



Agenda

Regular Meeting of the City Commission

City of Kalamazoo

Monday, June 3, 2019

7:00 PM

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

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: Pastor Moise Ratsara, Kalamazoo Seventh-day Adventist Church
2. Pledge of Allegiance
3. Introduction of Guests
4. Proclamations
 - a. Pride Month
 - b. Gun Violence Awareness Day

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

1. Calendar of Upcoming Meetings

E. PUBLIC HEARINGS

F. CONSENT AGENDA

(Action: Motion to approve Items "1-5" and authorize the City Manager to sign all documents on behalf of the City)

1. Approval of an an intergovernmental agreement with the City of Portage, Department of Public Safety for a Strategic Operations and Intelligence Analyst; and approval of an additional full-time equivalent position allocation for the Department of Public Safety.
2. Approval and acceptance of easements for water main that will be installed as part of the Gilmore Farms West Condominiums Construction Project.
3. Approval of bylaws for the Natural Features Protection Review Board.

4. Approval of the Mayor's appointments to Natural Features Protection Review Board:
 - the appointment of **Ashley Cole-Wick** for a term expiring on March 31, 2020.
 - the appointment of **Erin Fuller** for a term expiring on March 31, 2022.
 - the appointment of **Robert Glasser** for a term expiring on March 31, 2021.
 - the appointment of **Mitch Lettow** for a term expiring on March 31, 2022.
 - the appointment of **Paul MacNellis** for a term expiring on March 31, 2021.
 - the appointment of **Kyle Martin** for a term expiring on March 31, 2022.
 - the appointment of **Alan Sylvester** for a term expiring on March 31, 2020.
5. Approval of the appointment of **Beth Ann van den Hombergh** to the Zoning Board of Appeals as an alternate member for a term expiring on March 31, 2021.

G. REGULAR AGENDA

1. Adoption of an ORDINANCE repealing Sections 22-3 through 22-5 of the Kalamazoo City Code, which were replaced by recent amendments to Chapter 21 - Nuisances. **(Action: Motion to adopt the ordinance)**
2. Adoption of an ORDINANCE repealing Section 22-53 "Loitering" and Section 22-56 "Loitering in places where controlled substances or drug paraphernalia are sold, dispensed" of the City Code of Ordinances. **(Action: Motion to adopt the ordinance)**
3. Adoption of an ORDINANCE to amend Section 22-41 of the Kalamazoo City Code regarding drug paraphernalia. **(Action: Motion to adopt the ordinance)**

H. REPORTS AND LEGISLATION

1. City Manager's Report

I. UNFINISHED BUSINESS

J. POLICY ITEMS

1. Review of City Commissioner Applications

K. NEW BUSINESS

L. CITIZEN COMMENTS

M. MISCELLANEOUS COMMENTS AND CONCERNS BY COMMISSIONERS

N. 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 business meetings are held on the first and third Mondays at 7:00 p.m. and are shown live on the Public Media Network (channel 190 for Charter customers, channel 99 for U-Verse customers). Business meetings are also web streamed live on the City's YouTube channel at <https://goo.gl/Q6DW37>. Public Media Network rebroadcasts these meetings on Tuesdays at 8:00 a.m., Wednesdays, at 1:00 a.m., and Thursdays at 3:00 p.m. Recorded meetings are also available on-demand on the YouTube channel.



Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

PREPARED BY: Shelby Moss, Deputy City Clerk

DATE: 5/21/2019

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	20190603 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

June 17th and July 1st

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

June 17th

Advisory Boards, Commissions and Committees (next two weeks)

The **Tree Committee** will meet on Tuesday, June 4, 2019 at 2:00 p.m., in the Public Services Conference Room, located at 415 Stockbridge Avenue.

The **Parks and Recreation Advisory Board** will meet on Tuesday, June 4, 2019 at 5:30 p.m., at Henderson Tot Lot, located at 1650 Henderson Ct.

The **Employee Retirement System Board of Trustees** will meet on Wednesday, June 5, 2019 at 8:00 a.m. on the Third Floor Conference Room at City Hall.

The **Water Advisory Council** will meet in special session on Tuesday, June 5, 2019 at 3:00 p.m. in the Harrison Facility Conference Room A, located at 1415 N. Harrison Street.

The **Planning Commission** will meet on Thursday, June 6, 2019 at 7:00 p.m., in the City Commission Chambers at City Hall.

The **Citizen-Public Safety Review and Appeals Board** will meet on Tuesday, June 11, 2019 at 6:00 p.m. in the Parks and Recreation Community Room at Mayors' Riverfront Park, located at 251 Mills Street.

The **Kalamazoo Historic Preservation Commission** will meet on Tuesday, June 11, 2019 at 6:00 p.m., in the Community Room at City Hall.

The **Economic Development Corporation** meeting on Thursday, June 20, 2019 at 7:30 a.m. has been rescheduled to Thursday, June 13, 2019 at 7:30 a.m., in the Community Room at City Hall. The **Brownfield Redevelopment Authority** will meet immediately following.

The **Traffic Board** will meet on Thursday, June 13, 2019 at 2:00 p.m., in the Public Services Conference Room, located at 415 Stockbridge Avenue.

The **Community Development Act Advisory Committee** will meet on Thursday, June 13, 2019 at 6:30 p.m., in the Community Room at City Hall.

The **Zoning Board of Appeals** will meet on Thursday, June 13, 2019 at 7:00 p.m., in the in the City Commission Chambers at City Hall.

The **Downtown Development Authority Board** will meet on Monday, June 17, 2019 at 3:00 p.m., in the Community Room at City Hall. The **Downtown Economic Growth Authority Board** will meet immediately following.



Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Karianne Thomas, Public Safety Chief

PREPARED BY: Jeff VanderWiere, Assistant Chief – Strategic Planning/Emergency Management

DATE: 5/21/2019

SUBJECT: Intergovernmental Agreement with City of Portage, Department of Public Safety for a Strategic Operations and Intelligence Analyst

RECOMMENDATION

It is recommended that the City Commission authorize the Kalamazoo Department of Public Safety (KDPS) to hire an additional Full-Time Equivalent (FTE) employee and authorize the City Manager to sign an intergovernmental agreement with the City of Portage for a Strategic Operations & Intelligence Analyst.

BACKGROUND

The KDPS is currently developing the Kalamazoo Strategic Operations Center (KSOC) to be located in the recently vacated integrated dispatch center at KDPS headquarters. The KSOC is designed to improve data usage and predictive crime analysis as well as evaluate response models and improve operational efficiencies. This center is designed not only for KDPS personnel but is intended to create a collaborative environment that will allow KDPS to partner with the FBI, Michigan State Police, Michigan Department of Corrections, DHS, adult probation/parole and juvenile probation.

In collaboration with the Portage Department of Public Safety, they have agreed to contract out services with the City of Kalamazoo, Department of Public Safety to provide data analysis for the Portage Department of Public Safety. The agreement proposes that the City of Kalamazoo would hire an additional Strategic Operations and Intelligence Analyst to support the data needs of the Portage Department of Public Safety.

The proposed agreement would further intergovernmental cooperation and increase collaboration between departments. Additionally, data shared by the two agencies would assist both agencies in attempting to reduce crime, identify patterns, and increase operational efficiencies by deploying resources to areas identified in the analysis of the data.

COMMUNITY RESOURCES CONSULTED

KDPS consulted Portage Department of Public Safety as well as the Battle Creek Police Department Fusion Center.

FISCAL IMPACT

Portage Public Safety has agreed to pay for all related costs of the contracted employee for a period of three (3) years and therefore the fiscal impact is minimal.

ALTERNATIVES

No alternatives are recommended by staff.

ATTACHMENTS:

Type	Description
□	Agreement 2019 KDPS/Portage Intergovernmental Agreement

INTERGOVERNMENTAL PUBLIC SAFETY SERVICES AGREEMENT

This Agreement is between the City of Kalamazoo, 241 West South, Kalamazoo, MI 49007 ("Kalamazoo") through its Department of Public Safety (KDPS) and the City of Portage, 7900 S. Westnedge Ave., Portage, MI 49002 ("Portage") through its Department of Public Safety (PDPS) as authorized by MCL 124.1 *et seq.* .

Recitations:

1. Kalamazoo and Portage have determined that it is in each of their interests to form an integrated Strategic Operations Center (KSOC). This center will be staffed with Intelligence Analysts who will utilize data from a multitude of platforms to support crime and fire prevention efforts by both departments. Additionally, the analysts will utilize data to drive operational efficiencies as seen fit by each agency.
2. Kalamazoo is agreeable to providing workspace and infrastructure for the KSOC.
3. Kalamazoo is agreeable to providing a Strategic Operations and Intelligence Analyst to support operations for PDPS.
4. Portage is agreeable to paying the salary and benefits costs associated with one (1) of the assigned Intelligence Analyst.

Therefore the Kalamazoo and Portage agree as follows:

1. Personnel

- Kalamazoo will hire 3 Intelligence Analysts as selected by its Chief of Public Safety to be designated and assigned to the KSOC. All three analysts will be available to provide data analysis for PDPS.
- An Intelligence Analyst position will normally be staffed Monday thru Friday every week of the year by one of the three dedicated analysts from the hours of 0600 to 1600, based on the attached schedule, excluding Kalamazoo-recognized holidays.
- The Intelligence Analysts will at all times be employed by the City of Kalamazoo and remain under the supervision of Kalamazoo Department of Public Safety and abide by all the Policies and General Orders of KDPS as well as the policies of the City of Kalamazoo.

2. Activities

Strategic Operations Intelligence Analysts will provide logistical and investigative support to PDPS through the pro-active use of existing data sources. Activities which may be engaged in by the Strategic Operations Intelligence Analyst include, but are not limited to the following:

- Providing daily Intelligence Briefing specific to PDPS crime data.
- Providing investigative support to PDPS detectives.
- Conducting GIS mapping as necessary and within their capabilities to support PDPS police and fire operations.
- Conducting predictive crime analysis and present to PDPS as requested.
- Monitor crime statistics and share information with PDPS administration to design crime prevention strategies as requested.
- Assisting PDPS with fire standards of cover and response time analysis as needed.
- Prepare such other police and fire service analysis as requested by PDPS.

3. Payment

Kalamazoo through KDPS will invoice the amount of the actual costs of one (1) Intelligence Analyst, to Portage on an approximate quarterly basis (every 3 months) based on the KDPS payroll period and billing cycles of Kalamazoo which will include

- the actual salary and cost of employment benefits, such as, but not limited to, pension and health care for a Strategic Operations Intelligence Analyst, as determined by the then- existing Non Bargaining Unit (NBU) pay and benefit structure.

Portage agrees to pay the invoice amount within 10 business days of its receipt. However, this obligation shall not be interpreted as creating an employer/employee or independent contractor relationship between the Intelligence Analysts and the City of Portage. The City of Kalamazoo remains solely responsible for the actual salary and all costs of employment benefits as stated above.

The Parties agree to set forth the anticipated quarterly cost of an Intelligence Analyst in a Letter of Agreement for the balance of the 2019 calendar year to be executed contemporaneously with this Agreement. A letter of agreement setting forth the anticipated quarterly cost for each remaining year (or portion of a year) of this Agreement will be executed by the Parties on or before the last day of December for the next preceding year and each subsequent year for the term of this Agreement.

Nothing contained in this Agreement or any act of the parties shall be deemed or construed by any party or by any third party to create the relationship of principal and agent, of partnership, of joint venture, or joint enterprise or of any association between the parties hereto, nor shall anything contained in this Agreement or any act of the parties be construed to render any party liable for the debt and obligations of any other party.

4. Effective Date, Term of Agreement and Conditions

- The services contemplated under this Agreement shall be provided for a term of 3 years to commence on , 2019, and end on , 2022.
- This Agreement may be terminated before the end of its term by written agreement of the parties or by 30 days written notice by one party to the other to the attention of the representative listed herein.
- This Agreement may only be amended in writing by the parties' agreement.
- None of the provision of this Agreement shall be construed against a party solely by the virtue of the fact that any such provision was drafted by legal counsel representing such party.
- This Agreement is in furtherance of a governmental function and the parties recognize that Kalamazoo and Portage are not engaged in a proprietary function and each shall retain for itself and its officers and employees all defenses permitted at law, including, but not limited to that of governmental immunity.

Kalamazoo shall be solely liable for the acts and omissions of any Intelligence Analyst assigned to provide the services contemplated by this Agreement and agrees to pay the City of Portage, for any and all liability, obligation, damages, penalties, claims, losses and expenses incurred by the City of Portage by reason of any act or omission of an Intelligence Analyst with regard to the services contemplated by this Agreement. However, Kalamazoo is not obligated by

this paragraph to pay for any loss to the extent it is caused by intentional or negligent acts or omissions of Portage or its officers, agents or employees. This paragraph shall survive payment and performance of the obligations imposed by this Agreement and shall survive expiration and/or termination of this Agreement. This Agreement is for the benefit of the parties hereto and is not entered into for the benefit of and shall not be construed to confer any benefit upon any other person or entity.

5. LIASON

Communications and details concerning this Agreement shall be directed to the following Agreement representatives or their successors:

KDPS

Chief Karianne Thomas
Kalamazoo Department of Public Safety
150 E Crosstown Parkway, Ste. A Kalamazoo, MI
49001
269-337-8270
thomask@kalamazoocity.org

PDPS

Director Nicholas J. Arnold
Portage Department of Public Safety
7810 Shaver Road
Portage, MI 49002
269-329-4567
armoldn@portagemi.gov

For the City of Kalamazoo:

City Manager Jim Ritsema

Date

For the City of Portage:

City Manager Laurence Shaffer

Date



Commission Agenda Report

City of Kalamazoo

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

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

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

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

DATE: 5/16/2019

SUBJECT: Gilmore Farms West Condominiums Utility Easements

RECOMMENDATION

It is recommended that the City Commission approve and accept the easements for water main that will be installed as part of the Gilmore Farms West Condominiums Construction Project; and authorize the City Manager to sign all related and necessary documents regarding the acquisition of the easements.

BACKGROUND

Construction of new water main for the Gilmore Farms West Condominiums Project is scheduled for the 2019 construction. As all public water mains and sanitary sewer are required to be in a dedicated easement or public right of way, Gull Lake Real Estate, LLC and Consumers Energy Company in collaboration with the City of Kalamazoo Attorney have drafted this agreement for approval.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

The City of Kalamazoo will incur the cost of recording the easement with the Clerk-Register and \$100 for consideration for the grant of the easement as this project was solely contribution in aid.

ALTERNATIVES

While the City Commission could decline to authorize the City Manager to execute this agreement, doing so is not recommended.

ATTACHMENTS:

Type	Description
□	Easement Public Utility Easement

- ▣ Easement Water Main Easement
- ▣ Easement Conditional Consent of Easement

PUBLIC UTILITY EASEMENT

THIS AGREEMENT dated May 8, 2019 between Gull Lake Real Estate, LLC, a Michigan limited liability company, whose address is 588 3 Mile Rd, Suite 203, Grand Rapids, MI 49544 ("Grantor") and the City of Kalamazoo, a Michigan municipal corporation, whose address is 241 West South Street, Kalamazoo, Michigan 49007 ("City").

Recitals:

- A. Grantor owns a certain parcel of real estate located V/L N. 30th Street, Richland, MI in Richland Township and County of Kalamazoo, which is more specifically described on the attached Exhibit A ("Property").
- B. The City desires to obtain an easement on, over, under, across and through a portion of the Property in conjunction with Gilmore Farms West Condominium.
- C. Grantor agrees to grant to the City a utility easement on, over, under, across and through a portion of the Property for the purposes as set forth in this Agreement.

THEREFORE, in consideration of the mutual covenants, conditions and agreements set forth below, the parties agree as follows:

- 1. Grant of Easement. In consideration of less than One Hundred Dollars (\$100.00) plus other valuable consideration, Grantor grants and conveys to the City a permanent easement and right-of-way on, over, under, across and through that portion of the Property as described in Exhibit B. ("Easement Area")
- 2. Purpose of the Easement. The City shall use the Easement Area for the purpose of constructing, operating, maintaining, repairing, improving or replacing the pipelines, connections, leads and all other components of the city's (water supply system) and other public utilities systems placed within the Easement Area. ("Utility Activities")
- 3. Access to the Easement Area. The City shall have the right of ingress and egress to the Easement Area from the public right-of-way, and if necessary through the Property, in order to carry out the Utility Activities, subject to the following conditions:
 - a) Perform the Utility Activities without cost to Grantor and in such a manner as not to unreasonably interfere with Grantor's use of or the business operations conducted on the Property.
 - b) Restore the Easement Area without cost to Grantor after completion of the Utility Activities to the same condition as existed before any such utility activity was performed. If necessary, such restoration shall include re-grading and reseedling any lawn areas disturbed by the City's activities.
 - c) Exercise reasonable care to protect any fixed structures, landscaping and other improvements on the Property during the performance of Utility Activities.
 - d) Grantor agrees not to construct any buildings or permanent structures on or within the Easement Area, unless prior written approval is given by the City for a particular building or structure.

4. Warranty. The Grantor covenants with the City that Grantor is lawfully seized and possessed of the Property, that such parcel is free from all encumbrances that would adversely affect the City's rights under this Agreement, and that Grantor will warrant and defend its title to the Property and the easement granted to the City against the lawful claims of all persons.
5. Authority of Representatives. The parties represent and warrant to the other that this Agreement and its execution by the individual(s) on its behalf are authorized by members or governing body of that party.
6. Binding Effect. This Easement Agreement shall bind the parties, and their successors and assigns. The parties do not intend to confer any benefits on any person, firm, corporation, or other entity which is not party to this Agreement.
7. Amendment. This Easement Agreement shall not be amended or modified except in writing signed by both parties.
8. Governing Law. This Agreement is governed under applicable Michigan law. Both parties had the assistance of legal counsel in the negotiation and preparation of this Agreement. Therefore, no construction or ambiguity of this Agreement is resolved against either party.
9. Exemption from Transfer Tax. This easement is exempt from transfer tax pursuant to MCL 207.505(5)(a) and MCL 207.526(6)(a).

