



Agenda

City Commission Business Meeting

City of Kalamazoo

Monday, July 21, 2025

7:00 PM

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: Fr. Bryce Buffenbarger, Annunciation Greek Orthodox Church
2. Pledge of Allegiance
3. Introduction of Guests
4. Proclamations
 - a. Recognizing Rynita McGuire

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

E. PUBLIC COMMENTS

F. PUBLIC HEARINGS

G. 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 a contract supplemental and change order with Wightman & Associates, Inc. for construction engineering for the Westnedge Avenue Improvements Project in the amount of \$134,585.
2. Approval of a contract supplemental and change order with Carrier and Gable for traffic signals, controllers, components, and equipment in the amount of \$300,000.

3. Approval of a change order to Contract 23-5104 with the Michigan Department of Transportation (MDOT) for the construction of the Whites Road Improvements, Oakland Drive to Westnedge Avenue Project in the amount of \$946,580.78.
4. Approval of an Administrative Order on Consent with the U.S. Environmental Protection Agency (EPA) for compliance enforcement of the National Pollutant Discharge Elimination System Permit No. MI0023299 at the Kalamazoo Water Reclamation Plant improvements and the associated compliance schedule.
5. Approval of the minutes from the Committee of the Whole meetings on January 27, February 3, February 17, March 3, March 8, March 17, April 7, April 21, and July 7, 2025; and the Business Meetings on February 17, April 7, April 21, and July 7, 2025.

H. REGULAR AGENDA

I. REPORTS AND LEGISLATION

1. City Manager's Report

J. UNFINISHED BUSINESS

K. POLICY ITEMS

L. NEW BUSINESS

M. COMMISSIONER COMMENTS

N. CLOSED SESSION

O. ADJOURNMENT

ADDITIONAL INFORMATION

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The Kalamazoo City Commission's 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). Committee of the Whole meetings are held immediately prior to business meetings at 5:00 p.m. Both meetings are also streamed live on the City's [Facebook page](#) and [YouTube Channel](#).

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.



City Commission Agenda Report

City of Kalamazoo

Date: **7/21/2025**

Item: **G.1.**

TO: Mayor Anderson, Vice Mayor Hess, 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 Crandall, PE, Assistant City Engineer – Water Resources

DATE: July 21, 2025

SUBJECT: Approve a contract supplemental/change order with Wightman & Associates, Inc. for Construction Engineering for the Westnedge Avenue Improvements Project (Bid Ref# 92549-001.0.11)

RECOMMENDATION:

It is recommended that the City Commission approve a contract supplemental/change order with Wightman & Associates, Inc. for Construction Engineering for the Westnedge Avenue Improvements Project in the amount of \$134,585 and authorize the City Manager to sign all documents.

BACKGROUND:

Westnedge Avenue is a key North/South corridor in the City of Kalamazoo. It serves as a key street for many neighborhoods, including: Northside, CBD, Vine, Southside, Stuart, Westnedge Hill, and South Westnedge. Due to the age and condition of the roadway, the City competed for allocated federal money through the Kalamazoo Area Transportation Study (KATS) MPO via their Transportation Improvement Plan (TIP) process. The project was accepted and funds were assigned to it from the Surface Transportation Program, Congestion Mitigation and Air Quality Improvement (CMAQ) Program.

Westnedge Avenue, Whites Road to Vine Street, saw construction activities for watermain replacement (federal non-participating work), storm water improvements, signal and intersection updates, road resurfacing, and sanitary sewer updates & repairs. These improvements will provide continued services for all corridor users, businesses, and residents along Westnedge Ave for years to come.

During the course of water main construction activities, there was an inadvertent discovery near Westnedge Park. Public Services reached out to Wightman & Associates, Inc. for additional support, including working with specialized sub-consultants to properly handle the event and meet State Historic Preservation office (SHPO), Federal Highway Administration (FHWA), and

Michigan Department of Transportation (MDOT) processes and procedures. For the additional work, Wightman & Associates, Inc. has requested an additional \$134,585.00 be placed in their contract. Public Services finds this request acceptable and recommends approval of this supplemental.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Safe Community- Creating a safe environment for living, working, and playing

Connected City - A City networked for walking, biking, riding, and driving

Economic Vitality - A supportive infrastructure for growing businesses and stabilizing the local economy for the benefit of all.

COMMUNITY ENGAGEMENT:

Appropriate Depth of Engagement

Inform (one-way conversation) – no feasible alternatives available due to legal/regulatory restrictions, standards and best practices, or resource limitations; the community will be made aware of the project.

Neighborhood meetings, social media, news, website, email signup notifications, and more.

FISCAL IMPACT:

The funds required for this contract are \$134,585. The funding available and estimated costs are detailed below. We are requesting the approval of this purchase using the funds below.

Description	Account	Project #	Dollar Amount
Water Capital Improvement		wat0500393-04-988.002	\$134,585.00



City Commission Agenda Report

City of Kalamazoo

Date: **7/21/2025**

Item: **G.2.**

TO: Mayor Anderson, Vice Mayor Hess, 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: Dennis Randolph, PE, Public Works Division Manager

DATE: July 21, 2025

SUBJECT: Approval of Contract Supplemental/Change Order with Carrier and Gable for Traffic Signals, Controllers, Components, and Equipment (Bid Ref# 55000-001.0)

RECOMMENDATION:

It is recommended that the City Commission approve a contract supplemental/change order with Carrier and Gable for Traffic Signals, Controllers, Components, and Equipment in the amount of \$300,000.00.

BACKGROUND:

The City of Kalamazoo began conducting traffic signal maintenance for the City and Road Commission of Kalamazoo County (RCKC) on June 1, 2015. Under this agreement, the City purchases all material necessary for both entities maintenance operations. RCKC is then invoiced monthly for any material acquired on their behalf. This requested purchase order is anticipated to cover purchases necessary to repair or replace worn out traffic signal components. Parts from this purchase order make up the bulk of supplies needed for maintenance.

Carrier & Gable is the only distributor for the entire State of Michigan for these traffic signal components. These components include signal bulbs, controllers, detection cameras, processors, load switches, cabinets, brackets, signal heads, case signs, and other such material. This purchase order uses pricing as awarded through a MiDeal 240000000799.

Because of extreme weather events, and the extensive amount of infrastructure repair and construction in the City and the County, there has been a significant amount of traffic signal repair and reconstruction. This change order accounts for this unexpected work and is necessary to keep a safe and efficient traffic signal system in operation.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Safe Community- Creating a safe environment for living, working, and playing

COMMUNITY ENGAGEMENT:

Appropriate Depth of Engagement

Inform (one-way conversation) – no feasible alternatives available due to legal/regulatory restrictions, standards and best practices, or resource limitations; the community will be made aware of the project.

FISCAL IMPACT:

The funding for this contract is \$300,000. And, this is a blanket purchase order for supplies and materials that will be charged to the Major and Local Streets Funds, as applicable.



City Commission Agenda Report

City of Kalamazoo

Date: **7/21/2025**

Item: **G.3.**

TO: Mayor Anderson, Vice Mayor Hess, 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, PE, Assistant City Engineer – Water Resources

DATE: July 21, 2025

SUBJECT: Approval of a contract supplemental/change order for Whites Road Improvements, Oakland Drive to Westnedge Avenue (Bid Ref# 00000-023.61)

RECOMMENDATION:

It is recommended that the City Commission approve a change order to the contract 23-5104 with the Michigan Department of Transportation (MDOT) in the amount of \$946,580.78 for the construction of the Whites Road Improvements, Oakland Drive to Westnedge Avenue Project.

BACKGROUND:

Whites Road between Oakland Drive and Westnedge Avenue was identified as a project receiving federal funding in 2023 on the Kalamazoo Area Transportation Study (KATS) Transportation Improvement Program (TIP). The project is slated for federal funding in the amount of \$1,722,414.00 for roadway improvements including HMA surfacing, ADA ramp upgrades, and curb and gutter replacement where necessary. This section of roadway was also identified by the Water Resources Division for water main replacement, as the current water main is undersized for its use and has experienced numerous water main breaks over the years.

MDOT handles bidding, award, and contractor payments. The original contract with MDOT was based off of the Engineer's Estimate pricing and need to be updated to the as-bid amount. Bids were opened on May 5, 2023 by MDOT. Three bids were received and the low bid, by Peters Construction Co., was 31% higher than the Engineer's Estimate with a price of \$6,984,728.72. The original purchase order was based on Engineer's Estimate pricing, but needs to be executed for the as-built amount. The placed to date contract amount is \$6,288,080.78. This is a difference of \$946,580.78, which is split as \$682,639.76 for Major Streets and \$263,941.02 for Water.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Safe Community- Creating a safe environment for living, working, and playing

Connected City - A City networked for walking, biking, riding, and driving

Inviting Public Places - Vibrant streets, exceptional parks, and welcoming activities.

Complete Neighborhoods - residential areas that support the full range of people's daily needs

COMMUNITY ENGAGEMENT:

Appropriate Depth of Engagement

Inform (one-way conversation) – no feasible alternatives available due to legal/regulatory restrictions, standards and best practices, or resource limitations; the community will be made aware of the project.

Media releases, social media, neighborhood associations, website, mailers, etc.

FISCAL IMPACT:

Funding for this project is accounted for in the 2025 Water and Major Streets Capital Improvement Budget. Funding summary is as follows:

Funding Presented at 5/15/2023 Commission Meeting Based on Engineer's Estimate:

Mst0100265 \$1,327,686.00

Wat0500394 \$2,291,400.00

Total \$3,619,086.00

Placed to Date Amounts:

Funding: Mst0100265 \$2,010,325.76

Federal Funds \$1,722,414.00

Wat0500394 \$2,555,341.02

Total \$6,288,080.78

Costs:

Streets \$3,732,739.76

Water \$2,555,341.02

Total \$6,288,080.78

Change from 5/15/2023 Commission Approval:

Mst0100265 \$682,639.76

Wat0500394 \$263,941.02

Total \$946,580.78



City Commission Agenda Report

City of Kalamazoo

Date: **7/21/2025**

Item: **G.4.**

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

FROM: James K. Ritsema, ICMA-CM, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: James H. Cornell, Wastewater Division Manager

DATE: July 21, 2025

SUBJECT: Administrative Order on Consent (AOC) with the EPA Region 5 Under Section 309(a) of the Clean Water Act, 33 U.S.C. § 1319(a)

RECOMMENDATION:

It is recommended that the City Commission approve an Administrative Order on Consent (AOC) with the U.S. Environmental Protection Agency (EPA) for compliance enforcement of the National Pollutant Discharge Elimination System ("NPDES") Permit No. MI0023299 at the Kalamazoo Water Reclamation Plant improvements and the associated compliance schedule.

BACKGROUND:

The City of Kalamazoo Wastewater Treatment Plant participated in an Michigan Department of Environment, Great Lakes and Energy (EGLE) pretreatment compliance inspection (PCI) of our Industrial Pretreatment Program (IPP) conducted by the United State EPA Region 5 compliance division on October 23rd - 26th, 2023. Significant deficiencies and recommendations were identified by EPA Region 5 Compliance Specialist and EGLE staff resulting in the motion for the City of Kalamazoo Wastewater Treatment Plant to enter the Administrative Order on Consent in accordance with Section 309(a) of the CWA, 33 U.S.C. § 1319(a) and that Respondent comply with the actions listed in Section V; Paragraph 123 – 124.

The City of Kalamazoo Industrial Pretreatment Program (IPP) has implemented program updates and Industrial user corrective action requirements per the City of Kalamazoo's Chapter 28 Sewer Use and Pre-treatment Ordinance to return to compliance and is on schedule to remain in compliance per Section V; Paragraph 123 – 140 of the AOC proposed.

IPP staff, City of Kalamazoo legal counsel, and management engaged with EPA Region 5 IPP compliance staff during several conference calls in 2024 and into 2025 to understand the current deficiencies in our IPP program and requirements for compliance with the AOC.

The compliance schedule set forth in Section V; Paragraph 123 – 140 of the AOC document

details work priorities and reflects the highly professional and collaborative relationship between EPA and the City of Kalamazoo jointly committed to protect and maintain the industrial pre-treatment requirements and the NPDES Permit No. MI0023299 requirements of the Kalamazoo Water Reclamation Plant.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Safe Community- Creating a safe environment for living, working, and playing

COMMUNITY ENGAGEMENT:

Appropriate Depth of Engagement

Inform (one-way conversation) – no feasible alternatives available due to legal/regulatory restrictions, standards and best practices, or resource limitations; the community will be made aware of the project.

FISCAL IMPACT:

There are no immediate fiscal impacts in entering this AOC. Failure to meet the compliance schedule set forth in Section V; Paragraph 123 – 140 may result in civil administrative penalties listed in Section VII; Paragraph 149 a through c; referenced below.

- a) Civil administrative penalties under 33 U.S.C. § 1319(g) and 40 C.F.R. Part 19 of up to \$27,378 per day of violation up to a total of \$342,218 for violations of Section 301 of the CWA, 33 U.S.C. § 1311;
- b) Seek civil injunctive relief and penalties for violations of the CWA under 33 U.S.C. § 1319(b) and civil judicial penalties for violations of this Order under 33 U.S.C. § 1319(d). In accordance with 40 C.F.R. Part 19, EPA may seek civil judicial penalties of \$68,445 per day of violation;
- c) Seek criminal penalties, including fines and imprisonment, for negligent or knowing violations of the CWA under 33 U.S.C. § 1319(c).

