016**. To avoid recapture, the Subrecipient agrees to utilize awarded funds according to the following benchmarks:

5/1/15 – 6/30/15	Environmental Review process undertaken including Phase 1 work and determination of feasibility based on results; SHPO consultation, and notices published to allow public comment.
7/1/15 – 8/31/15	Bidding/Contract execution
9/1/15 – 9/30/15	Pre-Demolition Meeting, Notice to Proceed and all demolition activity completed
11/1/15/15 – 11/30/15	All final invoicing completed and OPAL FSRs submitted for approval/processing
12/1/15 – 12/30/15	MSHDA approvals and DRGR data entry completed

If the Subrecipient fails to meet any of the benchmarks identified above, the Subrecipient's overall progress will be reviewed. If appropriate measures are not taken within thirty (30) days to make significant progress towards benchmark deadlines, it is in the Authority's sole discretion to determine whether or not to suspend the Agreement. If the Subrecipient fails to implement the necessary measures, the Authority may terminate this Agreement and will have no further commitment for funding.

4. **Uniform Administrative Requirements.** If a local unit of government, the Subrecipient must comply with the requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and applicable provisions of 24 CFR, Part 85, including the Standards for Financial Management Systems in Subpart C. If a non-profit organization, the Subrecipient must comply with the requirements of OMB Circular No. A-122 (Cost Principles for Non-Profit Organizations) and applicable provisions of 24 CFR, Part 84, including the Standards for Financial Management Systems in Subpart C. All Subrecipients shall be responsible for obtaining an annual audit prepared by an independent auditor in accordance with the Single

Audit Act Amendments of 1996 and revised OMB Circular No. A-133 (Audits of States, Local Governments and Non-Profit Organizations).

5. **Ineligible Property**. The Subrecipient agrees that properties are not eligible for assistance without prior written MSHDA approval when either: a) demolition is one component of a larger project; or b) the demolition is not located within an NSP2 HUD identified LMMA area.

6. **Property Standards**. The Subrecipient will ensure that upon Project Completion, the site has been graded/seeded/restored to the standards required by MSHDA.

7. **Affirmative Marketing and Minority Business Enterprises (MBE) and Women's Business Enterprise (WBE) "MBE/WBE" Outreach**. The Subrecipient must develop and implement an affirmative marketing strategy that complies with CDD Policy Bulletin #23 to ensure affirmative outreach throughout the service area and will inform all property owners of Fair Housing laws and the non-discrimination provisions (if applicable). The Subrecipient will also develop and implement an outreach strategy that complies with CDD Policy Bulletin #7 to contact "MBEs/WBEs", and will make reasonable efforts to utilize the services of MBEs/WBEs in NSP2 funded activities. Such efforts will, at a minimum, require the inclusion of qualified MBEs/WBEs on bid solicitation lists utilizing the services and assistance of the Michigan Department of Civil Rights, the Authority, or any similar local agency to identify MBEs/WBEs; and if any subcontracts are let, require the contractor to engage in similar outreach efforts.

8. **Requests for Disbursement of NSP2 Funds**. The Subrecipient may not request the disbursement of any NSP2 funds until the funds are needed for payment of eligible costs. The amount of each request must be limited to the amount needed. No such request shall be processed by the Authority without the submission of proper invoices/receipts for paid or incurred costs except for pre-approved fees.

9. **Records and Recordkeeping**. The Subrecipient will permit the Authority, at its discretion, to audit the Subrecipient and its activities for compliance with the terms of this Agreement. The Subrecipient will maintain sufficient records to enable the Authority to determine whether the requirements of the NSP2 Program are met, will make its records available for inspection and copying by the Authority at all reasonable times and in such places as may be requested by the Authority. The records to be maintained will include, at a minimum, the records listed in Exhibit C, which is attached to this Agreement and incorporated herein, and will be maintained, at a minimum, for the longer of: (a) five (5) years after the end of the Grant Term; (b) any applicable lien terms; and (c) consortium close-out retention requirements. The retention period shall commence from the date the Subrecipient's final audit and report are approved by the Authority. The Subrecipient shall also comply with the recordkeeping requirements in 24 CFR 85.42. Within five (5) business days after written request is submitted, the Subrecipient shall furnish all reports and information required by the Authority or HUD to document compliance with the NSP2 Program and NSP2 Regulations, and to assist the Authority in meeting its recordkeeping and reporting requirements. The obligation to retain records shall not end until the consortium completes all close-out requirements for the NSP grant and the retention schedule for the entire consortium's portfolio of grant and program income dollars is determined by HUD (see (c) above).

10. **Applicable Federal Requirements**. The Subrecipient has or will comply with all other applicable federal requirements, including (but not limited to) the requirements set forth in 24 CFR Part 5, subpart A; the provisions of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations; the National Environmental Policy Act and related laws and implementing regulations; the Lead-Based Paint Poisoning Prevention Act and the Residential Lead-Based Paint Hazard Reduction Act of 1992; Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) and implementing regulations; the Davis-Bacon Act and implementing regulations (if applicable); the "Anti-Lobbying" disclosure requirements and prohibitions of 31 U.S.C. 1352 and implementing regulations; the requirements for funding competitions established by the U. S. Department of Housing and Urban Development Reform Act of 1989; and the Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq) and implementing

regulations. Further, the Subrecipient acknowledges that the regulations set forth in 2 CFR Part 2424 "Non-procurement Debarment and Suspension" are applicable.

11. **Non-Discrimination Covenant.** The Subrecipient shall not, in the selection of families, in the provision of services, or in any other manner, discriminate against any person on the grounds of race, color, creed, religion, sex, age (except for any property or activity specifically designed for elderly occupants), national origin, handicap, or actual or perceived sexual orientation, gender identity, or marital or familial status except as provided by law. The Subrecipient shall comply with all requirements imposed by the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations; Title VI of the of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) and implementing regulations; Title VIII of the Civil Rights Act of 1968 (as amended by the Fair Housing Amendments Act of 1988) and implementing regulations; the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and implementing regulations; Title II of the Americans with Disabilities Act (42 U.S.C. 12101 *et seq*); the Elliott-Larsen Civil Rights Act, and the Michigan Persons With Disabilities Civil Rights Act.

12. **Environmental Review.** The Subrecipient and the Authority each acknowledge that the environmental review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq*) and 24 CFR Part 58 will be completed. MSHDA will be the responsible entity that determines and provides the release of NSP2 Program Income funds associated with demolition prior to any expenditure of funds. The Subrecipient warrants that all demolition activities will be classified as requiring an environmental assessment that complies with NEPA.

13. **Relocation.** No relocation shall be permitted with respect to any property that will be assisted with NSP2 funds pursuant to this Grant. The Subrecipient acknowledges that all properties must demonstrate 100% vacancy and meet the NSP2 definition of blighted property in order to be eligible for assistance.

14. **Labor Standards.** Federal labor standards are not applicable to the components covered by this Agreement.

15. **Lead-Based Paint.** All housing assisted with NSP2 funds must meet the lead-based paint requirements of 24 CFR, Part 35. The Subrecipient agrees to comply with CDD Policy Bulletin #26 for implementation of the lead-based paint regulations of that part (if applicable).

16. **Conflicts of Interest.** The Subrecipient agrees that:

a. No owner, developer, or sponsor of a property assisted with NSP2 funds (or officer, employee, agent, elected or appointed official, or consultant of the owner, developer, or sponsor or immediate family member of an officer, employee, agent, elected or appointed official, or consultant of the owner, developer, or sponsor) whether private, for-profit or nonprofit (including a community housing development organization (CHDO) when acting as an owner, developer, or sponsor) may occupy a property assisted with NSP2 funds pursuant to this Grant. This provision does not apply to an individual who receives NSP2 funds to acquire or rehabilitate his or her principal residence or to an employee or agent of the owner or developer of a rental housing project who occupies a housing unit as the project manager or maintenance worker. Exceptions to the foregoing may be granted on a case-by-case basis in accordance with CDD Policy Bulletin #8.

b. In the procurement of property and services by the Subrecipient, the Subrecipient shall comply with the conflict of interest and procurement provisions of 24 CFR 84.42 and 24 CFR 84.44 (if a non-profit organization) and 24 CFR 85.36 (if a local unit of government).

17. **Safeguards Between Subrecipient and Property Owner.** The Subrecipient agrees to follow a written process to ensure that a dangerous building process is followed that includes formal notification to the

property owner regarding why it has been determined that the demolition activity resulting in the removal of the blighted structure is necessary for the welfare of the residential community residing in the area.

