



Agenda

City Commission Business Meeting

City of Kalamazoo

Monday, May 18, 2026

7:00 PM

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: Rev. Mary Austin, First Congregational Church
2. Pledge of Allegiance
3. Introduction of Guests
4. Proclamations
 - a. National Gun Violence Awareness Day
 - b. Department of Public Services Week 2026

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

E. PUBLIC COMMENTS

F. PUBLIC HEARINGS

1. Public hearing to receive comments on a resolution establishing the Zone 32 Neighborhood Enterprise Zone district at 825 Porter Street and 810 N Pitcher Street in the Northside Neighborhood. **(No Action)**

G. CONSENT AGENDA

(Action: Motion to approve items “1-19” and authorize the City Manager to sign all documents on behalf of the City)

1. Approval of a one-year sole source contract renewal with OpenGov, Inc. for the OpenGov suite of software in the amount of \$123,800.99.
2. Approval of a professional service agreement with Northern Pump & Well Company for well rehabilitations in the amount of \$128,431.
3. Approval of a contract with Republic Services for the removal of waste and recyclable materials at various City properties in the amount of \$136,578.48.
4. Approval of a contract supplemental and change order with Feyen-Zylstra, LLC to supply, install, and relocate two new sanitary pumps at the Woods Lake Lift Station in the amount of \$252,381.
5. Approval of a purchase from Trace3 through the MiDeal cooperative purchasing program for Cisco switches as part of hardware lifecycle replacement in the amount of \$268,831.18.
6. Approval of a contract extension with UNIQUE Paving Materials Corp. for asphalt patching materials in the amount of \$293,000.
7. Approval of a contract with L.D. Docsa Associates, Inc. for labor and materials to install launder covers on Secondary Clarifiers No. 5 through No. 8 at the Kalamazoo Water Reclamation Plant in the amount of \$406,177.
8. Approval of the appointment of Aaron Powers as City Assessor under the provisions of Charter Section 51; and approval of a three-year contract extension with Wayne County Appraisal, LLC d/b/a WCA Assessing for City Assessor and Assessor of Record services in the amount of \$456,710.76.
9. Approval of a purchase with MacQueen Equipment LLC through the Sourcewell cooperative purchasing program for a combination sewer cleaner in the amount of \$593,958.76.
10. Adoption of a RESOLUTION confirming the 2026 Assessment Roll.
11. Adoption of a RESOLUTION approving a request from the Downtown Development Authority to levy a tax rate of 1.9638 mills.
12. Adoption of a RESOLUTION approving a contract with the Michigan Department of Transportation for the resurfacing of Parkview Avenue from Drake Road to Tamsin Avenue in the amount of \$351,900.
13. Adoption of a RESOLUTION approving changes in the street lighting contract with Consumers Energy at 825 Porter Street.

14. Adoption of a RESOLUTION approving changes in the street lighting contract with Consumers Energy at 440 North Church Street.
15. Adoption of a RESOLUTION recommending approval of an Off-Premises Tasting Room Permit for One Well Brewing, located at 4213 Portage St.
16. Adoption of a RESOLUTION establishing a Social District within the Northside Cultural Business District.
17. Approval of a six-month extension of the City Manager's housing allowance in accordance with the terms of the City Manager Employment Agreement.
18. Approval of a Memorandum of Understanding with the Kalamazoo Regional Educational Service Agency / Career Connect for the summer youth employment and training program in the amount of \$416,000.
19. Approval of the minutes from the City Commission meetings on May 11, 2026.