**.UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:	)
	) Administrative Order on Consent
City of Kalamazoo, Michigan	) Under Section 309(a) of the Clean Water
	) Act, 33 U.S.C. § 1319(a)
Respondent.	)
	)
	)

I. INTRODUCTION

1. The U.S. Environmental Protection Agency (“EPA”) makes the findings of fact set forth below (Section IV) and is issuing this Administrative Order on Consent (“Order on Consent” or “Order”) to the City of Kalamazoo, Michigan (“Respondent”) under the authority of Section 309(a) of the Clean Water Act (“CWA” or “Act”), 33 U.S.C. § 1319(a). The Administrator of EPA has delegated the authority to issue such orders to the Regional Administrator of EPA Region 5, who has redelegated this authority to the Director of the Enforcement and Compliance Assurance Division, EPA, Region 5.
2. This Order is mutually entered into by EPA and Respondent.
3. At all times relevant to this Order, Respondent has owned and operated the Kalamazoo Water Reclamation Plant, located at 1415 Harrison Street, Kalamazoo, Michigan (the “Facility”).
4. EPA alleges that Respondent failed to comply with National Pollutant Discharge Elimination System (“NPDES”) Permit No. MI0023299 at the Kalamazoo Water Reclamation Plant, in violation of Section 301(a) of the CWA, 33 U.S.C. § 1311(a).
5. By entering into this Order, Respondent: (1) consents to EPA’s authority to issue this Order; (2) neither admits nor denies the factual allegations as set forth in this Order; (3) agrees to undertake all actions required by the terms and conditions of this Order; and (4) agrees not to contest the authority of EPA to issue this Order or the validity of any terms or conditions in this Order.
6. For the purposes of this Order only, Respondent waives any and all remedies, claims for relief, and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Order on Consent, including, but not limited to, any right of judicial review under Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

II. STATUTORY AND REGULATORY AUTHORITY

7. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant by any person except, *inter alia*, in compliance with an NPDES permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.
8. Section 402 of the CWA, 33 U.S.C. § 1342, authorizes states to request approval from EPA to administer their own permit programs for discharges into navigable waters within their jurisdictions.
9. Pursuant to Section 402 of the CWA, 33 U.S.C. § 1342, the State of Michigan requested approval from EPA to administer its own permit program for discharges into navigable waters within Michigan, and such approval was granted by EPA on October 17, 1973, 39 Fed. Reg. 26,061 (July 16, 1974). Therefore, pursuant to the State's permit program, the Michigan Department of Environment, Great Lakes, and Energy ("EGLE") has issued Michigan NPDES permits. Violation of an NPDES permit is a violation of Section 301(a) of the CWA, 33 U.S.C. § 1311(a).
10. Section 307(b)(1) of the CWA, 33 U.S.C. § 1317(b)(1), states that the Administrator shall publish proposed regulations establishing pretreatment standards for introduction of pollutants into Publicly Owned Treatment Works (POTWs) for those pollutants that are determined not to be susceptible to treatment by such treatment works, or that would interfere with the operation of such treatment works.
11. Section 307(c) of the CWA, 33 U.S.C. § 1317(c), states that the Administrator shall promulgate pretreatment standards for new sources which introduce pollutants into POTWs at the same time that the administrator promulgates standards of performance under Section 306 of the CWA, 33 U.S.C. § 1316.
12. Pursuant to Section 307 of the CWA, 33 U.S.C. § 1317, the Administrator published "General Pretreatment Regulations for Existing and New Sources" on January 28, 1981 (codified at 40 C.F.R. Part 403), which became effective three years from the date of promulgation.
13. Pursuant to Section 307 of the CWA, 33 U.S.C. § 1317, the Administrator published the Metal Finishing Point Source Category on July 15, 1983 (codified at 40 C.F.R. Part 433), which became effective on August 29, 1983.
14. Pursuant to Section 307 of the CWA, 33 U.S.C. § 1317, the Administrator published the Aluminum Forming Point Source Category on October 24, 1983 (codified at 40 C.F.R. Part 467), which became effective on December 7, 1983.

15. Pursuant to Section 307 of the CWA, 33 U.S.C. § 1317, the Administrator published the Pulp, Paper, and Paperboard Point Source Category on November 18, 1982 (codified at 40 C.F.R. Part 430), which became effective on January 3, 1983.
16. Section 307(d) of the CWA, 33 U.S.C. § 1317(d), states that, after the effective date of any pretreatment standard promulgated under this section, it shall be unlawful for any owner or operator of any source to operate the source in violation of any such pretreatment standard.
17. 40 C.F.R. § 403.8(f)(1) states that a POTW shall operate pursuant to legal authority enforceable in federal, state, or local courts, which authorizes or enables the POTW to apply and enforce the requirements of Sections 307(b) and (c) and 402(b)(8) of the CWA, 33 U.S.C. §§ 1317(b) and (c) and 1342(b)(8).
18. Section 309(a)(3) of the CWA, 33 U.S.C. § 1319(a)(3), provides that whenever EPA finds that any person is in violation of requirements of, *inter alia*, Sections 301 or 402 of the CWA, 33 U.S.C. § 1311, or 1342, or is in violation of any condition or limitation that implements those sections in an NPDES permit, EPA shall issue an order requiring such person to comply with such requirements, conditions, or limitations. Section 309(a)(5) of the CWA, 33 U.S.C. § 1319(a)(5), requires that any such order shall specify a time for compliance that EPA determines to be reasonable taking into account the seriousness of the violation and any good faith efforts to comply with applicable requirements.

III. DEFINITIONS

19. All terms used, but not defined, in this Order have the meanings provided to them in the CWA, 33 U.S.C. § 1251 *et seq.*, and the effective EPA regulations promulgated under the CWA.
20. “Act” or “CWA” means the Clean Water Act, 33 U.S.C. § 1251 *et seq.*
21. “Approval Authority” as defined in 40 C.F.R. § 403.3(c), means the Director in an NPDES State with an approved State pretreatment program and the appropriate EPA Regional Administrator in a non-NPDES State or NPDES State without an approved State pretreatment program.
22. “Approved Pretreatment Program” or “Pretreatment Program,” as defined in 40 C.F.R. § 403.3(d), means a program administered by a POTW that meets the criteria established in this regulation and that has been approved by a Regional Administrator or State Director in accordance with 40 C.F.R. § 403.11.
23. “Best Management Practices” or “BMP,” as defined in 40 C.F.R. § 403.3(e), means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 C.F.R. § 403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to

control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

24. “Bypass,” as defined in 40 C.F.R. § 403.17(a), means the intentional diversion of wastestreams from any portion of an Industrial User’s treatment facility.
25. “Categorical Industrial User” or “CIU” means an Industrial User subject to categorical pretreatment standards under 40 C.F.R. § 403.6 and the Effluent Guidelines and Standards for Point Source Categories at 40 C.F.R. Chapter I, Subchapter N.
26. “Categorical Pretreatment Standards” mean the categorical pretreatment standards under 40 C.F.R. § 403.6 and the Effluent Guidelines and Standards for Point Source Categories at 40 C.F.R. Chapter I, Subchapter N.
27. “Control Authority,” as defined in 40 C.F.R. § 403.3(f)(1), means the POTW if the POTW’s Pretreatment Program submission has been approved in accordance with the requirements of 40 C.F.R. § 403.11.
28. “Day” or “days” means a calendar day or calendar days unless expressly stated to be a business day. When computing any period of time under this Order, should the last day fall on a Saturday, Sunday, or federal holiday, the period shall run until the close of business of the next business day.
29. “Discharge of a pollutant,” as defined in Section 502(12) of the CWA, means *inter alia*, “any addition of any pollutant to navigable waters from any point source.” 33 U.S.C. § 1362(12).
30. “Effective Date” has the definition provided in Section VIII of this Order.
31. “EPA” means the United States Environmental Protection Agency.
32. “Facility” means the Kalamazoo Water Reclamation Plant, located at 1415 Harrison Street, in Kalamazoo, Michigan.
33. “Indirect discharge,” as defined in 40 C.F.R. § 403.3(i), means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the CWA.
34. “Individual control mechanisms” or “IU Permits” mean the method by which Respondent controls the contribution to the POTW by each IU to ensure compliance with applicable pretreatment standards and requirements.
35. “Industrial User” or “IU”, as defined in 40 C.F.R. § 403.3(j), means a source of an Indirect discharge.

36. “Local Limits,” as defined in 40 C.F.R §403.5(d), means specific prohibitions or limits on pollutants or pollutant parameters developed by a POTW in accordance with 40 C.F.R. § 403.5(c).
37. “Municipality,” as defined in Section 502(4) of the CWA, means a city, town, borough, county, parish, district, association, or other public body created by or pursuant to state law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA. 33 U.S.C. § 1362(4).
38. “Navigable waters,” as defined in Section 502(7) of the CWA, means “the waters of the United States, including the territorial seas.” 33 U.S.C. § 1362(7).
39. “New Source,” as defined in 40 C.F.R. §403.3(m)(1), means any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
- a. The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - b. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - c. The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
40. “NPDES Permit” and “Permit” mean the permit issued in accordance with the NPDES pursuant to Section 402 of the CWA, 33 U.S.C. § 1342. In this Order, these terms mean NPDES Permit No. MI0023299, issued by the State of Michigan to Respondent for the Kalamazoo Water Reclamation Plant with the effective date of September 1, 2021, and the expiration date of October 1, 2025. For purposes of Sections IV through IX of this Order, “Permit” also means any subsequent NPDES permit issued by the State of Michigan to Respondent for the Kalamazoo Water Reclamation Plant, until such time as this Order is terminated.
41. “Order on Consent” and “Order” means this document, all attachments hereto, and all subsequent modifications thereto, including incorporated submissions from Respondent, as described in Paragraph 138.

42. “Outfall” means a type of “point source,” as that term is defined in Section 502(14) of the CWA, 33 U.S.C. § 1362(14), that serves as a discharge point from the facility. “Outfall” followed by an Arabic numeral means that Outfall assigned that number in Respondent’s NPDES permit.
43. “Paragraph” means a portion of this Order identified by an Arabic numeral.
44. “Parties” means the EPA and Respondent.
45. “Person,” as defined in Section 502(5) of the CWA, means an “individual, corporation, partnership, association, State, municipality, commission, or political subdivision of a State, or any interstate body.” 33 U.S.C. § 1362(5).
46. “Point source,” as defined in Section 502(14) of the CWA, means “any discernible, confined and discrete conveyance . . . from which pollutants are or may be discharged.” 33 U.S.C. § 1362(14).
47. “Pollutant,” as defined in Section 502(6) of the CWA, means “dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.” 33 U.S.C. § 1362(6).
48. “Pretreatment Standard” shall mean Prohibited Discharge Standards, Categorical Pretreatment Standards, and Local Limits.
49. “Prohibited Discharge Standards” means the prohibited discharges enumerated at 40 C.F.R. § 403.5(a)(1) and (b).
50. “Publicly Owned Treatment Works” or “POTW” means a treatment works, as defined in Section 212 of the CWA, 33 U.S.C. § 1292(2), that is owned by a State, Tribe, or a municipality (as defined in Section 502(4) of the CWA, 33 U.S.C. § 1362(4)). Pursuant to 40 C.F.R. § 403.3(q), the definition of POTW includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in Section 502(4) of the CWA, 33 U.S.C. § 1362(4), that has jurisdiction over indirect and direct discharges to such a treatment works.
51. “Respondent” means the City of Kalamazoo.
52. “Significant Industrial User” or “SIU”, as defined in 40 C.F.R. § 403.3(v), means (i) all Industrial Users subject to Categorical Pretreatment Standards under 40 C.F.R. § 403.6 and

40 C.F.R. Chapter I, Subchapter N and (ii) Any other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement.

- 53. "State" means the State of Michigan.
- 54. "EGLE" means the Michigan Department of Environment, Great Lakes, and Energy, and any successor departments, agencies, or instrumentalities of the State.
- 55. "Upset," as defined in 40 C.F.R. § 403.16(a), means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- 56. "Wastewater Treatment Plant" or "WWTP" means the Wastewater Treatment Plant identified in the NPDES permit issued to the City of Kalamazoo and located at 1415 Harrison Street, in Kalamazoo, Michigan.
- 57. "Work" means any and all activities Respondent is required to undertake and accomplish to achieve compliance under this Order.

IV. FINDINGS OF FACT AND CONCLUSIONS OF LAW

- 58. The City of Kalamazoo is a municipality chartered under the laws of the State of Michigan, and, as such, is a "municipality" and a "person" as those terms are defined in Section 502(4) and (5) of the CWA, 33 U.S.C. § 1362(4) and (5), and 40 C.F.R. § 122.2.
- 59. At all times relevant to this Order, Respondent discharged wastewater containing "pollutants," as defined in Section 502(6) of the CWA, 33 U.S.C. § 1362(6), and 40 C.F.R. § 122.2, into the Kalamazoo River.
- 60. Outfall 001 at the Facility is a "point source," as defined in Section 502(14) of the CWA, 33 U.S.C. § 1362(14).
- 61. The Kalamazoo River is a river and "navigable waters" within the meaning of Section 502 of the CWA, 33 U.S.C. § 1362.

62. On July 28, 2021, EGLE issued to Respondent NPDES Permit No. MI0023299, under Section 402 of the CWA, 33 U.S.C. § 1342, with the effective date of September 1, 2021, and an expiration date of October 1, 2025.
63. Because Respondent owns or operates a facility with an outfall that acts as a Point Source for the discharge of Pollutants to Navigable Waters, Respondent and the facility have been subject to the CWA at all times relevant to this Order.
64. At all times relevant to this Order, Respondent was authorized to discharge pollutants from the City of Kalamazoo to the Kalamazoo River only in compliance with the specific terms and conditions of the Permit.
65. Michigan has an approved State Pretreatment Program. Under 40 C.F.R. § 403.3(c), EGLE is therefore the “Approval Authority” in the State of Michigan.
66. Part I, Section C.1.a. of the Permit states that Respondent shall implement and enforce its Approved Pretreatment Program, which EGLE approved on October 11, 1985, and all approved subsequent modifications thereto.
67. From October 23 to 26, 2023, EPA conducted a pretreatment compliance inspection (PCI) of the City of Kalamazoo.
68. On January 12, 2024, EPA provided Respondent its report on the October 23 to 26, 2023, PCI, which identified deficiencies in Respondent’s Pretreatment Program.
69. On March 14, 2024, Respondent submitted responses to the findings of deficiencies in the PCI report (Respondent’s March 14, 2024, Response).
70. The Facility receives discharges from Aluminum Finishing Company (Aluminum Finishing), which is an SIU.
71. Aluminum Finishing conducts light etching, anodizing and black dying of aluminum.
72. Kalamazoo determined that Aluminum Finishing is a categorical industrial user subject to the categorical pretreatment standards under 40 C.F.R. § 403.6 and the Effluent Guidelines and Standards for the Metal Finishing Point Source Category at 40 C.F.R., Chapter I, Subchapter N, specifically 40 C.F.R. Part 433.
73. Kalamazoo issued an individual control document to Aluminum Finishing on January 1, 2019.
74. The Facility receives discharges from Graphic Packaging International, LLC (Graphic Packaging), which is an SIU.