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By: Thomas Brink
Thomas Brink
Its: Authorized Agent

Shenequa Lynn Fisher
Shenequa Lynn Fisher Notary Public
Ottawa County, Michigan
My commission expires: August 30, 2020

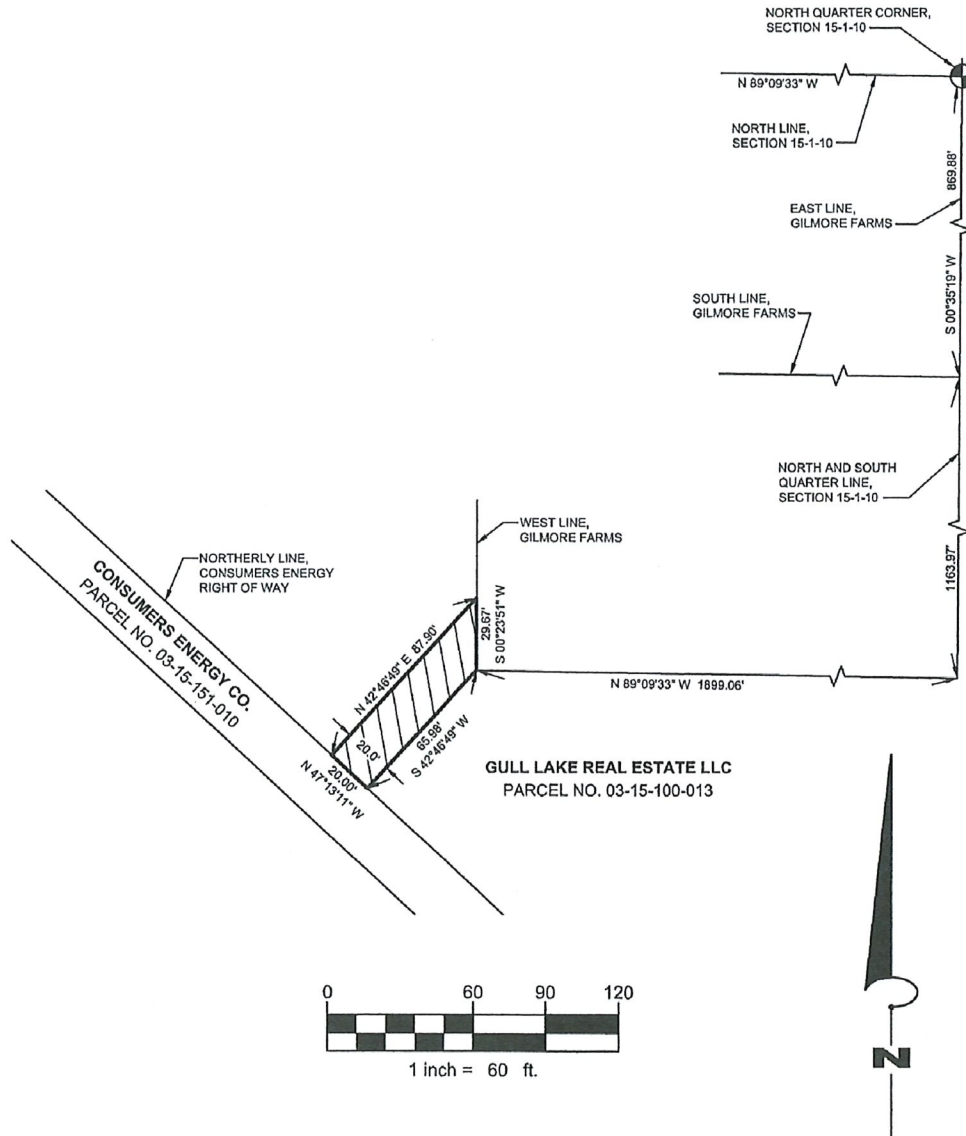
Notary Public
Kalamazoo County, Michigan
My commission expires: _____

3

EXHIBIT A
The "Property"

THAT PART OF THE SOUTH HALF OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 10 WEST, VILLAGE OF RICHLAND AND RICHLAND TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 89° 32' 28" WEST ON THE EAST AND WEST QUARTER LINE OF SAID SECTION 15 A DISTANCE OF 1,311.90 FEET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF RICHLAND VILLAGE CONDOMINIUMS, BEING KALAMAZOO COUNTY CONDOMINIUMS NO. 116, AS RECORDED IN DOCUMENT NO. 2003-050290, KALAMAZOO COUNTY RECORDS AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH 19° 08' 40" EAST ON SAID NORTHERLY EXTENSION 681.30 FEET TO THE NORTHWEST CORNER OF SAID CONDOMINIUMS; THENCE CONTINUING SOUTH 19° 08' 40" EAST ON THE WEST LINE OF SAID CONDOMINIUMS 390.00 FEET; THENCE SOUTHEASTERLY 603.52 FEET ON THE SOUTH LINE OF SAID CONDOMINIUMS AND ON A 313.91 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 74° 18' 35" EAST, 514.77 FEET; THENCE NORTH 50° 43' 56" EAST ON SAID SOUTH LINE 134.89 FEET; THENCE SOUTH 14° 27' 59" EAST 188.13 FEET; THENCE SOUTH 00° 59' 37" WEST 83.40 FEET (RECORD SOUTH 00° 38' 50" WEST 83.94 FEET) TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE NORTH 89° 29' 43" WEST (RECORD NORTH 89° 29' 02" WEST) ON SAID SOUTH LINE 2,339.21 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE NORTH 89° 32' 56" WEST ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 1321.01 TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE NORTH 00° 28' 26" EAST ON SAID WEST LINE 1,321.74 FEET TO SAID EAST AND WEST QUARTER LINE; THENCE SOUTH 89° 32' 28" EAST ON SAID EAST AND WEST QUARTER LINE 0.09 FEET TO THE SOUTHERLY LINE OF A 1.5 ROD OF THE CONSUMERS ENERGY RIGHT OF WAY; THENCE SOUTHEASTERLY 864.88 FEET ON SAID SOUTHERLY LINE AND ON A 6020.10 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 55° 33' 59" EAST 864.14 FEET; THENCE CONTINUING ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 59° 40' 56" EAST 697.70 FEET TO THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 15; THENCE NORTH 00° 35' 19" EAST ON SAID NORTH AND SOUTH QUARTER LINE 28.50 FEET TO THE NORTHERLY LINE OF A 1.5 ROD OF THE CONSUMERS ENERGY RIGHT OF WAY; THENCE NORTH 59° 40' 56" WEST ON SAID NORTHERLY RIGHT OF WAY LINE 683.56 FEET; THENCE CONTINUING ON SAID NORTHERLY RIGHT OF WAY 829.63 FEET ON A 5995.35 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 55° 43' 04" WEST 828.96 FEET TO SAID EAST AND WEST QUARTER LINE; THENCE SOUTH 89° 32' 28" EAST ON SAID EAST AND WEST QUARTER LINE 1,283.30 FEET TO THE CENTER OF SAID SECTION 15; THENCE CONTINUING SOUTH 89° 32' 28" EAST ON SAID EAST AND WEST QUARTER LINE 1,328.68 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"



PROPOSED 12.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES DESCRIPTION:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 10 WEST, RICHLAND TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 15; THENCE SOUTH 00° 35' 19" WEST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 15 A DISTANCE OF 869.88 FEET TO THE SOUTH LINE OF GILMORE FARMS, BEING KALAMAZOO COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 228, RECORDED IN DOCUMENT NO. 2016-034454, KALAMAZOO COUNTY RECORDS; THENCE CONTINUING SOUTH 00° 35' 19" WEST ON SAID NORTH AND SOUTH QUARTER LINE 1163.97 FEET; THENCE NORTH 89° 09' 33" WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 15 A DISTANCE OF 1899.06 FEET TO THE WEST LINE OF SAID GILMORE FARMS AND TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED; THENCE SOUTH 42° 46' 49" WEST 65.98 FEET TO THE NORTHERLY LINE OF CONSUMERS ENERGY RIGHT OF WAY; THENCE NORTH 47° 13' 11" WEST ON SAID NORTHERLY RIGHT OF WAY LINE 20.00 FEET; THENCE NORTH 42° 46' 49" EAST 87.90 FEET TO SAID WEST LINE; THENCE SOUTH 00° 23' 51" WEST ON SAID WEST LINE 29.67 FEET TO THE POINT OF BEGINNING.

SUBJECT TO SURVEY.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD OR OTHERWISE.

SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.

BEARINGS ARE RELATED TO THE MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.



2303 Pipestone Road, Benton Harbor, MI 49022
9835 Portage Road, Portage, MI 49002
1670 Lincoln Road, Allegan, MI 49010

269.927.0100
269.327.3532
269.873.8465
www.gowightman.com

CLIENT: WESTVIEW CAPITAL

JOB No: 174164

DATE: MAY 2, 2019

SCALE: 1" = 60'

DRAWN BY: ACE

CHECKED BY: GDH

GILMORE FARMS NO. 2

PUBLIC UTILITY EASEMENT

05A

EASEMENT FOR WATER MAIN

SP430 KALAMAZOO MI36763

Consumers Energy Company, a Michigan corporation (formerly Consumers Power Company, a Michigan corporation, successor by merger to Consumers Power Company, a Maine corporation), One Energy Plaza, Jackson, Michigan 49201, (hereinafter "Grantor"), its successors and assigns for and in consideration of the sum of \$4,000.00, the receipt whereof Grantor hereby acknowledges, and the faithful performance of the terms and conditions contained herein, does by these presents, release and QUIT-CLAIM to the City of Kalamazoo, a Michigan municipal corporation, 415 E Stockbridge Avenue, Kalamazoo, MI 49001 (hereinafter "Grantee"), an easement (hereinafter "Easement") for the sole and only purpose of installing, constructing, operating, maintaining, repairing, replacing, removing, and using one 8 inch water main (hereinafter "Grantee's Facilities") on, over, and across a portion of Grantor's land in the Township of Richland, County of Kalamazoo, and State of Michigan, more particularly described in the attached Exhibit A (hereinafter "Grantor's Land"), with said portion of Grantor's Land being more particularly described in the attached Exhibit B (hereinafter "Easement Area").

This Easement is made subject to the following terms, conditions, restrictions and reservations (hereinafter "Terms and Conditions"):

1. Non-Exclusive Easement and Grantor's Use: This Easement is non-exclusive. Grantor reserves the right to use and allow others to use the Easement Area in any manner that does not unreasonably interfere with the exercise of the rights granted in this Easement. Grantee, in its use and occupancy of the Easement Area, shall at no time interfere with the operation or maintenance of, or access to, any of Grantor's facilities (hereinafter "Grantor's Facilities") or in any way affect or interrupt the continuity of service of Grantor as provided by any of Grantor's Facilities. In the event that Grantor determines that Grantee's Facilities will interfere with any future uses of Grantor's Land, Grantee shall, upon request, relocate Grantee's Facilities 1) at Grantee's expense to another location on Grantor's Land selected by Grantor and, 2) in a manner not inconsistent with the requirements in Section 11 Construction Requirements below.
2. Grantee's Facilities: Grantor shall not be responsible for damage to Grantee's Facilities resulting from Grantor's, Grantee's, or any other third parties' use of the Easement Area. Grantor shall not be required to incur, without reimbursement from Grantee, any cost or expense relating to Grantee's use of the Easement Area. Grantor shall have no obligation to repair any damage to the Easement Area or any improvements thereon. Grantee's Facilities shall be designed to accommodate and withstand heavy loads, including construction vehicles and heavy equipment operating within or moving across the Easement Area. Grantee hereby accepts full responsibility for any damage to Grantee's Facilities caused by such heavy loads and forever waives and releases Grantor from any claim that Grantee, its agents or assigns may have as a result of such damage.
3. Grantor's Property: Grantee accepts the Easement Area AS-IS/WHERE IS in its present condition. This Easement is granted without any representations or warranties expressed or implied, and Grantee shall be responsible for performing its own due diligence of the Easement Area.
4. Grantee's Facilities Condition and Easement Area Restoration: Grantee shall at all times, and at its own expense, keep Grantee's Facilities in good condition and repair. Grantee shall also at all times, and at its own expense, keep and maintain the Easement Area in good, clean and presentable condition. Grantee shall repair and restore the Easement Area to the extent the same has been damaged by Grantee or any of its agents. All such repairs and restoration shall be performed as soon as practicable, weather permitting. Notwithstanding the foregoing, to the extent any activity in the Easement Area results in an unsafe condition, Grantee immediately shall take any and all measures necessary to mitigate

such unsafe condition.

5. Permitting and Compliance: In its use and exercise of the rights granted in this instrument, Grantee shall comply with all applicable local, state, federal, regulatory, safety, and environmental, laws, ordinances, rules and regulations, and Grantor's requirements provided herein. Grantee is responsible for determining what licenses, permits or other authorizations are at any time required and shall, at Grantee's sole expense, obtain and maintain all such licenses, permits and other authorizations of any kind that may at any time be required. Grantee shall name itself (and in no event Grantor) as the applicant and responsible party for any such licenses, permits or other authorizations. Grantee shall provide to Grantor, copies of all such applications prior to submittal for approval, and copies of all such licenses, permits and other authorizations.

6. Environmental: If use of the Easement Area pursuant to this Easement at any time results in the presence in, on or under Grantor's Land of contaminants, (including but not limited to the groundwater underlying the land), hazardous waste, hazardous substances or constituents, or toxic substances, as currently or hereafter defined in applicable laws, Grantee shall, without cost to Grantor, promptly take: 1) all actions that are required by any federal, state, or local governmental agency or political subdivision, and 2) all actions that are necessary to restore Grantor's Land to its preexisting condition, notwithstanding any lesser standard of remediation allowable under applicable law or governmental policies. The actions required by Grantee shall include, but not be limited to: a) the investigation of the environmental condition of Grantor's Land, b) the preparation of any feasibility studies, reports, or remedial plans required by law or governmental policy, and c) the performance of cleanup, remediation, containment, operation, maintenance, monitoring, or restoration work, whether on or off Grantor's Land. Grantee shall proceed continuously and diligently with such investigatory and remedial actions. Grantee shall promptly provide to Grantor, free of charge, copies of all test results and reports generated in connection with the above activities and copies of all reports submitted to any governmental entity. No cleanup, remediation, restoration, or other work required by this paragraph shall require or result in the imposition of any limitation or restriction on the use of Grantor's Land, without Grantor's prior written approval and permission. In addition, Grantee agrees to indemnify, defend and save harmless Grantor from any and all liability arising out of or resulting from: a) the presence on or beneath Grantor's Land, including but not limited to the groundwater underlying the land, of contaminants, hazardous waste, hazardous substances or constituents, or toxic substances, as currently or hereafter defined in applicable laws, as a result of use of Grantor's Land pursuant to this Easement; b) Grantee's violation or alleged violation of any federal, state, or local law related directly or indirectly to Grantee's exercise of the rights herein granted; or c) Grantee's failure to comply with the terms and conditions of this Easement. The provisions of this paragraph shall survive any termination of this Easement.

7. Indemnification: To the maximum extent allowed by law, Grantee agrees that it will at all times during the exercise of the rights and privileges hereby granted assume all liability for and protect, indemnify and save Grantor, its successors and assigns, harmless from and against all actions, claims, demands, judgments, losses, expenses of suits or actions and attorney fees for any type of injury to or death of any person or persons and loss or damage to the property of any person or persons whomsoever, including the parties hereto and their agents, contractors, subcontractors, employees and invitees, arising in connection with or as a direct or indirect result of the use and occupancy of the Easement Area or the exercise of the rights and privileges hereby granted. The provisions of this paragraph shall survive any termination of this Easement.

8. Contractor Indemnification: Grantee shall insert in all contracts, and require to be inserted in all subcontracts, at any time and in connection with any work to be performed on the Easement Area, the requirement that the contractor or subcontractor assume all liability for and protect, indemnify, and save Grantor harmless from and against all actions, claims, liability, losses, expenses, and attorney fees for injury to or death of any person or persons and loss or damage to the property of any person or persons whomsoever, including the parties hereto and their agents, contractors, subcontractors, employees, and invitees, arising in connection with or as a direct or indirect result of use or occupancy of the Easement Area pursuant to the Easement herein granted. The provisions of this paragraph shall apply to each and every such injury, death, loss, and damage, however caused, whether due, or claimed to be due, to Grantee's negligence, Grantor's negligence, the negligence of any such contractor or subcontractor, the combined negligence of either or both of the parties hereto and any one or more of said contractors or subcontractors, the negligence of any other person, or otherwise.

9. Insurance: Grantee shall, at its own expense, procure, maintain and keep in effect at all times while the Easement granted herein is in effect, a Commercial General Liability Insurance Policy, satisfactory to Grantor in form and substance, with a minimum combined bodily injury and property damage single limit of \$1,000,000.00 per

occurrence. Such policy shall: (i) be written on an "occurrence" basis; (ii) name Grantor as an additional insured; (iii) include contractual liability; and (iv) be primary and noncontributory to any insurance maintained by Grantor. At the time this Easement is granted, Grantee shall provide to Grantor a Certificate of Insurance evidencing the aforesaid insurance coverage and shall also provide Grantor with evidence of all renewals thereof. Such Certificate of Insurance shall be a standard industry ACORD Form Certificate of Liability Insurance or another form approved by Grantor's Corporate Insurance Department; and Grantee shall submit such Certificate of Insurance and renewals thereof to Grantor at the following address: Consumers Energy Company, Corporate Insurance Department, EP10-243, One Energy Plaza, Jackson, Michigan 49201-2276, or such other address as Grantor may hereafter specify. Grantee shall notify Grantor in writing immediately upon Grantee's receipt of any notice of cancellation of the insurance coverage required hereby.

Further, it shall be the responsibility of Grantee to ensure that Grantee's contractors and subcontractors procure, maintain and keep in effect for the entire duration of their performance of any activity on the Easement Area, a Commercial General Liability Insurance Policy equivalent to that described above. Such insurance shall also name Grantor as an additional insured.

With respect to damage to Grantee's and its contractors' and subcontractors' property used on the Easement Area, Grantee hereby waives and shall require its contractors and subcontractors to waive: (i) their respective rights of recovery against Grantor; and (ii) if such property is insured, the insurer's rights of subrogation.

It is expressly understood that the obtaining of the insurance as is herein provided, shall in no way limit or release Grantee's or their contractor's or subcontractor's liability under any indemnity provisions set forth herein.

10. Taxes: Grantee agrees to reimburse Grantor, upon demand, for any increased property taxes and assessments attributable to Grantee's Facilities or otherwise attributable to Grantee's use of the Easement Area pursuant hereto. Grantee shall be responsible for all personal property taxes assessed against the Grantee's Facilities or any other personal property of Grantee located in or on the Easement Area.

11. Construction Requirements: Grantee shall submit Issued for Construction (hereinafter "IFC") plans in electronic format for any installation, construction, maintenance, repair, replacement, or removal (hereinafter "Construction Activities") of Grantee's Facilities to Grantor for final review and acceptance not less than 60 days prior to the requested commencement date of said Construction Activity in the Easement Area. In no instance shall any Construction Activity commence in the Easement Area until Grantee has prior written consent from Grantor (hereinafter "Grantor's Construction Activity Consent"). Grantee's Facilities shall be installed and constructed in accordance with the accepted, IFC plans, any additional requirements provided for in Grantor's Construction Activity Consent, and in the attached Exhibit C (hereinafter collectively "Approved IFC Plans and Construction Standards"). Grantee agrees that 1) a copy of the Approved IFC Plans and Construction Standards shall be kept onsite and made available for reference at all times during the Construction Activity for Grantee's Facilities; 2) failure to have the Approved IFC Plans and Construction Standards onsite may result in a stop work order until such time as the Approved IFC Plans and Construction Standards is brought onsite and reviewed by the construction team; and 3) should Grantor require that its representative be onsite during the Construction Activity, the cost of said representative and all other costs incurred by Grantor as a result of Grantee's Construction Activities shall be reimbursable by Grantee to Grantor upon demand.

12. Existing Encumbrances: This Easement is granted by Grantor subject to any licenses, leases, easements, or other interest in Grantor's Land previously granted by Grantor or its predecessors in title and to any such interests reserved to other parties in instruments granted to Grantor or its predecessors in title, whether or not of record, including but not limited to the rights and interests granted to Michigan Electric Transmission Company in an Amended and Restated Easement Agreement dated April 25, 2002 and Grantor's Trust Indenture dated as of September 1, 1945, as amended and supplemented, now held by The Bank of New York Mellon, Successor Trustee. Grantee is solely responsible for complying with any applicable requirements, including notice and consent requirements, of such licenses, leases, easements, and other interests.

13. Termination and Reversion: Grantor shall have the right to terminate this Easement by giving Grantee notice of said termination (hereinafter "Termination Notice") if Grantee at any time refuses to, or fails to comply with the Terms and Conditions or any applicable governmental requirements, or if Grantee's Facilities are abandoned or are no longer used for the sole purpose of this Easement for a period of twenty-four (24) consecutive months or more. Upon receipt of said Termination Notice, Grantee shall have ninety (90) days to remove all of Grantee's Facilities and restore the

Easement Area to substantially the same condition or better than it was on the date this Easement was executed. If Grantee fails to comply with the provisions in this section then Grantee's Facilities shall become the property of Grantor and Grantor shall have the right but not the obligation to remove Grantee's Facilities and restore the Easement Area at Grantee's expense, and this Easement shall immediately terminate and revert to Grantor without any further action by Grantor or Grantee. If this Easement is terminated as provided for in this paragraph then the reversion and release of this Easement shall in no way release Grantee from those obligations contained in this Easement that expressly survive termination of this Easement.

14. Notices: Unless otherwise provided herein, any notice required or permitted to be given herein shall be in writing and sent to the parties at their respective addresses set forth in the first paragraph of this instrument, or such other address as the party to whom such notice is to be given may specify from time to time by notice to the other party. Such notices, if sent by certified or registered U. S. mail, postage prepaid, return receipt requested, or overnight courier shall be deemed to have been given when mailed as evidenced by receipt for said mailing; otherwise such notices shall be deemed to have been given when received.

15. Assignment: GRANTEE SHALL NOT ASSIGN THIS EASEMENT WITHOUT GRANTOR'S PRIOR WRITTEN APPROVAL AND SAID APPROVAL MAY BE SUBJECT TO GRANTOR'S ADDITIONAL TERMS AND CONDITIONS.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this instrument on this _____ day of _____, 2019.

City of Kalamazoo,
a Michigan municipal corporation

By: _____
James K. Ritsema

Its: _____ City Manager

Acknowledgement

Acknowledged before me in _____ County, _____, on _____, 2019, by James K. Ritsema, City Manager of the City of Kalamazoo, a Michigan municipal corporation.

Notary Public

County, Michigan
Acting in _____ County
My commission expires: _____

Consumers Energy Company,
a Michigan corporation

By: _____
Julie C. Guinn

Its _____ Real Estate Analyst

Acknowledgement

Acknowledged before me in Jackson County, Michigan, on _____, 2019,
by Julie C. Guinn, Real Estate Analyst of Consumers Energy Company, a Michigan corporation, for the corporation.

Notary Public

County, Michigan
Acting in _____ County
My commission expires: _____

Prepared by & when recorded return to:
Julie Guinn EP7-426
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

SP430 Kalamazoo MI36763

Grantor's Land:

A strip of land 1 rod in width beginning at the West line of Section 15, T1S, R10W and extending Southeasterly along and immediately South of the former Detroit, Toledo and Milwaukee Railway, 113 rods more or less to the North and South, West 1/8 line of said section, in the South 1/2 of the Northwest 1/4, Section 15, Town 1 South, Range 10 West.

ALSO

A strip of land 1-1/2 rods wide lying Southwesterly of, and along and adjoining the Southwesterly line of the former Michigan Railroad right of way across the following described lands: The South 1/2 of the Northwest 1/4 and the North 10 acres of the Northwest 1/4 of the Southwest 1/4 of Section 15, T1S, R10W, except the 1 rod strip of land heretofore conveyed to Commonwealth Power Company and owned by Consumers Power Company as of November 5, 1919.