H. REGULAR AGENDA

1. Approval of a purchase agreement with Stephen and Linda French for the purchase of Parcel No. 07-27-280-012 in Comstock Township in the amount of \$57,000. **(Action: Motion to approve)**
2. Approval of a contract extension with J & H Oil Company for gasoline, diesel, and biodiesel fuel in an amount not to exceed \$1,200,000. **(Action: Motion to approve)**
3. Approval of a three-year contract extension with Wayne County Appraisal, LLC d/b/a WCA Assessing for assessing services in the amount of \$1,398,611.16. **(Action: Motion to approve)**
4. Approval of a contract extension with Rieth-Riley Construction Co. for asphalt paving materials in the amount of \$1,635,400. **(Action: Motion to approve)**

I. REPORTS AND LEGISLATION

1. City Manager's Report

J. UNFINISHED BUSINESS

K. POLICY ITEMS

1. Adoption of amendments to the Marihuana Social Equity Policy. (**Action: Motion to adopt**)

L. NEW BUSINESS

M. COMMISSIONER COMMENTS

N. CLOSED SESSION

O. ADJOURNMENT

ADDITIONAL INFORMATION

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

Questions regarding agenda items may be answered prior to the meeting by contacting the City Manager's Office at 269.337.8047. Persons who wish to contact members of the City Commission prior to the meeting to provide input about items on the meeting agenda may do so via email to CityCommission@kalamazoocity.org.

Agendas for the regular meetings of the Kalamazoo City Commission are available on the Internet at: www.kalamazoocity.org. You may also use the QR Code below to access agendas and agenda packets.



QR Code to Access the Agenda & Agenda Packet

Use the camera on your phone or mobile device to scan the QR Code and then follow the instructions that appear on your screen.

The link will take you to <https://kalamazoomi.portal.civicclerk.com/> where you can view the meeting agendas and agenda packets.

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: **5/18/2026**

Item: **F.1.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: Chelsie Downs-Hubbarth, Community Investment Manager
Prepared by: Bobby Durkee, AICP, Assistant City Planner

DATE: May 18, 2026

SUBJECT: Public Hearing re: Creation of the Zone 32 NEZ District at 825 Porter Street and 810 N Pitcher Street in the Northside Neighborhood

RECOMMENDATION:

It is recommended that the City Commission adopt a resolution establishing the Zone 32 - NEZ District at 825 Porter Street & 810 N Pitcher Street at the June 15th, 2026 City Commission meeting.

BACKGROUND:

The Neighborhood Enterprise Zone (NEZ) Act (Act 147 of 1992, as amended) ("Act") provides a temporary tax reduction for a defined period of time for new construction or substantial rehabilitation of residential structures in an NEZ district. The stated purpose of the legislation is to improve the housing stock in distressed areas where little or no new construction is occurring and where housing is in need of repair. The legislation is intended to spur residential investment where it might not otherwise occur. Bogan Assett Management is seeking to create an NEZ district in support of a proposed phase II of Zone 32 phase I, which is a mixed use development with a child care facility across Pitcher Street. The mixed-use building includes thirty-eight (38) residential units and a small ground-floor retail space; any certificate request would be based on the eligible residential improvements.

Within this decade the State has expanded the types of NEZs and types of qualifying residential developments which qualify for a certificate, which is the formal approval of the reduced taxes for terms for up to 15 years. The intent of these expansions of qualifying residential and mixed uses were to promote development of more residential units and varied housing types (e.g house, duplex, apartments, mixed-use). In order for a project to take advantage of the tax benefits of this tool, an NEZ district must first be established by the City. Once the boundaries of the district are approved, individual projects may then request approval of the tax incentives for their project within the boundaries. The proposed Zone 32 Phase II development would be located within the proposed New NEZ district and may be eligible to apply for a certificate if all state and local

requirements are met. At the time of a Certificate request, which is applied for prior to construction the number of years of tax relief will be determined by alignment with the local criteria. Criteria includes a reduction of parking spaces and a percentage of affordable units in the new building.

A third-party financial review completed as part of the Brownfield Plan evaluation included a but-for analysis concluding that the project would not be financially feasible without public participation. A NEZ request reduces the cost of the project and further supports the incentive requests, near and long-term support to ensure quality housing stock is maintained during the benefit period and after it expires.

