A business meeting of the Kalamazoo City Commission was held on Tuesday, September 8, 2015 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 W. South Street.

Roll Call

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

COMMISSIONERS ABSENT: None

Also present were City Manager Jim Ritsema, City Attorney Clyde Robinson, and Deputy City Clerk Shelby Moss.

Invocation/Pledge

The invocation, given by Pastor Adam Davidson of Portage Free Methodist Church, was followed by the Pledge of Allegiance.

Adoption of the Agenda

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

Commissioner Urban requested item F1 (the purchase of twelve vans for Metro Transit) be moved from the Consent Agenda to the Regular Agenda.

A citizen requested item F8 (a resolution recommending approval of a new Small Distiller liquor license for Green Door Distilling Company, LLC) be moved from the Consent Agenda to the Regular Agenda.

Communications

City Manager Ritsema invited the public to attend a special meeting of the City Commission on Monday, September 14, 2015 at 6:00 p.m. in the Community Room at City Hall to receive a presentation on Priority Based Budgeting.

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:

- approval of a contract with Northern Construction Services for the Houston Place Project in the amount of $206,815.50.
- approval of a one-year contract extension for the purchase of sodium hypochlorite from Alexander Chemical Corporation in the amount of $159,800.
- approval of a *Contract for Independent Contractor Services* with Kalamazoo Regional Education Service Agency for the Education for Employment Law Enforcement Program for the 2015-2016 school year.
- approval of a Memorandum of Agreement with Kalamazoo Public Schools for the Kalamazoo Department of Public Safety to provide School Resource Office Services for the 2015-2016 School year.

Consent Agenda (cont'd)

- first reading of an ordinance that would adopt several technical amendments being requested by the Michigan State Housing Development Authority to City ordinance section 35-4 which governs the grant of a tax exemption and payment in lieu of taxes to certain qualifying housing projects aimed toward low and moderate income individuals and families.

Resolution 15-32, 15-33, 15-34

- adoption of **RESOLUTIONS** 1, 2 and 3 for the purpose of approving the 2014 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of $15.164. Adoption of Resolution 3 schedules a public hearing for October 5, 2015

Resolution 15-35

- adoption of a **RESOLUTION** recognizing the Open Roads Bike Program as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.

- approval of the Mayor's appointment and reappointments of the following members to the Kalamazoo Historic Preservation Commission:

    - the reappointment of **Curt Aardema** for a term expiring on March 31, 2017.

    - the appointment of **Olga Bonfiglio** for a term expiring on March 31, 2018.

    - the reappointment of **Lynn Stevens** for a term expiring on March 31, 2017.

    - the reappointment of **Chris Wright** for a term expiring on March 31, 2017.

- approval of the minutes from the City Commission meetings on August 3rd and August 17, 2015.

- approval of recommendation to hold until September 21, 2015 consideration of a RESOLUTION to vacate a 319-foot-long section of E. Alcott Street.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

Purchase of Vans for Metro Transit

Commissioner Urban requested a brief presentation on the purchase of twelve vans for Metro Transit.

Purchase of Vans for Metro Transit (cont'd)

Transportation Director Sean McBride explained the vans were being purchased with state and federal funds, and no General Fund dollars would be used for this purchase.

In response to questions from Commissioners, Director McBride stated six vans would be purchased immediately, and six more would be purchased when pending 2016 grants had been secured. Direct McBride confirmed the vans purchased would be for the Kalamazoo County Transportation Authority and would be servicing all of Kalamazoo County.

When an opportunity was given for citizen comments on the purchase of twelve vans in the amount of $39,329 each, the following people addressed the City Commission:

> Tim Graham, City resident, questioned how bus drivers salaries and the ongoing maintenance for the vans would be funded.
>
> Cody Dekker, City resident, requested clarification of the funding source for the vans and information on the disposal methods of vans no longer in service.
>
> Zachary Lassiter, City resident, expressed support for the purchase of the new vans.

In response to questions from citizens and Commissioners, Director McBride confirmed the vans were being purchased with state and federal funding, and he explained the funding sources for the Kalamazoo County Transportation Authority. Director McBride stated vans no longer in service would be put up for auction. Director McBride stated he had been contacted by a non-profit company and other government agencies to purchase retired vans.

Vice Mayor Anderson, seconded by Commissioner Urban, moved to approve a contact with Jorgensen Ford of Detroit MI, for the purchase of twelve (12) vans in the amount of $39,329 each, for a total expenditure of $471,948.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Resolution 15-36 Recommending Approval of a New Small Distiller License for Green Door Distilling

When an opportunity was given for citizens to comment on a resolution recommending approval of a new Small Distiller liquor license for Green Door Distilling Company, LLC, the following people addressed the City Commission:

> Richard Stewart, City resident, expressed concerns regarding the City's process for approving liquor licenses, the environmental impacts of distilleries in the City, and the age of the applicants.

Resolution 15-36 Recommending Approval of a New Small Distiller License for Green Door Distilling (cont'd)

The following people expressed support for the approval of a Small Distiller liquor license for Green Door Distilling Company, LLC:

John Schmitt, City resident, Vice Chair of the Downtown Development Authority, and a Business Consultant for the Michigan Small Business Development Center
Brian Steele, President and CEO of Boat Yard Brewing
Zakary Lassiter, City resident
Ryan Goins, City resident and the co-founder of the Startup Zoo
Herb Ayres, City resident
Josh Cook, Manager of Green Door Distilling Company
John Good, Manager of Green Door Distilling Company

Cody Dekker, City resident, expressed concerns regarding communication between the City's representatives and the community, the number of breweries and distillers in the City, and mental illness and addiction among the homeless community.