EXHIBIT B

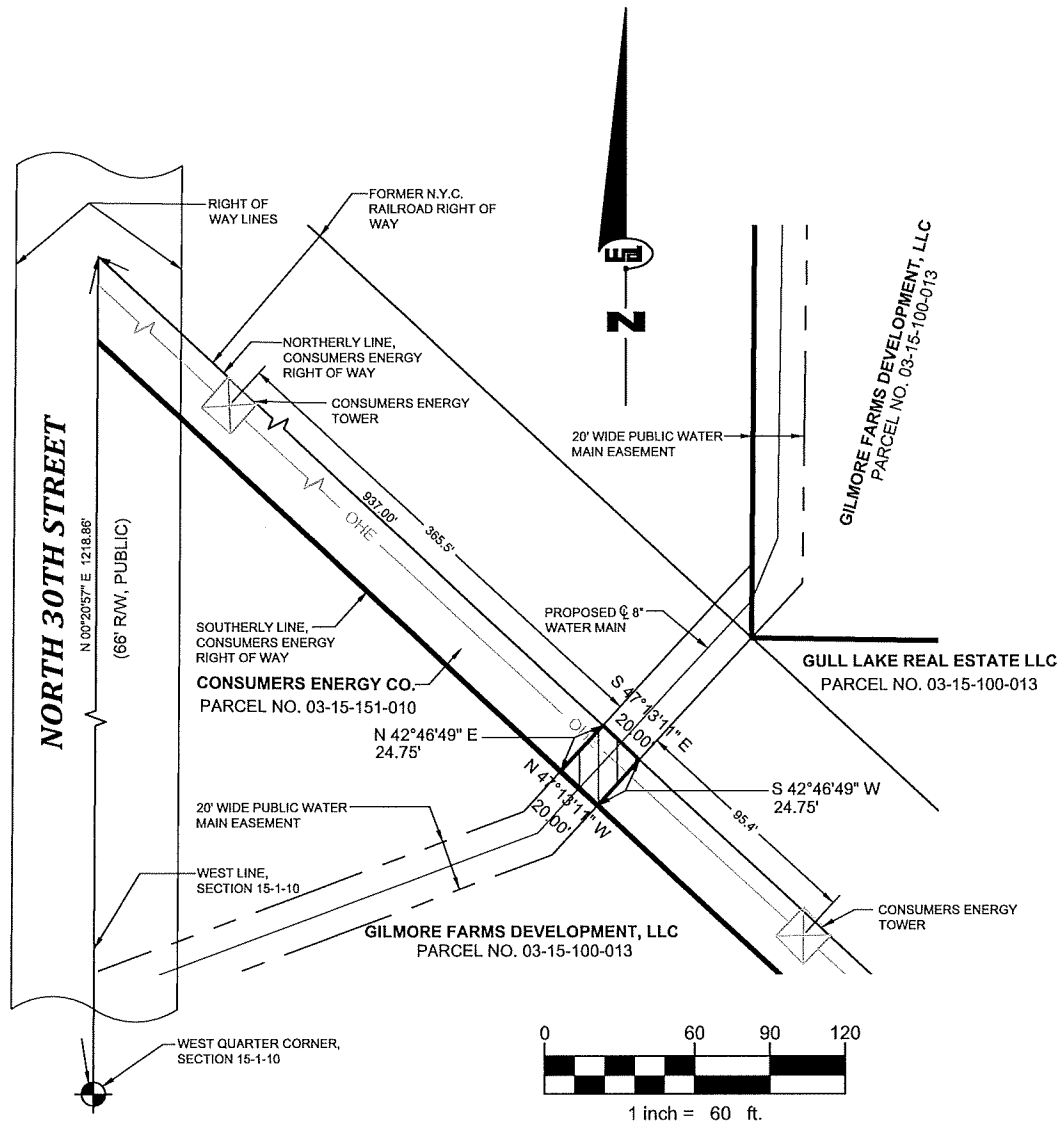
SP430 Kalamazoo MI36763

Easement Area:

FOR 8 INCH PUBLIC WATER MAIN:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 10 WEST, RICHLAND TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE NORTH $00^{\circ}20'57''$ EAST ON THE WEST LINE OF SAID SECTION 15 A DISTANCE OF 1218.86 FEET TO THE NORTHERLY LINE OF CONSUMERS ENERGY RIGHT OF WAY; THENCE SOUTH $47^{\circ}13'11''$ EAST ON SAID NORTHERLY RIGHT OF WAY LINE 937.00 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED; THENCE CONTINUING SOUTH $47^{\circ}13'11''$ EAST ON SAID NORTHERLY RIGHT OF WAY LINE 20.00 FEET; THENCE SOUTH $42^{\circ}46'49''$ WEST 24.75 FEET TO THE SOUTHERLY LINE OF CONSUMERS ENERGY RIGHT OF WAY; THENCE NORTH $47^{\circ}13'11''$ WEST ON SAID SOUTHERLY RIGHT OF WAY LINE 20.00 FEET; THENCE NORTH $42^{\circ}46'49''$ EAST 24.75 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A"



PROPOSED 20.00 FOOT WIDE EASEMENT FOR PUBLIC WATER MAIN DESCRIPTION:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 10 WEST, RICHLAND TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 00° 20' 57" EAST ON THE WEST LINE OF SAID SECTION 15 A DISTANCE OF 1218.86 FEET TO THE NORTHERLY LINE OF CONSUMERS ENERGY RIGHT OF WAY; THENCE SOUTH 47° 13' 11" EAST ON SAID NORTHERLY RIGHT OF WAY LINE 937.00 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED; THENCE CONTINUING SOUTH 47° 13' 11" EAST ON SAID NORTHERLY RIGHT OF WAY LINE 20.00 FEET; THENCE SOUTH 42° 46' 49" WEST 24.75 FEET TO THE SOUTHERLY LINE OF CONSUMERS ENERGY RIGHT OF WAY; THENCE NORTH 47° 13' 11" WEST ON SAID SOUTHERLY RIGHT OF WAY LINE 20.00 FEET; THENCE NORTH 42° 46' 49" EAST 24.75 FEET TO THE POINT OF BEGINNING.

SUBJECT TO SURVEY.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD OR OTHERWISE.

SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.

BEARINGS ARE RELATED TO THE MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.



WIGHTMAN & ASSOCIATES, INC.
ENGINEERING ♦ SURVEYING ♦ ARCHITECTURE
264 Western Avenue
Allegan, MI 49010
Phone: (269) 673-8465
2303 Pipestone Road
Benton Harbor, MI 49022
Phone: (269) 927-0100
9835 Portage Road
Portage, MI 49002
Phone: (269) 327-3532
www.wightman-assoc.com

CLIENT: WESTVIEW CAPITAL

GILMORE FARMS NO. 2

JOB No: 174164

DATE: MAY 7, 2018

SCALE: 1" = 60'

DRAWN BY: ADS

CHECKED BY: GDH

PUBLIC WATER MAIN EASEMENT

CONDITIONAL CONSENT OF EASEMENT HOLDER

SP1259 Kalamazoo A294813

Tract #345-D8-10

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 ("Consumers"), in consideration for the faithful performance of the below described conditions, hereby agrees that it will not consider the 8 inch water main (hereinafter "Permitted Facilities") in a location and per specifications identified in the attached Exhibit A and installed on land the fee simple owner of which is Gull Lake Real Estate, LLC, a Michigan limited liability company, 50 South 64th Street, Coopersville, MI 49404 ("Landowner") to be interfering with the easement rights granted to Consumers Energy Company in instruments dated November 25, 1914 and recorded in Liber 178, Page 288, in Kalamazoo County Records (hereinafter "Easement"), as to Landowner's land in Township of Richland, County of Kalamazoo, and State of Michigan, described as:

See Exhibit B attached hereto and made a part hereof.

In consideration for this Conditional Consent, Landowner agrees to the following:

- 1) Landowner shall comply with the conditions and restrictions outlined in Exhibit C attached hereto and made a part hereof.
- 2) Landowner shall not change the grade within the Easement, without Consumers prior written consent;
- 3) Landowner shall comply with MCL 460.721, et seq., Public Act 174 of 2013 and any future amendments (Miss Dig).
- 4) Landowner shall immediately cease work and notify Consumers if Consumers' facilities are struck by any means of earth disturbing equipment or otherwise so Consumers can inspect its facilities, and if required, make all necessary repairs.
- 5) Consumers may, at its sole discretion, elect to have a representative on site when Landowner or its contractor are performing activities contemplated under this Conditional Consent and Landowner herein acknowledges that Consumers' representative shall have full authority to stop any of Landowner's excavation or construction related activities if Consumers' representative, in his/her sole discretion, feels Landowner's activities could result in damage to Consumers' facilities.
- 6) Landowner hereby waives any and all claims Landowner may at any time have against Consumers related to Consumers' presence on the above referenced Easement. Furthermore, Landowner agrees to assume all liability for and to indemnify Consumers from and against all claims for any type of injury to or death of any person or persons and loss or damage to the property, of any person or persons whomsoever, including the parties hereto and their agents, contractors, subcontractors, employees, and invitees, arising out of the Permitted Facilities located within Consumers' Easement, except Landowner is not required to indemnify Consumers against Consumers' sole negligence. Without limiting the foregoing, Landowner expressly acknowledges that Consumers has made Landowner aware that it or its vehicles may cause damage to the Permitted Facilities in the exercise of its Easement rights, and Landowner expressly accepts the risk of said damage and hereby waives, releases, and indemnifies Consumers from and against any claim Landowner may at any time or from time to time have against Consumers related to any damage caused by Consumers or

Consumers' vehicles to said Permitted Facilities. Furthermore, Landowner accepts responsibility for any increase in cost to Consumers as a result of the Permitted Facilities.

- 7) All costs and expenses for constructing, operating, maintaining and removing the Permitted Facilities shall be borne solely by Landowner.
- 8) Consumers Energy Company reserves the right at any time and for any reason, and from time to time, to relocate or expand its facilities within the Easement, and Landowner expressly agrees to, at Landowner's sole cost and expense, relocate the Permitted Facilities to accommodate for said relocation or expansion, including, but not limited to, relocation to ensure proper clearances necessary for any applicable safety code.

The easement shall remain unchanged and in full force and effect in all other respects.

The invalidity or unenforceability of any provision of this instrument shall not affect or impair any other provisions or the validity and enforceability of the remainder of this instrument.

The terms and conditions of this Conditional Consent shall be deemed to run with the land and shall inure to the benefit of and be binding upon the parties hereto, and their respective heirs, executors, administrators, personal representatives, successors and assigns. Accordingly, all references to "Landowner" and "Consumers" herein shall, where applicable, be deemed to mean or to include the respective heirs, executors, administrators, personal representatives, successors and assigns of the herein named Landowner and Consumers.

This Conditional Consent may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this instrument on this _____ day of _____, 2019.

Gull Lake Real Estate, LLC, a Michigan limited liability company

BY: Thomas L. Brink
Thomas L. Brink
Its: Authorized Agent

Acknowledgement

Acknowledged before me in Ottawa County, Michigan, on May 8, 2019, by Thomas L. Brink Authorized Agent for Gull Lake Real Estate, LLC, a Michigan limited liability company.

Theresa Lynn Fisher Notary Public
Ottawa County, Michigan
Acting in Kent County
My commission expires: August 30, 2020

Consumers Energy Company

By: _____
Julie C. Guinn
Its: Real Estate Analyst

Acknowledgement

Acknowledged before me in Jackson County, Michigan, on _____, 2019, by Julie C. Guinn, Real Estate Analyst of Consumers Energy Company, a Michigan corporation, for the corporation.

Notary Public

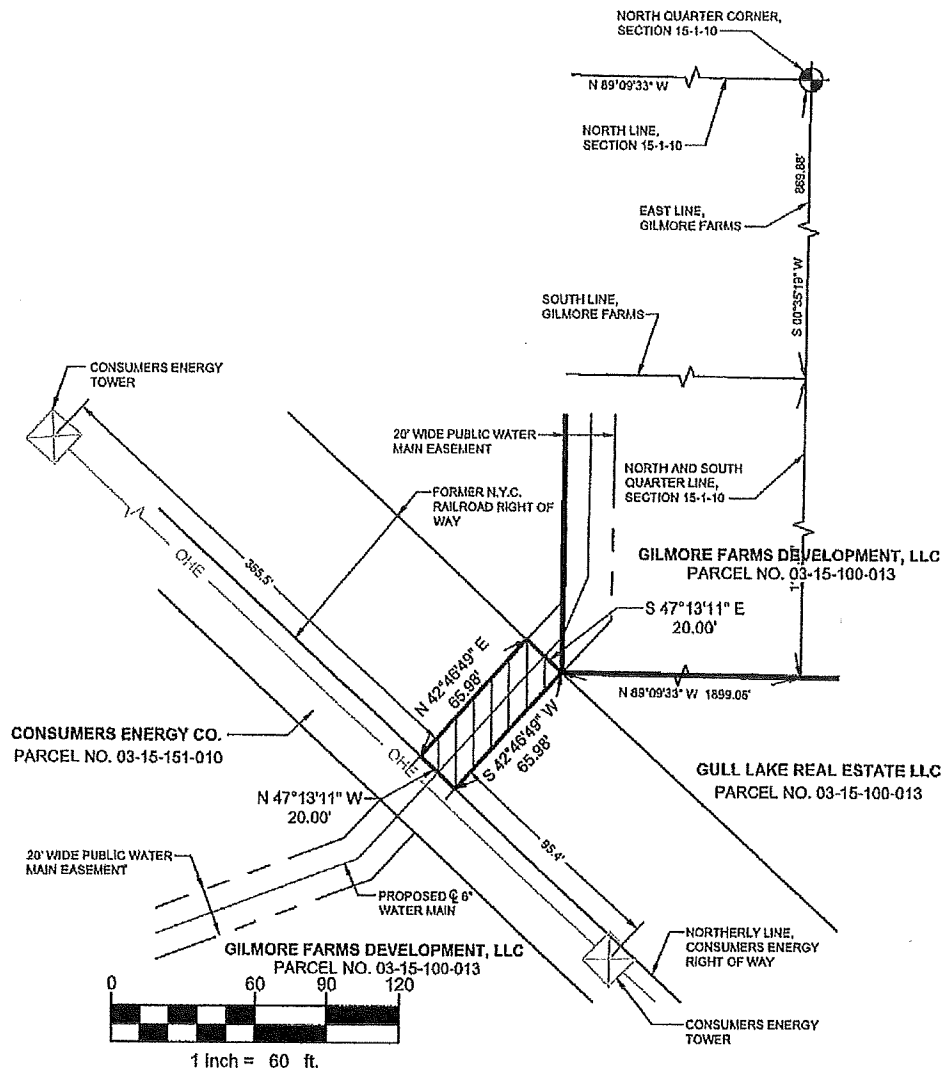
County, Michigan
Acting in _____ County
My commission expires: _____

Prepared by:
Scott Hoeft
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

Return recorded instrument to:
Scott Hoeft EP7-422
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT "A"

SP1259 Kalamazoo



PROPOSED 20.00 FOOT WIDE EASEMENT FOR PUBLIC WATER MAIN DESCRIPTION:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 10 WEST, RICHLAND TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 15; THENCE SOUTH 00° 35' 19" WEST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 15 A DISTANCE OF 869.88 FEET TO THE SOUTH LINE OF GILMORE FARMS, BEING KALAMAZOO COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 228, RECORDED IN DOCUMENT NO. 2016-034454, KALAMAZOO COUNTY RECORDS; THENCE CONTINUING SOUTH 00° 35' 19" WEST ON SAID NORTH AND SOUTH QUARTER LINE 1163.97 FEET; THENCE NORTH 89° 09' 33" WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 15 A DISTANCE OF 1899.06 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE FORMER N.Y.C. RAILROAD AND THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED; THENCE SOUTH 42° 46' 49" WEST 65.98 FEET TO THE NORTHERLY LINE OF CONSUMERS ENERGY RIGHT OF WAY; THENCE NORTH 47° 13' 11" WEST ON SAID NORTHERLY RIGHT OF WAY LINE 20.00 FEET; THENCE NORTH 42° 46' 49" EAST 65.98 FEET TO SAID NORTHERLY RIGHT OF WAY LINE OF THE FORMER N.Y.C. RAILROAD; THENCE SOUTH 47° 13' 11" EAST ON SAID NORTHEASTERLY RIGHT OF WAY LINE 20.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO SURVEY.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD OR OTHERWISE.

SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.

BEARINGS ARE RELATED TO THE MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.



WIGHTMAN & ASSOCIATES, INC.
ENGINEERING ♦ SURVEYING ♦ ARCHITECTURE
264 Western Avenue
Alligan, MI 49010
Phone: (269) 673-8465
3303 Pipestone Road
Benton Harbor, MI 49022
Phone: (269) 937-0100
9835 Portage Road
Portage, MI 49002
Phone: (269) 327-3532
www.wightman-associates.com

CLIENT: WESTVIEW CAPITAL

GILMORE FARMS NO. 2

JOB No: 174164

DATE: MAY 7, 2018

SCALE: 1" = 60'

DRAWN BY: ADS

CHECKED BY: GDH

PUBLIC WATER MAIN EASEMENT

EXHIBIT B
SP# 1259 – Kalamazoo – A294813

Easement Area

Land located in the Township of Richland, County of Kalamazoo and State of Michigan, described as: That part of the SW 1/4 of the NW 1/4 of Section 15, T1S, R15W lying Northerly of the Southerly line of the Railroad Right-of Way.

EXHIBIT C
SP1259 Kalamazoo A294813

1. Landowner shall not build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, retention pond, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, fence, landscape, engineering works, installation or any other type of structure over, under, or on said Easement area excepting only those explicitly authorized herein.
2. No ground cover is to be added or removed from the Easement area without Consumers' prior written approval.
3. No fill shall be placed under any electric line or within 20 feet of any electric line, tower, or pole without Consumers' prior written approval.
4. Any temporary change in grade created by excavation shall be filled and such fill shall be compacted such that no pockets are created, and compacted to an extent so as to not interfere with the ability of Consumers' vehicles to traverse any portion of the Easement area.
5. While working within Consumers' Easement area, Landowner shall not violate or cause Consumers to be in violation of the National Electric Safety Code or any other applicable safety code. Furthermore, construction equipment operated in Consumers' Easement area shall at all times maintain a minimum separation of 15 feet from any energized conductor. If more stringent, OSHA/MIOSHA standards shall be observed. No equipment having the height potential of contacting any such electric lines shall be allowed to operate under such lines. No dump truck beds shall be lifted under any electric lines. No excavation or boring shall be done within 15 feet from any utility pole, tower, structure, or guy wire.
6. Landowner shall give Consumers written notice of any non-emergency construction activities including vegetation management that Landowner performs in the Easement area following installation of the Permitted Facilities. Such notice to be sent to POBoxConsumersRealEstateInquiries@cmsenergy.com at least 10 business days in advance of the commencement of such work. In the case of emergency work, Landowner shall notify Consumers of such work as soon as is reasonably practicable.



Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Rebekah Kik, Director Community Planning and Economic Development

PREPARED BY: Christina Anderson, City Planner

DATE: 5/27/2019

SUBJECT: NFP Review Board Bylaws

RECOMMENDATION

It is recommended that the City Commission approve bylaws for the Natural Features Protection (NFP) Review Board.

BACKGROUND

The Natural Features Protection Review Board was established with the approval of the Natural Features Protection Overlay District on May 20th and went into effect on May 30th. The moratorium on the review and approval of development in the NFP Overlay District expires on June 3rd. The bylaws before the Commission tonight are necessary to set up the NFP Board up for assisting in the review and approval of development cases per the NFP Ordinance.

POLICY CONSIDERATIONS

Administration of the NFP Overlay Ordinance requires the NFP Review Board. These bylaws support the development of this Board as the moratorium is lifted and review of projects can resume.

COMMUNITY RESOURCES CONSULTED

The NFP Overlay Ordinance was created through an extensive public process during the winter of 2019. The Review Board was established in this Ordinance.

FISCAL IMPACT

There will be an increase in staff time to review cases and serve as a liaison to the new Board.

ALTERNATIVES

The Commission could select to not approve these bylaws. This would impact the ability of the City to apply the Natural Features Protection Ordinance. Staff recommends approval of the bylaws.

ATTACHMENTS:

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

- | | |
|---|--------------------------------|
|  | Policy NFP Review Board Bylaws |
|---|--------------------------------|

BYLAWS OF
THE NATURAL FEATURES PROTECTION REVIEW BOARD
OF THE CITY OF KALAMAZOO

Article I

Purpose and Responsibilities

Section 1. Purpose and Intent.

- a) The purpose of the Natural Features Protection Review Board ("Board") is to assist staff in the Site Plan Review process by providing expert knowledge on relevant natural features and development or construction. Approval from the Board is necessary for a project to obtain full site plan review approval as part of the development, permitting, and construction process.
- b) The intent of the Board is to guide development of land in the Natural Features Protection Overlay District in order to protect natural features in the City. The action items in the 2025 Master Plan require the City to work collaboratively with the community for long-term protection of natural features for such ends as public enjoyment and environmental health.