18. **Enforcement and Remedies**. In the event the Subrecipient violates any of the terms of this Agreement or any property owner violates the terms of the lien recorded against a Grant-assisted property the Authority may also, in accordance with 24 CFR 85.43 and 85.44, suspend or terminate the Grant or terminate this Agreement, and the Authority will have no further commitment for funding the Grant. The Authority's election to pursue any one or more of the above remedies shall not be construed to preclude or be a waiver of the Authority's right to pursue any of the other remedies with respect to the default for which such remedy was pursued or with respect to any default prior or subsequent to such remedy.

19. **Recapture**. The Subrecipient acknowledges that any failure to comply with the terms of this Agreement or the NSP2 Regulations shall cause the NSP2 funds to be subject to recapture by HUD. In the event of any act or failure to act on the part of the Subrecipient that might lead to a recapture, the Grant shall be immediately repayable in full. The Subrecipient is hereby notified and hereby acknowledges that any amount subject to recapture shall be enforced by all available means against any assets of the Subrecipient or any person responsible for the misuse of NSP2 funds.

20. **Administrative Fees**. The Subrecipient is prohibited from charging any servicing, origination, inspection, compliance monitoring, or other fees for the costs of administering the NSP2 Program Grant. No program administration dollars are available. However, NSP2 Activity Delivery Fees can be used to cover NSP2 site specific activities that are directly tied to and can be billed to each property address. Subrecipients may charge Activity Delivery Staffing Costs per feasible property so long as the Subrecipient documents all activity delivery staffing costs and the costs do not exceed 15% of each NSP2 eligible use. Documenting activity delivery staffing costs includes signed and dated timesheets of staff person(s), hours worked, and hourly rate of staff person(s) by property address and date.

21. **No Assignment.** This Agreement may not be assigned by the Subrecipient without the written consent of the Authority.

22. **Severability.** The invalidity of any clause, part, or provision of this Agreement shall not affect the validity of the remaining portions of this Agreement.

23. **Modification**. This Agreement may not be altered, modified or amended except in writing signed by an authorized agent or representative of the Subrecipient and an Authorized Officer of the Authority, after approval by the CDD Review Team.

24. **Corrections**. In the event that any corrections or revisions to the provisions of this Agreement shall be required in order for this Agreement to fully comply with the terms and conditions of the NSP2 Program and the regulations applicable thereto, the Authority shall have the right to correct or revise this Agreement as necessary, and the Subrecipient expressly consents to the exercise of such right by the Authority, and the Subrecipient shall promptly execute any amendments to this Agreement as shall be needed in order to confirm any and all such corrections or revisions.

25. **Recitals Part of Agreement**. The recitals at the beginning of this Agreement are not mere recitals and the terms thereof, and the exhibits referenced therein are made a part of this Agreement.

26. **Acceptance of Grant Agreement**. Execution of this NSP2 Program Income Written Agreement by the parties hereto, shall be deemed to be their simultaneous execution of the Grant Agreement. The Subrecipient has reviewed and hereby accepts the terms of the Grant Agreement, and acknowledges that the

Grant funds to be made available hereunder, shall only be used for the purposes and activities set forth in this Agreement and the Grant Agreement.

IN WITNESS WHEREOF, the parties have entered into this NSP2 Program Income Written Agreement, each as of the date set forth below beside their signature.

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY

Date:______________________ By:______________________________________

Kevin Elsenheimer
Its: Executive Director

CITY OF KALAMAZOO

Date:______________________ By:______________________________________

James Ritsema
Its: City Manager

EXHIBIT A

Description of Components and Activities to be Undertaken

Demolition is restricted to blighted, vacant, single-family residential properties that are zoned residential that the Subrecipient has site control.

Applicable Definitions:

A. Blighted Structure:
A structure is blighted when it exhibits objectively determinable signs of deterioration sufficient to constitute a threat to human health, safety, and public welfare.

- ☐ Declared a public nuisance in accordance with local housing, building, plumbing, fire, or other related code or ordinance.
- ☐ Attractive nuisance because of physical condition or use.
- ☐ Fire hazard or is otherwise dangerous to the safety of persons or property.
- ☐ Has had utilities, plumbing, heating, or sewerage disconnected, destroyed, removed, or rendered ineffective for a period of 1 year or more so that the property is unfit for its intended use.
- ☐ Has a subsurface structure or demolition debris that renders the property unfit for its intended use.

B. Vacant Property:
If a property meets any of the criteria below then it is ineligible for NSP2 Program Income Round One assistance:

Vacant occupiable dwelling unit means a vacant dwelling unit that is in a standard condition; a vacant dwelling unit that is in a substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning 3 months before the date of execution of the agreement by the recipient covering the demolition.

All properties must be unoccupied, uninhabitable and in a dilapidated state beyond rehabilitation feasibility. Documentation and pictures supporting the properties structural state is required prior to FSR #1 disbursement. For each proposed parcel, a formal blight designation letter from a qualified municipal manager, assessor, or code enforcement officer is required.

Each site must be located within the community's boundaries, within a residential neighborhood, and also either adjacent to or within ½ mile from a business district.

The proposed site(s):

1) currently do not have a predetermined use identified;
2) will have a post-demolition six month holding period; and
3) will have a 5-year reuse restriction; MSHDA must approve the reuse of the property, for any purpose with the five years following the demolition of the site.
4) will be secured with a five year lien which is forgivable at 20% per year or upon MSHDA release for use in an approved redevelopment strategy.
5) Note: Sites within floodplains/wetlands will have no redevelopment deed restriction imposed for perpetuity.

Site control is demonstrated by:

Copy of the deed verifying that the property is publicly owned and the owner is the public entity;
OR
Copy of the deed verifying that the property is publicly-owned by a separate public entity AND a letter of support from the owner demonstrating support for the demolition is attached.
OR
Copy of documents verifying the formal legal action taken via a dangerous building board, condemnation, or other formal process that was completed prior to submission of this application which has authorized the applicant to clear the site due to the condition of the structure and required action not being taken by the property owner of record within determined timelines.

Documentation that the taxes are current and that there are not non-mortgage liens on the site(s) is attached.

EXHIBIT B

Demolition Budget and Funding Sources

	# of Properties	Budget
Demolition of blighted, vacant, single-family residential properties that are zoned residential only located in census tracts 1, 2.02, 3, 5, 6, 9, and 10 which are HUD designated low, middle, moderate income (LMMI) areas.	(17) **Round 1 Addresses:** 636 Ada 607 Bryant 1612 Charles 723 North Church 725 North Church 1610 North Church 430 Drexel 711 Elizabeth 1109 North Park 312 West Paterson 1208 Staples 1006 East Vine **Round 2 Addresses:** 617 Ada 704 Elizabeth 818 Hazard 802 Simpson St. 719 Staples	$258,500

EXHIBIT C

Recordkeeping

1. Records providing a full description of each activity undertaken and the project address need to be maintained.
2. Records documenting the type and amount of match contributions by project address will need to be maintained.
3. Records documenting compliance with the benchmark deadlines will need to be maintained and monthly status/progress reports will need to be sent to MSHDA in the form, content, and frequency as required by MSHDA.
4. Records documenting compliance with the 15% percent activity delivery cost limitation.
5. A full description of each project assisted with NSP2 funds, including the location (address of each unit), form of assistance, and all other OPAL data entry fields will be required.
6. The source and application of funds for each project, including supporting documentation, in accordance with 24 CFR 85.20-26; and records to document the eligibility and permissibility of the project costs will need to be maintained.
7. Records (e.g., inspection reports) demonstrating that each project meets the property standard requirements at project completion will be required.
8. Records demonstrating that each property is located in an approved NSP2 census tract will need to be maintained.
9. Records demonstrating that each property is in a low, moderate, or middle income area (LMMA) will need to be maintained.
10. Written Agreements/Contracts must include signatures and execution dates from all parties, dollar amounts, and established timeframes for work to be completed and invoice deadlines for submission to the City of Kalamazoo. Note: These items must be included for each contractor, subcontractor, or professional services consultant/provider agreement that is executed.
11. Responses from the City of Kalamazoo related to audits and inspection requests must be provided within 48 hours of receipt of a MSHDA written request. Also, MSHDA requires complete access to all information for purposes of an investigation to ascertain compliance with the rules, regulations, and provisions of NSP2, if determined necessary.
12. Neither the applicant nor any of the vendors, contractors or partners involved in the proposed project may be listed on either the Debarred Vendor List maintained by Michigan's Department of Technology, Management and Budget (DTMB) or the System for Award Management (SAM) which is the Official U.S. Government system that consolidated the capabilities of CCR/Fed Reg, ORCA, and EPLS.