75. Graphic Packaging produces coated recycle board from two paper machines, as well as wax coated/polyethylene extruded board.
76. Kalamazoo determined that Graphic Packaging is a categorical industrial user subject to the categorical pretreatment standards under 40 C.F.R. § 403.6 and the Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Point Source Category at 40 C.F.R., Chapter I, Subchapter N, specifically 40 C.F.R. Part 430.
77. Kalamazoo reissued an individual control document to Graphic Packaging on July 25, 2023.
78. The Facility receives discharges from Kalsec, Inc. (Kalsec), which is an SIU.
79. Kalsec produces natural colors, natural flavor extracts, antioxidants, hop extracts and nutritional ingredients for the food, beverage, and pharmaceutical industries.
80. Kalamazoo reissued an individual control document to Kalsec on January 1, 2019.
81. The Facility receives discharges from Domestic Uniform Rental Company, Inc. (Domestic Uniform), which is an SIU.
82. Domestic Uniform is a commercial/industrial laundry for uniforms, linens, towels, shop rags and floor mats. The company also rents uniforms, floor mats, etc.
83. Kalamazoo reissued an individual control document to Domestic Uniform on January 1, 2019.
84. The Facility receives discharges from Borroughs Corporation (Borroughs), which is an SIU.
85. Borroughs manufactures industrial shelving, automotive workstations, storage products, and library components.
86. Kalamazoo determined that Borroughs is a Categorical Industrial User subject to the categorical pretreatment standards under 40 C.F.R. § 403.6 and the Effluent Guidelines and Standards for the Metal Finishing Point Source Category at 40 C.F.R., Chapter I, Subchapter N, specifically 40 C.F.R. Part 433.
87. Kalamazoo issued an individual control document to Borroughs on January 1, 2019.
88. The Facility receives discharges from Applied Coatings, Incorporated (Applied Coatings), which is an SIU.
89. Applied Coatings powder coats metal parts.

90. Kalamazoo determined that Applied Coatings is a categorical industrial user subject to the categorical pretreatment standards under 40 C.F.R. § 403.6 and the Effluent Guidelines and Standards for the Metal Finishing Point Source Category at 40 C.F.R., Chapter I, Subchapter N, specifically 40 C.F.R. Part 433.
91. Kalamazoo issued an individual control document to Applied Coatings on January 1, 2019.
92. The Facility receives discharges from Kaiser Aluminum Fabricated Products LLC (Kaiser Aluminum), which is an SIU.
93. Kaiser Aluminum is a secondary aluminum processing and distribution facility.
94. Kalamazoo determined that Kaiser Aluminum is a categorical industrial user subject to the categorical pretreatment standards under 40 C.F.R. § 403.6 and the Effluent Guidelines and Standards for the Aluminum Forming Point Source Category at 40 C.F.R., Chapter I, Subchapter N, specifically 40 C.F.R. Part 467.
95. Kalamazoo issued an individual control document to Kaiser Aluminum on January 1, 2019.

Failure to implement legal authority in satellite jurisdictions under active interjurisdictional agreements

96. 40 C.F.R § 403.8(f)(1) states that the POTW shall operate pursuant to legal authority enforceable in Federal, State or local courts, which authorizes or enables the POTW to apply and to enforce the requirements of sections 307 (b) and (c), and 402(b)(8) of the Act and any regulations implementing those sections. Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by State law.
97. Part I, Section C.1.c. of the Permit states, “The permittee shall have the legal authority and necessary interjurisdictional agreements that provide the basis for the implementation and enforcement of the approved FIPP throughout the service area. The legal authority and necessary interjurisdictional agreements shall include, at a minimum, the authority to carry out the activities specified in R 323.2306(a).”
98. Kalamazoo has 22 satellite jurisdictions. Kalamazoo’s interjurisdictional agreements (IJA) have expired.
99. Since Respondent does not have active IJAs to implement its pretreatment program in satellite jurisdictions, Respondent violated 40 C.F.R § 403.8(f)(1) and Part I, Section C.1.c. of the Permit.

100. In violating 40 C.F.R. § 403.8(f)(1) and Part I, Section C.1.c. of the Permit, Respondent violated Section 301(a) of the Act, 33 U.S.C. § 1311(a).

Failure to include an adequate statement of non-transferability in industrial user permits

101. 40 C.F.R. § 403.8(f)(1)(iii)(B)(2) states that Kalamazoo's IU permits must contain a statement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner or operator.
102. Kalamazoo's SIU permits require each SIU to notify Kalamazoo within seven days of documenting the transfer of the permit to the new owner. This does not require the SIU to notify the POTW prior to the transfer.
103. Kalamazoo's SIU permits include the requirement to provide a copy of the existing control mechanism to the new owner or operator prior to the transfer. However, Respondent's March 14, 2024, Response included draft SIU and CIU permit templates. The statement of non-transferability in each of these templates does not include a requirement to provide a copy of the permit to the new owner or operator as required by 40 C.F.R. § 403.8(f)(1)(iii)(B)(2).
104. Since Respondent did not include an adequate statement of non-transferability in IU permits regarding prior notification to the POTW, Respondent violated 40 C.F.R. § 403.8(f)(1)(iii)(B)(2).
105. In violating 40 C.F.R. § 403.8(f)(1)(iii)(B)(2), Respondent violated Section 301(a) of the Act, 33 U.S.C. § 1311(a).

Failure to include proper self-monitoring, sampling, and notification requirements in industrial user permits

106. 40 C.F.R. § 403.8(f)(1)(iii)(B)(4) states that control mechanisms must have self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present nor expected to be present in the Discharge in accordance with § 403.12(e)(2), or a specific waived pollutant in the case of an individual control mechanism), sampling location, sampling frequency, and sample type, based on the applicable general Pretreatment Standards in Part 403 of this chapter, categorical Pretreatment Standards, local limits, and State and local law. Kalamazoo's IU permits violate 40 C.F.R. § 403.8(f)(1)(iii)(B)(4) in the following instances:

Bypass notification requirements:

- a. 40 C.F.R. § 403.17(c)(2) includes oral and written notification requirements for an Industrial User having a Bypass, as defined at 40 C.F.R. § 403.17(a), that exceeds applicable Pretreatment Standards.
- b. Under 40 C.F.R. § 403.17(c)(1), if an Industrial User knows in advance of the need for a Bypass, it shall submit prior notice to the Control Authority, if possible, at least ten days before the date of the Bypass.
- c. Under 40 C.F.R. § 403.17(c)(2), an Industrial User shall submit oral notice of an unanticipated Bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the Bypass. The written submission shall contain a description of the Bypass and its cause; the duration of the Bypass, including exact dates and times, and, if the Bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the Bypass.
- d. Each SIU permit does not require the SIU to give prior notice to Kalamazoo of the need for a Bypass, at least 10 days in advance (if possible) of the need for the Bypass.
- e. Bypass notification requirements in SIU permits do not require each IU to report the following:
 - i. The duration of Bypass, including exact dates and times;
 - ii. If the Bypass has not been corrected, the anticipated time it is expected to continue; and
 - iii. Steps taken to reduce and eliminate the Bypass.
- f. Respondent's March 14, 2024, Response included draft SIU and CIU permit templates. Each template references Section 28.12 of the Sewer Use and Pretreatment Ordinance but does not specifically include the Bypass notification requirements written in 40 C.F.R. § 403.17(c) or a copy of Section 28.12 of the Sewer Use and Pretreatment Ordinance.

Alternative monitoring requirements for Total Toxic Organics:

- g. 40 C.F.R. Part 433 identifies effluent standards for Total Toxic Organics (TTO), as that term is defined at 40 C.F.R. § 433.11(e).
- h. 40 C.F.R. § 433.12 provides, in pertinent part, that:

- i. In lieu of requiring monitoring for TTO, the Control Authority may allow dischargers to make a certification statement; and
 - ii. In requesting the certification alternative, a discharger shall submit a solvent management plan (Toxic Organic Management Plan or TOMP) to the satisfaction of the Control Authority.
- i. For Aluminum Finishing and Borroughs: Each SIU permit requires monitoring for TTO and does not include a requirement for the IU to implement a TOMP. However, in lieu of including TTO analytical results, each SIU's self-monitoring reports certify that no TTOs are discharged, and each SIU file includes a TOMP.
 - j. Respondent's March 14, 2024, Response stated that the Aluminum Finishing and Borroughs SIU permits each describe the certification alternative to TTO monitoring under 40 C.F.R. § 433.12. The SIU permits, however, do not indicate which monitoring requirement applies to each SIU—i.e., each SIU permit does not indicate whether the SIU must (1) monitor its discharge for TTO or (2) make a certification statement and incorporate TOMP requirements.
 - k. Respondent's March 14, 2024, Response also included a draft CIU permit template. The CIU permit template also describe the certification alternative to TTO monitoring under 40 C.F.R. § 433.12. The permit template, however, would not indicate which monitoring requirement applies to Aluminum Finishing or Borroughs—i.e., the permit template would not indicate whether Aluminum Finishing or Borroughs must (1) monitor its discharge for TTO or (2) make a certification statement and incorporate TOMP requirements.
107. Since Respondent did not include in SIU permits a requirement that each SIU (Aluminum Finishing and Borroughs) make a certification and incorporate TOMP requirements, rather than monitor for TTO, Respondent violated 40 C.F.R. § 403.8(f)(1)(iii)(B)(4).
108. In violating 40 C.F.R. § 403.8(f)(1)(iii)(B)(4), Respondent violated Section 301(a) of the Act, 33 U.S.C. § 1311(a).

Failure to identify occasional and continuing noncompliance with Pretreatment Standards

109. 40 C.F.R. § 403.8(f)(2)(v) requires POTWs to conduct surveillance activities in order to identify, independent of information supplied by Industrial Users, occasional and continuing noncompliance with Pretreatment Standards.
110. Under 40 C.F.R. § 403.8(f)(2)(vi)(C), a slug discharge control plan shall contain procedures for immediately notifying the POTW of slug discharges (among other things).
111. The slug discharge control plans for the following SIUs violate 40 C.F.R. § 403.8(f)(2)(vi)(C) in the following instances:

Graphic Packaging

- a. The Graphic Packaging SIU permit requires the SIU to have a slug discharge control plan.
- b. Graphic Packaging's slug discharge control plan requires the SIU to notify Kalamazoo within one hour of becoming aware of a slug loading, instead of requiring immediate notification.

Kalsec

- c. The Kalsec SIU permit requires the SIU to have a slug discharge control plan.
- d. The SIU has a spill prevention, control and countermeasure plan/pollution incident prevention plan (SPCC/PIPP). Kalsec submitted the SPCC/PIPP to cover slug discharge control plan requirements; however, the SPCC/PIPP does not require notification of the POTW of slug discharges.

Kaiser Aluminum

- e. A slug plan was not in the SIU files. However, it is noted in POTW inspection reports that the SIU's slug plan was updated in 2021.
112. By not reviewing Graphic Packaging's, Kalsec's, and Kaiser Aluminum's slug control plans for procedures identified in 40 C.F.R. § 403.8(f)(2)(vi)(C), Respondent did not conduct surveillance activities in order to identify occasional or continuing noncompliance with Pretreatment Standards, in violation of 40 C.F.R. § 403.8(f)(2)(v).
113. In violating 40 C.F.R. § 403.8(f)(2)(v), Respondent violated Section 301(a) of the Act, 33 U.S.C. § 1311(a).
114. On November 12, 2024, Respondent provided EPA with a revised slug discharge control plan for Kaiser Aluminum. On November 14, 2024, Respondent provided EPA with revised slug discharge control plans for Graphic Packaging and Kalsec. Each plan contains requirements to immediately notify Respondent about slug discharges per 40 C.F.R. § 403.8(f)(2)(vi)(C).
115. The revised slug discharge control plans for Kaiser Aluminum, Graphic Packaging, and Kalsec resolves the violation of 40 C.F.R. § 403.8(f)(2) for those two SIUs.

Failure to collect samples with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions

116. 40 C.F.R. § 403.8(f)(2)(vii) requires POTWs to collect samples and other information with sufficient care to produce evidence admissible in enforcement proceedings or in judicial

actions. Respondent's SIU file documents violate 40 C.F.R. § 403.8(f)(2)(vii) in the following instances:

Aluminum Finishing

- a. Under 40 C.F.R. § 403.12(o)(1), any Industrial User and POTW subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section, including documentation associated with Best Management Practices. Such records shall include the names of the person or persons taking the samples (among other things).
- b. Each chain of custody form associated with Respondent's sample analysis reports does not include the sampler's name.

Graphic Packaging

- c. Under 40 C.F.R. § 403.12(g)(3), grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Control Authority.
- d. Under 40 C.F.R. § 403.12(o)(1), any Industrial User and POTW subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section, including documentation associated with Best Management Practices. Such records shall include the sampling method (among other things).
- e. Respondent's chain of custody form (for samples received on January 6, 2023) does not indicate whether a 24-hour composite sample for metals was a time-proportional composite sample or a flow-proportional composite sample.

117. Since Respondent did not collect samples with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions by not including the information required in 40 C.F.R. § 403.12(o)(1) on chain of custody forms for Aluminum Finishing and Graphic Packaging, Respondent's SIU file documents violate 40 C.F.R. § 403.8(f)(2)(vii).

118. In violating 40 C.F.R. § 403.8(f)(2)(vii), Respondent violated Section 301(a) of the Act, 33 U.S.C. § 1311(a).

Failure to receive and analyze self-monitoring reports in accordance with pretreatment requirements

119. 40 C.F.R. § 403.8(f)(2)(iv) requires approved POTWs to receive and analyze self-monitoring reports submitted by Industrial Users in accordance with requirements in 40

C.F.R. § 403.12. Kalamazoo did not receive and analyze self-monitoring reports in accordance with requirements at 40 C.F.R. § 403.12 in the instances delineated below:

Kalsec

- a. Under 40 C.F.R. § 403.12(h), Kalamazoo must require appropriate reporting from Industrial Users with discharges that are not subject to Categorical Pretreatment Standards.
- b. The Kalsec SIU permit requires pH monitoring.
- c. The Kalsec SIU permit requires Kalsec to include results of all sampling performed by the user during the specified period in its self-monitoring reports.
- d. Kalsec's SIU self-monitoring reports do not include all pH results. The reports only provide the value of the largest excursion—if there is an excursion within the reporting period.
- e. Under 40 C.F.R. § 403.12(g)(2), if sampling performed by an Industrial User indicates a violation, the Industrial User shall notify the Control Authority within 24 hours of becoming aware of the violation.
- f. The Kalsec SIU file identifies instances of pH exceedances.
- g. The Kalsec SIU file does not include any records showing that Kalsec notified Kalamazoo within 24 hours of becoming aware of pH exceedances.