Section 2. Responsibilities.

- a) To review development site plans on parcels located in the Natural Features Protection Overlay District to ensure all requirements and standards are satisfied.
- b) To serve as an advisory group as the City conducts an analysis of natural features in the City.
- c) To work with the City on providing environmental education and stewardship opportunities for property owners, stakeholders, and conservation-minded organizations to protect natural features throughout the City.

Section 3. Overlay District Boundaries. The Board shall exercise its powers on parcels identified within the Natural Features Protection Overlay District as designated in the ordinance establishing the Natural Features Protection Overlay District, and as such ordinance may from time to time be amended by the City Commission.

Article II

Board Membership

Section 1. Membership.

- a) Number. The Board shall consist of seven (7) persons.

- b) Terms. Members shall be appointed for a term of three (3) year terms except that of members first appointed, two shall be appointed for one-year terms, two for two-year terms, and three for three-year terms.
- c) Qualifications. Members shall have education or experience so that the Board has at least one member with knowledge in each of the following areas: 1) wetlands/water resources, 2) plants/trees, 3) slopes, and 4) site development/building construction.

Section 2. Selection of Members. Board members shall be appointed by the Mayor and approved by the City Commission.

Section 3. Compensation. Members shall serve without compensation as a voluntary board of the City.

Section 4. Expiration of Term, Replacement, and Vacancies. Subsequent members shall be appointed in the same manner as original appointments at the expiration of each member's term of office. A member whose term of office has expired shall continue to hold office until his or her successor has been appointed. A member may be reappointed and may serve no more than two successive terms; but is eligible for reappointment after an absence of one term. If a vacancy is created by death, resignation, or removal of a member, a successor shall be appointed by the Mayor with the approval of the City Commission within thirty (30) days of the vacancy to hold office for the remainder of the term so vacated.

Section 5. Duties of Board Members.

- a) Discussion and deliberation among members should take place on issues before the Board; such deliberations must only occur at meetings of the Board open to the public in accordance with the Michigan Open Meetings Act (Act 267 of the Public Acts of 1976, as amended).
- b) Members are required to make every effort to attend all regular and special meetings of the Board. Except in emergency or unforeseen circumstances, members must notify the Chairperson or Vice-Chairperson of an absence at least forty-eight (48) hours before a scheduled meeting.
- c) Members must avoid contact with an applicant or the agent of an applicant regarding a matter pending before the Board, if possible. If it is not possible to avoid such contact, the member shall report the substance of the contact or conversation when the matter is considered by the Board. Such report shall be reflected in the minutes of the meeting.
- d) Members shall not accept gifts from anyone connected with a pending, anticipated or decided Board agenda item. As used here, a gift means cash; any tangible item or service, regardless of value; and food valued over \$10.

Section 6. Removal.

- a) After having been given notice and an opportunity to be heard, a member may be removed from office for neglect of duty, misconduct, or malfeasance by a majority vote of the Kalamazoo City Commission.

- b) A member who is absent from three consecutive regularly scheduled meetings or five meeting absences in a calendar year may be considered delinquent by Board vote. Delinquency is grounds for the City Commission to remove a member, upon notice and an opportunity to be heard.

Section 7. Conflict of Interest.

- a) A member shall not engage in a board decision by which the individual may profit from their official position with the Board or benefit from confidential information which the individual has obtained or may obtain by reason of his or her position with the Board.
- b) A conflict of interest occurs when a Board member's financial or personal interests conflict with their responsibility to impartially act in the best interest of the Board. Personal interests include direct interests as well as those of family, friends, or other organizations a person may be involved with or have an interest in. A conflict of interest may be actual, potential, or perceived and may be financial or non-financial. An apparent conflict of interest exists whenever circumstances are such that a Board member or a Board member's family may appear to be in a position to benefit, either financially or personally, from the position the person holds as a Board member.
- c) A member who has a direct interest in any matter before the Board shall disclose this interest prior to the Board taking any action with respect to the matter, which disclosure shall become a part of the record of the Board's official proceedings. Further, except as provided herein, any member making such disclosure shall then refrain from participating in the Board's decision-making process relative to such matter.

Article III

Officers

Section 1. Officers. The officers of the Board shall be a Chairperson and Vice-Chairperson.

Section 2. Election and Term of Office. Officers shall be elected at the first regular meeting of the Board and at each annual meeting thereafter. The term of each office shall be for one (1) year. Each officer shall hold office until his or her successor is appointed. No person shall hold the same office for more than two (2) successive terms. However, no terms of office created under this section shall extend beyond the Board term of the member designated.

Section 3. Vacancies and Removal. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled at any meeting of the Board for the unexpired portion of the term of such office.

Section 4. Chairperson. The Chairperson shall preside at meetings of the Board with the ability to fully participate and vote on matters coming before the Board.

Section 5. Vice-Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson in the Chairperson's absence and such other duties as shall from time to time be assigned to the office by the Board.

Article IV

Meetings

Section 1. Annual Meeting. The Board shall hold an annual meeting in the first calendar quarter of each year at which time officers of the Board shall be elected as provided herein.

Section 2. Regular Meetings. Regular meetings of the Board shall be held at a time and place to be set by the Board. Notice of the dates, times, and places of regular meetings shall be annually published in accordance with the Michigan Open Meetings Act, being Public Act 267 of 1976, as amended.

Section 3. Special Meetings. Special meetings of the Board may be called by or at the request of the Chairperson of the Board or any two members. All special meetings shall be preceded by public notice posted at least eighteen (18) hours prior to the meeting in accordance with the Michigan Open Meetings Action, being Act 267 of the Public Acts of 1976, as amended.

Section 4. Agenda. The City of Kalamazoo staff liaison shall prepare the agendas for all meetings and send them to the Board at least eighteen (18) hours prior to a meeting. Any member may request an item to be placed on the agenda. The agenda shall be approved by the Board at the beginning of each meeting.

Section 5. Notice and Open Meetings. All regular and special meetings of the Board shall be open to the public and held in a place available to the general public and be noticed to the public in accordance with the Open Meetings Act (Act 267 of the Public Acts of 1976, as amended).

Section 6. Quorum and Voting. A majority of the members of the Board shall constitute a quorum for the transaction of business. The vote of the majority of members present at a meeting at which a quorum is present constitutes the action of the Board, unless the vote of a larger number is required by statutes, ordinance, or elsewhere in these Bylaws.

Section 7. Participation by Communication Equipment. A member may participate in a meeting by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Any member communicating by conference telephone or similar communications equipment shall not be counted toward quorum, although the individual vote of the member shall count toward majority vote.

Section 8. Rules of Order. Robert's Rules of Order, Newly Revised will govern the conduct of all meetings. Motions for reconsideration may take place only at an open meeting of the Board where the decision was made or at the next regular meeting after the meeting where the decision was made.

Section 9. Public Comment.

- a) An applicant presenting a proposal to the Board shall identify themselves by name and address. The applicant and persons speaking in favor or opposition to the proposal shall identify themselves by name and address and be permitted to address the Board under rules established by the Board.
- b) During the portion of the Board meeting set aside for general public comment on other matters relevant to the functions and responsibilities of the Board, shall identify themselves by name and address and be permitted to address the Board for up to three (3) minutes.

Article V

Amendments

Section 1. Amendments. The Board shall have power to make, alter or amend the bylaws in whole or in part by 2/3 vote of its members, to be effective if approved by the Kalamazoo City Commission, with written copies of the proposed changes having been given at the next preceding regular or special meeting.

Section 2. Effective Date. These bylaws shall become effective upon approval by the Kalamazoo City Commission.



Commission Agenda Report

City of Kalamazoo

TO: Vice Mayor Knott and City Commissioners

FROM: Bobby J. Hopewell, Mayor

PREPARED BY: Scott A. Borling, City Clerk

DATE: 5/30/2019

SUBJECT: Approval of the Mayor's Appointments to the Natural Features Protection Review Board

RECOMMENDATION

It is requested that the City Commission approve the Mayor's appointments to the Natural Features Protection Review Board:

- the appointment of Ashley Cole-Wick for a term expiring on March 31, 2020.
- the appointment of Erin Fuller for a term expiring on March 31, 2022.
- the appointment of Robert Glasser for a term expiring on March 31, 2021.
- the appointment of Mitch Lettow for a term expiring on March 31, 2022.
- the appointment of Paul MacNellis for a term expiring on March 31, 2021.
- the appointment of Kyle Martin for a term expiring on March 31, 2022.
- the appointment of Alan Sylvester for a term expiring on March 31, 2020.

BACKGROUND

On May 20th the City Commission adopted Ordinance 1984, which created the Natural Features Protection (NFP) Overlay District. Projects within this new district require special review, and the ordinance creates a Natural Features Protection Review Board, whose job it is to review projects in the overlay district "to ensure the standards of the NFP Overlay District are met and assist the City with regular review of the NFP standards, map, outreach, and City-wide education."

Fourteen applications were submitted for the NFP Review Board. After reviewing these applications I appointed Ashley Cole-Wick, Erin Fuller, Robert Glasser, Mitch Lettow, Kyle Martin, Paul MacNellis, and Alan Sylvester. I am now requesting City Commission approval of these appointments, as required by the ordinance. The attached *Nomination Report* summarizes the nominees' qualifications.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

There is no fiscal impact directly associated with these appointments.

ALTERNATIVES

The City Commission could approve these appointments, not approve them, or postpone action to a date certain.

ATTACHMENTS:

Type	Description
▢	Report NFP Nomination Report



Advisory Boards and Commissions Appointee Nomination Report

City of Kalamazoo

RECOMMENDATION

The following are the members put forth for consideration for the newly created Natural Features Protection Review Board: **Alan Sylvester, Kyle Martin, Ashley Cole-Wick, Erin Fuller, Robert Glasser, Mitch Lettow, and Paul MacNellis.**

SPECIAL REQUIREMENTS FOR THIS POSITION

The Natural Features Protection (NFP) board was created with the approval of the Natural Features Protection Overlay Ordinance on May 20th. This Ordinance states that the NFP Review Board must have seven members. The members are to represent natural features defined in the NFP Overlay District through their education or work experience and experience in the development world. Members may be from the greater Kalamazoo area.

SELECTION PROCESS

Applications were posted in April and fourteen applications were received by the Clerk's office. The applications were reviewed by staff and the Mayor upon approval of the Overlay District on May 20th.

NOMINEE QUALIFICATIONS

Nominations for 1-Year Terms.

Ashley Cole-Wick. Ashley is the conservation biologist and wildlife specialist at the Michigan Natural Features Inventory. Ashley is a resident of the Vine Neighborhood.

Alan Sylvester. Alan is the President of Lockhart Management. He has experience in both property development and management. Alan is a resident of Westnedge Hill in Kalamazoo.

Nominations for 2-Year Terms.

Paul MacNellis. Paul is a former facilities manager at Western Michigan University (WMU). Paul is a resident of Texas Township.

Robert Glasser. Robert is an environmental geologist with Crawford Environmental. Robert is a resident of the Westnedge Hill Neighborhood.

Nominations for 3-Year Terms.

Kyle Martin. Kyle is the Stewardship Field Manager at the Kalamazoo Nature Center. He is an ecologist and certified natural shoreline professional. Kyle is a resident of Texas Township.

Erin Fuller. Erin is the watershed coordinator at the Van Buren Conservation District, President of the Audubon Society, and President of the Stewards of Kleinstuck. Erin is a resident of the Hillcrest Neighborhood.

Mitch Lettow. Mitch is the conservation and stewardship manager for the Southwest Michigan Land Conservancy. Mitch is a resident of the Vine Neighborhood.

Residency

Residency of the City of Kalamazoo is not required for this board.

Contribution To Diversity

The nominees represent a mix of genders, ages, and professions as it relates to Natural Features and development in Kalamazoo.

NOMINATION RATIONALE

The backgrounds, skills, and interests of the nominees qualify them to serve as members of the first Natural Features Protection Review Board. They will form a diverse board that has demonstrated commitment to preserving and protecting natural features in Kalamazoo and a desire to serve the city in this capacity.

CITY CLERK'S CERTIFICATION

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

Scott A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor Knott, and City Commissioners
FROM: Scott A. Borling, City Clerk
DATE: 5/30/2019
SUBJECT: Appointment to the Zoning Board of Appeals

RECOMMENDATION

It is recommended that the City Commission approve the appointment of **Beth Ann van den Hombergh** to the Zoning Board of Appeals as an alternate member for a term expiring on March 31, 2021.

BACKGROUND

The City Commission must approve appointments and re-appointments to the Zoning Board of Appeals (ZBA). The City Clerk's Office receives applications for the ZBA and forwards them to the staff liaison. It is then the responsibility of the ZBA to recommend appointments and re-appointments to the City Commission. The attached *Appointee Nomination Report* details Ms. van den Hombergh's qualifications.

COMMUNITY RESOURCES CONSULTED

This nomination was made by the Zoning Board of Appeals.

FISCAL IMPACT

There is no fiscal impact associated with this appointment.

ALTERNATIVES

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

ATTACHMENTS:

Type	Description
□	Report ZBA Nomination Report



Advisory Boards and Commissions Appointee Nomination Report

City of Kalamazoo

RECOMMENDATION

The Zoning Board of Appeals (ZBA) recommends the City Commission approve the following appointments:

- The appointment of **Beth Ann van den Hombergh** for a full term as an Alternate expiring on March 31, 2021.

SPECIAL REQUIREMENTS FOR THIS POSITION

Zoning Board of Appeals members must be residents of the City of Kalamazoo and should have knowledge of the City, including some familiarity with the Zoning Ordinance, as well as knowledge of the current issues in the community.

SELECTION PROCESS

Applicants Considered

Beth Ann van den Hombergh and Justin Schneck were considered for this position.

Interview Process and Final Recommendation

Beth Ann van den Hombergh was interviewed May 8, 2019. The Zoning Board of Appeals on May 9, 2019 approved a recommendation to appoint Mrs. van den Hombergh as an Alternate.

NOMINEE QUALIFICATIONS

Dual Board Memberships

Beth Ann van den Hombergh is not presently serving on any other City boards.

Residency

Beth Ann van den Hombergh currently resides in the Westwood Neighborhood

Term Limits

Mrs. van den Hombergh will be eligible to serve two additional full terms.

Training, Experience, Education And Skills

Mrs. van den Hombergh has lived in the City for 25 years and has held various administrative professional roles and Western Michigan University. She co-chaired the Friends of Frays Park fund raiser in 2008 and is very interested in getting more involved with the City by serving on the Zoning Board of Appeals.

Contribution To Diversity

Mrs. van den Hombergh is from the Westwood Neighborhood which does not currently have a representative on the Board and will add to the gender diversity of the Board.

NOMINATION RATIONALE

Mrs. van den Hombergh possesses board experience, project management experience and is knowledgeable about the history of Kalamazoo.

CITY CLERK'S CERTIFICATION

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

Scott A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Richard O. Cherry, Assistant City Attorney

SUBJECT: Amendments to the Offenses and Crimes Generally Chapter 22 sections 22-3 through 22-5.

RECOMMENDATION

It is recommended that the City Commission adopt an ordinance repealing Sections 22-3 through 22-5 of the Kalamazoo City Code, which were replaced by recent amendments to Chapter 21 - Nuisances.

BACKGROUND

In the proposed amendment the City Attorney recommends that the City Commission repeal sections 22-3 "Nuisances generally — Specified; unlawful to maintain; exceptions", 22-4 "Same — Investigations; notice to abate; hearing" and 22-5 "Same — Abatement by City". These sections have been replaced by amendments to Chapter 21-Nuisances. This body recently adopted amendments to Chapter 21 on April 15, 2019. These sections are no longer needed and now may conflict with amended Chapter 21.

ALTERNATIVES

The alternative would be to not enact the amendments to the ordinance which would cause inconsistency, confusion and conflicting language in the Kalamazoo City Code of Ordinances.

ATTACHMENTS:

Type	Description
Ordinances	AN ORDINANCE TO REPEAL SECTIONS 22-3 through 22-5 OF THE KALAMAZOO CODE OF ORDINANCES

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL SECTIONS 22-3 through 22-5
OF THE KALAMAZOO CODE OF ORDINANCES

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Sections 22-3 of the Kalamazoo City Code is repealed and replaced with a reserved section:

§ 22-3 [Reserved] ~~Nuisances generally—Specified; unlawful to maintain; exceptions.~~

A. ~~The following are hereby declared to be public nuisances; and it shall be unlawful for any person owning, occupying or in control of any lot or land, public or private, to allow, maintain or permit such nuisance to remain on such lot or land:~~

~~(1) Noxious weeds (as defined below) or any other weeds or grasses which have attained a height of 12 inches or more; unless said vegetation is a noxious weed, however, vegetation shall not be deemed to be a public nuisance if it is maintained.~~

~~(2) Any trash, garbage, rubbish, debris, waste or similar offensive or unsightly material.~~

~~(3) Any dead trees or shrubbery or any accumulation of dead vegetation, other than a managed compost and other than that which is properly placed for public or privately contracted collection.~~

~~(4) Any materials constituting a haven or hiding or nesting place for rats.~~

~~(5) Any unfilled basements, excavations or holes that could be dangerous to children coming upon the property, unless fenced or protected in a manner approved by the City Manager or his duly authorized representative.~~

~~(6) Any substance which is:~~

~~(a) Classified as hazardous, toxicant, a pollutant or contaminant by the State of Michigan or the United States; or~~

~~(b) Named in or covered by the categorical pretreatment standards set by the United States; or~~

~~(c) Regulated by the Fire Code adopted by Chapter 15 of the Kalamazoo Code; or~~

~~(d) Required by the City of Kalamazoo to be pretreated under Chapter 28 of the Kalamazoo Code:~~

~~which is either left in an otherwise vacant building or abandoned or has been or is being used, possessed, maintained or disposed of in violation of any governing statute, ordinance, regulation, rule or order.~~

- B. ~~The remedies provided in §§ 22-4 and 22-5 of the Kalamazoo City Code are not exclusive. Civil and criminal action may be brought immediately upon violation of this section without the procedures of §§ 22-4 and 22-5 having first been followed.~~
- C. ~~The provisions of § 22-3A(1) shall not apply to any parcel larger than one acre if, for the first 25 feet from any adjacent property or roadway, the parcel complies with § 22-3A(1).~~
- D. ~~The provisions of Subsections A(1) and (3) shall not apply to any place designated as a park, preserved or open space.~~
- E. ~~Definitions. As used within this section, the following terms shall have the meanings indicated:~~

MAINTAINED

~~Ongoing care and attention, such as weeding, watering or trimming or any other affirmative acts which make it clear that the vegetation is not the result of mere neglect.~~

NOXIOUS WEEDS

~~Refers to poison ivy, poison sumac, poison oak, nettles and/or ragweed.~~

WEEDS

~~Any vegetation which is neither customarily planted or transplanted nor commercially sold for such use.~~

Section 2. Section 22-4 of the Kalamazoo City Code is repealed and replaced with a reserved section:

§ 22-4 [Reserved] **“Same—Investigations; notice to abate; hearing.**

- A. ~~It shall be the duty of the City Manager or his or her duly authorized representative to enforce the provisions of § 22-3 and to make an investigation of all complaints of violation of § 22-3 and such other investigations in relation to the provisions of such section as may be deemed advisable. For such purpose, the City Manager or his or her duly authorized representative shall have authority to enter upon the premises of any public or private land within the City as reasonable times and under reasonable conditions.~~
- B. ~~The City Manager, or his or her duly authorized representative, is authorized to demand in writing that the owner or person in control of any land within the City remove or correct any condition constituting a violation of § 22-3 within 10 days of the date said notice is mailed (by regular mail) or personally served. Such notice shall be made to the address at which the violation exists (if there is an inhabited structure at said address) and, if different, to the address of the person shown as being the owner, as determined by reference to the City's most recent tax records. When the nuisance involves weeds [see § 22-3A(1) above], only one notice per calendar year need be sent by the City for any one address (which fact said notice shall so state).~~
- C. ~~Any person aggrieved by the terms of notice given pursuant to this section shall receive a full hearing in the office of the City Manager or his or her duly authorized representative at~~

a mutually agreeable time or upon reasonable notice to the person owning or in control of such premises, so long as said person submits a written request for such a hearing to the City within the time the City allowed for the removal or correction of the condition. In determining whether such notice should be confirmed, the City Manager or his duly authorized representative shall take into consideration any and all hazards, nuisances or influences adverse to adjoining property or persons occupying the same and all factors detrimental to the health, safety, peace, morals and welfare of persons within or about the premises.