EXHIBIT D

NSP2 Program Income Agreement

NSP2 Program Income Agreement Number: NS2-2015-0323-NPI

Effective Date: May 1, 2015

DUNS #: 079283214

Source of Funds: NSP2 Federal—CFDA #14.256

NSP2 PROGRAM INCOME AGREEMENT BETWEEN

THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
AND
CITY OF KALAMAZOO

I. OFFER
The maximum amount of assistance hereby offered is $258,500.

The term of work performance by the Subrecipient under this agreement will be effective from **May 1, 2015 to December 31, 2015.** Funds will be made available for eligible expenses in accordance with the attached Conditions.

II. TERMS

NOW, THEREFORE, the Authority and the Subrecipient agree as follows:

1. The Subrecipient shall implement or continue the activities within the projected budget and time frame and in accordance with any special terms and conditions for funding more specifically described and stated in the NSP2 Written Agreement ("NSP2WA") and attached Exhibits A, B, and C, and incorporated herein by reference.

2. The Subrecipient shall comply with such further statutory, regulatory, and contractual requirement(s) now or hereafter in effect as may be applicable to the receipt and expenditure of NSP2 Funds, as administered by the U.S. Department of Housing and Urban Development and the Authority.

3. **Disbursement of Funds**. The Subrecipient agrees that disbursement(s) under this Agreement shall be made in accordance with Authority established schedules and procedures. The Subrecipient further agrees that no disbursement of NSP2 funds may be requested until such funds are needed for payment of eligible costs, and in the event that all funds are not requested by ***December 31, 2015***, the funds authorized pursuant to this Agreement shall be subject to immediate recapture by the Authority. Further, in no event will a disbursement or further disbursements be made after a notice by the Authority of a violation of this Agreement, in which the violation has not been corrected to the satisfaction of the Authority.

4. **Advancement of Funds**. MSHDA will not provide an advance of funds.

STATE OF MICHIGAN

RICK SNYDER
GOVERNOR

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY

KEVIN ELSENHEIMER
EXECUTIVE DIRECTOR

Grantee: City of Kalamazoo
Grant #: NS2-2015-0323-NPI
Date: 06/24/2015

Legislative/Public Relations Inquiry Form

We are encouraging your office to notify us of any public relation activity scheduled and/or anticipated that is tied to this grant award.

Date: ________________

Activity: ____

____

____

Please provide us with your Public Relations Coordinator contact information below:

Name: ____

Phone: ____

E-Mail Address: ____

If a future event is scheduled that is not identified above please notify your Community Development staff contact and Esther Haugabook, CD Liaison Public Relations.

PLEASE RETURN THIS FORM WITH YOUR SIGNED GRANT AGREEMENT DOCUMENTS

Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Jerome Kisscorni, Asst. City Manager/Economic Development Director

PREPARED BY: Jerome Kisscorni, Asst. City Manager/Economic Development Director

DATE: 6/19/2015

SUBJECT: Resolution Adopting and Approving the Amended and Restated Brownfield Plan (Amendment No. 26) Implemented by the City of Kalamazoo Brownfield Redevelopment Authority

RECOMMENDATION

It is recommended that the City Commission adopt a resolution approving an amendment to the City of Kalamazoo's Brownfield Plan [Amended and Restated Brownfield Plan (Amendment No. 26)] implemented and recommended for approval by the City of Kalamazoo Brownfield Redevelopment Authority following a public hearing before the Brownfield Redevelopment Authority.

BACKGROUND

Periodically, the Brownfield Redevelopment Authority (BRA) requests that the City Commission adopt an amendment to the then current Brownfield Plan. The current version of the plan is Amended and Restated Brownfield Plan (Amendment No. 25). The Brownfield Redevelopment Authority is recommending the adoption of Amended and Restated Brownfield Plan (Amendment No. 26).

The particulars of Plan Amendment 26 consist of the addition of two chapters and amendment of two chapters, and are summarized in the attached Summary of Significant Changes. The added chapters reflect privately-owned property, owned by Peregrine PNC, LLC and River's Edge Partners, LLC, respectively. The amended chapters reflect changes associated with address changes, parcel numbers and legal descriptions (Chapter 52) and an increase in the estimate of eligible activities from $850,000 to $1.1 million and correction of addresses, legal descriptions, acreage and initial taxable value (Chapter 54) . In order to comply with the requirements of Act 381, additions and revisions to the chapters for these properties as allowed in Plan Amendment 26 are necessary.

As required under Act 381, the BRA held a public hearing on Plan Amendment 26 on June 18, 2015. The resolution adopted by the BRA is attached.

COMMUNITY RESOURCES CONSULTED

Other than the public hearing process, no additional community resources were consulted.

FISCAL IMPACT

Tax increment revenues will reimburse the city, BRA or the owner of the property for eligible activities each incurred. City staff and the BRA continue to monitor the Plan and legislative amendments to maximize tax increment revenues so that eligible activities and applicable administrative fees are reimbursed to the extent possible, and the BRA collects the additional five years of such revenues as allowed under Act 381. These additional revenues will allow the BRA to leverage such funds for future redevelopments.

ALTERNATIVES

The City Commission may decline to adopt the resolution approving Plan Amendment 26. This action is not recommended because the proposed amendment is in keeping with the overall administration of the Brownfield Redevelopment Initiative.

ATTACHMENTS:

Type	Description
Resolution	CC Resolution
Resolution	BRA Resolution
Summary of Changes	Summary of Significant Changes

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. ___________________

A RESOLUTION ADOPTING AND APPROVING THE CITY OF KALAMAZOO'S AMENDED AND RESTATED BROWNFIELD PLAN (AMENDMENT NO. 26)

Minutes of a regular meeting of the City Commission of the City held on July 6, 2015, at 7:00 p.m., local time, at the City Hall.

PRESENT:

ABSENT:

The following resolution was offered by Commissioner ___________________ and seconded by Commissioner ____________________.

RECITALS:

A. The City of Kalamazoo Brownfield Redevelopment Authority (the "Authority") was created under the provisions of Act 381, Public Acts of Michigan, 1996, as amended ("Act 381"); and

B. The Authority and the City have previously implemented, approved and amended the City of Kalamazoo Brownfield Plan (the "Plan") under Act 381; and

C. On June 18, 2015, the Authority held a public hearing as required under Act 381 and approved the implementation of the Amended and Restated Brownfield Plan (Amendment No. 26) ("Plan Amendment 26"), which adds two chapters and revises two chapters; and

D. The City Commission finds that notice of the public hearing was given to all taxing authorities levying ad valorem or specific taxes against any property affected by Plan Amendment 26, and was also given by publication, in accordance with the requirements of Act 381; and

E. Following the public hearing, the Authority adopted a resolution recommending that the City Commission approve Plan Amendment 26; and

F. The City Commission has reviewed such resolution and Plan Amendment 26, and finds that such amendment constitutes a public purpose in that:

a. The two added chapters consists of privately-owned property owned by Peregrine PNC, LLC and River's Edge Partners, LLC, respectively. The amended chapters reflect changes associated with address changes, parcel numbers and legal descriptions (Chapter 52) and an increase in the estimate of eligible activities from $850,000 to $1.1 million and correction of addresses, legal descriptions, acreage and initial taxable value (Chapter 54).

b. In order to comply with the requirements of Act 381, the additions and revisions to the chapters for these properties as allowed in Plan Amendment 26 are necessary, and
c. Plan Amendment 26 otherwise meets all requirements of Section 13 of Act 381.

THEREFORE IT IS RESOLVED THAT:

The City of Kalamazoo's Amended and Restated Brownfield Plan (Amendment No. 26), as implemented by the City of Kalamazoo Brownfield Redevelopment Authority, is hereby adopted and approved.

AYES:

NAYS:

ABSTAIN:

RESOLUTION DECLARED ADOPTED.

<u>CERTIFICATE</u>

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 July 6, 2015. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by the Act.

____

Scott A. Borling
City Clerk

CITY OF KALAMAZOO
BROWNFIELD REDEVELOPMENT AUTHORITY

A RESOLUTION APPROVING THE IMPLEMENTATION OF CITY OF KALAMAZOO'S AMENDED AND RESTATED BROWNFIELD PLAN (AMENDMENT NO. 26) AND RECOMMENDING ADOPTION BY THE CITY COMMISSION

Minutes of a regular meeting of the City of Kalamazoo Brownfield Redevelopment Authority held on June 18, 2015, at 7:30 a.m., local time, at the Community Room of City Hall, 241 West South Street, Kalamazoo, Michigan.