The type of NEZ being proposed allows for new construction dwelling units. The goals for establishing this district, to be known as Zone 32 NEZ, are to:

1. Promote the creation of new residential uses;
2. Utilize vacant and underutilized properties;
3. Promote development in areas where housing is needed;
4. Promote development where existing infrastructure and amenities exist;
5. Advance the City's vision for attainable housing, economic development, mixed-income development, housing type diversity, utilization of public transit, and mobility-focused initiatives and infill.

The final authority on the decision to grant the NEZ tax reduction is the State of Michigan Tax Commission, who verifies the local approval of a district by its resolution to create an NEZ district. After an issuance of a resolution, an applicant then has to apply to the State of Michigan for approval or denial of a NEZ Certificate. Note that a request for a Certificate will also require City Commission approval after the creation of any NEZ district. In the case of a new building, as proposed for this request, if approved by the State Tax Commission, the Certificate for tax reduction is held by the State until a Certificate of Occupancy is issued and then the years of reduced taxes start from that point, from the new assessed land value. If this district is created, staff recommends a future sunset of the district after five (5) years, unless continued district availability is warranted under the City Commission NEZ Policy.

Staff finds that the proposed Zone 32 NEZ District is consistent with the intent of Public Act 147 of 1992, as amended, and the City's NEZ Policy. The proposed district supports reinvestment in vacant and underutilized property, advances new housing production, leverages existing infrastructure, and provides a mechanism for a future certificate request to be reviewed through the City and State approval process.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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

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

The support for this development is for a development that is redeveloping former mixed-use areas of the city, largely residential and industrial uses. The proposed NEZ supports reinvestment in an existing neighborhood fabric rather than expansion into undeveloped areas. The project leverages prior public infrastructure, returns vacant and underutilized land to a productive use, and supports additional housing near existing transit, employment and neighborhood services.

COMMUNITY ENGAGEMENT:

Appropriate Depth of Engagement

Consult (two-way conversation) – the community will have a chance to react to the project through two-way conversation. The community is made aware of a request to create a NEZ District by a public notice sent to local taxing jurisdictions, to be held no more than 45 days of the letter being mailed on this public hearing. These notices were mailed out on April 14th, 2026.

In addition to the State-mandated notices for this public hearing, the Bogan Development team has held an open house on May 5 at their office across the street from Zone 32 Phase I. A flyer was distributed to properties within 300 feet of the proposed NEZ district, and the development team also contacted the Northside Association for Community Development to make them aware of the request.

FISCAL IMPACT:

Projects within a NEZ District may receive a reduced property tax obligation on eligible residential improvements, generally estimated at approximately half of the standard tax obligation during the certificate period, depending on the certificate type and applicable calculations.

The impact on the City in terms of staff time is:

- i. Staff time will be needed for additional assessing and treasury paperwork associated with the NEZ certificates and applications. The current project would require the processing of one certificate.
- ii. Staff time will be needed for housing and building inspections. Each inspection and application process has application and cost recovery fees which will offset the impact on the city's budget.
- iii. Staff time will be needed for annual monitoring of the terms of the project for which it received a certificate for tax abatement, such as for unit affordability.
- iv. This proposed NEZ will be accomplished with existing staffing.

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 26-__

**A RESOLUTION APPROVING THE
ESTABLISHMENT OF A NEIGHBORHOOD ENTERPRISE ZONE (NEZ) PROPERTY
AT 825 PORTER STREET & 810 PITCHER STREET IN THE NORTHSIDE
NEIGHBORHOOD TO BE KNOWN AS THE ZONE-32 NEZ**

Minutes of a regular meeting of the Kalamazoo City Commission held on June 15, 2026 at 7:00 p.m., local time, in the City Commission Chambers at City Hall, 241 W. South Street.