- ~~D. Notwithstanding the above, if a person receiving a violation notice [indicating abatement action may be taken by the City regarding § 22-3A(1)] believes that his or her vegetation does not constitute a public nuisance, that person may (within 10 days of the date said notice is mailed) request a hearing. The request shall be in writing and shall be submitted to the City Manager's office and shall set forth all of the reasons why the owner believes the vegetation at issue is not a public nuisance. The hearing shall be conducted by the Weed Committee (created below) and shall occur within 14 days of the receipt by the City of said request. The property owners within 200 feet of the subject property shall be advised of the hearing, which shall be open to the public.~~
- ~~(1) Said committee shall determine whether the vegetation at issue constitutes a public nuisance. Its written decision shall be rendered within 21 days of the receipt of said request. Said decision shall be mailed (first class) to the person who requested the hearing and forwarded to the City Manager, who may affirm, reverse or modify the committee's decision. If less than three members of the committee determine that the vegetation does not constitute a public nuisance, abatement action may be commenced five calendar days after the decision is mailed (unless the City Manager directs otherwise). If three or more members of the committee determine that the vegetation does not constitute a public nuisance, no abatement action may be taken (regardless of the City Manager's review) unless and until criminal action has been brought and a conviction obtained for violating § 22-3A(1).~~
- ~~(2) If less than three members of the committee determine that the vegetation at issue is not a public nuisance, the committee may allow the owner up to five calendar days to eliminate that vegetation which constitutes the public nuisance. The determination of whether the vegetation has been brought into compliance with this section shall be made (on or after the sixth day) by a City inspector, who shall communicate his/her determination to the committee's members. The inspector's determination shall stand unless a majority of the committee's members disagree.~~
- ~~E. For the purpose of carrying out the provisions of this section, a Weed Committee shall be created, the five members of which shall be appointed by the City Manager. The members shall include a representative from the Kalamazoo Nature Center, the City of Kalamazoo Parks and Grounds Department, the Environmental Concerns Committee, the City of Kalamazoo Administration, and a registered landscape architect. Appointment of said Committee members shall be for three year terms, except that the initial appointments shall provide for three three year terms and two two year terms, so that subsequent appointments shall not occur at the same time. The Committee shall elect from its membership a chair and vice chair and such other officers as it deems advisable. The terms of the officers shall be for one year and they shall be eligible for reelection. The recording secretary will be~~

furnished by the City to receive and distribute all meeting minutes and to perform other relevant functions. A majority of the members of the committee shall constitute a quorum. The Committee shall propose rules of procedure (including provisions for the establishment of alternate members) for approval by the City Manager.

- F. ~~The foregoing notice and hearing requirements shall not apply in the event that the public nuisance constitutes an immediate danger to the public health, safety or welfare or if the public nuisance is located upon public lands.~~

Section 3. Sections 22-5 of the Kalamazoo City Code is repealed and replaced with a reserved section:

§ 22-5 [Reserved] **Same — Abatement by City.**

- A. ~~If a condition in violation of § 22-3 is not removed or corrected within five business days after mailing or giving personal notice pursuant to § 22-4 or within five business days after confirmation of the notice at the hearing provided for in § 22-4 or recurs or continues to exist on or after May 14 after notice has been given pursuant to § 22-4B, the City Manager or his or her duly authorized representative is hereby authorized and empowered to arrange and pay for the removal of or correcting of such condition, either by a department of the City or by other, and immediately bill the expense thereof to the owner or person in control of such property. For such purpose, the City Manager or his duly authorized representative is hereby authorized and empowered to enter upon the premises of any such public or private land within the City at reasonable times and under reasonable conditions to accomplish the appropriate corrective action.~~
- B. ~~If any bill rendered pursuant to Subsection A shall remain due and unpaid for a period of 30 days after the bill is mailed, it shall thereafter accrue interest at the rate of 6% per annum from the date of the completion of the work ordered by the City Manager or his duly authorized representative; and the City Commission may, at its discretion, order the collection thereof by suit at law or may assess the same against the property; and such assessment shall constitute a lien upon the property from the date of completion of the work and may be billed as part of the tax applicable to the property.~~
- C. ~~If § 22-4E applies, the ten-day period of Subsection A and provisions of Subsection A, requiring notice prior to City correction or removal of the nuisance, shall not apply; but the remainder of Subsections A and B shall apply, and the City may abate the nuisance under Subsection A and obtain reimbursement as provided in Subsection B.~~

Section 4. REPEALER

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

Section 5. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall

be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. EFFECTIVE DATE

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

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____, 2019. Public notice was given, and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Sarah R. Wenzlick, Assistant City Attorney

DATE: 5/10/2019

SUBJECT: Repeal of Sections 22-53 and 22-56 Pertaining to Loitering

RECOMMENDATION

It is recommended that the City Commission adopt an ordinance repealing Section 22-53 "Loitering" and Section 22-56 "Loitering in places where controlled substances or drug paraphernalia are sold, dispensed" of the City Code of Ordinances.

BACKGROUND

The City Commission has issued a mandate that the City Attorney's Office decriminalize sections of the Kalamazoo City Code Ordinances. As part of the decriminalization process, the City Attorney's Office is reviewing ordinances that are no longer enforced or have been found to be unconstitutional. Ordinances prohibiting loitering have been called into question and have been declared unconstitutional for being vague and overbroad. Therefore, it is recommended that Section 22-53 and Section 22-56 be repealed.

COMMUNITY RESOURCES CONSULTED

No community resources were consulted.

FISCAL IMPACT

None

ALTERNATIVES

The City Commission could choose not to repeal Section 22-53 and Section 22-56.

ATTACHMENTS:

Type	Description
□ Ordinances	AN ORDINANCE TO REPEAL SECTION 22-53 AND SECTION 22-56 OF THE KALAMAZOO CITY CODE OF ORDINANCES SECTION 22-53 AND SECTION 22-56 OF THE KALAMAZOO CITY CODE OF ORDINANCES

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE TO REPEAL SECTION 22-53 AND SECTION 22-56 OF THE
KALAMAZOO CITY CODE OF ORDINANCES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 22-53 and Section 22-56 of the Kalamazoo City Code are repealed in its entirety.

Section 2. Pursuant to Section 13(a) of the City Charter, this ordinance shall take effect from and after 10 days from the date of its passage.

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____, 2019. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (1976 PA 267). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott A. Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Sarah R. Wenzlick, Assistant City Attorney

DATE: 5/10/2019

SUBJECT: Amendment to Drug Paraphernalia Ordinance, Section 22-41

RECOMMENDATION

It is recommended that the City Commission adopt amendments to section 22-41 of the Kalamazoo City Code of Ordinances

BACKGROUND

The City Attorney's Office was asked to review the drug paraphernalia ordinance to see if there was a way to change it so that helping agencies could provide clean needles through a needle exchange program. Currently, section 22-41 prohibits any person from selling, offering, giving, or otherwise dispensing drug paraphernalia. This language prevents an agency from setting up a needle exchange program in the City of Kalamazoo because the agency would be giving away clean needles, which are primarily used when injecting controlled substances.

The proposed amendments would allow agencies to set up programs in the City of Kalamazoo that would provide clean needles. The idea behind allowing agencies to set up needle exchange programs is to prevent the transmission of infectious agents such as HIV and Hepatitis C by providing individuals with clean needles, instead of individuals using dirty needles or sharing needles. Many agencies also offer additional services such as HIV testing, counseling, hygiene kits, and referrals for drug treatment, housing, and food. Other cities in Michigan such as Grand Rapids, Detroit, Ypsilanti, and Flint have allowed needle exchange programs for the purpose of preventing the transmission of infectious agents. The proposed amendments would not allow any agency to just set up a program in the City. The agency would still need to go before the City Commission to obtain authorization. The authorization would be valid for a two-year period and a report must be provided to renew the authorization.

The proposed amendments would also make section 22-41 consistent with state statute. MCL 333.7453 applies to individuals who sell or offer for sale drug paraphernalia. The proposed amendments would change the language to apply to a person who sells or offers for sale drug paraphernalia instead of a person who sells, offers, gives, or otherwise dispenses drug paraphernalia. The proposed amendments would also exclude "marihuana accessories" and "paraphernalia" relating to marihuana from the drug paraphernalia definition pursuant to the Michigan Regulation and Taxation of Marihuana Act and the Medical Marihuana Facilities Licensing Act. Additionally, MCL 333.7457(f) provides an exception for "[a]n object sold, offered for sale, or given away be a state or local governmental agency or by a person specifically authorized by a state or local governmental agency to prevent the transmission of infectious agents." Thus, the addition of the exception in the proposed amendment for persons specifically authorized by the City Commission to engage in the prohibited activity for the purpose of preventing the transmission of infectious agents would be consistent with state statute.

COMMUNITY RESOURCES CONSULTED

None

FISCAL IMPACT

None

ALTERNATIVES

The City Commission could choose not to enact the revisions to the ordinance or require the City Attorney to revise the proposed amendments

ATTACHMENTS:

Type	Description
Ordinances	Ordinance to Amend Section 22-41
Ordinances	
- Redline Version	Ordinance to Amend Section 22-41 (markup)

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTION 22-41 OF THE KALAMAZOO CITY CODE
OF ORDINANCES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 22-41 of the Kalamazoo City Code is amended to read as follows:

“22-41. Drug paraphernalia.

- A.** Any person who shall sell or offer for sale drug paraphernalia shall be guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500, or both.
- B.** Definitions. The following words, terms, and phrases shall, for the purposes of this section, have the following meanings:

DRUG PARAPHERNALIA

Any item which is used or intended for use with a controlled substance. Drug paraphernalia does not include “marihuana accessories” as defined in the Michigan Regulation and Taxation of Marihuana Act, MCLA § 333.27951 et seq., as amended or “paraphernalia” relating to marihuana as defined in the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq., as amended.

CONTROLLED SUBSTANCE

Defined as it is in the Controlled Substances Act of the State of Michigan, MCLA § 333.7101 et seq., as amended.

USED OR INTENDED FOR USE WITH A CONTROLLED SUBSTANCE

At the time the defendant sold or offered for sale, either:

- (1) The item was primarily designed or adapted, because of its objective physical features, for use with a controlled substance; or
- (2) The item was intended by the defendant for use with a controlled substance; or
- (3) The defendant knew or, because of the information known to him, should have known that the recipient intended to use the item with a controlled substance.

- C.** This section shall not apply to:

- (1) Persons licensed by the State of Michigan to engage in the activity prohibited by Subsection A above; or

(2) An object sold, offered for sale, or given away by a person or agency specifically authorized by the City Commission to prevent the transmission of infectious agents, pursuant to MCLA § 333.7457(f). Authorization by the City Commission shall be valid for a period of two years.

(a) To obtain authorization, the City Commission shall be provided with information outlining the following:

- (i) The address and proposed location of the proposed program sites;
- (ii) Written procedures regarding the collection and disposal of used hypodermic syringes and needles;
- (iii) Written procedures for the distribution of new hypodermic syringes and needles;
- (iv) Services that will be offered;
- (v) The complete corporate name and documentation that verifies incorporation, as well as compliance with all legal reporting and filing requirements if the person or agency is a corporation; and
- (vi) All trade or assumed names utilized to conduct business if the person or agency conducts business under a trade or assumed name.

(b) To renew authorization, the City Commission shall be provided with a report, ensuring client confidentiality, outlining statistics and aggregate data, collected over the previous two-year authorization period and any updated information, policies and procedures.

Section 2. Repealer.

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

Section 3. Severability.

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

Section 4. Effective Date.

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

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on May 6, 2019. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott A. Borling, City Clerk

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTION 22-41 OF THE KALAMAZOO CITY CODE
OF ORDINANCES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 22-41 of the Kalamazoo City Code is amended to read as follows:

“22-41. Drug paraphernalia.

- A. Any person who shall sell or offer for sale ~~offer, give, or otherwise dispense~~ drug paraphernalia shall be guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500, or both.
- B. Definitions. The following words, terms, and phrases shall, for the purposes of this section, have the following meanings:

DRUG PARAPHERNALIA

Any item which is used or intended for use with a controlled substance. Drug paraphernalia does not include “marihuana accessories” as defined in the Michigan Regulation and Taxation of Marihuana Act, MCLA § 333.27951 et seq., as amended or “paraphernalia” relating to marihuana as defined in the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq., as amended.

CONTROLLED SUBSTANCE

Defined as it is in the Controlled Substances Act of the State of Michigan, MCLA § 333.7101 et seq., as amended.

USED OR INTENDED FOR USE WITH A CONTROLLED SUBSTANCE

At the time the defendant sold or offered for sale, ~~offer, give, or otherwise dispense the item,~~ either:

- (1) The item was primarily designed or adapted, because of its objective physical features, for use with a controlled substance; or
- (2) The item was intended by the defendant for use with a controlled substance; or
- (3) The defendant knew or, because of the information known to him, should have known that the recipient intended to use the item with a controlled substance.

- C. This section shall not apply to:

(1) Persons licensed by the State of Michigan to engage in the activity prohibited by

Subsection A above; or

(2) An object sold, offered for sale, or given away by a person or agency specifically authorized by the City Commission to prevent the transmission of infectious agents, pursuant to MCLA § 333.7457(f). Authorization by the City Commission shall be valid for a period of two years.

(a) To obtain authorization, the City Commission shall be provided with information outlining the following:

- (i) The address of the proposed program site;
- (ii) Written procedures regarding the pick up and disposal of used hypodermic syringes and needles;
- (iii) Written procedures for the distribution of new hypodermic syringes and needles;
- (iv) Services that will be offered;
- (v) The complete corporate name and documentation that verifies incorporation, as well as compliance with all legal reporting and filing requirements if the person or agency is a corporation; and
- (vi) All trade or assumed names utilized to conduct business if the person or agency conducts business under a trade or assumed name.

(b) To renew authorization, the City Commission shall be provided with a report outlining statistics and data collected over the previous two-year authorization period and updated policies and procedures.

Section 2. Effective Date.

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

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____, 2019. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267,1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott Borling, City Clerk



Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

DATE: 5/30/2019

SUBJECT: Applicants to Fill the Vacancy on the City Commission

INFORMATIONAL ITEMS

As of 5:00 p.m. on Thursday, May 30, 2019 the following people have submitted applications to be considered for appointment to the City Commission to fill the vacancy created by the resignation of Shannon Sykes:

Amber Beckett
Megan Buwalda
Patrese Griffin
Oliver Howell
Esteven Juarez
Peter Kushner
John McNeill
Lucas Middleton
Nathan Moore
Brian Pittelkow
James Pitts
Tami Rey
Nehemiah Scudder
Yvonne Smith
William Wells

ATTACHMENTS:

Type	Description
Background Material	Applications, Cover Letters, and Attachments for City Commission Applicants

Letter of Interest

5/30/19

Re: City Commission
Vacancy

To Whom It May Concern:

I am very excited to have the opportunity to apply for the vacant seat on the Kalamazoo city commission. While I moved here approximately one year ago after accepting a position as a lead scientist at Kalsec, I intend to stay long term, and am in the process of purchasing a home in the Stuart neighborhood.

While living in Nashville and attending Vanderbilt as part of a Ph.D program in biomedical science, I was heavily involved in community events, and was particularly focused on bringing STEM education to children. As part of Vanderbilt's outreach efforts, I taught a Microbiology class consisting of third graders. Additionally, I helped coordinate and volunteer at a community event called MegaMicrobe, designed to encourage children of all ages to learn about science. As part of my education, I was fortunate enough to learn the importance of local government.

As a scientist, I am a pragmatic, data driven individual. Many of the challenges facing our city require an analytical and considered approach in order to assure the best outcome and use of public dollars. Additionally, my background and training give me a diverse viewpoint that will assist me in serving the best interests of Kalamazoo. My research has been in public health issues ranging from gastric cancer to hospital acquired multidrug resistant infections that are particularly problematic in military hospitals. I have been exclusively funded by government grants, and have a through knowledge of the grant writing and evaluating process.

I hope that you will consider my application for the vacant commissioner seat, and please don't hesitate to reach out with any questions. Alternatively, if there is a role you think would be a better fit for me at this time, I would appreciate any feedback.

Sincerely,



Amber Beckett, Ph.D



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Amber Celeste Beckett
(First) (Middle) (Last)

3. Home Address: 611 Regency Sq APT 103 Kalamazoo MI. 49006
(Street Address) (City) (Zip Code)

4. City Resident: Yes ☒ No ☐ 5. Neighborhood: South Westnedge

6. Home Phone: (513) 593-2009 7. E-mail Address: becketac@miamioh.edu

8. Occupation: Lead Scientist 9. Employer: Kalsec

3713 West Main ST Kalamazoo MI 49006
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: _____ 11. Home/Business Fax: _____

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? Home Phone

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

Please see attached letter and resume.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒. If yes, please explain.

15. References (Non-Family)

Name: available upon request Phone: _____
Address: _____

Name: available upon request Phone: _____
Address: _____

16.

Amber Beckett

(Signature of Applicant)

5/30/19

(Date)

OPTIONAL INFORMATION

The following Affirmative Action and Equal Opportunity information is requested to help determine whether application information for City Boards and Commissions is reaching all segments of the community. Provision of the following information is optional, and you will not be penalized if you do not complete this section. Please check as appropriate.

GENDER

☒ Female
☐ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☐ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☒ White

AGE

☐ 16-21 years
☒ 22-34 years
☐ 35-44 years
☐ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? Following local news

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☐ No ☒ If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoocity.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

(513) 593-2009
becketac@miamioh.edu

Amber C. Beckett

611 Regency Sq. APT 103
Kalamazoo, MI 49008

EDUCATION

Vanderbilt University

PhD, GPA 3.4/4.00

Department of Pathology, Microbiology and Immunology

Miami University, Graduated Cum Laude

Bachelor of Arts, Cumulative GPA 3.7/4.00

Major: Microbiology

Relevant Coursework

Statistics, Calculus, Inorganic Chemistry, Organic Chemistry, Biochemistry, Physics, Microbial Physiology, Mycology, Epidemiology, Immunology, Microbial Genetics, Human Viruses, Clinical Lab Module/Rotation

Nashville, Tennessee

2013-Dec 2017

Oxford, Ohio

May 2012

RELEVANT WORK EXPERIENCE

Lead Scientist-Microbiology

Kalsec

July 2018-Current

- Design and scale novel technologies to result in production of food-safe antimicrobials geared towards preventing food poisoning outbreaks and increasing shelf life of end use food products
- Independently manage multiple projects with attention to timelines, and resource utilization

Microbiologist

Research and Development, Danimer Scientific

Jan 2018-July 2018

- Built contamination detection program to assess purity of fermentations conducted in 150L, 750L or 20kL fermentation vessels
- Coach operators in aseptic technique to ensure vessel sterility is preserved during preparation

Graduate Research Assistant

Division of Microbiology and Immunology, Vanderbilt University

Aug 2013-Dec 2017

- Planned and executed large-scale studies resulting in multiple publications in peer-reviewed journals by identifying a mechanistic link between *Helicobacter pylori* (a species of bacteria) and anemia, a disease affecting 1.6 billion individuals worldwide
- Directed the development of a successful animal research program that serves as the basis for multiple aims in two NIH funded RO1 grants by recruiting and mentoring multiple students in proper animal research techniques, critical thought processes, and by building a supportive organizational infrastructure
- Created a central repository of standardized protocols that is used daily by several lab members by guiding a team of students through the writing process and organizing the resulting protocols in an intuitive and useful system
- Coached Vanderbilt medical students on proper microbial identification techniques, in a variety of sample matrices.
- Utilized whole genome sequencing technology to study *Helicobacter pylori* genome evolution

LEADERSHIP and SERVICE

President, Vanderbilt Microbiology and Immunology Graduate Student Association

2016-2017

- Led all student meetings, managed interpersonal conflicts among members, communicated student issues as well as proposed solutions to the Graduate Education Committee, and oversaw a successful merger between two departmental graduate student associations

Co-Instructor, Vanderbilt Saturday Academy for the Young

August-October 2014

- Taught complex scientific concepts to a lay audience comprised of 3rd graders resulting in course renewal for multiple semesters by creating an engaging curriculum to facilitate student learning

Second Place Vanderbilt Business Management for Scientists Consulting Competition

April 2017

- Developed a marketing solution for a Vanderbilt lab, as part of a 4-person team. Solutions were presented to a 3-judge panel that awarded us second place (out of 8).

VICTR Resource Grant Recipient

June 2016

- Wrote a grant application that was awarded 2,000 dollars to fund additional research by developing a testable hypothesis on a question of interest to the lab

Vanderbilt Vascular Biology Training Grant Recipient

May 2014

- Grant award covering annual tuition and stipend awarded to 3 students out of 50+

SELECTED PUBLICATION (9 TOTAL)

- 1.) **Beckett A.C.**, Piazuelo M.B., Noto J.M., Peek R.M., Washington M.K., Algood H.M.S., Cover T.L. 2016. High Dietary Salt Intake Exacerbates Helicobacter pylori-Induced Iron Deficiency Anemia and Gastric Ulceration. Infection and Immunity, 2016.

Megan Buwalda

RECEIVED
MAY 30 2019
Kalamazoo City Clerk

Thursday, May 30, 2019

Dear Honorable Mayor, Vice Mayor, and City Commissioners,

I am writing today to express my interest in the vacancy on the Kalamazoo City Commission. I live, work, and serve in Kalamazoo's core urban neighborhoods. My work in the County Treasurer's Office on "ZERO owner occupied tax foreclosures," my eight years as a homeowner in Edison, as well as my involvement with the neighborhood association uniquely qualify me to serve on the City Commission.