PRESENT: Nathan Bolton; Fritz Brown; Jim Escamilla; Kevan Hess; John MacKenzie; Barb Miller; Bob Miller; Patti Owens; Nancy Troff

ABSENT: Doug Phillips; Tom Schlueter

The following resolution was offered by Mr. Hess and seconded by Ms. Troff.

RECITALS:

A. The City has created the City of Kalamazoo Brownfield Redevelopment Authority (the "Authority"), pursuant to the provisions of Act 381, Public Acts of Michigan, 1996, as amended ("Act 381").

B. The Authority and the City have previously implemented, approved and amended the City of Kalamazoo Brownfield Plan (the "Plan"), pursuant to the provisions of Act 381.

C. The Authority has implemented the Amended and Restated Plan (Amendment No. 26) ("Plan Amendment 26"), which adds two chapters and revises two chapters of the Plan, pursuant to the provisions of Act 381.

D. Under Resolution No. 08-16, the City Commission delegated to the Authority the public hearing process regarding any future proposed amendments to the Plan, including proposed Plan Amendment 26.

E. A public hearing was held by the Authority on June 18, 2015, on Plan Amendment 26; notice of the public hearing was given to all taxing authorities levying ad valorem or specific taxes against any property affected by Plan Amendment 26, and was also given by publication, in accordance with the requirements of Act 381.

F. Following the public hearing on Plan Amendment 26, the Authority, in consideration of any comments heard at the public hearing or written communications received at or prior to the public hearing, determines that Plan Amendment 26 constitutes a public purpose in that:

a. It meets all requirements of Section 13 of Act 381,

b. The proposed method of financing the costs of eligible activities of Plan Amendment 26 is feasible, and the Authority has the ability to arrange the necessary financing,

c. The costs of the eligible activities proposed by such amendment are reasonable and necessary to carry out the purposes of Act 381, and

d. The amount of captured taxable value estimated to result from Plan Amendment 26 is reasonable.

THEREFORE IT IS RESOLVED THAT:

The City of Kalamazoo Brownfield Redevelopment Authority approves the implementation of the Amended and Restated Plan (Amendment No. 26) and recommends the City Commission adopt a resolution approving such amendment to the Plan.

AYES: Nathan Bolton; Jim Escamilla; Kevan Hess; John MacKenzie; Barb Miller; Bob Miller; Patti Owens; Nancy Troff

NAYS:

ABSTAIN: Fritz Brown

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City of Kalamazoo Brownfield Redevelopment Authority at a regular meeting held on June 18, 2015. 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 Act 381.

Martin N. Markos
Recording Secretary

Summary of Significant Changes
26th Amended and Restated Brownfield Plan
Spring 2015

1) Add Chapter 58) 108 East Michigan Avenue

- Basis of Eligibility: Functional Obsolescence
- Parcel Addresses: 108 East Michigan Avenue
- Estimate of Eligible Activities: $440,000
- Estimate of Potential Redevelopment Investment: $3 million
- Jobs Created: Approximately 50 full time equivalents.
- Mixed-use Development Including Residential and Commercial/Retail Space.

2) Add Chapter 59) 421 and 427 E. Michigan Avenue

- Basis of Eligibility: Facility Status
- Parcel Addresses: 421 and 427 E. Michigan Avenue
- Estimate of Eligible Activities: $150,000
- Estimate of Potential Redevelopment Investment: $2.947 million
- Jobs Retained: Approximately 20 full time equivalents.
- Mixed-use Development Including Office Space and restaurant, bar and/or coffee shop.

3) Amend Chapter 54) 600 East Michigan Avenue

- Basis of Eligibility: Facility Status
- Parcel Addresses: 600 and 578 Rear East Michigan Avenue.
- Estimate of Eligible Activities: $1,100,000
- Estimate of Potential Redevelopment Investment: $7.6 million
- Jobs Created/Retained: 100/0

This amended chapter reflects an increase in the cost of estimated eligible activities from $850,000 to $1.1 million. In addition, the amendment reflects changes associated with correction of addresses, legal descriptions and acreage and corrects the initial taxable value and the resulting estimated tax increment revenue capture amount.

4) Amend Chapter 52) 500 – 516 East Butler Court

- Basis of Eligibility: Facility Status
- Parcel Addresses: 500, 501, 502, 504, 506, 508, 510, 516 East Butler Court.
- Estimate of Eligible Activities: $400,000
- Estimate of Potential Redevelopment Investment: $2 million
- Jobs Created/Retained: 40/0

This amended chapter reflects a change of addresses for the property from 515 East Ransom Street and 510 East North Street, to 500 through 516 East Butler Court. In addition, the amendment reflects changes associated parcel numbers and legal descriptions.

Commission Agenda Report

City of Kalamazoo

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

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

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

DATE: 6/22/2015

SUBJECT: Accept grant funding from Kalamazoo Community Foundation for Oakwood Neighborhood After School Program

RECOMMENDATION

It is recommended that the City Commission accept a grant in the amount of $900 from the Kalamazoo Community Foundation to support the after school program at the Oakwood Neighborhood Association.

BACKGROUND

The Friends of Recreation Board voted to approve $900 for the Oakwood Neighborhood Association at its March 12th meeting. The funds will pay for staff to operate the after school program three days per week during the summer.

FISCAL IMPACT

Once accepted, the funds will be provided to the Oakwood Neighborhood Association.

ALTERNATIVES

There is the alternative to not accept these funds, but that is not being recommended.

Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

DATE: 6/30/2015

SUBJECT: Approval of City Commission Minutes

RECOMMENDATION

It is recommended the City Commission approve the minutes from its Regular Business and Neighborhood Meetings on June 15, 2015.

ATTACHMENTS:

Type	Description
Minutes	June 15, 2015 Neighborhood Meeting Minutes
Minutes	June 15, 2015 Business Meeting Minutes

A neighborhood meeting of the Kalamazoo City Commission was held on Monday, June 15, 2015 at 6:00 p.m. in the Community Room at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Bobby J. Hopewell
Vice Mayor David Anderson
Bob Cinabro
Don Cooney
Eric Cunningham
Barbara Miller
Jack Urban

COMMISSIONERS ABSENT: None

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

Miscellaneous Communications

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

Neighborhood Communications

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

Stuart Area Restoration Association
Max Tibbitts, Board Chair
Sarah Hoisington, Executive Director

Stuart Area Restoration Association

The Stuart Area Restoration Association (SARA) representatives:

- introduced Sarah Hoisington as the new SARA Executive Director.
- distributed the June edition of the *Stuart Neighborhood News*.
- thanked the City for obtaining funding to renovate the former fire station on the corner of Douglas and North Street.
- reported on the neighborhood yard sale on June 13th.
- requested the installation of “Children Playing” signs on Old Orchard and Allen, and “No Parking” signs on Eleanor and Oak.
- thanked the City for the demolition of a house on Old Orchard.
- expressed concern about the house at North and Elm and the J. Rhodes building.
- asked about the dates for next community updates to the Priority Based Budgeting process.
- reported the Xtrain was happening along the North Street corridor.
- stated they were seeing crime with younger kids – mostly vandalism – and asked if the Douglas Community Center would have youth programming over the summer.

Stuart Area Restoration Association (cont'd)

- reported vandalism near Kalamazoo College had really increased over the course of the school year and indicated the ones who had been caught were K-College students.

Commissioner Cinabro commended SARA for its community engagement efforts and welcomed Ms. Hoisington. Commissioner Cinabro expressed dismay about the vandalism associated with K-College.

Commissioner Cunningham stated he was directly involved with trying to facilitate summer programming for young people.

Commissioner Cooney stated the Boys and Girls Club would have programming for children over the summer.

Commissioner Urban asked if there was something specific the City could do to help with the Jay B. Rhodes building.

Laura Lam reported the Community Planning & Development Department had just applied for a $240,000 grant from the State Land Bank, and the Jay B. Rhodes building was at the top of the project list for that grant.

City Manager Ritsema provided an update on the Priority Based Budgeting (PBB) Process and asked Director Lam to discuss the next steps in the community engagement component of PBB.

Director Lam stated the next steps in the community engagement process would be to explain the result definitions to the community and have a discussion about the definition of "success." Director Lam reported staff were trying to figure out how to coordinate the community outreach for PBB with the community outreach for the Master Plan update process.

Citizen Comments

Next, an opportunity was given for citizen comments, but no comments were offered.

Commissioner Comments

Finally, an opportunity was given for miscellaneous comments by City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 6:22 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on July 6, 2015

Approved by: ______________________________
Bobby J. Hopewell, Mayor
Dated: July 6, 2015

A business meeting of the Kalamazoo City Commission was held on Monday, June 15, 2015 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 W. South Street.