Aluminum Finishing

- h. Under 40 C.F.R. § 403.12(o)(1), any Industrial User and POTW subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section, including documentation associated with Best Management Practices. Such records shall include (for all samples) the date, exact place, method, and time of sampling and the names of the person or persons taking the samples (among other things).
- i. The chain of custody forms for Aluminum Finishing's self-monitoring reports do not indicate what type of composite sample was taken (flow-proportional or time-proportional).
- j. 40 C.F.R. § 403.12(l) states that self-monitoring reports for categorical industrial users must include the certification statement as set forth in 40 C.F.R. § 403.6(a)(2)(ii) and must be signed by the appropriate person.
- k. Aluminum Finishing's July 2023, July 2022, July 2021, and December 2020 self-monitoring reports do not have a wet signature, only a photocopy of a signature.
- l. 40 C.F.R. § 433.12(a) states,
 - i. In lieu of requiring monitoring for TTO, the permitting authority (or, in the case of indirect dischargers, the control authority) may allow dischargers to make the following certification statement: "Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation [or pretreatment standard] for total

toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the permitting [or control] authority.”

- m. The signature in Aluminum Finishing’s TOMP certification statement (within its December 2022 self-monitoring report) is a photocopy of a signature, not a wet signature.

Domestic Uniform

- n. Under 40 C.F.R. § 403.12(o)(1), any Industrial User and POTW subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section, including documentation associated with Best Management Practices. Such records shall include (for all samples) the analytical techniques/methods used (among other things).
- o. Each of Domestic Uniform’s self-monitoring lab reports did not provide the analytical method revision numbers and method year.

Borroughs

- p. Under 40 C.F.R. § 403.12(o)(1), any Industrial User and POTW subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section, including documentation associated with Best Management Practices. Such records shall include (for all samples) the date, exact place, method, and time of sampling and the names of the person or persons taking the samples (among other things).
- q. The chain of custody for Borrough’s August 13, 2021, sampling event does not include:
 - i. The sampler’s name and
 - ii. The type of composite sample taken (flow-proportional or time-proportional).

Applied Coatings

- a. 40 C.F.R. § 403.12(l) states that self-monitoring reports for categorical industrial users must include the certification statement as set forth in 40 C.F.R. § 403.6(a)(2)(ii) and must be signed by the appropriate person.
- b. The reports kept in Applied Coating’s file are copies of the original signed reports.

120. Kalamazoo has not taken any action against the SIUs listed above. This indicates that

Kalamazoo did not receive and analyze self-monitoring reports in accordance with pretreatment requirements.

121. Since Kalamazoo did not receive and analyze self-monitoring reports in accordance with requirements at 40 C.F.R. § 403.12, Respondent violated 40 C.F.R. § 403.8(f)(2)(iv).
122. In violating 40 C.F.R. § 403.8(f)(2)(iv), Respondent violated Section 301(a) of the Act, 33 U.S.C. §1311(a).

V. ORDER ON CONSENT

123. Based on the foregoing findings and the authority vested in the undersigned Director, Enforcement and Compliance Assurance Division, it is hereby ordered and agreed to in accordance with Section 309(a) of the CWA, 33 U.S.C. § 1319(a), that Respondent comply with the following actions:
 - A. By no later than April 2, 2026, Respondent shall renew the IJA with all of its satellite communities. Respondent shall report its progress in renewing these IJA in each quarterly report required under Paragraph 124.
 - B. Within one hundred eighty (180) days of the effective date of this Order, Respondent shall complete the review and correction of all IU permits. After review and correction, Respondent shall enclose a copy of the revised permits (for Aluminum Finishing, Borroughs, and Kalsec) in the subsequent quarterly status report required under Paragraph 124. Each IU permit shall include the required elements under 40 C.F.R. § 403.8(f)(1)(iii)(B), including:
 - a. An adequate statement of non-transferability (as required under 40 C.F.R. § 403.8(f)(1)(iii)(B)(2));
 - b. Bypass notification requirements, per 40 C.F.R. § 403.17(c), or Section 28.12 of the Sewer Use and Pretreatment Ordinance;
 - c. For each metal finisher, per 40 C.F.R. § 433.12: one of the following requirements as appropriate:
 - i. TTO monitoring requirements or
 - ii. Requirement to include a certification statement in self-monitoring reports, and to incorporate a specific TOMP.
 - C. Respondent must ensure that it collects samples with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions in accordance with 40 C.F.R. § 403.8(f)(2)(vii). Specifically, Respondent must ensure that each chain of custody form for SIU sampling includes documentation of the sampler's name and the sample type. Within one hundred eighty (180) days of the effective date of this Order, Respondent must enclose its most recent sample analysis report

(for Aluminum Finishing and Graphic Packaging) in the subsequent quarterly status report required under Paragraph 124.

- D. Respondent must ensure that Industrial Users submit self-monitoring reports in accordance with 40 C.F.R. § 403.12. Industrial User self-monitoring reports must include the following (as appropriate):
 - a. Results of pH sampling;
 - b. Sample types;
 - c. Wet ink signatures on certification statements;
 - d. Analytical method revision numbers and method year; and
 - e. Sampler's name.
 - E. Within one hundred eighty (180) days of the effective date of this Order, Respondent must enclose a copy of the most recent self-monitoring report for Kalsec, Aluminum Finishing, and Domestic Uniform in a quarterly status report required under Paragraph 124.
124. Respondent must submit a status report to EPA within 30 days of the end of each calendar-year quarter (i.e., by January 31, April 30, July 31, and October 31), until this Order is terminated. The first status report will be due within 30 days of completion of the first full quarter after the effective date of this Order. Each status report must include a description of the actions that have been taken toward achieving compliance with this Order during the previous quarter.

VI. DOCUMENTATION AND SUBMISSIONS

125. All reports, notifications, documentation, submissions, and other correspondence required to be submitted by this Order must be submitted to EPA electronically, to the extent possible. If electronic submittal is not possible, the submissions must be made by certified mail (return receipt requested). Electronic submissions must be sent to the following addresses: r5weca@epa.gov, ellens.newton@epa.gov, and cervi.catherine@epa.gov. The subject line of all email correspondence must include the facility name, "MI0023299," and the subject of the deliverable. All electronically-submitted materials must be in final and searchable format, such as Portable Document Format (PDF) with Optical Character Recognition (OCR) applied. Mailed submissions must be sent to the following addresses:

Attn: Newton Ellens, EPA Case Manager
Water Enforcement Compliance Assurance Branch (WC-15J)
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Attn: Catherine Cervi
Office of Regional Counsel (C-14J)
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

126. Within 10 days of the effective date of this Order, Respondent must designate a Project Coordinator and provide EPA's Case Manager (above) with the Project Coordinator's name, address, phone number, and email address.
127. In the event of a change to the Project Coordinator, Respondent must provide notification in writing, pursuant to Paragraph 125 above, within 30 days after the change.
128. EPA may require additional status reports, or fewer status reports, for the purpose of documenting the progress of the Work performed pursuant to this Order or compliance with the Permit requirements. Should EPA require additional status reports, EPA will provide Respondent with at least 15 days from the date of EPA's request to submit the reports.
129. All reports, notifications, documentation, and submissions required by this Order must be signed by a duly authorized representative of Respondent as specified by 40 C.F.R. § 122.22(b) and (d) and must include the following statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”
130. Respondent may not withhold information based on a claim that it is confidential. However, pursuant to 40 C.F.R. Part 2, Subpart B, Respondent may assert a claim of business confidentiality regarding any portion of the information submitted in response to this Order. The manner of asserting such claims is specified in 40 C.F.R. § 2.203(b). Certain information related to effluent data (as defined in 40 C.F.R. § 2.302(a)(2)) and NPDES permit applications may not be entitled to confidential treatment. 40 C.F.R. § 122.7. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If Respondent does not assert a claim of business confidentiality when it submits the information, EPA may make the information available to the public without further notice. 40 C.F.R. § 2.203(c).

131. If Respondent finds at any time after submitting information that any portion of that information is false or incorrect, the signatory must notify EPA immediately. Knowingly submitting false information to EPA may subject Respondent to criminal prosecution under Section 309(c) of the CWA, 33 U.S.C. § 1319(c), as well as 18 U.S.C. §§ 1001 and 1341.
132. Submissions required by this Order shall be deemed submitted on the date they are sent electronically or on the date postmarked if sent by U.S. mail.
133. After review of the submissions required pursuant to Paragraphs 123 and 124 of this Order, EPA may approve or disapprove the submissions, in whole or in part. EPA shall approve the submissions or any portion thereof, so long as the submissions fulfill the requirements under this Order.
134. If EPA disapproves the submission(s), EPA will notify Respondent in writing, which may include notice by email, and EPA may require Respondent to supplement or modify its submission(s). Within 30 days following receipt of written notice of EPA's disapproval, Respondent must submit a corrected submission to EPA for approval. In the event that Respondent's modified submission is disapproved in whole or in part by EPA, EPA may require Respondent to correct the deficiencies or EPA may determine that the submission fails to meet the requirements of this Order.
135. Respondent may object in writing to the notice of disapproval within 10 days of receiving the notice, and the parties will have 30 days from EPA's receipt of Respondent's objection to reach an agreement. If the parties cannot reach an agreement, EPA will give Respondent a written decision on the objection, which may require Respondent to correct, modify, or supplement its submission(s). If Respondent fails to undertake these corrections as required by EPA, EPA may determine that the submissions fail to meet the requirements of this Order.
136. Notwithstanding the receipt of a notice of disapproval pursuant to Paragraph 134, above, Respondent must proceed to take all actions and provide all submissions required under this Order, including any actions required under any non-deficient portion(s) of its submission, if such action can be undertaken independent of the deficient portion of Respondent's submission.
137. Absent an extension of time granted in writing by EPA, EPA may determine that late submissions fail to meet the requirements of this Order.
138. Upon EPA approval, submissions by Respondent are incorporated and enforceable as part of this Order. In case of inconsistency between any submission by Respondent and this document and its subsequent modifications, this document and its subsequent modifications shall control.

139. EPA may use any information submitted in response to this Order in support of an administrative, civil, or criminal action against Respondent.
140. The information required to be submitted pursuant to this Order is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 *et seq.*

VII. GENERAL PROVISIONS

141. For purposes of the identification requirement in Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), and 26 C.F.R. § 162-21(b)(2), performance of Paragraph 123 is restitution, remediation, or required to come into compliance with the law.
142. Respondent has had the opportunity to confer with and submit information to EPA concerning the validity and provisions of this Order.
143. The terms of this Order are binding on Respondent and its assignees and successors. Respondent must give notice of this Order to any successors in interest prior to transferring ownership, and must simultaneously verify to EPA, at the addresses specified in Paragraph 125, that Respondent has given the notice.
144. The undersigned signatory for each party has the authority to bind each respective party to the terms and conditions of this Order.
145. Failure to comply with this Order may subject Respondent to penalties up to \$68,445 per day for each violation (or as penalty levels may be later adjusted at 40 C.F.R. Part 19) pursuant to Section 309(d) of the CWA, 33 U.S.C. § 1319(d), and 40 C.F.R. Part 19.
146. This Order does not affect Respondent's responsibility to comply with the CWA, its Permit, and any other local, state, and federal laws and regulations.
147. This Order does not restrict EPA's authority to enforce the Permit or any section of the CWA or its implementing regulations.
148. EPA reserves all rights and remedies, legal and equitable, available to address any violation cited in this Order and any other violation of the CWA or of this Order. Neither issuance of this Order by EPA nor compliance with its terms precludes further enforcement action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319, for the violations cited in this Order, for any other violations of the CWA or of this Order committed by Respondent.
149. The CWA includes provisions for administrative penalties, for civil injunctive relief and penalties, and for criminal penalties for violations of the CWA. Specifically, EPA may:
 - a) assess civil administrative penalties under 33 U.S.C. § 1319(g) and 40 C.F.R. Part 19 of up to \$27,378 per day of violation up to a total of \$342,218 for violations of Section 301 of the CWA, 33 U.S.C. § 1311;

- b) seek civil injunctive relief and penalties for violations of the CWA under 33 U.S.C. § 1319(b) and civil judicial penalties for violations of this Order under 33 U.S.C. § 1319(d). In accordance with 40 C.F.R. Part 19, EPA may seek civil judicial penalties of \$68,445 per day of violation;
- c) seek criminal penalties, including fines and imprisonment, for negligent or knowing violations of the CWA under 33 U.S.C. § 1319(c).

VIII. EFFECTIVE DATE

150. This Order shall become effective upon signature by EPA below and will remain in effect until EPA has notified Respondent of termination of the Order pursuant to Section IX of this Order.

IX. FINAL REPORT AND TERMINATION OF THIS ORDER

151. EPA may terminate this Order at any time by written notice to Respondent.
152. Absent the notice described in Paragraph 151 and within 30 days after Respondent concludes that it has achieved compliance with all requirements of this Order, Respondent must submit to the EPA Case Manager a written final report and certification of completion describing all actions taken to comply with all requirements of this Order. Respondent must follow the procedures set forth at Section VI of this Order.
153. After receipt and review of Respondent's final report and certification of completion submitted pursuant to Paragraph 152, EPA will notify Respondent whether it has satisfied all requirements of this Order under the procedures set forth at Section VI of this Order. If EPA concludes that Respondent has failed to satisfy the requirements of this Order, EPA may require further actions as set forth under this Order or it may pursue administrative or civil judicial actions.

IT IS SO AGREED AND ORDERED:

FOR RESPONDENT, CITY OF KALAMAZOO:

Signature

Date

Name

Title

FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY:

Michael D. Harris
Director
Enforcement and Compliance Assurance
Division
U.S. EPA, Region 5

Date

Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, January 27, 2025 at 5:03 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Qianna Decker
Chris Praedel

COMMISSIONERS ABSENT:

Stephanie Hoffman
Alonzo Wilson

Also present were City Manager Jim Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Praedel, seconded by Commissioner Decker, moved to excuse the absences of Commissioners Hoffman and Wilson. With a voice vote the motion passed.