PRESENT, Commissioners:

ABSENT, Commissioners:

WHEREAS, The Neighborhood Enterprise Zone (NEZ) Program was established by Public Act 147 of 1992, as amended (the “Act”) to allow local governments to provide a tax incentive for the development and rehabilitation of residential housing in underdeveloped or distressed areas where neighborhood revitalization, and the development and rehabilitation of residential housing might not otherwise occur; and

WHEREAS, the City of Kalamazoo is a qualified local government authorized to establish one or more NEZ's; and

WHEREAS, the City Commission has established a policy for NEZ's through Resolution 23-47 and terms of establishment of a district and the qualifying terms for the establishment of an NEZ zone

WHEREAS, the City Commission finds that the location of the proposed NEZ District at is an underdeveloped area with legal description (Attachment A) and map (Attachment B), more commonly known as 825 Porter St & 810 N Pitcher St, consisting of undeveloped property, property with surface parking lots, vacant structures, and property in need of Rehabilitation; and

WHEREAS, the City Commission finds that the neighborhood revitalization, and development and rehabilitation of residential housing in the Zone 32 NEZ block needed to spur economic growth may not otherwise occur without the incentive for such that would be provided by the establishment of a NEZ; and

WHEREAS, the City Commission finds that the Zone 32 NEZ is compact and contiguous, contains enough platted parcels and is less than the maximum percentage of acreage required by the Act, otherwise meets the requirements of the Act for designation as an NEZ; and

WHEREAS, the City Commission finds that the zoning designation of the area within the Zone 32 NEZ, zoned Live-Work 1 (LW-1) per the City of 50-1.2 Zoning Map & 1.8 C of the Appendix A Zoning Ordinance, is considered a Qualified Downtown Revitalization District per the Act. The Live-Work 1 Zone per City of Kalamazoo Code 50-3.1 (b) demonstrate that this zone district is

within the boundaries of an area zoned and primarily used for business as defined by the City of Kalamazoo; and

WHEREAS, the City Commission finds that there is a need in the City of Kalamazoo for affordable housing and additional housing units which designation of the B-NEZ would help address; and

WHEREAS, the City Commission finds that its designation of the Zone 32 NEZ is consistent with the Master Plan, the commercial goals and actions of the Vine Neighborhood plan, and the neighborhood preservation and economic development goals of the City of Kalamazoo; and

WHEREAS, City staff has recommended that the designation of the Zone 32 NEZ as an NEZ District remain in effect for a period of five (5) years from the date of such designation.
Any Certificates approved within that five year period shall be valid for the number of years approved by the City Commission and in compliance with the terms approved by the City Commission Nez Policy 23-47; and

NOW, THEREFORE, BE IT RESOLVED THAT the B-NEZ is designated as a Neighborhood Enterprise Zone pursuant to Act 147 of 1992, as amended for a period of five years from the date of the adoption of this Resolution; and

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

AYES, Commissioners:

NAYS, Commissioners:

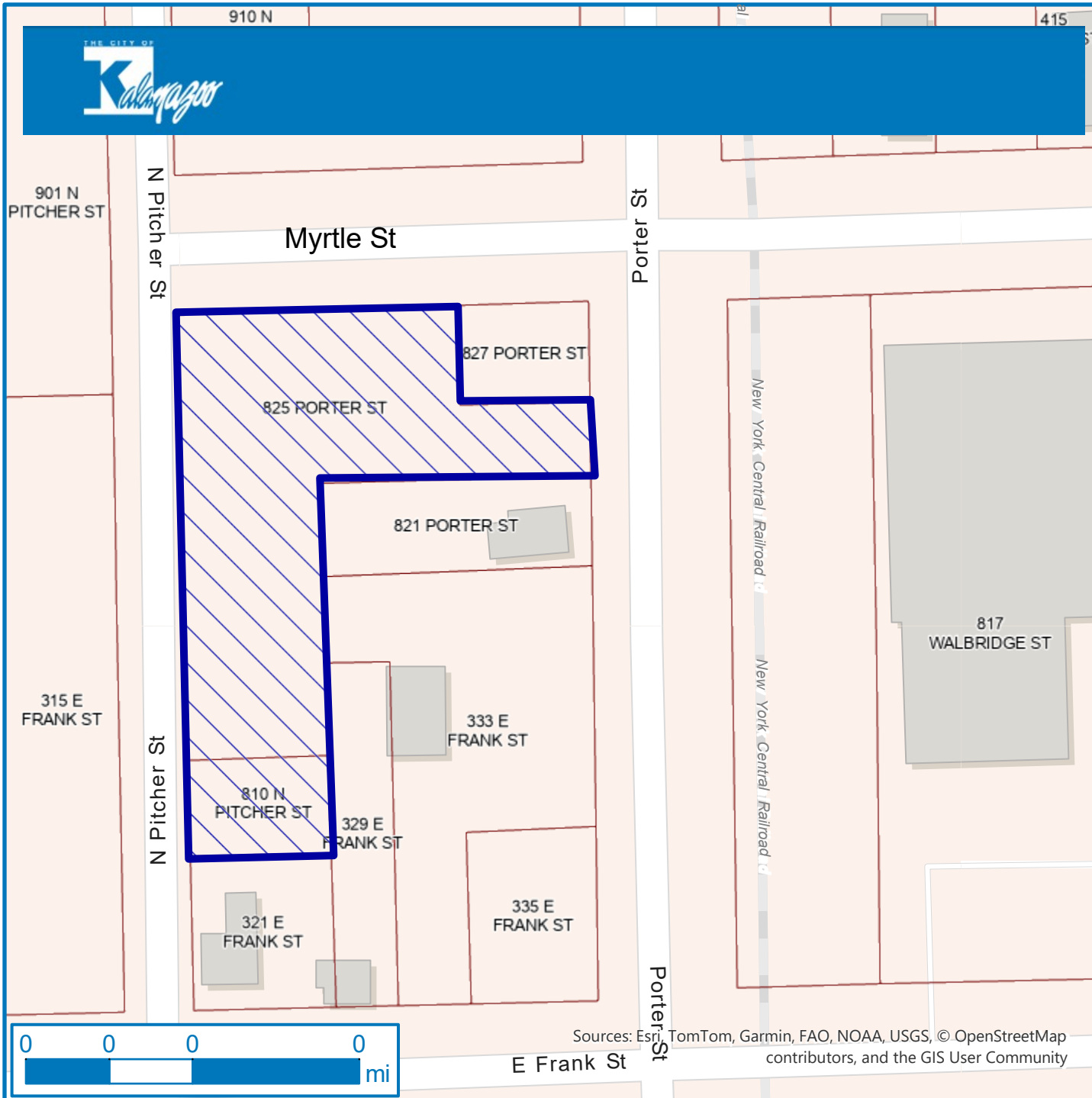
ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on June 15, 2026. Public notice was given, and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by the Act.

Scott A. Borling, City Clerk



LEGEND

PARCEL MAP

 Parcel

 Address

GENERAL INFORMATION

 City Boundary

 Proposed NEZ District
"Zone 32 - NEZ"



City Clerk's Office

241 W. South Street
Kalamazoo, MI 49007-4796
Ph. 269.337.8792
Fx. 269.337.8494
www.kalamazoocity.org

April 14, 2026

City of Kalamazoo
c/o Aaron Powers, City Assessor
241 W South St
Kalamazoo, MI 49007

Dear City Assessor Powers,

On Monday, May 18th, 2026 at 7:00 p.m., the Kalamazoo City Commission will conduct a public hearing regarding the proposed Zone 32 NEZ Neighborhood Enterprise Zone ("NEZ"). The NEZ provides a tax incentive for a defined period of time for new construction and redevelopment and is intended to improve to spur residential investment where it might not otherwise occur. The public hearing is being held pursuant to PA 147 of 1992 Neighborhood Enterprise Zone Act, as amended, and will occur in the City Commission Chambers of City Hall, at 241 West South Street, Kalamazoo, Michigan.