Roll Call

COMMISSIONERS PRESENT: Mayor Bobby Hopewell
Vice Mayor David Anderson
Robert Cinabro
Don Cooney
Eric Cunningham
Barbara Miller
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 Nathan Dannison, First Congregational Church, was followed by the Pledge of Allegiance.

Introduction of Guests

Deb Droppers of The Event Company, Public Safety Sergeant Matt Elzinga, and Captain David Boysen described the block party/neighborhood events sponsored by the Kalamazoo Department of Public Safety over the past year.

Proclamation

Vice Mayor Anderson proclaimed June 18, 2015 *Dump the Pump Day*. Garrylee McCormick, Chair of the Kalamazoo Transit Authority Board, accepted the proclamation.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda with the following changes:

Commissioner Miller requested that Item F-1, a five-year pre-paid fare agreement with Western Michigan University, be moved to the Regular Agenda.

Commissioner Urban requested that Item F-5, a fireworks permit for the Kalamazoo Growlers, be moved to the Regular Agenda.

Consent Agenda

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

- adoption of the 2015 Regional Tactical Team Response Plan.
- approval of the Kalamazoo Valley Intergovernmental Ambulance Agreement, Memorandum of Understanding #2015-01.
- approval of a request from Adams Outdoor Advertising to display a community special event sign for the 10th anniversary of the Kalamazoo Promise, on the south side of the Radisson Plaza Hotel parking structure, from July 15 to November 30, 2015.

Consent Agenda (cont'd)

- acceptance of a grant from William D. Johnston in the amount of $50,000.00 in support of the 2015 Summer Youth Employment Program and approve a memorandum of understanding with the Kalamazoo Regional Education Service Agency to operate the Summer Youth Employment Program in the amount of $203,208.00.

- acceptance of funding from the Michigan Recreation and Park Association to fund the Fitness in the Parks program for two years in the amount of $4,900.

- approval of minutes from the City Commission meeting on June 1, 2015.

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

With a roll call vote this motion passed.

AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Prepaid Fare Agreement with WMU

Bob Miller, Associate Vice President for Community Relations, thanked the City Commission for approving the proposed five-year prepaid fare agreement with Western Michigan University.

An opportunity was given for citizens to comment on a five-year Prepaid Fare Agreement with Western Michigan University, but no comments were offered.

Commissioner Urban, seconded by Commissioner Cunningham, moved to approve a new five-year Prepaid Fare Agreement with Western Michigan University to provide unlimited access to Metro Transit services for all current students, faculty and staff, from August 2015 through July 31, 2020. This revenue contract is in the amount of up to $3,102,785.

Prior to a vote on the motion Commissioner Cinabro remarked the contract was well structured.

Commissioner Urban discussed the value of the bus passes to WMU students and expressed support for the motion.

Commissioner Cunningham stated he took for granted the bus service when he was a student at WMU.

Commissioner Cooney announced he would be abstaining on the vote due to his employment with WMU.

Prepaid Fare Agreement with WMU (cont'd)

With a roll call vote this motion passed 6-0 with one abstention.

AYES: Commissioners Cinabro, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell

NAYS: None

ABSTAIN: Commissioner Cooney

Fireworks Permit for the Kalamazoo Growlers

Commissioner Urban questioned why the Growlers needed such a large number of fireworks displays and expressed concern that the fireworks disturbed residents in the surrounding neighborhoods.

In response to Commissioner Urban, Parks and Recreation Director Sean Fletcher stated the fireworks shows boosted attendance for the Growlers, and he reported the average show lasted approximately 15-20 minutes. Director Fletcher indicated he did not have information on whether the fireworks displays were essential to the Growlers wellbeing.

Commissioner Cunningham stated he used to live on East Michigan Avenue, and the fireworks made his grandmother uncomfortable. Commissioner Cunningham suggested there be a consideration and discussion of how fireworks affected the community.

Director Fletcher noted the opening night and Fourth of July shows lasted longer than the other shows and used larger shells.

An opportunity was given for citizens to comment on a request from the Kalamazoo Growlers to publicly display fireworks at Homer Stryker Field on June 19, June 26, July 4, July 17, and October 17, 2015, but no comments were offered.

Commissioner Miller, seconded by Commissioner Cunningham, moved to approve a request from the Kalamazoo Growlers to publicly display fireworks at Homer Stryker Field on June 19, June 26, July 4, July 17, and October 17, 2015.

With a roll call vote this motion passed 6-1.

AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Vice Mayor Anderson, Mayor Hopewell

NAYS: Commissioner Urban

Purchase of 1310 Bank Street for the Farmers' Market

When given an opportunity to comment on the purchase of 1310 Bank Street from Abundant Faith Church COGIC at a cost not to exceed $130,000 for the expansion of the Kalamazoo Farmers' Market, the following people addressed the City Commission:

> Richard Stewart, City resident, stated it was not the right time to purchase this property as it was non-essential spending.
>
> Zach Lassiter, City resident, expressed support for the opportunity to expand the Farmers' Market.

Purchase of 1310 Bank Street for the Farmers' Market (cont'd)

Asha Kazhad, City resident, expressed support for the Farmers' Market.

Jason Mann, City resident, expressed concern about the poor quality of food in supermarkets.

Frank Warren, City resident, spoke about the lack of parking at the Farmers' Market and expressed support for purchasing property to expand the Market.

Vice Mayor Anderson, seconded by Commissioner Cooney, moved to approve the purchase of 1310 Bank Street from Abundant Faith Church COGIC at a cost not to exceed $130,000 for the expansion of the Kalamazoo Farmers' Market.

Prior to a vote on the motion, Commissioner Urban expressed support for the motion and stated Kalamazoo needed more places with an ambiance like the Farmers' Market.

Commissioner Cooney stated the purchase of this property was a good investment and discussed how the Farmers' Market benefitted people with low incomes.

City Manager Ritsema stated the purchase of this property was part of a long-term plan, and the availability of this property was a great opportunity. City Manager Ritsema agreed it was important to watch expenditures.

With a roll call vote this motion passed.

AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell

NAYS: None

Sale of Eastern Hills Golf Course

City Manager Ritsema provided the background information and the framework for the sale of Eastern Hills Golf Course. City Manager Ritsema also explained why a P.A. 425 Agreement was not the best option for the City in this situation.

Commissioner Cinabro asked if the proposed action included the condition desired by the KMGA, that any money remaining after the debt payoff be placed in an account for capital improvements at Milham Park Golf Course.

City Manager Ritsema stated the recommended action at this time was approval of the sale of Eastern Hills. City Manager Ritsema stated the use of the proceeds would be memorialized at a later date. City Manager Ritsema stated it was the intent of the City Administration to follow the recommendation of the KMGA with regard to the proceeds.

In response to a question from Vice Mayor Anderson, City Manager Ritsema stated the timeline of the sale of Eastern Hills that was presented to the City Commission could be made available to the public.

Sale of Eastern Hills Golf Course (cont'd)

In response to a question from Commissioner Urban, City Manager Ritsema clarified the action being requested was approval of a sales agreement that did not include an option for a P.A. 425 Agreement.

In response to a question from Mayor Hopewell, City Manager Ritsema explained the debt that would be paid off would be the total debt of the KMGA, which was approximately $1.7 million. City Manager Ritsema stated this debt had been building up for years, and he agreed with the Mayor that this sale was an attempt to look at the City's ongoing liabilities and address those in a responsible way.

When given an opportunity to comment on the sale of Eastern Hills Golf Course, the following people addressed the City Commission:

> Doug Sullivan, non-resident, expressed opposition to the sale of Eastern Hills Golf Course.
>
> Tim Graham, City resident, stated he did not understand City Manager Ritsema's explanation of a P.A. 425 Agreement and questioned whether Commissioners had a good understanding of such an agreement.
>
> Carol Leigh, City resident, stated land was a treasure, and the City should not sell Eastern Hills Golf Course if for no other reason than keeping the land for open space.
>
> John Zachary, non-resident and an employee at Eastern Hills, stated Eastern Hills had always made money, and the KMGA would lose revenue as the leagues and events at Eastern Hills would not move to Milham Park Golf Course.
>
> Asha Khazad, City resident, stated the City should think about poor people and their recreational needs rather than golfers.
>
> Curt Wiser, non-resident and President of the KMGA, described the KMGA Board's efforts to stabilize its finances and stated the City would need to be willing to subsidize the golf courses if it did not want to sell Eastern Hills.
>
> David Balligall, City resident, submitted an article entitled "Here's an Idea for Eastern Hills Golf Course" from the June 14, 2015 edition of the Kalamazoo Gazette, wherein three Kalamazoo County Commissioners urged the City Commission to consider utilizing a PA 425 Agreement for the redevelopment of Eastern Hills.
>
> Frank Warren, City resident, spoke about how the UAW built a golf course in northern Michigan that was now losing money.