As Chief Deputy County Treasurer, my number one priority is keeping families in their homes. I am very proud of the work that was done to ensure ZERO owner occupied tax foreclosures occurred in the City of Kalamazoo in 2019. I am also very proud of the work my team has done to restore abandoned and blighted homes and return them to productive use. We built a partnership to use Land Bank properties as job skills training sites for the KPEP program, transforming blight into desirable affordable housing and stabilizing neighborhoods one block at a time.

I was born and raised in Kalamazoo, a place I love and am proud to call home. I earned a Finance degree and a Masters of Business Administration (MBA) from the world-class Western Michigan University. In 2011 I bought my first home and settled in Edison, Kalamazoo's most populated and diverse core neighborhood.

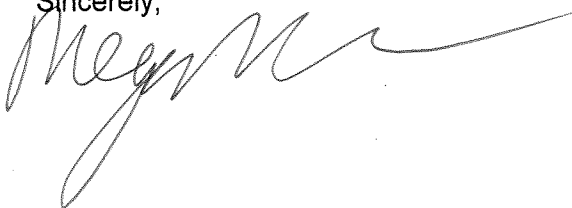
Living in Edison and being part of the Edison Neighborhood Association has given me a front row seat to watch the City alongside the Foundation for Excellence deliver on both the City Charter as well as the FFE vision to create a more "prosperous and equitable city for all" through projects like removing the lead pipes from hundreds of homes in the neighborhood, traffic calming, KDPS community engagement, and many more.

The City's Consolidated Plan identifies strategies to address housing and community development needs of core CDBG-grant eligible neighborhoods based off of census tracts. Edison and the Northside are the only neighborhoods that both contain two CDBG-eligible census tracts, while the others contain one or fewer. As the City works to address the issues in these neighborhoods such as poverty, affordable housing, substandard housing, and higher incidence of criminal activity, this commission vacancy is an opportunity for equity, making sure we have the right voices at the table for these conversations.

I hope to get the opportunity to serve our amazing community in this capacity.

Thank you for your consideration.

Sincerely,





BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Megan Buwalda
(First) (Middle) (Last)

3. Home Address: 603 Marketplace Blvd Kalamazoo 49001
(Street Address) (City) (Zip Code)

4. City Resident: Yes ☒ No ☐ 5. Neighborhood: Edison

6. Home Phone: (269) 760-6618 7. E-mail Address: megan.buwalda@gmail.com

8. Occupation: Chief Deputy Treasurer 9. Employer: Kalamazoo County Government

201 W Kalamazoo Ave Kalamazoo MI 49007
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: - 11. Home/Business Fax: -

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? email, home phone (cell)

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

See attached.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒. If yes, please explain.

15. References (Non-Family)

Name: Mary Balkema Phone: (269) 720-3246
Address: 1131 Whites Road, Kalamazoo MI 49008

Name: Barb Miller Phone: (269) 720-4093
Address: 2523 Winchell, Kalamazoo, MI 49008

16. Megan
(Signature of Applicant)

05/30/2019
(Date)

OPTIONAL INFORMATION

The following Affirmative Action and Equal Opportunity information is requested to help determine whether application information for City Boards and Commissions is reaching all segments of the community. Provision of the following information is optional, and you will not be penalized if you do not complete this section. Please check as appropriate.

GENDER

☒ Female
☐ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☐ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☒ White

AGE

☐ 16-21 years
☒ 22-34 years
☐ 35-44 years
☐ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? _____

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☐ No ☒ If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoocity.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

May 30, 2019

Kalamazoo City Commission
241 W. South
Kalamazoo, Michigan 49007

RECEIVED
MAY 30 2019
Kalamazoo City Clerk

Re: Interest in filling the vacancy on the Kalamazoo City Commission

Dear Mayor Hopewell, Vice-Mayor Knott, and City Commissioners:

Please consider this my letter of interest in filling the open seat on the Kalamazoo City Commission. Having grown up in Kalamazoo, I have deep roots that include family, friends, and professional connections. What happens in this community matters to me. I have been and will continue my commitment to working for equity in this community through the introduction of policies, procedures and practices that will create a framework for this city to thrive. I have the capacity, logic, ability, and track record to contribute to leading this community's success by serving on the commission to provide a framework and ensure that the goals set in the Imagine Kalamazoo 2025 plan are brought to fruition.

As a housing advocate, I work for housing equity by researching, implementing, and introducing solutions that provide housing opportunities in both rental and home ownership. In 2018, I created and funded a rental application assistance fee fund and helped 15 families secure permanent housing. I wrote a culturally competent article *Policy Solutions to the Housing Crisis in Kalamazoo*, which introduced viable solutions that remove barriers people have in obtaining housing. I garnered support from various organizations, as well as those who are directly impacted, and authored ordinances that will create housing choice and opportunities and strengthen the enforcement of existing local protections.

Highlights of my experience also include:

- Over 16 years experience in property management: single family, conventional, Section 8, senior housing, and housing for those with mental disabilities
- Michigan real estate salesperson license (2017)
- Facilitation experience, and over 3 years experience speaking at and chairing legislative meetings in Washington DC and Lansing
- Co-managed an effort that required interaction with residents of the Northside, the City of Kalamazoo Traffic Board, and the Kalamazoo Dept of Public Safety, that **successfully** resulted in the removal of No Stopping/No Standing/No Parking signs that for over 25 years had been negatively affecting the quality of life for many citizens.

Currently I am a volunteer with Michigan United and the United Way. I am Board Vice-Chair of the Fair Housing Center of Southwest Michigan, member of the Shared Prosperity Kalamazoo

Organizing Committee, member of the Truth Racial Healing and Transformation (TRHT) Law and Separation Design Teams, member of the ISAAC housing task force, co-chair of the Allocations and Accountability Team with the Continuum of Care, a member of the Vibrant Kalamazoo Board, Chair of the Housing Resources Inc.(HRI) Housing Equity Advisory Committee, member of the Southwest Michigan Regional Prosperity Initiative community development sub committee, and part of the Government Alliance on Race and Equity Innovation workgroup, that was recently awarded a special tribute signed by Governor Whitmer and Lt. Gov. Gilchrist. It was also signed, and presented by, State Rep. Jon Hoadley and Sen. Sean McCann.

I appreciate the opportunity for consideration to have a seat on the Kalamazoo City Commission. It would be an honor and my pleasure to serve the residents of this city as a member.

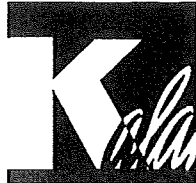
Sincerely,

A handwritten signature in black ink, appearing to read 'Patrese Griffin', written over the printed name.

Patrese Griffin

1013 Princeton Ave.

Kalamazoo, Michigan 49007



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

Kalamazoo City Commission

2. Name: Patrese Nicole Griffin
(First) (Middle) (Last)

3. Home Address: 1013 Princeton Ave. Kalamazoo 49007
(Street Address) (City) (Zip Code)

4. City Resident: Yes X No 5. Neighborhood: Northside

6. Home Phone: 269-254-1137 7. E-mail Address: patresenicole247@gmail.com

8. Occupation: Property manager / Housing Advocate 9. Employer: Self-employed
MI

(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: 269-254-1137 11. Home/Business Fax:

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? email

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

Please see attached letter of Interest.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes No X. If yes, please explain.

15. References (Non-Family)

Name: Stephanie Hoggman Phone: 269-501-9111
Address: 1002 N. Rose Kalamazoo, MI

Name: Dr. Charlae Davis Phone: 269-341-4213
Address: 247 W. Lovell Kalamazoo, MI

16. Patrese Griffin 5-30-19
(Signature of Applicant) (Date)

OPTIONAL INFORMATION

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GENDER

☒ Female
☐ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☒ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☐ White

AGE

☐ 16-21 years
☐ 22-34 years
☒ 35-44 years
☐ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position?

attending a city commission meeting where it was announced.

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☒ No ☐ If yes, which Board/Commission?

Shared Prosperity Kalamazoo

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8791. E-mail : borlings@kalamazoo-city.org

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

Oliver S. Howell

3214 Magnolia Circle
Kalamazoo, Michigan 49008
(269) 806-9451
oliverhowell@gmail.com

May 22, 2019

RECEIVED
MAY 22 2019
Kalamazoo City Clerk

City of Kalamazoo
Scott Borling, City Clerk
241 W. South Street
Kalamazoo, MI 49007

Sent via e-mail to: cokcityclerk@kalamazoocity.org

Re: City Commission Vacant Seat

I am writing to submit my application for the City Commission vacant seat. I was raised in Kalamazoo before attending college and law school at Michigan State University. I returned to Kalamazoo in 2014 to work for a local law firm, Lake, Parfet & Schau, PLC. My girlfriend and I own a home in the Winchell neighborhood.

While my career is primarily focused on estate planning and civil litigation, I have always had a keen interest in public service as demonstrated by involvement in our community. I currently volunteer as President of the Kalamazoo Valley Habitat for Humanity Board of Directors, Trustee for the Gilmore Keyboard Festival, Vice President of the Kalamazoo County Bar Association Board of Directors, and on the Citizens Public Safety Review and Appeals Board for the City of Kalamazoo.

Please do not hesitate to contact me if you have any questions about my resume or experience. Thank you for your consideration.

Respectfully,



Oliver S. Howell
Enclosures

Oliver S. Howell • oliverhowell@gmail.com • 269.806.9451 • 3214 Magnolia Circle, Kalamazoo, MI 49008

Legal: **Lake, Parfet & Schau, PLC, Attorney;** Kalamazoo, MI; 2017 – Present
Practice areas: estate planning, probate, business law, real estate, civil litigation.

Lake, Parfet & Schau, PLC, Law Clerk; Kalamazoo, MI; 2014 – 2017

MSU College of Law Small Business & Nonprofit Legal Clinic, Extern; East Lansing, MI; 2012

Sanford Perliss Law, Law Clerk; Los Angeles, CA; 2008

Experience: **Gilmore Keyboard Festival, Trustee**
Kalamazoo, MI; 2019 – Present

Kalamazoo Valley Habitat for Humanity, President, Board of Directors
Kalamazoo, MI; 2016 – Present

Kalamazoo County Bar Association, Vice President, Board of Directors
Kalamazoo, MI; 2018 – Present

Kalamazoo Citizen's Public Safety Review and Appeals Board, Member
Kalamazoo, MI; 2017 – Present

Encore Magazine, Free-lance Writer; Kalamazoo, MI; 2010
Published: Chinese Hospitality in Xi'an, April 2010, Pg. 12

Education: **Michigan State University College of Law:** East Lansing, MI
Juris Doctorate and Masters of Law, 2014
ADR Negotiation Competition, *Semi-Finalist*, 2011-12, 2012-13
ReInvent Law, "Law + Tech + Design + Delivery," *Legal Entrepreneur*; 2012-14
Video presentation: E-Discovery Challenges in China, 2014

Westminster Law School: London, United Kingdom
21st Century Law Practice: International Law, 2012

Michigan State University, James Madison College of Public Affairs: East Lansing, MI
Bachelor of Arts, Political Theory and Constitutional Democracy; 2011
James Madison College Student Senate, *Senator*, 2006-07, 2007-08

City University of Hong Kong: Kowloon, Hong Kong
International Exchange Program: Mandarin Chinese, 2010

University of Michigan: Ann Arbor, MI
Summer Language Institute: Mandarin Chinese, 2008

References:

1. **Honorable Kathleen P. Hemingway**, professional and personal reference, 2010 - Present.

8th District Court Judge
150 E. Crosstown Parkway
Kalamazoo, MI 49001
(269) 384-8203

2. **Sydney E. Parfet, Esq.**, supervising attorney, 2014 - Present.

Lake, Parfet & Schau, PLC, Partner
141 E. Michigan Avenue, Suite 600
Kalamazoo, MI 49007
(269) 382-5300

3. **Jordan R. Schau, Esq.**, supervising attorney, 2014 - Present.

Lake, Parfet & Schau, PLC, Partner
141 E. Michigan Avenue, Suite 600
Kalamazoo, MI 49007
(269) 382-5300

4. **Charlie Robertson**, professional reference, 2016 - Present.

Habitat for Humanity, Executive Director
1126 Gull Road
Kalamazoo, MI 49048
(269) 344-2443

5. **Vernon Payne**, professional reference, 2016 - Present.

Western Michigan University, Associate Vice President
Division of Student Affairs
1903 W. Michigan Avenue
Kalamazoo, MI 49008
(269) 387-2136

6. **Honorable Kenneth Long**, personal reference, 1987 - Present.

Retired Circuit Court Judge
1700 Bronson Way
Kalamazoo, MI 49009
(269) 381-0060



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Oliver Saikat Howell

(First)

(Middle)

(Last)

3. Home Address: 3214 Magnolia Circle, Kalamazoo, MI 49008

(Street Address)

(City)

(Zip Code)

4. City Resident: Yes ☒ No ☐ 5. Neighborhood: Winchell

6. Home Phone: (269) 806-9451 7. E-mail Address: oliverhowell@gmail.com

8. Occupation: Attorney 9. Employer: Lake, Parfet & Schau, PLC

141 E. Michigan Ave., Suite 600 Kalamazoo MI 49007

(Employer's Street Address)

(City)

(State)

(Zip Code)

10. Business Phone No: (269) 382-5300 11. Home/Business Fax: (269) 382-3508

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? Business Phone, E-mail, or Home (Cell) Phone

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

Please see attached.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒. If yes, please explain.

15. References (Non-Family)

Name: Please see attached.

Phone: _____

Address: _____

Name: _____ Phone: _____

Address: _____

16.

Oliver A. Howell

(Signature of Applicant)

05/22/2019

(Date)

OPTIONAL INFORMATION

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GENDER

☐ Female
☒ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☐ Black or African-American
☐ American Indian or Alaskan Native
☒ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☐ White

AGE

☐ 16-21 years
☒ 22-34 years
☐ 35-44 years
☐ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? _____

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☒ No ☐ If yes, which Board/Commission?

CPSRAB

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoocity.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

RECEIVED

MAY 30 2019

Kalamazoo City Clerk

Letter Of Intent

Dear Commissioners and Mayor:

I would like to take a moment to thank you for your service to the city of Kalamazoo. It is a thankless job to be a leader for a city that is so diverse. The challenges that our city face can only be confronted by strong and bold leaders like yourselves. So again, I say thank you.

I want to start with my story. I am one of thirteen siblings. Obviously, my mom and dad didn't have cable back in the 80's. Needless to say, it was hard for us being a large family and we grew up in poverty. In the late 80's, when the crack epidemic hit the urban communities my mom and dad became subject to it. They became crack addicts and all of my childhood this was my learned reality. It felt like there was no hope. I remember wondering where my mom and dad were because they would be gone for days getting high. Thank GOD for my older brothers, without them we would have probably been goners. I look back at that time of my life and I think about all of the pain, the hurt the brokenness, and the instability of my childhood. No one deserves to live a life like that.

When I entered into my teenage years, my life took on the continual perpetuating life style that was taught to me. Drugs, violence, alcohol, shame, and so forth. You get the idea. In my mind all the things I was exposed to I deemed it my truth. I was a product of my environment. When I was fourteen, I was stabbed and almost killed. I thought my life was over. Thank God I didn't lose my life. By the time I was fifteen, I started a gang in the Edison neighborhood called the WASHINGTON STREET BOYS. At a young age I was already expressing leadership abilities. We did some of the most awful things that you could imagine. I'm not proud of these actions but nevertheless it is part of my story. During my teenage years I myself became a crack addict. Yup, I remember saying to myself that I would never be like my mom and dad. Well, I swallowed those words and ended up on the wrong side of the pipe. By the time I was nineteen, my life was all wrong. I had so much shame and guilt built up that I decided I would take my own life. I reached out to a friend that night for help and he gave me the best advice I have ever received. Advice to pray and see what the Lord would say to me. I thought to myself, "God? Are you serious?". It couldn't hurt, I was on my last straw. So I gave it a go and I told God if he would take this addiction from me, then I would consider His ways. And to my surprise he performed a miracle in my life! I was so jacked up. I was happy, sad, and confused all at the same time. The Lord took the craving, desires, and withdraw in an instant. So I turned to Him and surrendered my life over to Him like I said I would.

For the last five years and currently, I serve as the lead pastor at Vanguard Church under the Urban Apostolic Network. I sit on the lead team for the South West Michigan classis in the

Reformed Church in America. I am also the Director of Outreach at Urban Alliance Inc. I tell you my story first, because I have gone through so much and made it out on the other side. The work that I have done and continue to do is so significant to the opportunity of being on the city commission. I believe that I can offer a different perspective to many of the issues that plague our city such as violence, drugs, mental health, and poverty because either I have experienced it first hand or I have worked very close and built authentic relationships with residents who have. I keep the interest of the whole city in mind when I continue to do this work and I believe that this opportunity to serve Kalamazoo is a chance to speak for those who can't speak for themselves.

At the beginning of this year, my wife and our family just bought a house on Washington right where I started the WSB gang. God certainly has a sense of humor, and I'm sure that's where I get mine from. He has me right in the mist of it all. He sent me back to what I did wrong so I can be an example of what He can do with a rascal like I used to be. With that, it would be my honor to serve the city and people of Kalamazoo.

Sincerely,

A handwritten signature in cursive script, appearing to read "Estu J. J. J.", written in dark ink.

THE CITY OF



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Esteven Juarez
(First) (Middle) (Last)

3. Home Address: 1226 Washington Kalamazoo MI 49001
(Street Address) (City) (Zip Code)

4. City Resident: Yes X No 5. Neighborhood: Edison

6. Home Phone: (269) 352-7693 7. E-mail Address: Ejuarez@uainc.org

8. Occupation: non profit 9. Employer: Urban Alliance

1009 E Stockbridge Kalamazoo MI 49001
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: 11. Home/Business Fax:

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? e-mail, phone

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes No . If yes, please explain.

15. References (Non-Family)

Name: Phone:
Address:

Name: Phone:
Address:

16.
(Signature of Applicant) (Date)

OPTIONAL INFORMATION

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GENDER

____ Female
X Male

DISABLED

____ Yes
X No

RACE OR ETHNIC BACKGROUND

____ Black or African-American
____ American Indian or Alaskan Native
____ Asian
____ Pacific Islander
X Hispanic or Latino
____ White

AGE

____ 16-21 years
X 22-34 years
____ 35-44 years
____ 45-54 years
____ 54-64 years
____ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? at the last Commissioners meeting
5-20-19

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes _____ No X If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8791. E-mail : borlings@kalamazoocity.org

RECEIVED
For office use only:

Date Received in Clerk's Office: MAY 30 2019

Date Distributed: _____
Kalamazoo City Clerk

Distributed to: _____

Disposition: _____

May 28, 2019

Kalamazoo City Commission
City Manager's Office
241 West South Street
Kalamazoo, MI 49007

RECEIVED
MAY 28 2019
Kalamazoo City Clerk

Dear Mayor and Kalamazoo City Commissioners;

Please consider this letter my intent to be considered for appointment to the vacant seat on the Kalamazoo City Commission.

Why you should appoint me to serve as a City Commissioner

When it comes to governance, we all need to have a voice. In moving back to Kalamazoo in 1991, I found my voice through community involvement. I gladly made the commitment to something greater than myself – my community.

As a seven-year Oakland Drive/Winchell Neighborhood Association President:

- I've learned that with passion and persistence I could make our neighborhood and city a better place to live. I'm ready to bring that experience, desire, and passion to serve all of Kalamazoo.
- I know how to positively work with city staff, KDPS, as well as other neighborhood and organization leaders to make our system work for our citizens.

As a successful businessperson and long-time volunteer in eight organizations:

- I've proven, through my business experience, non-profit and neighborhood association works that I can accomplish tasks and goals in a thoughtful and common-sense manner.

I have learned in business and in life that to work effectively with people and succeed, you must exceed their expectations, find the win/win and, most importantly, listen. These beliefs have successfully guided me in my professional life and my community & volunteer service accomplishments.

I'm ready to further my commitment and service to Kalamazoo by becoming a City Commissioner.

My goal as a City Commissioner

- To implement the City of Kalamazoo's Master Plan, by:
 - 1) Proactively supporting an all-inclusive government through neighborhood engagement
 - 2) Energetically implementing our "Complete Streets" policies
 - 3) Connecting our citizens to services

I'm ready to take the next step; to apply my skills, experience, and, most importantly, my passion for service, to the City Commission. I am that person who will work within the system to make our government work for all our citizens. I am dedicated to listening to our residents, looking at the issues, and advocating for all people in Kalamazoo. Please appoint me to the City Commission.

Respectfully,



Peter Kushner



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Peter J Kushner
(First) (Middle) (Last)

3. Home Address: 2002 Benjamin Ave. Kalamazoo 49008
(Street Address) (City) (Zip Code)

4. City Resident: Yes X No 5. Neighborhood: Oakland Drive / Winchell

6. Home Phone: (269) 349-9762 7. E-mail Address: pjkush@chartermi.net

8. Occupation: Marketing / Business Consultant 9. Employer: Kushner Consulting, LLC

2002 Benjamin Ave. Kalamazoo MI 49008
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: (269) 501-5190 11. Home/Business Fax: n/a

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? pjkush@chartermi.net or (269) 501-5190

13. Please indicate any information (experience, education, community activities, organizations, etc.) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

See attached

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes No X. If yes, please explain.