Public Comments

An opportunity was given for general public comments, but no comments were offered.

2025-03-01Discover! Kalamazoo
Presentation

Jane Ghosh, President and CEO of Discover! Kalamazoo delivered a presentation entitled *Discover! Kalamazoo*. A copy of the slides from this presentation were filed with the papers for this meeting.

Commissioner Questions:

At the conclusion of the presentation, Ms. Ghosh responded to Commissioner questions regarding various events coming to Kalamazoo; the proposed youth sports facility; the local destinations and events that were the top drivers of visits to Kalamazoo; local hotel capacity; the impact of the new event center on the downtown area and the economy, including negative impacts; and the projected opening dates for the youth sports facility and the downtown events center.

Commissioner
Comments

Next, an opportunity was given for general comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 5:51 p.m.



Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, February 3, 2025 at 5:03 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Qianna Decker
Stephanie Hoffman
Chris Praedel

COMMISSIONERS ABSENT:

Alonzo Wilson

Also present were City Manager Jim Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Praedel, seconded by Commissioner Cooney, moved to excuse the absence of Commissioner Wilson. With a voice vote the motion passed.

Public Comments

When an opportunity was given for general public comments, the following people addressed the City Commission:

Alfonso Harris, City resident, regarding Black History Month.

2025-05-01

Presentation re: the 2025 Consolidated Plan

Sharilyn Parsons, Community Development Manager, and Julie Johnston, Compliance Specialist, delivered a presentation entitled *Committee of the Whole: 2025 Consolidated Plan Update*. A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Questions:

At the conclusion of the presentation, Community Development Manager Parsons and Compliance Specialist Johnston responded to Commissioner questions regarding the purpose and role of the Community Development Act Advisory Committee (CDAAC); whether the proposed Consolidated Plan would be on the City's website; the impact of temporary emergency shelters on the Point-In-Time (PIT) Count of the unhoused; whether there was a way the City could access \$11 million in unallocated funds from the Michigan State Housing Development Authority (MSHDA); U.S. Department of Housing and Urban Development (HUD) funding and the federal budget process; the effective dates of the Annual Action Plan; and the process for amending the Action Plan.

Commissioner Comments

Next, an opportunity was given for general comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 5:43 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, February 17, 2025 at 5:02 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Qianna Decker
Stephanie Hoffman
Chris Praedel
Alonzo Wilson

COMMISSIONERS ABSENT:

None

Also present were City Manager Jim Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Public Comments

When an opportunity was given for general public comments, the following people addressed the City Commission:

Curt Aardema, City resident, expressing support for staff efforts to improve the City's development process.

2025-07-01

Presentation re: the
City's Development
Process

The following staff members delivered a presentation entitled *City of Kalamazoo: Development Process Update, 2025*.

Jaime McCarthy, Development Manager
Paul Thuringer, Development Administrator
Bobby Durkee, Assistant City Planner
Roger Iveson, Building Official

A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Questions:

At the conclusion of the presentation, the presenters responded to Commissioner questions regarding the current timeframe for the development process; incentives for vacant trades inspector positions; continuity and consistent messaging among inspectors; the maintenance of service levels through position vacancies; structures and processes for ensuring continuous process improvement; the reduction in items going to the Planning Commission; the locations in the City that were seeing the most development; the City's recruitment of developers; the reasons staff initiated process improvements; timelines/deadlines in the process for developers; the use of Artificial Intelligence (AI) tools in the development process; and the alignment of the development process with code-adjacent activities (fire inspections, rental registration).

Commissioner
Comments

Next, an opportunity was given for general comments from City Commissioners.

Commissioner Decker thanked staff for their hard work.

Commissioner Praedel requested that Item G-1 on the business meeting agenda, a contract for engineering services for the Westnedge Avenue repaving project, be moved from the Consent Agenda to the Regular Agenda.

The meeting adjourned at 6:15 p.m.



Scott A. Borling
City Clerk

Approved by the City Commission on: _____

Commissioner
Comments (cont'd)

Adjournment

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, February 17, 2025 at 7:01 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Qianna Decker
Stephanie Hoffman
Chris Praedel
Alonzo Wilson

COMMISSIONERS ABSENT:

None

Also present were City Manager Jim Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Invocation

The invocation, given by Chaplain Michael Kemple from Missional Chaplains, was followed by the Pledge of Allegiance.

Proclamation
2025-08-01

Vice Mayor Hess read a proclamation entitled *Friendship Village 50th Anniversary*. Tim Cain, Executive Director of Friendship Village, received the proclamation.

Adoption of the Agenda

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

Commissioner Praedel requested that Item G-1, construction engineering contract for the Westnedge (Vine to Michigan) project be moved to the Regular Agenda.

Commissioner Hoffman requested that Item G-5, authorization to release the draft *2025-2029 Consolidated Plan* and *2025 Action Plan* for public comment, be moved to the Regular Agenda.

Public Comments

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

Ryan Smith, City resident and Co-Chair of the Southwest Michigan Chapter of the Democratic Socialists of America, regarding the needs of the unhoused and the status of the downtown public restroom project.

Ray Sweany, City resident, regarding funding for the homeless in the City's 2025 budget and the importance of the USAID program.

Tina McClinton, City resident, regarding call-in public comments and flooding in the Southtown neighborhood.

Caleb Leonard, City resident, regarding President Trump's executive orders and their potential impact on the City's federal funding.

Amanda Charbonneau, City resident, distributed socks to Commissioners and asked them to personally give the socks to the unhoused.

Jerry Herman, non-resident and Co-Chair of the Democratic Socialists of America, regarding the resources available to the unhoused in Kalamazoo.

Angela Manning, non-resident, regarding Judy Lowery and her methods for helping the unhoused.	Public Comments (cont'd)
Amy Boley, non-resident, regarding federal tax policy, the housing crisis, and homelessness.	
David Burkey, City resident, regarding the need for more shelters for the unhoused.	
Quincy Ellis, City resident, regarding homelessness and Judy Lowrey.	
Todd Price, City resident, regarding his experience being homeless.	
Crystal Coy, City resident and affiliated with Kalamazoo for the Unhoused, regarding Judy Lowrey.	
Patrick White, regarding his experience of being unhoused and Judy Lowrey.	
Ian, a non-resident, regarding homelessness and the downtown public restroom project.	
Charles Hannah, City resident, regarding his efforts to help the unhoused.	
Shona Espinoza, City resident, regarding the need for 24-hour wrap around services to help the unhoused with mental health issues.	
Drew Duncan, City resident, regarding the housing crisis in Kalamazoo and the mental health needs of the unhoused.	
Kyle Patenaude, City resident, regarding the need for more transitional housing and low-barrier shelters and the downtown public restroom project.	
Consent Agenda items were presented as follows with a recommendation to approve the items and authorize the City Manager to sign all related documents on behalf of the city:	Consent Agenda
- approval of an annual renewal agreement with Rapid7 for Vulnerability Management and Insight Intrusion Detection and Response software services through the MiDeal Cooperative Purchasing Program in the amount of \$129,846.	2025-08-02
- approval of a professional service agreement with Viridis for Arcadia Creek Festival Place architectural services in the amount of \$609,000.	2025-08-03
- approval of a contract supplemental and change order with USP Technologies for 2025 Pri-Tech Odor Control Services in the amount of \$627,000.	2025-08-04
- approval of a Youth Mobility Fund Project Services Agreement with Kalamazoo Public Schools and the Central County Transportation Authority to fund bus fare and administrative costs for students in Kalamazoo Public Schools, grades 9 through 12.	2025-08-05

2025-08-06

- acceptance of Michigan Commission on Law Enforcement Standards Continuing Professional Education Funds to provide required law enforcement training in the amount of \$343,500.

2025-08-07

- approval of the appointment of **Erin Adams** to the Kalamazoo Municipal Golf Association Board of Directors for a term expiring on January 1, 2028.

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

With a roll call vote this motion passed 7-0.

AYES: Commissioners Cooney, Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

2025-08-08

Contract for Well
Drilling at Pumping
Stations 5 and 14

Public Services Director James Baker provided an overview of the installation of drinking water production wells at Water Pumping Stations 5 and 14.

Commissioner questions: none

Public comments: none

Commissioner Praedel, seconded by Vice Mayor Hess, moved to approve a professional service agreement with Peerless Midwest for the installation of drinking water production wells at Water Pumping Stations No. 5 and No. 14 in the amount of \$1,292,750.

With a roll call vote this motion passed 7-0.

AYES: Commissioners Cooney, Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

2025-08-09

Resolution 25-09
Establishing the City
Center Neighborhood
Enterprise Zone

Assistant City Planner Bobby Durkee reviewed the proposed Neighborhood Enterprise Zone for the property bounded by East Michigan Avenue, South Edwards Street, East South Street, and Portage Street.

Commissioner Questions: none

Public Comments: none

Commissioner Decker, seconded by Commissioner Wilson, moved to adopt a **RESOLUTION** establishing a Neighborhood Enterprise Zone between East Michigan Avenue, South Edwards Street, East South Street, and Portage Street.

With a roll call vote this motion passed 7-0.

AYES: Commissioners Cooney, Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

City Manager Ritsema introduced a professional service agreement with Wightman & Associates for construction engineering services for the Westnedge (Vine To Michigan) project in the amount of \$115,500.

Commissioner Questions:

Director Baker responded to Commissioners' questions regarding the scope of this project compared to the 2024 Westnedge Avenue project; the project timeline; the status of maintenance work and funding related to the jurisdictional transfer of streets from the state in 2017; and the plan for outreach to affected businesses prior to the start of the 2025 construction season.

Public Comments: none

Commissioner Cooney, seconded by Vice Mayor Hess, moved to approve a professional service agreement with Wightman & Associates for construction engineering services for the Westnedge (Vine To Michigan) project in the amount of \$115,500.

With a roll call vote this motion passed 7-0.

AYES: Commissioners Cooney, Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

City Manager Ritsema introduced a request for the City Commission to authorize the release of the draft 2025-2029 Consolidated Plan and 2025 Action Plan for public comment.

Commissioner Questions:

Compliance Specialist Julie Johnston responded to Commissioners' questions regarding opportunities and tools for the public to give input on the plans; contingency plans for the potential elimination of the US Department of Housing and Urban Development (HUD) and its funding; methods for community outreach about the plans; and whether the plans would be available in Spanish.

Public Comments:

Amanda Charbonneau, City resident, regarding ways to promote and publicize the draft plans and the public comment period.

Commissioner Hoffman, seconded by Commissioner Wilson, moved to authorize the release of the draft 2025-2029 Consolidated Plan, which included the Program Year 2025 Action Plan, for a 30-day public comment period to begin on March 3, 2025 and end on April 1, 2025.

2025-08-10

Contract for Engineering Services for the Westnedge Avenue Project (Vine to Michigan)

2025-08-11

Release of the 2025-2029 Consolidated Plan and 2025 Action Plan for Public Comment

2025-08-11

Release of the 2025-2029 Consolidated Plan and 2025 Action Plan for Public Comment (cont'd)

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

AYES: Commissioners Cooney, Decker, Hoffman, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

ABSTAIN: Commissioner Praedel

City Manager's Report

City Manager Ritsema provided an update on the downtown public restroom project; announced that enrollment for the Rx Kids program was open; and announced four public meetings in March for the Plan It! phase of Imagine Kalamazoo 2035 (IK 2035).

Commissioner Comments

Management Services Director and Chief Financial Officer Steve Vicenzi discussed the City's exposure in the face of a potential loss of federal funds. Director Vicenzi reported the City received approximately \$120 million in federal grants, of which \$100 million was for street and water system improvements.

Next, an opportunity was given for miscellaneous comments from City Commissioners.

Commissioner Cooney spoke out against mass deportations and cuts in federal funding.

Commissioner Hoffman spoke about the need for creative City action to meet the needs of the unhoused today, rather than waiting for someone else to address housing issues.

Mayor Anderson offered remarks on the death of Dean Houck, owner of the Michigan News Agency.

Closed Session

Commissioner Cooney, seconded by Commissioner Decker, moved that the City Commission go into closed session to discuss an attorney-client privileged communication.

Prior to a vote on the motion, Mayor Anderson announced the City Commission would not be returning to open session.

With a roll call vote the motion passed 7-0.

AYES: Commissioners Cooney, Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Adjournment

The meeting adjourned at 9:00 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, March 3, 2025 at 5:01 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Stephanie Hoffman
Chris Praedel
Alonzo Wilson

COMMISSIONERS ABSENT:

Qianna Decker

Also present were City Manager Jim Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Hoffman, seconded by Commissioner Cooney, moved to excuse the absence of Commissioner Decker. With a voice vote the motion passed.

Public Comments

When an opportunity was given for general public comments, the following people addressed the City Commission:

An anonymous speaker, regarding the City's poor communication during a recent boil water advisory.

2025-09-01
Streets for All
Presentation

Christina Anderson, Community Planning and Economic Development Deputy Director, and James Baker, Public Services Director, delivered a presentation entitled *Streets for All: City of Kalamazoo, March 3, 2025*. A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Questions:

At the conclusion of the presentation, Deputy Director Anderson and Director Baker responded to Commissioner questions regarding community outreach related to street projects; a mitigation fund for business losses due to City projects; the improvement projects on Portage Street and Kalamazoo Avenue; ways to help businesses that did not use City funds; funding delays for the federal RAISE and PROTECT grants; plans for the West Main/Michigan/Stadium/Michikal intersection; water main breaks; the status of grants for planning and engineering work; funding for local streets; and the connection between the event center timeline and the City's timeline for downtown infrastructure projects.

Commissioner Comments

Next, an opportunity was given for general comments from City Commissioners.

Commissioner Hoffman noted that Commissioner Decker had suffered a loss in her family and was travelling.

Adjournment

The meeting adjourned at 6:00 p.m.