Commissioner Cooney, seconded by Vice Mayor Anderson, moved to approve the sale of Eastern Hills Golf Course.

Sale of Eastern Hills Golf Course (cont'd)

Prior to a vote on the motion, Commissioner Urban stated this was a difficult decision, and he thanked the KMGA for its work. Commissioner Urban stated this was like having to sell the furniture to pay the rent.

Commissioner Miller stated this was a difficult issue and stated the City had worked every angle to make the KMGA financially whole. Commissioner Miller stated she was annoyed that three County Commissioners expressed support for the sale.

Commissioner Cooney noted the sharp decrease in rounds-of-golf played from 1998 to the present and noted the City's golf courses were losing money. Commissioner Cooney stated the sale of Eastern Hills was something the City needed to do, and he read the following paragraph from a letter send to Commissioners by KMGA President Curt Wiser:

> It is unrealistic to try to persuade the City Commission not to sell Eastern Hills if the financial statements do not demonstrate that all the bills can be paid. The only way to keep Eastern Hills as a golf course would be to develop a business plan for the courses that demonstrates the ability to operate the courses in a financially sound manner. This simply is not possible without a large infusion of new investment, and obviously the funding is not there.

Commissioner Cooney stated Commissioners had studied the issue, and there was no question that it would NOT be advantageous to do a 425 Agreement in conjunction with the sale of Eastern Hills.

Commissioner Cinabro thanked the citizens for speaking and the KMGA for its leadership. Commissioner Cinabro thanked Mr. Wiser for his letter and Commissioner Cooney for reading a portion of it. Commissioner Cinabro indicated P.A. 425 Agreements were good tools, and there were opportunities to use them, but in this situation a P.A. 425 Agreement would at best be a wash for the City and could potentially be a loss. Commissioner Cinabro stated this decision was the first of many decisions that would not be easy.

Commissioner Cunningham stated he agreed with both sides and pointed out the City did subsidize activities it found valuable.

Vice Mayor Anderson expressed support for the motion and stated it was heartbreaking to have to make this decision, as Eastern Hill was a place where memories had been created and to which people had ties. Vice Mayor Anderson noted the City had been at this decision point in 2006 and decided to take actions to save the golf course rather than sell it. However, that strategy had not worked. Vice Mayor Anderson indicated Commissioners had become more fluent than ever before on P.A. 425 Agreements and explained they were a mechanism for getting around the strong protections for townships in order to facilitate a specific project for a defined duration. Vice Mayor Anderson expressed appreciation to County Commissioners for thinking about ways to collaborate.

Assistant City Manager Kisscorni explained the 2006 purchase offer for Eastern Hills was not a good proposal, as had options that would have allowed the purchasers to get out of the deal at almost every turn.

Sale of Eastern Hills Golf Course (cont'd)

Commissioner Miller stated for the record that she wanted the sale proceeds be used to pay off debt and then fund capital improvements at Milham Park Golf Course.

Mayor Hopewell noted the article by the County Commissioners was not written from a position of expertise. Mayor Hopewell stated this was a difficult decision, but he pointed out the City had 219 fewer staff than in 2006; it had less money for the Summer Youth Employment Program; and it had one fewer fire stations. Mayor Hopewell reminded people this conversation had taken place before, and the decision was not to sell. Mayor Hopewell stated he wished the P.A. 425 Agreement would work, and he expressed appreciation for what the course had meant to people over the years.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell

NAYS: None

City Manager's Report

City Manager Ritsema provided the following reports and updates:

- Departmental Reports and Project Updates
- *Inside the City* newsletter, June 2015 edition
- May 2015 Purchases

Citizen Comments

Next, an opportunity was given for general citizen comments.

Asha Khazad, City resident, spoke about the national debt and the large number of churches that were just social clubs with members who worshiped money and not God.

Leona Carter, City resident, stated free rides with Metro Transit were available for Dump the Pump Day at www.facebook.com/metrotransit.

Richard Stewart, City resident, expressed dismay that City employees were boasting about having written more weed complaints in 2015 than in all of 2014. Mr. Stewart stated he and a group of people took over 100 photos showing City properties with weed and graffiti violations which were not evenly spread throughout City neighborhoods. Mr. Stewart encouraged people to run for City Commission and Mayor.

John Howard, City resident and owner of Elite Taxi, stated there were taxi companies operating in the City that were not licensed as taxis. Mr. Howard asked the City to enforce its Vehicle for Hire License.

Tim Graham, City resident, stated the 2016-2020 budgets were going to be difficult and stated one option would be to sell off everything and fire half the employees. Mr. Graham suggested the Blue Ribbon Revenue Panel consider bankruptcy, and he

Citizen Comments (cont'd)

expressed support for the City Manager's emphasis on recurring revenue sources. Mr. Graham stated the interests of the County and the State were not aligned with the best interests of the City.

Chris Mbah, City resident, commented on the lack of a public input process, the lack of trust, and the lack of accountability.

Creed Stegall, City resident, thanked the City Commission for explaining the City's fiscal problems. Mr. Stegall suggested local lotteries as a potential revenue source.

Zachary Lassiter, City resident, reported he had talked with Information Technology Director Ed Freed and Community Planning and Development Director Laura Lam about open data initiatives.

Frank Warren, City resident, spoke about the taxi cabs in the City of Battle Creek and at Firekeepers Casino.

Commissioner Comments

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

Commissioner Cunningham stated the Networking Out would be partnering with on June 23rd

Commissioner Urban stated a lottery was a "tax on hope." Commissioner Urban asked for quantitative evidence of what was meant by "authentic engagement" through scientific, controlled studies. Commissioner Urban stated he would like to see trust grow between citizens and the City Commission.

Commissioner Cinabro requested a report on the licensing of taxi cabs and limousine services.

Commissioner Cooney thanked William Johnston for his donation to the Summer Youth Employment Program.

Vice Mayor Anderson recommended people read the May/June issue of The Review, the official magazine of the Michigan Municipal League, for its articles on Michigan's municipal finance system.

Mayor Hopewell asked the City Manager to talk with the City's lobbyist and State Senator Margaret O'Brien regarding community benefits legislation (HB 4052). Mayor Hopewell asked for an update on the pop-up bike lanes.

Director Lam stated there would be pop-up bike lanes downtown from June 18th through the weekend to test concepts for the downtown trail connector. Director Lam noted this was a chance for staff to get real, tactical feedback on a concept and see how the trails would look and function. Director Lam directed people to the City's website for more information.

Closed Session	Commissioner Cinabro, seconded by Vice Mayor Anderson, moved that the City Commission go into closed session to discuss pending litigation. Prior to a vote on the motion, Mayor Hopewell indicated the Commission would return to open session following the closed session. With a roll call vote this motion passed unanimously. AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell NAYS: None At 9:31 p.m. the City Commission went into closed session. At 9:47 p.m. the City Commission returned to open session.
Conciliatory Agreement with EEOC and Rebecca Vanbrocklin-Herbert	Commissioner Urban, seconded by Commissioner Cunningham, moved to authorize the City Attorney to enter into a conciliatory agreement with the Equal Employment Opportunities Commission and employee Rebecca Vanbrocklin-Herbert in the amount of $23,473. With a roll call vote this motion passed unanimously. AYES: Commissioners Cinabro, Cooney, Cunningham, Miller, Urban, Vice Mayor Anderson, Mayor Hopewell NAYS: None
Adjournment	The meeting adjourned at 9:48 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on July 6, 2015

Approved by: ______________________________
Bobby J. Hopewell, Mayor
Dated: July 6, 2015

Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Laura Lam. Community Planning and Development Director

PREPARED BY: Rob Bauckham, Assistant City Planner

DATE: 6/26/2015

SUBJECT: Vacate the City's Interest in West Main Street Court

RECOMMENDATION

It is recommended that the City Commission introduce a request to vacate the City's interest in West Main Street Court at the July 6, 2015, meeting, and hold final action for two weeks.

BACKGROUND

Kalamazoo College is planning to construct a new fitness and wellness center for its students at the eastern portion of the campus between West Main Street and Academy Street. The center is identified in the Campus Master Plan for Kalamazoo College, and it will contain approximately 30,000 square feet of space. The building will include the following facilities:

1. Offices for the college's tennis program and for the annual United States Tennis Association tournament for boys.
2. Locker rooms.
3. Weight training and cardio equipment room.
4. Five, multi-purpose fitness studios.
5. Two racquetball courts.