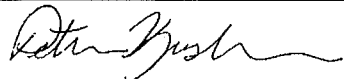
15. References (Non-Family)

Name: Gary Hetrick; Chief, KDPS (Ret.) Phone: (269) 382-3376

Address: 2125 Broadway Ave. Kalamazoo, MI 49008

Name: Hon. Paul Bridenstine, 9th Circuit Court Phone: (269) 760-9468

Address: 6801 West H Ave. Kalamazoo, MI 49009

16. 
(Signature of Applicant)

May 28, 2019
(Date)

OPTIONAL INFORMATION

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GENDER	RACE OR ETHNIC BACKGROUND	AGE
☐ Female	☐ Black or African-American	☐ 16-21 years
☒ Male	☐ American Indian or Alaskan Native	☐ 22-34 years
	☐ Asian	☐ 35-44 years
DISABLED	☐ Pacific Islander	☐ 45-54 years
☐ Yes	☐ Hispanic or Latino	☒ 54-64 years
☒ No	☒ White	☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? Attending City Commission meetings

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☐ No ☒ If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoo.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

Peter J Kushner

2002 Benjamin Avenue
Kalamazoo, MI 49008
pjkush@chartermi.net
269-501-5190

Personal Information

- Born/raised in Portage
- Kalamazoo resident since 1993
- Nancy Springgate; wife – successful Kalamazoo-based business owner (25 years)
- Anna Kushner; daughter – KPS graduate: Winchell, Maple St., Loy Norrix– MSU sophomore/Kalamazoo Promise recipient
- Trixie – our rescue dog, Mary and Dottie – our 2 rescue cats
- Hobbies - play hockey, work on my older car

Professional Experience

- Small business owner – 25 years
- Restaurant/resort management – 11 years
- VP, Marketing & Development; internet startup company - 2 years
- Business/marketing consultant – 19 years

Volunteer Service

- **President, ODWNA** – 7 years; Secretary – 2 years
 - Major Neighborhood Issues addressed:
 - **Neighborhood Plan** (for inclusion into the Kalamazoo Master Plan)
 - Formed 5 committees to address top neighborhood issues; 30+ committee members
 - Held two neighborhood-wide open houses; over 150 participants
 - Creating Implementation Committees to implement the Plan
 - **Natural Features Protection (NFP) Ordinance**
 - ODWNA took the lead in successfully advocating for the city-wide zoning ordinance
 - Initiated meetings with neighborhood associations, interest groups, the developer and city staff to create a win/win solution that became the NFPO
 - **“Complete Streets”**
 - Initiated the inclusion of Winchell Elem. and Maple St. MS into the Safe Routes To School Initiative (SRTS), a State of Michigan grant program
 - Advocation for safer and “Complete Streets” in our neighborhood by working with city staff and through our Neighborhood Plan
 - **Neighborhood Zoning**
 - Have addressed various zoning issues to insure appropriate and thoughtful neighborhood development
 - “Neighborhood District - Commercial” rezoning
 - Consumers Credit Union proposed development
 - Developed a draft “Bubble Plan” for reimagining critical development areas for our neighborhood
 - **Stadium Lighting Ordinances**
 - Neighborhood (KCHS)
 - Member of the city-wide stadium lighting ordinance committee
 - **Consumers Energy**
 - Working with neighbors and city staff to advocate for reasonable tree-cutting policies

- **Have built relationships and work effectively with:**
 - City staff
 - KDPS officers
 - Neighborhood Association leaders
 - Neighborhood Association boards (Oakwood, Parkview Hills, West Mail Hill, Parkwyn Village)
 - Local interest groups (Woods Lake Association, Stewards of Kleinstuck, ALPA)
- **Greg Jennings Foundation**
 - Chairperson of the Greg Jennings Celebrity Golf Classic (2012-14)
 - Raised over \$500,000 in three years to fund:
 - GJF "Be Great" Youth Initiative
 - Annual Greg Jennings Football Fundamentals Camp
 - Annual Greg Jennings Cheer Camp (now Girls Leadership Connect)
- **Additional Volunteer Positions**
 - Kalamazoo Humane Society – board member/marketing advisor - 4 years
 - Pretty Lake Vacation Camp - board member - 3 years
 - Kalamazoo Academy – board member/marketing chair - 3 years
 - Kalamazoo Animal Rescue – marketing advisor - 6 years
 - Festival of Trees – marketing committee member - 2 years
 - Complete Streets Coalition of Kalamazoo – strategic & marketing advisor - 3 years

Education

- BA, Hospitality Business, Michigan State University
- MBA, Marketing, Western Michigan University

RECEIVED

MAY 29 2019

Kalamazoo City Clerk

To whom it may concern,

Why I applying to serve on the Kalamazoo City Commission.

I find myself at a crossroads of sorts, freshly retired after a 50 year career serving the community as a journalist and broadcaster. I think I may be uniquely qualified to fill the vacancy on the Commission.

Because I am retired, I have the time to not only fulfill the duties of a Commission member but also attend all the assigned advisory boards and committees that go along with the job.

Also because I have been reporting on the meetings for nearly 40-years, I have a basic understanding of the issues and acronyms, the structure and functioning of Priority Based Budgeting and the significance and potential of the Foundation for Excellence and the challenges that lie ahead.

I know the differences between the general budget and the enterprise funds, and the limitations on municipal financing.

Because of my particular job in journalism, and my longevity in that role, I have been exposed to the way other local governments and agencies function, how they deal with issues, and how they interact or fail to interact.

There are probably very few people who have reviewed the meeting packets of the City, Portage, Kalamazoo County and the Kalamazoo School board, and attended or viewed almost all the meetings of those elected bodies for the last four decades.

My occupation has also afforded me a front row seat at all of the community's most significant events, the good and the bad, the profound and the mundane for the last four decades. It has also provided an all access pass for it social and cultural life.

It has also opened a window on Lansing politics and particularly how it impacts local municipal governments. I have watched as the legislature has usurped local control, limited the funding options for local governments and hampered them with unfunded mandates.

While many other communities in Michigan have struggled when faced with all the problems caused by funding cuts, Kalamazoo has come up with a remarkable set of innovative solutions that have made it a model for other communities.

The Public Safety concept, The Kalamazoo Promise, the Foundation for Excellence, the County's remarkably progressive approach to criminal justice, were all pursued as solutions to fundamental problems that defied the usual solutions. Who wouldn't want to be part of that kind of government?

Kalamazoo has gone beyond just providing basic services, now launching efforts to address generational poverty, encourage job creation and attempting to address the problems caused by a lack of low income housing.

One of my greatest frustrations as a local reporter has been that while municipal governments may have the most direct influence on the lives and daily affairs of most Americans, it's the shenanigans and affairs in Washington that get most of the media coverage.

The City of Kalamazoo has been consistently blessed by Commissioners who are uniquely talented, bring unique skill-sets and relevant experience to the job and are passionate about governing. It has allowed the individual members to take leadership roles on particular issues, and to have influence on following through on their execution. It has increased the overall level of performance of the Commission as a functioning governmental body.

There is something in the confluence of events that has prompted me to apply. The position became vacant just as my long planned retirement was beginning. The opportunity presented itself just as I find myself with the time, the interest, and the experience and for the first time in my adult life, the absence of a conflict that makes it possible for me to serve.

Like Bran "the Broken" at the end of 'Game of Thrones' I feel like a repository of history and stories who has come a great distance to be exactly where I am supposed to be.

Sincerely,

A handwritten signature in black ink, appearing to read "John McNeill", with a large, sweeping flourish extending to the right.

John McNeill

THE CITY OF



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission VACANCY

2. Name: John J. McNeill

(First)

(Middle)

(Last)

3. Home Address: 605 W. Prouty 49007-1701

(Street Address)

(City)

(Zip

Code)

4. City Resident: Yes ☒ No ☐ 5. Neighborhood: North Side

6. Home Phone: (269) 352-8080 7. E-mail Address:

8. Occupation: Retired 9. Employer:

(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: N/A 11. Home/Business Fax: N/A

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? Phone

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish. See Resume

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒. If yes, please explain.

15. References (Non-Family)

Name: Jon Hendley Phone: (269) 382-4676

Address: 315 N BORDEN Kalamazoo 49007

Name: SEAN McEANN Phone: (517) 373-5100

Address: P.O. Box 30036 Lansing 48909

16. [Signature] 5/29/19

(Signature of Applicant)

(Date)

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Fax: (269) 337-8494

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Yes _____ No ☒ If yes, which Board/Commission?

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For further information, call the Clerk's Office at (269) 337-8791. E-mail : borlings@kalamazoocity.org

RECEIVED
For office use only:

Date Received in Clerk's Office: MAY 29 2019
Date Distributed: _____
Distributed to: Kalamazoo City Clerk
Disposition: _____

JOHN McNEILL

605 W. Prouty St.
Kalamazoo MI 49007

Offering 50 years of broadcast and print journalism experience, with a broad background in political reporting, business, news editing, research and analysis, academic achievements and established community involvement with proven leadership abilities.

EDUCATION:

Master's Degree with High Honors, Organizational Communications, WMU

Bachelor of Arts Degree, Mass Media/Journalism, WMU

Associates Degree Phi Theta Kappa, Lake Michigan College

PERTINENT WORK EXPERIENCE

News Director: WKZO, WVFM, WZOX, WQLR, WNWN AM

Kalamazoo News Bureau Chief: WNWN FM, WFAT

Kalamazoo News Bureau Chief: WKFR, WKNR

Assistant Program/Public Relations Director WUHQ TV

Other Broadcast Experience: WMUK, Kalamazoo, WMCB, Michigan City, WSJM, St. Joseph, WIDR AM-FM, Kalamazoo.

PROFESSIONAL ACCOMPLISHMENTS

Winner of numerous Associated Press and Michigan Association of Broadcasters awards for news and public affairs programming and political reporting.

Created regional news network sharing stories daily between over two dozen radio stations in Southwest and Central Michigan.

Honored with a Special Tribute from the State of Michigan as an expression of thanks upon my retirement for my dedication to journalism and the Kalamazoo Community.

Longstanding member of the Kalamazoo County Community Corrections Board and member and former Chair of the WKDS Advisory Board.

ACADEMIC ACCOMPLISHMENTS

Co-directed effort to create WIDR FM while a student at WMU, won 1976 "Best Station Award" from '*Broadcast Management/Engineering Magazine*' for station design.

First student ever awarded with Lake Michigan College's "Friend of Higher Education" award for performance as WLMC General Manager.

LUCAS V. MIDDLETON

2336 Westchester Ln
Kalamazoo, Michigan 49008
Email: lucas@lvm-legal.com

Phone: 269-350-0914

Fax: 269-585-1272

Kalamazoo City Commission
241 W. South Street
Kalamazoo, MI 49007

May 30, 2019

RE: Application for Vacancy

RECEIVED
MAY 30 2019
Kalamazoo City Clerk

To Whom it May Concern:

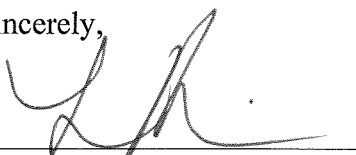
I am writing to provide additional information regarding my interest in joining the Kalamazoo City Commission. First and foremost, I am interested in this position as a citizen of Kalamazoo. I believe strongly in the continuing goal of bettering our city and likewise believe that this goal can only be achieved with the help of engaged and energetic community members.

Additionally, I feel that I have knowledge and experience which is relevant to the leadership and governance responsibilities with which the Commission is charged. First, in my career as an attorney, I have worked with governments at the city, township, and county level to address issues of blight and community redevelopment. I have also worked with land banks and other interest holders here in Kalamazoo and throughout Michigan to return hundreds of distressed properties to productive use. Critically, this work often requires compromise and uniting diverse and, in some cases, opposing perspectives to accomplish a shared goal. I believe that this experience is particularly valuable given the challenges inherent in serving our diverse community.

Furthermore, I feel my background in environmental science and policy is relevant and valuable. As a society, we face critical environmental challenges and I believe that our leaders have a fundamental responsibility to address such challenges. In particular, I believe that a core tenet of environmental policy is an emphasis on environmental justice. To this end, I believe that broad and equitable growth within our city requires that no members of our community, particularly the most vulnerable and marginalized, bear an outsized share of environmental harm and that such considerations are vital to effective public service.

If nothing else, however, I hope to convey through this writing that my application is motivated by a sincere desire to serve and better our community. I have long felt that it is important to view oneself not merely as a taxpayer, but as a citizen. As citizens, we share in both the benefits of our organization and the responsibility to contribute in a positive way. I have thought for some time about how I can better contribute my time and talents toward a more positive Kalamazoo and I hope very much to have that opportunity through service on the Kalamazoo City Commission.

Sincerely,



Lucas Middleton

LUCAS MIDDLETON

2336 Westchester Ln, Kalamazoo, MI 49008
lucas@lvm-legal.com • (269) 350-0914

EDUCATION

UNIVERSITY OF MICHIGAN LAW SCHOOL

ANN ARBOR, MI

Juris Doctor, *Cum Laude*

2014

- Michigan Journal of Environmental and Administrative Law, *Production Editor*
- Michigan Environmental Crimes Project, *Research Assistant*
- Environmental Law Society, *Executive Committee Member*

UNIVERSITY OF MICHIGAN

ANN ARBOR, MI

Bachelor of Science, *Program in the Environment*

2011

- University Honors: 2007, 2008, 2009, 2010

UNIVERSITY OF NEW SOUTH WALES

SYDNEY, AUSTRALIA

International Studies Program

2010

EXPERIENCE

TITLE CHECK LLC, *Member/General Counsel*

KALAMAZOO, MI

April 2015 – Present

- Manage all of the company's legal affairs including compliance, litigation, contracting, and employment
- Act as a liaison to outside counsel when necessary
- Work as part of the management team to improve operational efficiency, maintain quality, expand business opportunities, and maintain workplace culture
- Utilize my background as a software developer to identify and mitigate legal and operational risk within our custom software platform

LUCAS MIDDLETON - ATTORNEY AT LAW, *Owner/Partner*

KALAMAZOO, MI

January 2016 – Present

- Manage and operate all aspects of my own legal practice
- Represent county treasurers, land banks, and individuals throughout Michigan in matters related to tax-foreclosed property and other real estate and title issues
- Litigate complex cases at both the trial and appellate level

MILLER JOHNSON, *Law Clerk*

GRAND RAPIDS, MI

2014

- Supported senior attorneys in a variety of practice areas including corporate, tax, real estate, bankruptcy, labor and employment, environmental, and general litigation
- Completed projects requiring extensive legal research, analysis, and writing
- Drafted documents including non-profit incorporation and governance materials, settlement agreements, and client letters
- Interacted with clients through participation in on-site consultation, mediations, and presentations

MICHIGAN ENTREPRENEURSHIP CLINIC, *Student Attorney*

ANN ARBOR, MI

2013

- Advised early stage startup companies on a variety of issues including entity formation and conversion, equity funding, and tax concerns
- Drafted corporate documents such as non-disclosure agreements, IP assignments, and stock restriction agreements
- Researched matters including patent inventorship rights, copyright fair use, foreign entity requirements, and securities registration

LEADERSHIP

KALAMAZOO COUNTY BAR ASSOCIATION, *YLS Chairperson*

- Oversee all aspects of the Young Lawyer's Section of the KCBA including community building activities, professional development, and facilitating pro bono and other service opportunities.



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Lucas Vincent Middleton

(First)

(Middle)

(Last)

3. Home Address: 2336 Westchester LN, Kalamazoo, MI 49008

(Street Address)

(City)

(Zip Code)

4. City Resident: Yes ☒ No ☐

5. Neighborhood: Westnedge Hill

6. Home Phone: (269) 350-0914

7. E-mail Address: lucas@lvm-legal.com

8. Occupation: Attorney

9. Employer: Title Check, LLC

622 W Kalamazoo Ave

Kalamazoo

MI

49007

(Employer's Street Address)

(City)

(State)

(Zip Code)

10. Business Phone No: (269) 585-1270

11. Home/Business Fax: _____

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? email or phone

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

I am an attorney with significant experience in real property matters and experience with representing municipalities and governmental organizations. I am active in the Kalamazoo County Bar Association and currently serve as Chairperson for the Young Lawyers Section. I also serve on the Marketing Committee for KCBA. I live and work in the City of Kalamazoo.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒. If yes, please explain.

For the sake of transparency, my employer Title Check, LLC works with Kalamazoo County, and many other counties, on matters regarding delinquent real property tax notice and sale. However, I don't believe that this presents a conflict as regards service to the City of Kalamazoo.

15. References (Non-Family)

Name: Christine Schauer

Phone: (269) 209-5382

Address: 4436 Old Colony Rd, Kalamazoo, MI 49008

Name: Marty Spaulding

Phone: (269) 491-2071

Address: 414 Greenwich, Kalamazoo, MI 49007

16. [Signature]

(Signature of Applicant)

05/30/2019

(Date)

OPTIONAL INFORMATION

The following Affirmative Action and Equal Opportunity information is requested to help determine whether application information for City Boards and Commissions is reaching all segments of the community. Provision of the following information is optional, and you will not be penalized if you do not complete this section. Please check as appropriate.

GENDER

☐ Female
☒ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☐ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☒ White

AGE

☐ 16-21 years
☒ 22-34 years
☐ 35-44 years
☐ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? Word of mouth

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☐ No ☒ If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoocity.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

Borling, Scott

From: nate moore <nateofmichigan@gmail.com>
Sent: Friday, May 24, 2019 6:09 PM
To: COK - City Clerk
Subject: [EXTERNAL EMAIL] Vacant Commission Seat
Attachments: 2019-05-24 B_CApplication.pdf

Hello,

My name is Nathan Moore, I recently saw on the city's website a vacant seat for city commission, and I'm writing to submit my completed Board and Commission application form.

Thank you for your time.

Nathan Moore



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Nathan Allen Moore

(First)

(Middle)

(Last)

3. Home Address: 1110 Cobb Ave, Kalamazoo, 49007

(Street Address)

(City)

(Zip Code)

4. City Resident: Yes ☒ No ☐ 5. Neighborhood: Northside

6. Home Phone: (517) 202-7501 7. E-mail Address: nmoore@dkmedia.net

8. Occupation: entrepreneur 9. Employer: n/a

n/a

n/a

n/a

n/a

(Employer's Street Address)

(City)

(State)

(Zip Code)

10. Business Phone No: _____ 11. Home/Business Fax: _____

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? Email

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒. If yes, please explain.

15. References (Non-Family)

Name: Katrina Goodall Phone: (269) 348-6033

Address: _____

Name: Gus Calbert Phone: (269) 385-3837

Address: _____

16. Nathan Moore

(Signature of Applicant)

05/24/2019

(Date)

OPTIONAL INFORMATION

The following Affirmative Action and Equal Opportunity information is requested to help determine whether application information for City Boards and Commissions is reaching all segments of the community. Provision of the following information is optional, and you will not be penalized if you do not complete this section. Please check as appropriate.

GENDER

☐ Female
☒ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☒ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☐ White

AGE

☐ 16-21 years
☐ 22-34 years
☒ 35-44 years
☐ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? City website

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☐ No ☒ If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoocity.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

RECEIVED
MAY 30 2019
Kalamazoo City Clerk

Brian Pittelko
2707 Frederick Ave
Kalamazoo, MI 49008
bpittelko@yahoo.com

I am writing to express my interest in joining the Kalamazoo City Commission. I believe my knowledge, education, and experience would serve the city and people of Kalamazoo. While I grew up in Minnesota, I have lived in the community for nearly 14 years and have been a city resident since 2012. I earned a Master of Public Administration degree from Western Michigan University in 2008 and I was fortunate enough to find a job that allowed me to stay here in Kalamazoo and apply my education at the W.E. Upjohn Institute for Employment Research.

I believe strongly in public service, both in my job and personal life. I currently serve on a data committee for Kalamazoo Loaves and Fishes and the St. Joseph Pastoral Council. I have previously served on the Parent Advisory Committee for the YWCA Child Care Center and have been part of community data discussions with the United Way.

I believe I can bring a unique perspective to the City Commission. Through my work as an analyst at the Upjohn Institute I have been involved with the Blue Ribbon Revenue Panel, Imagine Kalamazoo, and the Urban Growth Initiative. These experiences have provided me with a nuanced view of the city budget, planning process, and downtown development plan. As a commissioner I would be honored to use my knowledge and experience to serve the community.

Thank you,

Brian Pittelko



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Brian Meyer Pittelko
(First) (Middle) (Last)

3. Home Address: 2707 Frederick Ave
(Street Address) (City) (Zip Code)

4. City Resident: Yes ☒ No ☐ 5. Neighborhood: Winchell

6. Home Phone: (269) 373-9068 7. E-mail Address: bpittelko@yahoo.com

8. Occupation: Analyst 9. Employer: W.E. Upjohn Institute

300 South Westnedge Kalamazoo MI 49008
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: (269) 385-0424 11. Home/Business Fax: _____

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? _____

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

Please see attached resume

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☒ No ☐ If yes, please explain.