Scott A. Borling
City Clerk

Approved by the City Commission on: _____

DRAFT

Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Saturday, March 8, 2025 at 8:36 a.m. at The Foundry, located at 600 East Michigan Avenue. The purpose of the meeting was a retreat to discuss the City Commission's priorities for Fiscal Year 2026.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Hess
Quiana Decker
Stephanie Hoffman
Chris Praedel
Alonso Wilson

COMMISSIONERS ABSENT:

Don Cooney*

Also present were City Manager Jim Ritsema and City Clerk Scott Borling.

Commissioner
Excused

Commissioner Hoffman, seconded by Commissioner Praedel, moved to excuse the absence of Commissioner Cooney. With a voice vote the motion passed.

Public Comments

An opportunity was given for public comments, but no comments were offered.

2025-11-01
Introductory Remarks
and Warmup Exercises

City Manager Ritsema provided introductory remarks and reviewed the agenda for the day. City Manager Ritsema introduced Ashley Kletke of YOU UNLIMITED, who facilitated the work session portion of the agenda. A copy of the PowerPoint presentation *Planning Retreat – 2026 Budget, 3.8.2025*, was filed with the papers for this meeting.

*Commissioner Cooney arrived at 8:40 a.m.

At 8:41 a.m. Ms. Kletke asked City Commissioners and staff to divide into small groups for a warmup exercise. Participants were given two minutes each to share the following within their groups:

- Name
- What is something you have with you today that helps us understand more deeply about you?

Ms. Kletke reviewed the mindset-thoughts-behaviors-results paradigm and discussed the importance of creating a positive mindset and perspective through gratitude and curiosity.

With Commissioners and staff still divided into groups, Ms. Kletke reviewed the Formal/Informal and Dominant/Easygoing matrix for evaluating behavior styles. Participants were given three minutes each to answer the following questions:

- How has your style positively impacted your work?
- What do you wish others understood about your style?
- How will you use the strengths of your style in your work for Kalamazoo?

At 9:22 a.m. Commissioners and staff returned to their seats.

Commissioners discussed the value of the behavior styles exercise. Ms. Kletke asked Commissioners to consider the benefits of getting to know people at a personal level.

Ms. Kletke summarized the concepts emphasized during the warmup exercises:

- Mindset – positive mindset for brain
- Curiosity – and gratitude for immediate mindset shift
- Styles – all behavior styles have value
- Beware of filters
- Building rapport leads to better work

The meeting recessed at 9:29 a.m.

The meeting resumed at 9:45 a.m.

Chief Operating Officer (COO) Laura Lam and Deputy City Manager Rebekah Kik delivered a presentation entitled *Kalamazoo Imagines, Kalamazoo Acts: 2025 Projects and Programs Review*. The presentation highlighted 2025 programs and projects grouped around the following focus areas:

Investments that Support Kalamazoo's Families
 Investments that Improve Kalamazoo's Neighborhoods
 Investments that Help our Young People Thrive
 Investments that Ensure Safety and Well-Being
 Investments that Create a Stronger City Organization

COO Lam reviewed the work and projects funded by The America Rescue Plan Act (ARPA). A copy of the slides from the presentation was filed with the papers for this meeting.

An opportunity was given for Commissioner questions and comments on FY2025 programs and projects, but none were offered.

Community Planning and Economic Development Deputy Director Christina Anderson delivered a presentation entitled *Wrapping Up: Imagine It! Imagine Kalamazoo 2035*. The presentation included a review of the Imagine Kalamazoo 2035 (IK2035) timeline and preliminary results from community engagement efforts. A copy of the slides from the presentation was filed with the papers for this meeting.

Following the presentation, Deputy Director Anderson responded to Commissioners' questions regarding the relationship between the Strategic Plan and Master Plan; youth responses to surveys and community events; and the IK 2035 timeline relative to the timeline for hiring a new City Manager.

COO Lam delivered a presentation entitled *City of Kalamazoo: the National Community Survey 2025 Results*. COO Lam noted the City had received the survey results within the past few days, so the presentation would only feature high-level results. A copy of the slides from this presentation was filed with the papers for this meeting.

Following the presentation, COO Lam responded to Commissioners' questions regarding the survey method and sample size; benchmarking; the definition of survey terms and categories; and discrepancies between the survey data and what Commissioners were hearing from the community.

2025-11-01

Introductory Remarks
and Warmup Exercises
(cont'd)

Recess

2025-11-01

Review of FY2025
Programs and Projects

2025-11-01

Presentation re: Imagine
Kalamazoo 2035

2025-11-01

Presentation re: the
National Community
Survey

2025-11-01

Presentation of Proposed
Strategies for FY 2026

Ms. Kletke reviewed the Goal-Outcome-Strategies-Measures framework and the results of the pre-retreat Commissioner survey. City staff presented the following strategies to address the priority outcomes identified by Commissioners:

Housing – Community Development Manager Sharilyn Parsons

- Foreclosure Prevention (homeownership preservation) – \$60,000/year to help 30 homeowners
- Critical Code Repair Program (homeownership preservation) - \$135,000/year to help 20 households
- Underwriting of Housing Development Fund – \$100,000 (+ some HOME \$) to assist with 5 in-concept housing projects
- Housing Development Fund Predevelopment Funding (partnership with LISC) - \$250,000 for 5 projects (cap of \$50,000/per)
- Housing Development Fund Pre-Approved Plans (partnership with Land Bank to build models of pre-approved plans to cover appraisal gap)
- Housing Development Fund Gap Financing Revolving Loans (870 units created over past 4 years, 80% affordable) – 70 units for \$1.5 million - \$1.8 million
- Homeshare Launch (same model) – no numbers available; partnership with Milestone Senior Services

Recess

The meeting recessed at 11:57 a.m.

The meeting resumed at 12:35 p.m.

Economic Development – Community Investment Manager Chelsie Downs-Hubbarth

- KMEG Fund Grants (\$5,000 each) - \$500,000 to support 100 businesses (document filed)
- Building Development Fund – façade and white box development grants coordination/collaboration with United Way - \$500,000 for 20 businesses (\$25,000 each)
- Commercial Corridor Analysis - \$50,000 for corridors that emerge from Imagine Kalamazoo 2035
- Kalamazoo Entrepreneur Network Capital Consortium – \$32,000 to support 20 entrepreneurs
- Business Capacity Building Grants - \$25,000 to support two businesses: Core 360, Black Wall Street Beta Program (documents filed)

Shared Prosperity Kalamazoo (SPK) – SPK Coordinator Kevin Ford (document filed)

- Capacity Building for Bridges to Career Opportunities at the Northside Association for Community Development (NACD) through the Local Initiatives Support Corporation (LISC) – \$273,000 to serve 100 people
- Match Savings Program – \$250,000 to fund development of this program

Increase Coordination/Support for Unhoused Community – COO Lam

- Transportation Costs to Reunite Unhoused with Family Support - \$10,000 to help 50 people
- Kalamazoo County Continuum of Care 3-Year Plan – no cost estimate at this time
- Emergency Shelter for Extreme Weather - \$500,000
- Increase Safe Storage Capacity for the Unhoused – double the current capacity, no dollar amount
- Support County Family Shelter Operations – some contribution towards annual operating costs (\$500,000 to start)

Commissioners discussed potential funding sources and strategies for addressing housing needs that come up in the middle of a budget year.

Assistant Public Safety Chief David Juday reviewed annual and multi-year crime statistics and statistics regarding firearms and youth contacts. A copy of the slides from Assistant Chief Juday's presentation was filed with the papers for this meeting.

Decrease Violent Crimes, Especially Among Youth – Assistant Public Safety Chief David Juday and Parks and Recreation Director Patrick McVerry

- Install 10 overt cameras downtown and in the Northside Cultural Business District to increase Fusus camera coverage by 15% – \$150,000 to install 10 overt cameras
- Conduct weekly crime reduction meetings (with countywide law enforcement officers) and support for victim advocates – no real cost; a matter of staff allocation
- Contact 50 At-Risk Youth and Families (repeat contacts); continue funding for PAL and Summer Youth Programming

Ms. Kletke led City Commissioners in a prioritization exercise where Commissioners were each given five votes to place on the various strategies within a prioritization matrix.

During the exercise, City Commissioners chose the following strategies to be prioritized in the 2026 budget:

2025-11-01

Presentation of Proposed Strategies for FY 2026 (cont'd)

Review of Crime Statistics

2025-11-01

Prioritization of Strategies for FY 2026

2025-11-01
 Prioritization of
 Strategies for FY 2026
 (cont'd)

5 Votes

- Contact 50 At-Risk Youth and Families (repeat contacts); continue funding for PAL and Summer Youth Programming
- Critical Code Repair Program (homeownership preservation) - \$135,000/year to help 20 households
- Emergency Shelter for Extreme Weather - \$500,000

4 Votes

- Homeshare Launch (same model) – no numbers available; partnership with Milestone Senior Services

3 Votes

- Capacity Building for Bridges to Career Opportunities at the Northside Association for Community Development (NACD) through the Local Initiatives Support Corporation (LISC) – \$273,000 to serve 100 people
- Install 10 overt cameras downtown and in the Northside Cultural Business District to increase Fusus camera coverage by 15% – \$150,000 to install 10 overt cameras

2 Votes

- Kalamazoo Entrepreneur Network Capital Consortium – \$32,000 to support 20 entrepreneurs
- Housing Development Fund Gap Financing Revolving Loans (870 units created over past 4 years, 80% affordable) – 70 units for \$1.5 million - \$1.8 million
- Support County Family Shelter Operations – some contribution towards annual operating costs (\$500,000 to start)

1 Vote

- Foreclosure Prevention (homeownership preservation) – \$60,000/year to help 30 homeowners
- Conduct weekly crime reduction meetings (with countywide law enforcement officers) and support for victim advocates – no real cost; a matter of staff allocation
- Increase Safe Storage Capacity for the Unhoused – double the current capacity, no dollar amount
- Match Savings Program – \$250,000 to fund development of this program

At Ms. Kletke's invitation, City Commissioners shared their biggest personal "take-aways" from the day.

Closing Remarks and
Next Steps

Ms. Kletke stated she would send Commissioners a form for them to provide feedback on the retreat.

COO Lam reviewed the next steps in the process.

City Manager Ritsema thanked Commissioners for their work and passion.

Finally, an opportunity was given for miscellaneous comments from City Commissioners.

City Commissioner
Comments

Commissioner Decker thanked staff for their preparations for the retreat.

Vice Mayor Hess wished everyone "Happy International Womens' Day".

The meeting adjourned at 2:54 p.m.

Adjournment

Respectfully submitted,

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, March 17, 2025 at 5:02 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Qianna Decker
Alonzo Wilson

COMMISSIONERS ABSENT:

Stephanie Hoffman
Chris Praedel*

Also present were City Manager Jim Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Vice Mayor Hess, seconded by Commissioner Decker, moved to excuse the absences of Commissioners Praedel and Hoffman. With a voice vote the motion passed.

Public Comments

An opportunity was given for general public comments, but no comments were offered.

*Commissioner Praedel arrived at 5:03 p.m.

2025-12-01

Presentation re: the 2025
Consolidated Plan

Public Services Director James Baker delivered a presentation entitled *Kalamazoo Residual Biosolids Sustainable Alternatives: The Future of Solids Handling at KWRP – Update to the City Commission, 3-17-2025*. A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Questions:

At the conclusion of the presentation, Director Baker responded to Commissioner questions regarding the cost of choosing the status quo as an option for solids handling; the viability of landfills as a long-term disposal option; daily disposal volumes with the preferred solution compared to current volumes; other communities that were using the Dryer/ERS solution; the longevity of the Dryer/ERS technology and resiliency/redundancies built into the system; the potential of grant funding for the project; opportunities for the public to tour the Water Reclamation Plant; the ability of the Dryer/ERS technology to eliminate PFAS in biosolids; the impact of the new system on staffing needs; and the number and composition of users in the Kalamazoo wastewater system (residential vs. industrial).

Commissioner
Comments

Next, an opportunity was given for general comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 5:52 p.m.



Scott A. Borling
City Clerk

Approved by the City Commission on: _____

DRAFT

Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, April 7, 2025 at 5:03 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Stephanie Hoffman
Chris Praedel
Alonzo Wilson

COMMISSIONERS ABSENT:

Qianna Decker

Also present were City Manager Jim Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Vice Mayor Hess, seconded by Commissioner Hoffman, moved to excuse the absence of Commissioner Decker. With a voice vote the motion passed.

Public Comments

An opportunity was given for general public comments, but no comments were offered.

2025-15-01Presentations on
Sustainability Initiatives

Justin Gish, City Sustainability Coordinator, delivered a presentation entitled *Beyond the Greenhouse Gases: A Report on Sustainability Initiatives in Kalamazoo, Michigan*.

Taylor Van Winkle, Climate Sustainability Coordinator for Kalamazoo County, delivered a presentation entitled *Holistic Healthy Homes*.

Copies of the slides from these presentations were filed with the papers for this meeting.

Commissioner Questions:

At the conclusion of the presentations, the Sustainability Coordinators responded to Commissioner questions regarding the status of the Community Change Grant; whether home repairs would include lead paint abatement; the process for homeowners to apply for repairs; whether rental properties were eligible for grant funds; investment in community centers and green industry development; whether the grant would fully cover the cost of solar panels for the Crosstown Justice Facility; the work to eliminate Japanese Knotweed; and the intersection of LEED certification requirements with historic district rules.

2025-15-02Cannabis Chamber 2024
Annual Review

Rebecca Colett with Detroit Cannabis Project delivered a presentation entitled *Kalamazoo Social Equity Cannabis Chamber 2024 Annual Review*. A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Questions:

At the conclusion of the presentation, Ms. Colett responded to Commissioner questions regarding wages for graduates of cannabis training programs; the resources that support the Cannabis Chamber; effective marketing channels; other cities that were utilizing Detroit Cannabis Project; and the link between retail prices and black-market sales, and whether the City needed to change its policies.

Next, an opportunity was given for general comments from City Commissioners.

Vice Mayor Hess observed there were educational elements in all three presentations.

The meeting adjourned at 6:12 p.m.



Scott A. Borling
City Clerk

Approved by the City Commission on: _____

Commissioner
Comments

Adjournment

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, April 7, 2025 at 7:01 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Stephanie Hoffman
Chris Praedel
Alonzo Wilson

COMMISSIONERS ABSENT:

Qianna Decker

Also present were City Manager Jim Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Wilson, seconded by Commissioner Cooney, moved to excuse the absence of Commissioner Decker. With a voice vote the motion passed.