A 30-space parking lot will also be developed on the property.

The college would like to obtain the West Main Street Court property and combine it with the adjacent parcel for the planned building, parking lot, and required green space areas for the center. West Main Street Court is privately-owned. It is not a public street. The property is needed for the proposed project. All of the property that abuts the street section is owned by the college with one exception, the Amtrak railroad line and right-of-way property located to the southeast of the street.

This request is for the City of Kalamazoo to vacate any interest it has in the Court. Even though it has been determined by the Assessor's Office that the City does not own the property, the actual ownership of it is unclear. To assist the applicant with the acquisition process, the City is being asked to relinquish any interest it may have in the property. This process has been followed by the City in the past for other street vacations when the ownership is unclear. Following the completion of the vacation process, the applicant will attempt to determine the current owner via a title search and will pursue the acquisition of the property with the owner. If the ownership cannot be determined, the applicant will proceed with a quiet title action to acquire the property.

Review Criteria
All street/alley vacation requests are subject to the requirements of the City's Street Vacation Policy, which was adopted in 1992. The Planning Commission is required to hold a public hearing to review each street vacation request, and then provide a recommendation to the City Commission. The City Commission provides the final decision on all such requests.

The Public Safety and Public Services Departments were contacted regarding this vacation request, and no objections were raised by staff. There are no city utilities under the subject property. If such utilities existed, the Public Services Department would normally require an easement be provided with the street vacation to be able to access and maintain them.

For most street vacation requests, the applicant is required to pay to the City the fair market value of the land that is vacated or another amount as agreed to by the City Commission. Also when vacated, such street property is typically split down the middle with half being provided to each of the abutting property owners on both sides. Since the street property is not owned by the city, these two requirements do not apply to this request.

Planning Commission Action
At its regular meeting held on June 4, 2015, the Planning Commission voted unanimously to recommend approval of the vacation of the city's interest in West Main Street Court. There were no public comments offered during the public hearing.

COMMUNITY RESOURCES CONSULTED

Notices were mailed to all property owners and occupants located within a 300-foot radius of the street property to inform them of the public hearing for the request scheduled before the Planning Commission and to encourage their attendance. The property is in the West Main Hill neighborhood, and notice of the public hearing was provided to the West Main Hill Neighborhood Association. A notice of the hearing was also published in the *Kalamazoo Gazette* prior to the meeting. The City Commission is not required to hold a public hearing for the vacation request.

FISCAL IMPACT

The vacation of the City's interest in the street property will have minimal fiscal impact. The City does not own the property and receives no gas taxes for it. If the college is able to acquire the property, it will be combined with the abutting parcels and will be added to the tax roll. A small amount of tax revenue will be generated from it as a result.

ALTERNATIVES

The City Commission has the option of not approving the vacation of the city's interest in the property. City staff has determined that the alley segment contains no underground utilities and is not needed, but it is needed for Kalamazoo College to build its new fitness and wellness center. It is recommended that in order to support the college's project as designed, the City Commission should approve the vacation request as presented.

ATTACHMENTS:

	Type	Description
	Resolution	Resolution
	Map – Existing Zoning	Black and white map

Aerial Photo	Aerial photo
Minutes	PC meeting minutes June 4, 2015

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO.

A RESOLUTION VACATING ANY CITY OF KALAMAZOO INTEREST IN WEST MAIN STREET COURT LOCATED IN THE CITY OF KALAMAZOO, MICHIGAN

Minutes of a regular meeting of the City Commission of the City held on ________, 2015, at 7:00 o'clock p.m., local time at the City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

WHEREAS, the City of Kalamazoo is empowered with the authority to vacate a street, or any interest in a street, pursuant to City Charter Sections 150 and 171, the Constitution of the State of Michigan 1963, Article VII, Section 29, and the Land Division Act, MCL 560.256; and

WHEREAS, notice of a public hearing to be held by the Planning Commission on vacating the interest of the City of Kalamazoo in West Main Street Court was published by the City Clerk with a personal notice of the hearing via first class mail to all listed homeowners and/or property owners owning parcels of land abutting the street as well as within a distance of three hundred (300) feet from any point on the boundary line of the street; and

WHEREAS, a public hearing was held on June 4, 2015 by the Planning Commission where the public was able to provide testimony pertaining to the vacation of interest for the above street; and

WHEREAS, the Planning Commission has made recommendation to the City Commission to vacate the city's interest in the street; and

WHEREAS, the Public Services Department has determined that no public utilities exist in the street and it is not needed by the city; and

WHEREAS, vacating the above street will allow Kalamazoo College to combine the property with its adjacent parcels and construct a new fitness and wellness center as identified in the Campus Master Plan for the school; and

WHEREAS, the City Commission has determined that it is necessary and in the best interest of the health, welfare, comfort and safety of the citizens of Kalamazoo to vacate any of its interest in the street as set forth in this resolution;

NOW, THEREFORE, BE IT RESOLVED THAT

The City of Kalamazoo hereby vacates any interest it may have in West Main Street Court, as more fully described in the attached Exhibit A, subject to the following conditions or reservations:

1. Kalamazoo College shall pursue the acquisition of West Main Street Court from the current owner of the property. If said ownership cannot be determined, Kalamazoo College shall pursue acquisition through quiet title action.
2. If Kalamazoo College is unsuccessful in obtaining ownership of West Main Street Court, this resolution is void.

IT IS FURTHER RESOLVED THAT the City Clerk of the City of Kalamazoo shall record certified copies of this resolution with the Kalamazoo County Register of Deeds and the State Treasurer within thirty (30) days of the date of this action.

The above resolution was offered by Commissioner______and supported by Commissioner __________/

AYES, Commissioners:

NAYS, Commissioners:

RESOLUTION DECLARED ADOPTED.

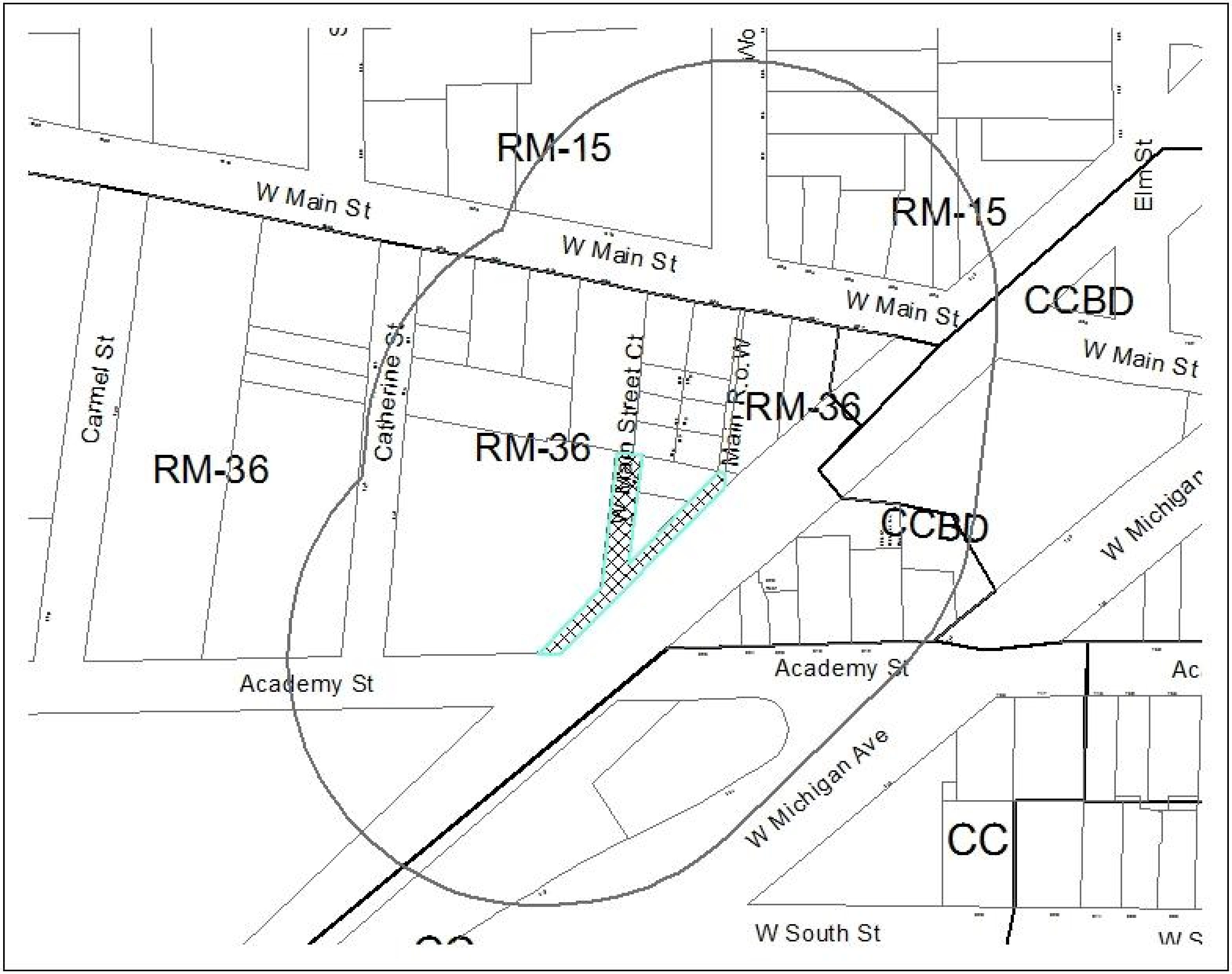
CERTIFICATE

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 _________________, 2015. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by said Act.