You are invited to attend the hearing to learn more about the proposed NEZ and provide comment. Per section 207.773(3) of Act 147 of 1992 (The Neighborhood Enterprise Zone Act), the city is required to notify the governing body and assessor of each taxing jurisdiction that levies ad valorem property taxes in the proposed neighborhood enterprise zone of our intention to create NEZ. A map of the proposed NEZ is enclosed for your review.

If you wish to express your views and recommendations prior to the hearing, or if you have any questions regarding the fiscal, economic or general implications of the proposed NEZ, please feel free to contact Bobby Durkee, Assistant City Planner at 269-337-8172 or durkeer@kalamazoocity.org. After the public hearing on May 18th, the City Commission will consider action to create the Zone 32 NEZ at their June 15, 2026 regular meeting.

Sincerely,

Shelby Moss
Deputy City Clerk

Map Enclosed



City Clerk's Office

241 W. South Street
Kalamazoo, MI 49007-4796
Ph. 269.337.8792
Fx. 269.337.8494
www.kalamazoocity.org

April 14, 2026

Kalamazoo County
c/o Kevin Catlin, County Administrator/Controller
201 W Kalamazoo Ave
Kalamazoo, MI 49007

Dear Administrator Catlin,

On Monday, May 18th, 2026 at 7:00 p.m., the Kalamazoo City Commission will conduct a public hearing regarding the proposed Zone 32 NEZ Neighborhood Enterprise Zone ("NEZ"). The NEZ provides a tax incentive for a defined period of time for new construction and redevelopment and is intended to improve to spur residential investment where it might not otherwise occur. The public hearing is being held pursuant to PA 147 of 1992 Neighborhood Enterprise Zone Act, as amended, and will occur in the City Commission Chambers of City Hall, at 241 West South Street, Kalamazoo, Michigan.

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Sincerely,

Shelby Moss
Deputy City Clerk

Map Enclosed



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Fx. 269.337.8494
www.kalamazoocity.org

April 14, 2026

Kalamazoo Valley Community College
c/o Marshall Washington, President
6767 West O Ave
Kalamazoo, MI 49009

Dear President Washington,

On Monday, May 18th, 2026 at 7:00 p.m., the Kalamazoo City Commission will conduct a public hearing regarding the proposed Zone 32 NEZ Neighborhood Enterprise Zone ("NEZ"). The NEZ provides a tax incentive for a defined period of time for new construction and redevelopment and is intended to improve to spur residential investment where it might not otherwise occur. The public hearing is being held pursuant to PA 147 of 1992 Neighborhood Enterprise Zone Act, as amended, and will occur in the City Commission Chambers of City Hall, at 241 West South Street, Kalamazoo, Michigan.

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Sincerely,

Shelby Moss
Deputy City Clerk

Map Enclosed



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April 14, 2026

KRESA Board of Education
c/o Dedrick Martin, Superintendent
1819 Milham Road
Kalamazoo, MI 49002

Dear Superintendent Martin,

On Monday, May 18th, 2026 at 7:00 p.m., the Kalamazoo City Commission will conduct a public hearing regarding the proposed Zone 32 NEZ Neighborhood Enterprise Zone ("NEZ"). The NEZ provides a tax incentive for a defined period of time for new construction and redevelopment and is intended to improve to spur residential investment where it might not otherwise occur. The public hearing is being held pursuant to PA 147 of 1992 Neighborhood Enterprise Zone Act, as amended, and will occur in the City Commission Chambers of City Hall, at 241 West South Street, Kalamazoo, Michigan.

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Sincerely,

A handwritten signature in blue ink that reads 'Shelby Moss'.