Invocation

The invocation, given by Reverend Dr. Sanchita Kisku, First Baptist Church, was followed by the Pledge of Allegiance.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Public Comments

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

2025-16-01

Tina McClinton, City resident, regarding flooding in her neighborhood, crime, homelessness, and high rents. (document filed)

Michael Cleggs-Arnott, City resident, regarding flooding at his home on Miller Road after recent storms.

Cathy Phason, non-resident and Chair of the Civil Rights Board (CRB), regarding the Mayor's refusal to appoint Lewis Smith to the CRB.

Maggie Adams, City resident, regarding the Mayor's refusal to appoint Lewis Smith to the CRB.

Charlae Davis, City resident and Executive Director of ISAAC, regarding the Hands Off protests and the Mayor's refusal to appoint Lewis Smith to the CRB.

Rochelle Habeck, City resident, regarding the City's progress in the areas of Diversity, Equity, and Inclusion (DEI).

Wyatt, regarding his medical condition and his struggles to find a home due to the specialized care he needed.

K, a City resident, regarding police brutality, the housing crisis, DEI, and recently enacted federal policies.

Shona Espinoza, City resident, regarding the CRB, favoritism on the part of City leaders, and the unhoused.

Drew Duncan, City resident, regarding the no-barrier shelter in South Bend, Indiana and the Mayor's refusal to appoint Lewis Smith to the CRB.	Public Comments (cont'd)
Lee Prince, regarding growing up in Chicago and the mistreatment of people by the Kalamazoo Department of Public Safety (KDPS).	
Mark Krinock, City resident, regarding the overpopulation of deer in the City.	
Consent Agenda items were presented as follows with a recommendation to approve the items and authorize the City Manager to sign all related documents on behalf of the city:	Consent Agenda
- approval of a contract with Enterprise Fleet Management for the lease of two vehicles for Public Safety in the amount of \$107,167.55 over 60 months.	2025-16-02
- approval of a contract supplemental and extension with Fisher Scientific for laboratory supplies in the amount of \$281,250 and approval of a budget amendment for \$21,875.	2025-16-03
- approval of an agreement with Gull Lake Sewer & Water Authority to install smart water meters in Richland Township and Richland Village in the amount of \$350,000.	2025-16-04
- approval of a contract supplemental and change order with Graphic Packaging International for the Kalamazoo/GPI effluent sewer realignment project in the amount of \$443,566.10.	2025-16-05
- approval of a contract extension with Republic Services to perform quarterly bulk trash removal in the amount of \$915,966.42; and approval of a budget amendment in the amount of \$22,000.	2025-16-06
- approval of a contract with Ferguson Waterworks for 2025 miscellaneous water inventory in the amount of \$943,652.	2025-16-07
- adoption of a RESOLUTION to petition the Kalamazoo County Drain Commission for maintenance and improvement of the State Ditch Drain.	2025-16-08 Resolution 25-18
- adoption of a RESOLUTION approving contract 24-5514 with the Michigan Department of Transportation (MDOT) for preventative maintenance work on the bridge structure that carries Gull Road over the Kalamazoo River in the amount of \$350,450, with the City's contribution being \$17,523.	2025-16-09 Resolution 25-19
- adoption of a RESOLUTION setting a public hearing for April 21, 2025 to adopt the draft 2025-2029 Consolidated Plan and Program Year 2025 Action Plan as required by the U.S. Department of Housing and Urban Development (HUD).	2025-16-10 Resolution 25-20
- approval of a revenue contract with Northwest Hardwood, Inc. for a second timber harvest on City-owned property in Ross Township near the intersection of 37 th Street and Greer Avenue, for a total revenue amount of \$127,332.	2025-16-11

2025-16-12

- approval of an Economic Initiative Fund Loan for Kalamazoo Candle Company in the amount of \$86,000 as recommended by the Economic Development Corporation.

2025-16-13

- approval of the following reappointments to boards and commissions:
 - the reappointment of Nathan Browning to the Community Development Act Advisory Committee as an at-large member for a term expiring March 31, 2028.
 - the reappointment of Stephanie Vallar to the Community Development Act Advisory Committee as Northside Neighborhood Representative for a term expiring March 31, 2028.

2025-16-14

- approval of a public utility easement with DT3 Properties, LLC for water main that is being installed as part of the Kalamazoo Airport Water Main Loop Project.

2025-16-15

- approval of the minutes from the City Commission business meetings on January 27, February 3, March 3, March 17, and March 31, 2025.

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

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

AYES: Commissioners Cooney, Hoffman, Praedel*, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

*At the time of the vote, Commissioner Praedel abstained from voting on Item G-9, a resolution setting a public hearing for the HUD Consolidated Plan and 2025 Action Plan, because of his employer.

Regular Agenda

Regular Agenda items were considered next.

2025-16-16

Contract Extension for the Purchase of Gasoline, Diesel, and Biodiesel

Public Services Director James Baker provided an overview of a proposed contract extension for the purchase of gasoline, diesel, and biodiesel fuel. Director Baker reported a 10% reduction in the emission of greenhouse gases as the result of the City's use of biodiesel.

Commissioner Questions: none

Public Comments: none

Commissioner Cooney, seconded by Commissioner Praedel, moved to approve a contract extension with J & H Oil Inc. for gasoline, diesel, and biodiesel fuel in the amount of \$1,200,000.

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

AYES: Commissioners Cooney, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

City Manager Ritsema reported on the Respecting Differences event; the last Imagine Kalamazoo 2035 (IK 2035) Plan It! event; spring pick-ups for yard waste, brush, and bulk trash; and the annual easter egg hunt on April 19th.

Next, an opportunity was given for miscellaneous comments from City Commissioners.

Commissioner Cooney offered comments on the Hands Off protests.

Commissioner Hoffman spoke about the appointment of Mr. Smith to the CRB and dangerous bump-outs on East Michigan Avenue.

City Manager Ritsema conveyed remarks from Commissioner Decker, who commended Public Safety Officers (PSO's) for their response to a medical emergency at the Speedway gas station on Westnedge Avenue.

Mayor Anderson recognized the response and performance of PSO's to a recent officer involved shooting at the Kalamazoo Public Schools Administration Building. Mayor Anderson thanked people for their interest in the CRB, and he offered to meet with anyone to discuss the issue.

The meeting adjourned at 8:12 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

City Manager's
Report

Commissioner
Comments

Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, April 21, 2025 at 5:02 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Qianna Decker
Chris Praedel
Alonzo Wilson

COMMISSIONERS ABSENT:

Stephanie Hoffman

Also present were City Manager James Ritsema, City Attorney Aaron Leal, and Deputy City Clerk Shelby Moss.

Commissioner Excused

Commissioner Decker, seconded by Commissioner Cooney, moved to excuse the absence of Commissioner Hoffman. With a voice vote the motion passed.

Public Comments

When an opportunity was given for general public comments, the following people addressed the City Commission:

Tobi Hanna-Davies, City resident, regarding the Home Share program and the importance of making appropriate roommate partnerships.

2025-17-01

Presentation re: 2023-24
Year in Review

Chief Operating Officer (COO) Laura Lam and Deputy City Manager Rebekah Kik delivered a presentation entitled *2026 Priorities*. A copy of the slides from this presentation was filed with the papers for this meeting.

Community Planning and Economic Development (CPED) Housing Development Supervisor Shailyn Parsons provided an overview of the City's Home Share program.

Commissioner Questions:

Following the presentation, staff responded to Commissioners' questions regarding available assistance to residents to make home repairs; other communities offering Home Share programs; the RX Kids program; and the Community Survey.

Commissioner
Comments

Next an opportunity was given for comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 5:39 p.m.

Shelby Moss
Deputy City Clerk

Approved by the City Commission on: _____

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	A business meeting of the Kalamazoo City Commission was held on Monday, April 21, 2025 at 7:00 p.m. in the City Commission Chambers at City Hall.
Roll Call	COMMISSIONERS PRESENT: Mayor David Anderson Vice Mayor Jeanne Hess Don Cooney Qianna Decker Chris Praedel Alonzo Wilson COMMISSIONERS ABSENT: Stephanie Hoffman Also present were City Manager Jim Ritsema, City Attorney Aaron Leal, and Deputy City Clerk Shelby Moss.
Commissioner Excused	Vice Mayor Hess, seconded by Commissioner Cooney, moved to excuse the absence of Commissioner Hoffman. With a voice vote the motion passed.
Invocation/Pledge	The invocation, given by Rabbi Simone Schicker from Temple B'nai Israel, was followed by the Pledge of Allegiance.
Proclamations 2025-18-01	Commissioner Cooney read a proclamation <i>Honoring the Western Michigan University (WMU) Men's Ice Hockey Team - 2025 NCAA National Champions</i> . Director of Athletics Dan Bartholomae, Head Coach Pat Ferschweiler, and members of the WMU Hockey Team received the proclamation.
2025-18-02	Commissioner Willson proclaimed <i>April 13-19, 2025 Architecture Week</i> . Members from the American Institute of Architects of Southwest Michigan and the National Organization of Minority Architects received the proclamation.
2025-18-03	Vice Mayor Hess proclaimed <i>April 2025 as Kalamazoo Valley Community College (KVCC) Month</i> . KVCC Vice President for Campus Planning and Operations Dannie Alexander received the proclamation.
2025-18-04	Commissioner Decker proclaimed <i>April 21-25, 2025 National Work Zone Awareness Week</i> . City of Kalamazoo Public Services Director James Baker received the proclamation.
2025-18-05	Commissioner Praedel proclaimed <i>April 28, 2025 Workers Memorial Day</i> .
Adoption of the Agenda	By unanimous consent the City Commission adopted its meeting agenda with the following change:
2025-18-06 2025-18-07 2025-18-08	City Manager Ritsema requested that Items G-12, G-13, and G-14, approval of easements for the 2025 Richland Township Water Main Extension Project, be removed from the agenda as the city was awaiting final signatures.
Public Comments	Next, when an opportunity was given for general public comments, the following people addressed the City Commission: K, City resident, regarding the Civil Rights Board, the enforcement of the Fair Housing Ordinance, and the City's housing crisis.

Attorney Coach Matt Zwart and Team Member Samuel Noakes of the Kalamazoo Central Mock Trial Team thanked the City Commission and City Administration for use of the City Commission Chambers as a practice site.

Wendy Flora, City resident and member of ISAAC, regarding appointments to, and the treatment of, the Civil Rights Board.

Ray Sweany, City resident, regarding the filling of vacancies on the Civil Rights Board and expansion of the Fair Housing Ordinance.

Maggie Adams, City resident and member of ISAAC, regarding the City's Ethics Code and the application of Lewis Smith for the Civil Rights Board.

Cathy Phason, Chair of the Civil Rights Board and member of ISAAC, regarding the Civil Rights Board, the application of Lewis Smith, and the importance of community input.

Charlae Davis, City resident and member of ISAAC, regarding the treatment of the Civil Rights Board and systemic issues in housing.

Kaleb Beiter, non-resident and member of ISAAC, regarding the enforcement of the Fair Housing Ordinance and the Civil Rights Board.

Tina McClinton, City resident, regarding flooding in her neighborhood, the City's purchase of property in Southtown, sewer backups, and blighted property.

Amanda Charbonneau, City resident, regarding the connections she had made attending the City Commission meetings.

Shona Espinoza, City resident, regarding government spending, housing, and the treatment of people by the Kalamazoo Department of Public Safety (KDPS).

Kayla, an unhoused person, regarding the living conditions at the mission and the treatment of the unhoused community.

Charles Hanna, regarding the WMU Hockey Team, a young man who lost his life to gun violence, and the safety of those who use public transportation.

Beau Jammes, regarding the treatment of the unhoused and the wasteful spending of money.

Angela, an unhoused person, regarding a recent assault, the treatment of unhoused youth, and the need for self-defense classes.

Drew Duncan, City resident, regarding the treatment of the Civil Rights Board and unhoused residents.

Judy Lowery, regarding call in comments, the accessibility of the Commission Chambers, the new family shelter, and her outreach in the community.

Irving Quintero, City resident, regarding his experience living in the City of Kalamazoo and the Civil Rights Board.

Public Comments
(cont'd)

2025-18-09

Public Hearing re: the
2025-2029
Consolidated Plan and
2025 Action Plan

At 8:33 p.m. Mayor Anderson opened a public hearing to receive comments on the 2025-2029 Consolidated Plan, including the 2025 Action Plan, as required by the U.S. Department of Housing and Urban Development.

Compliance Specialist Julie Johnston delivered a presentation entitled *Public Hearing: 2025-2029 Consolidated Plan*. A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Questions:

Following the presentation, Compliance Specialist Johnston responded to Commissioner questions regarding the neighborhood solution projects; housing/code administration; ideas for future projects; and the RFP process.

Public Comments:

Beth McCann, Executive Director at Kalamazoo Neighborhood Housing Services, Inc., expressed support for the plan asked about the down payment assistance program.

Matt Milcarek, City resident, expressed support for the plan.

Amanda Charbonneau, City resident, regarding community outreach in the plan.

Zack Bauer, Executive Director for the Kalamazoo County Landbank, expressed support for the plan.

At 9:06 p.m. Mayor Anderson closed the public hearing.

2025-18-09

Approval of the 2025-
2029 Consolidated
Plan and 2025 Action
Plan

Commissioner Decker, seconded by Commissioner Cooney, moved to approve the Consolidated Plan and 2025 Action Plan.

With a roll call vote the motion passed 5-0 with one abstention.

AYES: Commissioners Cooney, Decker, Wilson, Vice Mayor Hess,
Mayor Anderson

NAYS: None

ABSTAIN: Commissioner Praedel*

*At the time of the vote, Commissioner Praedel indicated he was abstaining due to his employment.

Consent Agenda

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

2025-18-10

- approval of one-year sole source contract renewal with Open Gov, Inc. for the OpenGov suite of software in the amount of \$117,905.70.

2025-18-11

- approval of the purchase of seasonal road salt from Detroit Salt Company LC through the MiDeal Cooperative Purchasing Program in the amount of \$181,450.00.