Tim Graham, City resident, expressed concerns regarding open community dialog and the shrinking middleclass.

Commissioner Cinabro, seconded by Commissioner Miller, moved to adopt a **RESOLUTION** from the Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission, recommending approval of a new Small Distiller liquor license for Green Door Distilling Company, LLC at 429 East North Street.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Citizen Comments

Next, an opportunity was given for general citizen comments.

Jim Ferner, non-resident, requested that the walkability report from Dan Burden of the Walkable and Livable Communities Institute be made City policy. Mr. Ferner expressed concerns regarding the lack of safe streets in the City and requested all one-way streets be converted to two-way streets.

Tim Graham, City resident, expressed concerns about the declining household incomes of the middleclass.

Thomas Leibold, City resident, thanked the Vine Neighborhood Association for securing grant dollars for the Houston Place project. Mr. Leibold noted the following groups would be contributing to the streetscape enhancement project; Kalamazoo Collective Housing, Kalamazoo Nature Center, the Kalamazoo

Citizen Comments (cont'd)

Chapter of the Wild Ones, the Kalamazoo Climate Change Coalition and the Storm Water Action Group.

Kris Mbah, City resident, remarked on the progressive City of Ann Arbor and a need for medical marijuana dispensaries in the City of Kalamazoo.

Richard Stewart, City resident, expressed concerns regarding the decimalization of animal cruelty and requested that any legislation regarding animal cruelty be removed from the ordinance review process. Mr. Stewart remarked on recent violent crimes in his neighborhood and his inability to repair the fence on his property due to the Downtown Design Review District guidelines.

Ed Tarkowski, City resident, reported issues with methamphetamine in his neighborhood had been resolved. Mr. Tarkowski expressed concerns regarding a burned structure on James Street and requested the property be cleaned up by the City.

Cody Dekker, City resident, requested election day in the City of Kalamazoo be declared a holiday. Mr. Dekker enquired about City programs that addressed substance abuse issues.

City Attorney's Report

City Attorney Robinson addressed the Commission regarding the Policy Review Panel made up of Commissioner Cinabro, Commissioner Miller, and Commissioner Urban, and he indicated the following changes would be recommended for approval: 1) updates to language in the policies to include the references to the Mayor and Commissioners; 2) new language to address the possible need to cancel a Commission meeting due to inclement weather; 3) updated language to allow the City Attorney to settle court cases up to twenty-five thousand dollars; 4) new language to allow the City Manager to accept small grants of twenty five thousand dollars of less on the City's behalf; 5) new language to address video conferencing by Commissioners; and 6) new language in the Code of Ethics regarding what a Commissioner can or cannot do on behalf of a citizen who has an open lawsuit or investigation with the City. City Attorney Robinson stated any settlements or grants accepted would be reported to the City Commission.

Commissioner Cinabro thanked Attorney Robinson and fellow Commissioners Miller and Urban for all their hard work. Commissioner Cinabro requested the proposed changes be made available on the City's website.

Commissioner Comments

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

Commissioner Cunningham remarked on his experience welcoming back students at Woodward Elementary School. Commissioner Cunningham gave his condolences to the community regarding the violent offenses that had taken place during the day. Commissioner Cunningham stated he was interested to learn more about Dan Burden's walkability study and what it could do for the City of Kalamazoo.

Commissioner Comments (cont'd)

Commissioner Urban commented on Dan Burden's walkability study and how the City could move forward with the report. Commissioner Urban stated Kalamazoo was a destination city and needed to continue to capitalize on its assets to increase tourism.

Commissioner Cinabro asked Mr. Stewart for a "written retraction of any innuendo that Bob Cinabro directly or indirectly considered such a thing as promoting animal cruelty or decriminalizing animal cruelty in any form in the City of Kalamazoo."

In response to questions from Commissioner Cinabro, City Attorney Robinson stated Commissioner Cinabro had never asked him to consider decriminalizing animal abuse or cruelty. City Attorney Robinson indicated he had publicly mentioned decriminalizing portions of the animal ordinance, such as violations for barking dogs and animals running at large, but he had never considered decriminalizing animal cruelty. City Attorney Robinson noted that after his review of ordinances in Battle Creek, animal cruelty remained a criminal offense.

Commissioner Miller thanked City Attorney Robinson for all his hard work for the Policy Review Panel. Commissioner Miller reminded the community to drive safely as school was back in session.

Commissioner Cooney commented on the welcoming back of students at Edison Elementary School. Commissioner Cooney commented on the Racial Healing and Action Service put on by the Interfaith Strategy for Advocacy & Action in the Community (ISAAC) on Wednesday, September 2, 2015. Commissioner Cooney remarked on Commissioner Cinabro's love and respect for animals.

Mayor Hopewell wished City Manager Ritsema a Happy Birthday and congratulated Commissioner Miller on the recent marriage of her son. Mayor Hopewell commented on welcoming back students at Edison Elementary School. Mayor Hopewell stated he would be meeting with the Director of the Michigan Department of Transportation to discuss the East Michigan corridor and the Stadium Drive/Howard Street intersection. Mayor Hopewell announced he would be attending an Economic Summit in Detroit and the Michigan Municipal League's annual convention.

Adjournment

The meeting adjourned at 8:34 p.m.

Respectfully submitted,

Shelby Moss
Deputy City Clerk

For City Commission approval on September 21, 2015

Approved by: ______________________________
Bobby J. Hopewell, Mayor
Dated: September 21, 2015