Shelby Moss
Deputy City Clerk

Map Enclosed



City Clerk's Office

241 W. South Street
Kalamazoo, MI 49007-4796
Ph. 269.337.8792
Fx. 269.337.8494
www.kalamazoo-city.org

April 14, 2026

Kalamazoo Public Library
c/o Michael Cockrell, Library Director
315 S Rose St
Kalamazoo, MI 49007

Dear Director Cockrell,

On Monday, May 18th, 2026 at 7:00 p.m., the Kalamazoo City Commission will conduct a public hearing regarding the proposed Zone 32 NEZ Neighborhood Enterprise Zone ("NEZ"). The NEZ provides a tax incentive for a defined period of time for new construction and redevelopment and is intended to improve to spur residential investment where it might not otherwise occur. The public hearing is being held pursuant to PA 147 of 1992 Neighborhood Enterprise Zone Act, as amended, and will occur in the City Commission Chambers of City Hall, at 241 West South Street, Kalamazoo, Michigan.

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Sincerely,

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Shelby Moss
Deputy City Clerk

Map Enclosed



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Fx. 269.337.8494
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April 14, 2026

Kalamazoo Public Schools
c/o Darrin Slade, Superintendent
1220 Howard St
Kalamazoo, MI 49008

Dear Superintendent Slade,

On Monday, May 18th, 2026 at 7:00 p.m., the Kalamazoo City Commission will conduct a public hearing regarding the proposed Zone 32 NEZ Neighborhood Enterprise Zone ("NEZ"). The NEZ provides a tax incentive for a defined period of time for new construction and redevelopment and is intended to improve to spur residential investment where it might not otherwise occur. The public hearing is being held pursuant to PA 147 of 1992 Neighborhood Enterprise Zone Act, as amended, and will occur in the City Commission Chambers of City Hall, at 241 West South Street, Kalamazoo, Michigan.

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Shelby Moss
Deputy City Clerk

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April 14, 2026

Central County Transportation Authority/Kalamazoo County Transportation Authority
c/o Sean McBride, Executive Director
530 N Rose St
Kalamazoo, MI 49007

Dear Executive Director McBride,

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Sincerely,

Shelby Moss
Deputy City Clerk

Map Enclosed



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April 14, 2026

Kalamazoo Downtown Development Authority
c/o Meghan Behymer, Downtown Coordinator
245 N Rose St
Kalamazoo, MI 49007

Dear Meghan Behymer,

On Monday, May 18th, 2026 at 7:00 p.m., the Kalamazoo City Commission will conduct a public hearing regarding the proposed Zone 32 NEZ Neighborhood Enterprise Zone ("NEZ"). The NEZ provides a tax incentive for a defined period of time for new construction and redevelopment and is intended to improve to spur residential investment where it might not otherwise occur. The public hearing is being held pursuant to PA 147 of 1992 Neighborhood Enterprise Zone Act, as amended, and will occur in the City Commission Chambers of City Hall, at 241 West South Street, Kalamazoo, Michigan.

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Sincerely,

Shelby Moss
Deputy City Clerk

Map Enclosed



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.1.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: Melissa Fuller, Deputy Director Management Services
Prepared by: Stephanie Radant, Budget Division Manager

DATE: May 18, 2026

SUBJECT: Approval of a sole source purchase with OpenGov for a one-year software renewal (Bid Ref #000-00-018.62)

RECOMMENDATION:

It is recommended that the City Commission approve a sole source purchase with OpenGov for a one-year software renewal in the amount of \$123,800.99.

BACKGROUND:

The City has been successfully using this software since 2018. It allows the City to utilize modern budgeting approaches to more efficiently and effectively gather budget requests and prepare the annual budget. This software provides transparency in financial reporting, performance measures for current goals and strategic initiatives, and budget transparency. OpenGov is the sole source provider of the City's current open data initiative.