- | | |
|---|--|
| - approval of a contract extension with Santiago Services for nuisance trash and debris handling in the amount of \$453,000. | 2025-18-12 |
| - approval of a contract with Michigan Paving and Materials for the Westnedge Avenue paving project (Vine-Michigan) in the amount of \$860,623.60. | 2025-18-13 |
| - adoption of a RESOLUTION to designate Kalamazoo as a Bee City as defined by the Xerces Society. | 2025-18-14
Resolution 25-21 |
| - adoption of a RESOLUTION delegating authority to the Director of the Community Planning and Economic Development Department as the official representative and certifying officer for U.S. Department of Housing and Urban Development grant documentation. | 2025-18-15
Resolution 25-22 |
| - adoption of a RESOLUTION approving Contract No. 25-5154 with the Michigan Department of Transportation for early preliminary engineering activities for signal optimization along various routes at 41 intersections throughout the City in the amount of \$205,000. | 2025-18-16
Resolution 25-23 |
| - adoption of RESOLUTIONS approving amendments to the budgets for fiscal years 2024 (FY 2024) and 2025 (FY 2025); and acceptance of informational reporting on capital project carryforwards and grant acceptances. | 2025-18-17
Resolutions 25-24 and 25-25 |
| - approval of a Memorandum of Understanding with Kalamazoo Regional Educational Service Agency / Career Connect for the summer youth employment and training program in the amount of \$619,000. | 2025-18-18 |
| - approval of the Mayor's appointments to the Natural Features Protection Review Board: | 2025-18-19 |
| - the appointment of Logan Rowe for a term expiring on March 31, 2028. | |
| - the appointment of Matt Stemple for a term expiring on March 31, 2028. | |
| - approval of a public utility easement with Continental 671 Fund, LLC for water main installed as part of the Authentix Development in Texas Township. | 2025-18-19 |
| - approval of a request from the Kalamazoo Country Club for a permit to publicly display fireworks at 1609 Whites Road on Thursday, July 3, 2025. | 2025-18-20 |
| - approval of a request from the Kalamazoo Growlers to publicly display fireworks at Homer Stryker Field on June 27, July 3, July 4, July 18, July 25, August 8, and August 22, 2025. | 2025-18-21 |
| - approval of a recommendation to postpone until May 12, 2025 consideration of a purchase agreement with Burdick Crosstown, LLC for the purchase of 1156 South Burdick Street and 1204 South Burdick Street in the amount of \$335,000. | 2025-18-22 |

Commissioner Praedel, seconded by Commissioner Wilson, moved to approve the consent agenda items and authorize the City Manager to sign all documents on behalf of the City.

With a roll call vote this motion passed.

Regular Agenda

2025-18-23

First Reading of an Ordinance re: Impoundment of Vehicles

AYES: Commissioners Cooney, Decker, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Regular Agenda items were considered next.

Public Safety Chief David Boysen and Assistant City Attorney Sarah Van Hyfte gave a presentation entitled *Kalamazoo City Commission April 21, 2025*. A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Questions:

Following the presentation, Chief Boysen and Assistant Attorney Van Hyfte responded to Commissioners' questions regarding the timeline of the proposed changes; the impact on vehicles housed outside the City; and the execution of search warrants.

Public comments:

Amanda Charbonneau, City resident, regarding the need for the ordinance and possible solutions.

Commissioner Praedel, seconded by Commissioner Decker, moved to offer for first reading of an ordinance to amend Chapter 21, Article III of the Kalamazoo Code of Ordinances to add Section 21-28 "Impoundment of Vehicles".

With a roll call vote the motion passed 6-0.

AYES: Commissioners Cooney, Decker, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

2025-18-24

Resolution 25-26
Approving a Clean Water State Revolving Fund Project Plan for the Sustainable Biosolids Alternative Project

Public Services Director James Baker gave a presentation entitled *Kalamazoo Residual Biosolids Sustainable Alternatives*. A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Questions:

Following the presentation, Director Baker responded to Commissioners' questions regarding differences between the "Dryer" and "Dryer & ERS" solutions; odor elimination efforts; cost savings; funding sources; and future projects.

Public comments: none

Commissioner Cooney, seconded by Commissioner Decker, moved to adopt a **RESOLUTION** adopting a \$196,829,913 FY 2026 Clean Water State Revolving Fund Project Plan for Wastewater System Improvements; and designating James J. Baker, PE, as the Authorized Project Representative.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Cooney, Decker, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

City Manager Ritsema announced events in May supporting Bike Month.

Finally, an opportunity was given for miscellaneous comments from City Commissioners.

Commissioner Cooney offered comments on the Civil Rights Board and the life of Pope Francis.

Commissioner Decker offered comments on housing, the appointment process for the Civil Rights Board, and Westnedge Hill Neighborhood Association events.

Commissioner Praedel offered condolences to Commissioner Cooney and his family for the recent passing of a family member. Commissioner Praedel encouraged the community to participate in the Imagine Kalamazoo 2035 process.

Vice Mayor Hess offered comments on the life of Pope Francis and WMU Hockey Team. Vice Mayor Hess offered ideas on how an individual could impact change in their community.

Mayor Anderson spoke about gun violence, and he offered his condolences to Commissioner Cooney. Mayor Anderson thanked the Parks and Recreation Department for hosting the City's annual egg hunt.

The meeting adjourned at 10:36 p.m.

Shelby Moss
Deputy City Clerk

Approved by the City Commission on: _____

City Manager's Report

Commissioner
Comments

Adjournment

Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, July 7, 2025 at 5:00 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Qianna Decker
Stephanie Hoffman
Chris Praedel
Alonzo Wilson

COMMISSIONERS ABSENT:

Don Cooney

Also present were Chief Operating Officer Laura Lam, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Vice Mayor Hess, seconded by Commissioner Decker, moved to excuse the absence of Commissioner Cooney. With a voice vote the motion passed.

Public Comments

An opportunity was given for general public comments, but no comments were offered.

2025-29-01

Presentation re: Arcadia
Creek Festival Place

Deputy City Manager Rebekah Kik delivered a presentation entitled *Turning Plans Into Place: 2025 Project Updates – Arcadia Creek Festival Place*. A copy of the presentation slides was filed with the papers for this meeting.

Commissioner Questions:

Following the presentation, Deputy City Manager Kik responded to Commissioner questions regarding the construction timeline for the Festival Place improvements; funding sources for the project; details about the size and potential uses of the multi-purpose building; the role/function of Koopsen's Alley; the functionality of the space for event organizers; connections between the Arcadia Creek corridor and the Festival Place; whether the Festival Place would be open or enclosed; and the cost savings for event organizers as a result of eliminating the need to close adjacent streets during events.

2025-29-02

Presentation re: 322
Stockbridge Avenue

Deputy City Manager Kik delivered a presentation entitled *Turning Plans Into Place: 2025 Project Updates – 322 Stockbridge Avenue*. A copy of the presentation slides was filed with the papers for this meeting.

Commissioner Questions:

Following the presentation, Deputy City Manager Kik responded to Commissioner questions regarding the date of the upcoming presentation to the Edison Neighborhood Association; planned changes to the topography of the site and the certainty of the research and engineering around proposed flood mitigation strategies; connectivity to the Kalamazoo Valley River Trail; financial assistance from the City for construction costs and down payment assistance; the project timeline; the inclusion of green technologies in the pre-approved house plans; whether the site would be developed as a Planned Unit Development (PUD) with a Home Owners' Association (HOA); whether grade changes to mitigate flooding on the site will cause flooding in adjacent areas; the status of the empty lot on Richard Street; whether there were pre-approved house plans that had not yet been built; construction costs for the

various housing units; the potential for the development of this site to make surrounding properties unaffordable for current residents; the potential use of a Community Land Trust on the site; and the rationale for choosing a plan that would result in fewer housing units on the site rather than more housing units.

Finally, an opportunity was given for general comments from City Commissioners, but no comments were offered.

The meeting adjourned at 6:34 p.m.



Scott A. Borling
City Clerk

Approved by the City Commission on: _____

2025-29-02

Presentation re: 322
Stockbridge Avenue
(cont'd)

Commissioner
Comments

Adjournment

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, July 7, 2025 at 7:00 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Qianna Decker
Stephanie Hoffman
Chris Praedel
Alonzo Wilson

COMMISSIONERS ABSENT:

Don Cooney

Also present were Chief Operating Officer Laura Lam, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Decker, seconded by Commissioner Praedel, moved to excuse the absence of Commissioner Cooney. With a voice vote the motion passed.

Invocation

The invocation, given by Reverend David Zomer, Bethany Reformed Church, was followed by the Pledge of Allegiance.

Proclamation
2025-30-01

Commissioner Hoffman proclaimed July 17th the *2025 National Day of Summer Learning*. Brynn Rohde from the Kalamazoo Youth Development Network (KYDNet) received the proclamation.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

COO Lam announced the rescheduling of the June 27th Summer Cinema event and street closures related to the Arcadia Creek project. COO Lam introduced Dave Marquardt, the new Deputy City Manager.

Public Comments

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

Tina McClinton, City resident, regarding flooding in her neighborhood and increased crime in the City.

Lena Shorlin, regarding her non-profit organization LEAN On Healing with Healing On Purpose.

Alisa Watkins, regarding her non-profit organization LEAN On Healing with Healing On Purpose.

Jody Dozeman, City resident, regarding the condition of City streets.

Jonathan Yarbrough, City resident, introducing himself as the new Executive Director for the Northside Association for Community Development (NACD).

Maggie Adams, City resident and member of ISAAC, regarding the City Manager search process.

Charlae Davis, City resident and member of ISAAC, regarding people who were suffering and the need to center the equitable wellbeing of others.

K, City resident, regarding parking signage at the Farmers' Market, the impact of Shared Prosperity Kalamazoo (SPK) and the Foundation for Excellence (FFE), and the need for City Commissioners to stand up for the people in light of changing federal policies and funding decisions.

Shona Espinoza, City resident, regarding the need for City leaders who were willing to work to meet the needs of the community.

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

- approval of a contract with Eco Patcher Inc for spray patching in the amount of \$130,000.
- approval of a contract supplemental and change order with Hurley & Stewart, LLC for professional design engineering services related to the Burdick Street improvement project (Emerson to Lovell), in the amount of \$184,640.
- approval of a 10-year contract extension with Emphasys Software for the SymPro investment management program in the amount \$245,902.
- approval of a contract extension with Consumers Concrete Corporation for readymix concrete in the amount of \$586,050.
- approval of a contract supplemental and change order with Wightman and Associates Inc for additional scope of services design work in support of the Water Reclamation Plant Secondary Clarifier No. 5 through No. 8 Rehabilitation Project in the amount of \$669,430.
- approval of the transfer of a Remotec F6 Explosives Ordinance Disposal (EOD) robot from the Grand Rapids Police Department bomb squad to the Kalamazoo Department of Public Safety.
- adoption of a **RESOLUTION** approving the appointments of Public Safety Chief of Staff Ryan Tibbets and City Manager Jim Ritsema to the Kalamazoo County Consolidated Dispatch Authority Governing Board of Directors and associated committees.
- approval of the minutes from the City Commission meetings on May 12, May 19, June 2, June 16, and June 23, 2025.

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

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

AYES: Commissioners Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Public Comments
(cont'd)

Consent Agenda

2025-30-02

2025-30-03

2025-30-04

2025-30-05

2025-30-06

2025-30-07

2025-30-08
Resolution 25-36

2025-30-09

Regular Agenda

Regular Agenda items were considered next.

2025-30-10

Agreement for DWSRF
Contract 1 Construction
Engineering

Commissioner Questions: none

Public Comments: none

Commissioner Decker, seconded by Commissioner Praedel, moved to approve a professional services agreement with Tetra Tech for construction engineering for the Contract 1: Pump Station 5 & 14 Water & Transmission Mains Project in the amount of \$1,297,639.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Commissioner Questions: none

Public comments: none

Commissioner Wilson, seconded by Vice Mayor Hess, moved to approve a contract with Peter's Construction Company for utility improvements on Newton Court, Fellows Avenue, and John Street in the amount of \$2,488,541.77.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Commissioner Questions: none

Public comments: none

Commissioner Decker, seconded by Commissioner Praedel, moved to approve a professional services agreement with Tetra Tech for construction engineering for the Contract 2: Pump Station 5 & 14 Reconstruction Project in the amount of \$3,724,152.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

2025-30-12

Agreement for DWSRF
Contract 2 Construction
Engineering

2025-30-13

Ordinance 2102 re:
Water Supply System
Revenue Bonds

At the request of Vice Mayor Hess, Management Services Director and Chief Financial Officer Steve Vicenzi provided an overview of the proposed issuance of Water Supply System Bonds in the amount of \$101,180,000.

Commissioner Questions: none

Public comments: none

Commissioner Decker, seconded by Commissioner Hoffman, moved to adopt an **ORDINANCE** authorizing Water Supply System Revenue Bonds, Series 2025B in an amount not to exceed \$101,180,000.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Commissioner Questions:

Jane Ghosh, President and CEO of Discover! Kalamazoo, responded to Commissioners' questions regarding the City/County partnership and the plan for addressing operating revenue deficits in the first years the youth sports facility was open.

Public comments: none

Commissioner Decker, seconded by Vice Mayor Hess, moved to adopt a **RESOLUTION** to participate in negotiations to create the Kalamazoo County Event Center Assessment District Authority.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Decker, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Public Safety Chief Dave Boysen provided a report on gun violence over the holiday weekend and the response of the Kalamazoo Department of Public Safety.

Chief Operating Officer Lam responded to public comments by providing information on ways to report poor road conditions, an online tool for seeing the uses of FFE funding, and the creation of a transparency page for the City Manager search process.

Commissioner Wilson read the names of the people who were victims of gun violence over the weekend, offered his condolences to their family and friends, and encouraged people to step forward and help KDPS with the investigation of these shootings.

Vice Mayor Hess offered comments on gun violence, the most recent Water Quality Report, the next steps in the City Manager search process, and Mayor Anderson's work in the community.

Commissioner Praedel spoke about gun violence and the City Manager search process.

2025-30-13

Ordinance 2102 re:
Water Supply System
Revenue Bonds (cont'd)

2025-30-14

Resolution 25-37
Authorizing Negotiations
re: the Kalamazoo
County Event Center
Assessment District
Authority

City Manager's
Report

Commissioner
Comments

Commissioner
Comments (cont'd)

Mayor Anderson thanked Commissioner Wilson for his remarks and welcomed Mr. Yarborough to NACD.

Adjournment

The meeting adjourned at 8:19 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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