____
Scott Borling, City Clerk

Prepared by:
John W. Kneas (P26112)
Assistant City Attorney
241 W. South Street
Kalamazoo, MI 49007-4707
(269) 337-8185

P.C. #2015.05 - Street Vacation for two sections of West Main Street Court for Kalamazoo College



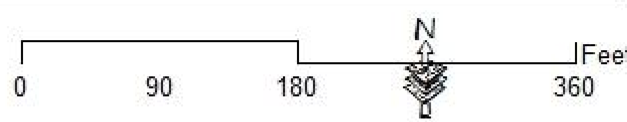
ZONING

M2 - MANUFACTURING, GENERAL
M1 - MANUFACTURING, LIMITED
CCBD - COMMERCIAL, CENTRAL BUSINESS
CBTR - COMMERCIAL, BUSINESS TECHNOLOGY AND RESEARCH
CC- COMMERCIAL, COMMUNITY
CNO-COMMERCIAL, NEIGHBORHOOD OFFICE
CN-1 - COMMERCIAL (LOCAL) NEIGHBORHOOD
CO - COMMERCIAL, OFFICE
RM-36 - RESIDENTIAL, MULTI-DWELLING
RM-15 - RESIDENTIAL, MULTI-DWELLING
RM-15C - RESIDENTIAL, MULTI-DWELLING CAMPUS AREA
RD-19 - RESIDENTIAL, DUPLEX
RS-7 - RESIDENTIAL, SINGLE-DWELLING
RS-5 - RESIDENTIAL, SINGLE-DWELLING

AREA PROPOSED FOR STREET VACATION

P. C. #2015.05 - Street Vacation for two sections of
West Main Street Court for Kalamazoo College

AREA PROPOSED FOR STREET VACATION



City of Kalamazoo
PLANNING COMMISSION
Minutes
June 4, 2015
DRAFT

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

Members Present: Rachel Hughes-Nilsson, Chair; Charley Coss, Vice-Chair; Joshua Cook, Tracy Hall, Susan McBain, Derek Wissner, Rico White, Emily Greenman Wright

Members Excused: Geoffrey Cripe

City Staff: Rebekah Kik, City Planner; John Kneas, Assistant City Attorney; Amy Thomas, Recording Secretary

Guests:

A. CALL TO ORDER

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

B. ROLL CALL

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

C. ADOPTION OF FORMAL AGENDA

Commissioner Greenman-Wright, supported by Commissioner Wissner, moved approval of the June 4, 2015 Planning Commission agenda as presented. With a voice vote, the motion carried unanimously.

D. APPROVAL OF MINUTES no changes

Commissioner Coss, supported by Commissioner Wissner, moved approval of the May 7, 2015 Planning Commission Minutes. With a voice vote, the motion carried unanimously.

E. COMMUNICATIONS AND ANNOUNCEMENTS

Tracy Hall was welcomed to the Planning Commission.

There is a conflict with quorum for the next meeting scheduled on July 2nd. Planner Kik suggested moving the meeting the July 9th. **Commissioner Coss, supported by Commissioner Greenman-Wright moved approval of date change from July 2nd to July 9th. With a voice vote, the motion carried unanimously.**

F. PUBLIC HEARINGS

P.C. #2015.05 Consideration of a request for Kalamazoo College to vacate the city's interest in West Main Street Court between West Main Street and Academy Street for its new fitness and wellness center. Recommendation: Motion to recommend approval with one condition.

Planner Kik presented a staff report. The property next to West Main Street Court and Academy Street is owned by Kalamazoo College, except the railroad line southeast of the Court. The Kalamazoo College property is zoned IC (Institutional-Campus) District. Kalamazoo College has a new Wellness Center identified in their Campus Master Plan for this area. The Center will be 30,000 square feet and include a 30-space parking lot. The street vacation is needed to accommodate the proposed project. West Main Street Court is privately owned. Kalamazoo College is attempting to obtain the property. City staff recommends vacating the city's interest in the Court with the condition of retaining an easement to access the underground utilities.

Paul Manstrom, Vice President of Facilities for Kalamazoo College, was present. Commissioner Cook asked if the house along West Main Street Court was owned by the college. Mr. Manstrom stated that it was, and that the house is scheduled to come down as part of their Master Plan. The reason for the street vacation request is a need for a sidewalk and driveway on the premises of the Wellness Center.

The public hearing was opened and there were no comments. The hearing was closed.

Commissioner Coss, supported by Commissioner Wissner, moved to recommend approval of P.C. #2015.05 consideration of a request from Kalamazoo College to vacate the city's interest in West Main Street Court between West Main Street and Academy Street for its new fitness and wellness center, with the condition proposed by city staff. With a roll call vote, the motion carried unanimously.

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

None

H. UNFINISHED BUSINESS

Planner Kik provided a Master Plan Update. She also spoke about the charrette for the non-motorized plan. Goals were reviewed from the 2009 master plan:

- 75% of Economic Development goals have been completed and some should be rewritten due to economic changes. Community input is needed.
- 50% of Land Use, Housing, and Public Services goals should be rewritten.
- Environmental goals need to be added. Citizens want to see a dedicated sustainability plan.

Commissioner Coss attended the goal setting meetings. Planner Kik is working with staff to create workgroups for each of the chapters which need updating; housing, transportation, public services, land use, economics, and environmental initiatives. Each workgroup will have 3-4 meetings. Commissioner Coss is Chairperson of the work groups.

Commissioners expressed interest in volunteering for each of the workgroups:

- Environmental – Commissioner Cook, Commissioner Hall, Commissioner Cripe
- Transportation – Commissioner White
- Housing – Commissioner McBain, Commissioner Greenman-Wright, Commissioner Hall
- Land Use – Commissioner Hughes-Nilsson, Commissioner Cripe
- Economic Development – Commissioner Wissner, Commissioner Hall

Commissioner Coss requested a comparison on where each topic stands. Planner Kik suggested a kickoff meeting to discuss why a rewrite is needed and how to move forward, as well as working on a list of people and businesses to partner with the workgroups.

Commissioner Coss asked if the Planning Commission retreat will be in the summer or fall. Dates were discussed and Planner Kik will pick a few dates and do a poll.

Planner Kik also gave a Sports Field Lighting Ordinance update. She met with neighborhood directors on May 19th. The directors from the Northside Neighborhood and Stuart Neighborhood opted to be part of the core group to vet research and ordinance codes. The committee will meet again on July 9th. She is working with Kalamazoo College to be the brain trust. She also reported out on the April 15th lighting test where Mr. Manstrom used a light meter to measure the soccer stadium lighting and gave a visual example of the maximum 0.05 foot candle output locations. The next step is to find more research to find out how the lighting affects the quality of the neighborhood. Research on how the environment, traffic and noise impact the neighborhood needs to be done as well.

I. NEW BUSINESS

None

J. CITIZENS' COMMENTS

None

K. CITY PLANNER'S REPORT

Planner Kik reported that the Redevelopment Ready Communities certification review is going well. Only five criteria out of thirty needed some minor changes. This is a true testament that the City is becoming more developer friendly. To that point, the city site planning process is a major part of this and was noted as an exemplary model. Other communities are looking to us for how to do site plan review.

Site Plan Review comments:

- Sawall’s Health Food Store – Is in the process of adding a new addition to their business on Oakland Drive.
- Brite Eyes Brewing – Is currently in the final approval process.
- Kalamazoo County Administration Building – Will be demolishing the parking ramp off of Kalamazoo Avenue and replacing it with a parking lot.

L. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

None

M. ADJOURNMENT

The meeting adjourned at 7:30 p.m.