I perform with for the Upjohn Institute under contract with the city of Kalamazoo

15. References (Non-Family)

Name: Lee Adams Phone: (269) 217-3389
Address: 2516 Benton Ave, Kalamazoo, MI 49008

Name: Bridget Timmeney Phone: (269) 569-7214
Address: 2601 Pine Ridge, Kalamazoo, MI 49008

16. [Signature] 5/30/2019
(Signature of Applicant) (Date)

OPTIONAL INFORMATION

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GENDER

☐ Female
☒ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☐ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☒ White

AGE

☐ 16-21 years
☐ 22-34 years
☒ 35-44 years
☐ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? mlive

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☐ No ☒ If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoo.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

BRIAN M. PITTELKO

2707 Frederick Ave
Kalamazoo, MI 49008
(m) 651-485-8603
(h) 269-373-9068
bpittelko@yahoo.com

EDUCATION

SCHOOL OF PUBLIC AFFAIRS AND ADMINISTRATION, WESTERN MICHIGAN UNIVERSITY
Master of Public Administration, Nonprofit Administration 2006 to 2008

COLLEGE OF LIBERAL ARTS, UNIVERSITY OF MINNESOTA

Bachelor of Arts, History 1998 to 2002
Minors - Japanese Language and Political Science

WORK EXPERIENCE, POLICY AND RESEARCH RELATED

W.E. UPJOHN INSTITUTE FOR EMPLOYMENT RESEARCH, KALAMAZOO, MI

SENIOR REGIONAL ANALYST Jul 2018 to present
REGIONAL ANALYST Jan 2012 to Jun 2018
ASSISTANT REGIONAL ANALYST Jan 2010 to Dec 2011
INTERN AND DATA ANALYST Feb 2008 to Dec 2009

- Co-writer of Business Outlook for West Michigan
- Co-wrote studies for Kalamazoo Urban Growth Initiative; City of Waco, Texas; Kalamazoo Community Foundation; and TALENT 2025; working paper for Organization of Economic Cooperation and Development
- Forecast costs of prospective regional and state promise scholarship programs using a custom-built model
- Supervise interns on various projects
- Use Stata, Excel and REMI model for research and analysis
- Proficient with Word and PowerPoint
- Experienced with public data sets such as American Community Survey, Quarterly Workforce Indicators, County Business Patterns, Census On the Map, Infutor, and Integrated Public Use Microdata Systems

GROWTH & JUSTICE, ECONOMIC POLICY THINK TANK, ST. PAUL, MN

INTERN AND VOLUNTEER Jan 2003 to Nov 2003

- Managed donor and volunteer database of 1,500 persons
- Updated website with current activities using custom software
- Trained replacement interns

CENTER FOR EVALUATION RESEARCH, STATISTICAL ANALYSIS FIRM, WHITE BEAR LAKE, MN

OFFICE STAFF Apr 2001 to Mar 2003

- Managed accounts payable and receivable
- Administered surveys via telephone
- Designed analysis tools using SPSS software

May 29, 2019

James Pitts
534 Lawrence
Kalamazoo, MI 49007

RECEIVED
MAY 30 2019
Kalamazoo City Clerk

To whom it may concern,

This letter of intent is in reference to the current City of Kalamazoo vacant commission seat.

I am seeking to be appointed to the current vacant seat on the City of Kalamazoo Board/ Commission for the remainder of the term.

As a lifelong citizen of Kalamazoo I am dedicated to service in this city. My goal is to be a positive force and change agent as I represent my community.

Respectfully Submitted,

James Pitts



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

Commission

2. Name: James McKinley Pitts
(First) (Middle) (Last)

3. Home Address: 534 Lawrence st Kalamazoo MI 49007
(Street Address) (City) (Zip) (Code)

4. City Resident: Yes X No 5. Neighborhood: North side

6. Home Phone: 269 870-4625 7. E-mail Address: james.pitts40@yahoo.com

8. Occupation: owner and CEO 9. Employer: WLP security
4225 West Main Kalamazoo MI 49008
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: 269 888-2554 11. Home/Business Fax:

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? phone or e-mail

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

I sit on the board city planning Commission, NACD and I'm co-founder of Action in the Neighborhood which is made up of home owners on the Northside of Kalamazoo. And I'm a member of PHI ETA Psi fraternity.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes No X. If yes, please explain.

15. References (Non-Family)

Name: Janine Seals Phone: 269 760-8919
Address: 922 Ashley st. Kal. MI 49048

Name: Jeff Lillard Phone: 269 491-0575
Address: 3219 Huron ave. Kal. MI 49006

16. James Pitts May 29, 2019
(Signature of Applicant) (Date)

OPTIONAL INFORMATION

The following Affirmative Action and Equal Opportunity information is requested to help determine whether application information for City Boards and Commissions is reaching all segments of the community. Provision of the following information is optional, and you will not be penalized if you do not complete this section. Please check as appropriate.

GENDER

☐ Female
☒ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☒ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☐ White

AGE

☐ 16-21 years
☐ 22-34 years
☐ 35-44 years
☒ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? News

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☒ No ☐ If yes, which Board/Commission?

Planning Commission

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8791. E-mail : borlings@kalamazoocity.org

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

Borling, Scott

From: Tami Rey <tamirayshawn@icloud.com>
Sent: Thursday, May 30, 2019 2:06 PM
To: COK - City Clerk
Subject: [EXTERNAL EMAIL] Application for vacant commission seat
Attachments: city commission application.pdf; ATT00001.txt

Good afternoon,

Please see attached application for vacant commission seat. Please email or call me if additional information is needed.

Thank you,

Tami Rey
(269) 598-5255

THE CITY OF



BOARD AND COMMISSION APPLICATION

RECEIVED

MAY 30 2019

Kalamazoo City Clerk

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Tami Rayshawn Rey

(First)

(Middle)

(Last)

3. Home Address: 219 N. Sage street Kalamazoo, MI 49006

(Street Address)

(City)

(Zip Code)

4. City Resident: Yes ☒ No ☐ 5. Neighborhood: Westwood

6. Home Phone: (269) 598-5255 7. E-mail Address: tamirayshawn@icloud.com

8. Occupation: Property Manager 9. Employer: Herman & Kittle

500 E 96th St.

Indianapolis

IN

46240

(Employer's Street Address)

(City)

(State)

(Zip Code)

10. Business Phone No: (269) 544-1588 11. Home/Business Fax: (269) 544-1544

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? Email or home phone

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

CDAAC Board Chair, NAACP Secretary, National Emergency Management Task force Committee, Public Safety Review & Appeals Board Member

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒ If yes, please explain.

15. References (Non-Family)

Name: Janine Seals

Phone: (269) 760-8919

Address: 922 Ashley Dr. Kalamazoo, MI 49048

Name: Vernon Payne

Phone: (269) 217-7651

Address: 1412 W. Kilgore Rd. Kalamazoo, MI 49008

16. Tami Rayshawn Rey
(Signature of Applicant)

5/30/2019
(Date)

-continued on second page-

OPTIONAL INFORMATION

The following Affirmative Action and Equal Opportunity information is requested to help determine whether application information for City Boards and Commissions is reaching all segments of the community. Provision of the following information is optional, and you will not be penalized if you do not complete this section. Please check as appropriate.

GENDER

☒ Female
☐ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☒ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☐ White

AGE

☐ 16-21 years
☒ 22-34 years
☐ 35-44 years
☐ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? Social Media

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☐ No ☒ If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoocity.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

Kalamazoo City Commission

2. Name:

Nehemiah Anson Scudder
(First) (Middle) (Last)

3. Home Address:

345 N. Burdick St. (#303), Kal. 49007
(Street Address) (City) (Zip) (Code)

4. City Resident: Yes ☒ No ☐

5. Neighborhood:

Central City

6. Home Phone:

903-2883

7. E-mail Address:

Ayshhyah@yahoo.com

8. Occupation:

publisher/tutor

9. Employer:

self-employed

345 N. Burdick St. (#303), Kal. 49007 MI (Michigan)
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No:

903-2883

11. Home/Business Fax:

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? e-mail: Ayshhyah@yahoo.com

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

I have a BA in math (minor in physics).
I publish a small newspaper (Free/don's try).
I am a student at WMU.
I belong to the Black Student Union.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒ If yes, please explain.

15. References (Non-Family)

Name:

David Anderson

Phone:

720-7143

Address:

City Hall

Name:

Don Cooney

Phone:

387-1000

Address:

City Hall

16.

Nehemiah A. Scudder

(Signature of Applicant)

(Date)

05/08/2019

OPTIONAL INFORMATION

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GENDER

☐ Female
☒ Male

DISABLED

☐ Yes
☒ No

RACE OR ETHNIC BACKGROUND

☐ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☒ White

AGE

☐ 16-21 years
☐ 22-34 years
☐ 35-44 years
☐ 45-54 years
☐ 54-64 years
☒ 64+ years

(74 years old)

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? attending City Commission Mtg.

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☐ No ☒ If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8791. E-mail : borlings@kalamazoocity.org

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

May 28, 2019

Mr. Bobby Hopewell
241 W. South Street
Kalamazoo, MI 49007

RECEIVED
MAY 28 2019
Kalamazoo City Clerk

Dear Mr. Hopewell,

I have recently learned of your opening for a City Commissioner, and I am writing to submit my resume for consideration. I am interested in serving on the commission to have part in shaping my local community and participate in civic life. I would like to step out of my comfort zone, gain a new skill and share my views on taxation, appropriations, ordinances and any other general functions a City Commissioner is responsible for. I believe I can effectively take on the duties and responsibilities of a City Commissioner.

Although I have not had any professional experience listening to the concerns of citizens of the city of Kalamazoo or working with elected officials to get these concerns addressed, I feel I would be an excellent asset to assist our citizens in getting heard and coming up with fair resolutions. My experience as Child Protective Service State Investigator/Case Manger of Calhoun County always had me wanting to do more for our citizens in Michigan. I felt leadership and policy direction for our community needed to be changed or they needed to do more for the citizens.

The following is a list of my most relevant accomplishments and qualifications.

- Earned Bachelor Degree in Social Work from Western Michigan University
- Maintained and prepared accurate accounting documentation for weekly, monthly and fiscal reports
- Recruited, hired and trained potential employees
- Demonstrate competencies specific to the population served.

I believe the role of City Commissioner is being one who is well informed, listens carefully and knowing how to make decisions with intelligence, integrity and genuine concern for the community. Thank you for your consideration.

Sincerely
Yvonne A. Smith

Enclosure: Resume

THE CITY OF



BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

City Commission

2. Name: Yvonne Avor Smith
 (First) (Middle) (Last)

3. Home Address: 4004 Country Meadow Drive Kalamazoo 49048
 (Street Address) (City) (Zip Code)

4. City Resident: Yes ☒ No ☐ 5. Neighborhood: Kalamazoo

6. Home Phone: (269) 251-6490 7. E-mail Address: dalexandey@hotmail.com

8. Occupation: Administration 9. Employer: Bronson Methodist Hospital
601 John Street Kalamazoo MI 49007
 (Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: (269) 341-6433 11. Home/Business Fax: (269) 251-6490

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? phone (269) 251-6490

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

I worked for Ronningon Research and Development as the Accounts Payable Manager and I believe that gives me some experience in managing accounts. One of my main reasons I would like to be considered as the new Commissioner is I would like to have a voice in decision making. I want to serve our community, also plan land use and experience learning opportunities in regards to Kalamazoo. I would like to play a active role in our community. I don't mind devoting many hours to the planning commission service paid or unpaid. I just want to have input on local decisionmaking. I am a graduate of Western Michigan University and love this city!

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒. If yes, please explain.

15. References (Non-Family)

Name: Shelly Thomas Phone: (269) 251-7370
 Address: 6767 N 14TH STREET KALAMAZOO, MI 49009

Name: Amy Rustenoltz Phone: (269) 743-8017
 Address: 130 FAIRVIEW AVENUE KALAMAZOO, MI 49001

16. [Signature] 5/28/2019
 (Signature of Applicant) (Date)

OPTIONAL INFORMATION

The following Affirmative Action and Equal Opportunity information is requested to help determine whether application information for City Boards and Commissions is reaching all segments of the community. Provision of the following information is optional, and you will not be penalized if you do not complete this section. Please check as appropriate.

GENDER

☒ Female
☐ Male

DISABLED

☐ Yes
☐ No

RACE OR ETHNIC BACKGROUND

☒ Black or African-American
☐ American Indian or Alaskan Native
☐ Asian
☐ Pacific Islander
☐ Hispanic or Latino
☐ White

AGE

☐ 16-21 years
☐ 22-34 years
☐ 35-44 years
☒ 45-54 years
☐ 54-64 years
☐ 64+ years

Please return your application to:

City Clerk's Office
 241 W. South Street
 Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? Channel 3 news

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes ☐ No ☒ If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoo.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

Yvonne Smith

4004 Country Meadow St
Kalamazoo, MI 49048

(269) 251-6490
smithy@bronsonhg.org

Objective

To benefit the city of Kalamazoo as an effective City Commissioner with excellent communication, creative and goal-oriented skills, a proactive style of management, and the ability to work with diverse populations.

Education

Western Michigan University
Bachelor of Social Work
Minor: Interdisciplinary Health

Kalamazoo, MI
April 2011

Employment History

Bronson Birthplace, Bronson Methodist Hospital
Administration/Unit Clerk

Kalamazoo, MI
September 2001-present

- Assist the physicians and nurses with all aspects of patient care.
- Preparing and compiling records on the nursing unit.
- Coordinate unit communication systems, relay information
- Input and retrieve data from the organizations computerized systems
- Verify and update demographics and insurance information
- Transfers and processes all emergency transfers from other hospital facilities
- Maintain supplies and equipment
- Maintain optimal public relations.
- Admit patient and acknowledge the registration staff of patient's current visiting status.
- Demonstrate competencies specific to the population served.

State of Michigan, Children Protective Service
Case Management/Ongoing Worker

Battle Creek, MI
May 2011-June 2012

- Determine the eligibility for services and funding for families. Process all required forms and open a case.
- Process State Social Welfare Service System computer program and all structured decision making requirements.
- Negotiate parent-agency meeting agreement utilizing a strength-based approach.
- Do reports focused on the strengths and needs of the families, including a plan to meet those needs.
- Demonstrate safety awareness skills.
- Write a court petition based on the law and case findings.
- Testify effectively in court.
- Protect children from abuse and neglect.
- Make sure children are safely maintained in their homes whenever possible and appropriate.
- Make sure children have permanency and stability in their living situations.
- Continue to preserve family relationships and connections.
- Conduct interviews of alleged victims of child sexual abuse.
- Make sure children receive appropriate services to meet their educational needs.

Temporary Agency, Adecco
Associate

Kalamazoo, MI
December 1999-July 2001

- Assist with accounting
- Testing and training/recruiting potential employees
- Administration
- Performed general office support

Accounting, Ronningen Research & Development

Accounts Payable Manager

Vicksburg, MI
April 1999-September 1999

- Maintained and prepared accurate accounting documentation for weekly, monthly and fiscal reports.
- Payroll distribution.
- Consulted with Consumers and Executive staff to determine cost and class constraints.
- Ensured that payables were paid within the pre-defined terms and conditions.
- Maintained and updated customer files.
- Communicate with Marketing Team in order to meet customer needs.
- Arranged and maintained vendor invoices and payment.

Reproductive Health, University of California Irvine Medical Center
AdministrationIrvine, CA
June 1990-November 1996

- Reviewed and prepared financial policies for the Center for Reproductive Health.
- Communicated with insurance companies for surgical and art procedures.
- Manage all aspects of insurance billing including Medicaid.
- Organized medical documents and charts.
- Performed general office support.
- Used company designed data base software to facilitate personal center documents.
- Responsible for over 1,000 clients.
- Facilities management.
- Prepared and enhanced specific learning material to clients.
- Managed and assisted in staffing front office personnel.

Honors/Certificates

Nathaniel McCaslin Scholarship (2008-2009).

MACNLOW Associates certificate/Building Personal and Professional Effectiveness in accordance with all local, state and federal guidelines (2000).

Prosecuting Attorneys Association of Michigan Child Abuse Training Service Program/Department of Human Services/Forensic Interviewing of Children certificate (2011, 2012).

Prosecuting Attorneys Association of Michigan Child Abuse Training preparing for court certificate (2011, 2012).
University of Michigan Medical School/Child Abuse & Neglect, Prevention, Assessment and Treatment certificate (2011).

Kellogg Community College/ Law Enforcement Response to Domestic Violence certificate (2012).

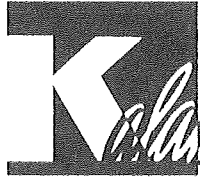
Volunteer Experience

**Social Work Intern
Tendercare of Westwood
2575 N. Drake Road
Kalamazoo, MI 49006**

January 2009-April 2009

- Conducted psychosocial assessments for long-term skilled nursing care and short-term rehabilitation patients.
- Offered information and counseling support to patients and their families.
- Advocated to connect patients and their families with community resources.
- Assisted patients and their families in developing coping strategies and health/medical related problem solving skills.
- Participated in weekly multi-disciplinary team meetings, providing information from social work assessment necessary to develop treatment plan.
- Maintained accurate records and preparing reports for government and state guidelines.
- Participated in supervision of staff on night call.
- Attended training workshops, particularly those that deal with long-term care, legal rights and conservatorship/competency issues.
- Help organize the program's directories of social service resources.

THE CITY OF



BOARD AND COMMISSION APPLICATION

RECEIVED
MAY 28 2019
Kalamazoo City Clerk

1. On which Board or Commission would you like to serve?

City Commission

2. Name: William Orie Wells
(First) (Middle) (Last)

3. Home Address: 1314 Lane Blvd. Kalamazoo 49001
(Street Address) (City) (Zip Code)

4. City Resident: Yes ☒ No ☐ 5. Neighborhood: Edison

6. Home Phone: (269) 598-6068 7. E-mail Address: wowells@netzero.net

8. Occupation: Letter Carrier 9. Employer: USPS
54014 CR 388 Grand Junction MI 49056
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: N/A 11. Home/Business Fax: N/A

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? E mail

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.

See Attached

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes ☐ No ☒ If yes, please explain.

15. References (Non-Family)

Name: See Attached Phone: _____
Address: _____

Name: _____ Phone: _____
Address: _____

16. William Orie Wells 5/28/19
(Signature of Applicant) (Date)

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241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? City Commission Meeting

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Yes ☒ No ☐ If yes, which Board/Commission?

CDAAC

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8792 or email cokcityclerk@kalamazoocity.org.

For office use only:

Date Received in Clerk's Office: _____

Date Distributed: _____

Distributed to: _____

Disposition: _____

William O. Wells

1314 Lane Blvd.
Kalamazoo MI, 49001
269-598-6068
wowells@netzero.net

PROFILE

To be the best professional in the industry. To learn, grow, advance my career to benefit others, working together for the same goals.

EXPERIENCE

United States Postal Service: Grand Junction MI 2011-Present
Rural Carrier Associate, Sub Carrier for route 1, 2, and 3

Flight Service Specialist, Lockheed Martin Inc.; Lansing, MI — 2006-2009
Certified National Weather Service Pilot Briefer, Certified FAA Pilot Weather Briefer, Facility qualified Level II Specialist.

Assistant Airport Manager, City of Three Rivers, Three Rivers, MI — 2001-2006
Liaison to the public, \$2mil Airport expansion project, Oversee day to day operations.

Chief Flight Instructor, Conrad Aero LLC, Three Rivers, MI — 2000-2006
Organize and schedule student appointments, Evaluate student progress, Develop policy and guidelines. 2500 Hr total flight time.

Sheet Metal Journeyman, Precision Service, Portage, MI — 1999-2000
Installation and fabrication of HVAC products. Organize and plan job schedule.

Assistant Manager, CarTemps USA, Kalamazoo, MI — 1998-1999
Increased car rental volume, Managed daily reports, implemented training for new hires.

Sheet Metal Journeyman, Local 360, Lansing, MI - 1978-1999

EDUCATION

Sheet Metal Apprentice School, Lansing, MI - Certificate 1983

Cornerstone University, Grand Rapids, MI — Bachelor of Arts Organizational Leadership 1997

Embry-Riddle Aeronautical University Daytona Beach, FL-Masters of Aeronautical Science Operations and Safety 2003

SKILLS

Highly defined mechanical and organizational skills. Ability to work with Micro Soft applications. I work well with others, both co-workers and outside vendors. Good communication skills, both verbal and written. I have served on the Edison Neighborhood Board as board President, CDAAC (Community Development Act Advisory Committee) for the City of Kalamazoo and served as Committee Chair and KRCC (Kalamazoo River Cleanup Coalition) as a board member.

References

Don Cooney

Professor Western Michigan University

269-387-3190

Known 7 Years

Denise Keele

Professor Western Michigan University

269-387-5686

Known 7 Years

Bruce Merchant

Friend

269-270-2334

Known 20+ Years