The OpenGov Suite of software includes Operating & Capital Budgeting, Online Budget Book, Reporting & Analysis, Transparency, Open Town Hall, Performance Measures, Workforce Planning, Dashboards, Story Builder, Non-Financial Integration, Premium Support, and OpenGov University.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:



Good Governance- Ensuring the City organization has the capacity and resources to effectively implement the community's Strategic Vision in a way that is sustainable over the long term.

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 budget for OpenGov is included in the General Fund Information Technology operating budget. The contract will be expended from June 30, 2026 through June 29, 2027. The funding source for the contract is below.

Description	Account	Project #	Dollar Amount
Information Tech Enterprise Software	101-228-00.000-815.001		\$123,800.99



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.2.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Brock C. VanDyken, Water Superintendent

DATE: May 18, 2026

SUBJECT: Approval of a Professional Services Agreement with Northern Pump & Well Company for Well Rehabilitations (Bid Ref#91216-003.0.1)

RECOMMENDATION:

It is recommended the City Commission approve a professional service agreement with Northern Pump & Well Company (Northern) for well rehabilitation and associated maintenance in the amount of \$128,431.00.

BACKGROUND:

In 2024, Purchasing pre-approved three-year contracts with two drilling companies identified by staff as being qualified to perform hydrogeological services for the City of Kalamazoo for work on an as-needed-basis. These companies are Peerless-Midwest Inc. and Northern Pump and Well Company.

Water Resources contacted Northern to provide quotes to perform 3 well rehabilitations. Water Resources has been very satisfied with the work Northern has performed on previous well rehabilitations and recommends approval of this purchase order.

This work will focus on rehabilitation of wells at Station No. 1 and Station No. 11. Well rehabilitation is necessary to restore pumping capacity and performance of the well and to maintain shaft, screen, casing, column pipe, and spider assemblies through inspection, repair, and replacement.

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 funds required for this contract are \$128,431.00. The funding available and estimated costs are detailed below. We are requesting the approval of this contract using the funds below.

Description	Account	Project #	Dollar Amount
Water Fund	591-561-04.000-930.000		\$128,431.00



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.3.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Quentin Pike, Citywide Facilities Manager

DATE: May 18, 2026

SUBJECT: Approval of a contract with Republic Services for removal of waste and recyclable materials at various city properties (Bid Ref # 91027-029.0)

RECOMMENDATION:

It is recommended that the City Commission approve a contract with Republic Services for removal of waste and recyclable materials at various city properties in the amount of \$136,578.48.

BACKGROUND:

The City of Kalamazoo contracts waste and recyclable removal from all City facilities. Purchasing facilitated the procurement process to attain bids for removal of waste and recyclable materials at various city properties. Republic was the lowest responding vendor and is being recommended to provide this service.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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

Environmental Responsibility - A green and healthy City.

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 funds required for this contract are \$136,578.48. The 2026 funding available and estimated costs are detailed below. The funds needed for 2027 will be budgeted during the 2027 operating budget. We are requesting the approval of this contract using the funds below.

Description	Account	Project #	Dollar Amount
June - December 2026	101-216-00.000-801.000		\$139.26
June - December 2026	101-265-01.100-801.000		\$557.04
June - December 2026	101-349-00.000-801.000		\$480.00
June - December 2026	101-751-00.000-801.000		\$1,392.60
June - December 2026	101-753-00.000-801.000		\$450.00
June - December 2026	101-755-00.000-801.000		\$1,392.50
June - December 2026	101-756-00.000-801.000		\$1,114.08
June - December 2026	101-770-00.000-801.000		\$6,684.12
June - December 2026	590-543-00.000-801.000		\$5,570.22
June - December 2026	591-538-00.000-801.000		\$3,481.32
June - December 2026	591-561-02.000-801.000		\$557.04
Jan - December 2027	Various		\$114,760.30



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.4.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Brian Stygar, EIT, Electrical & Instrumentation Manager

DATE: May 18, 2026

SUBJECT: Approval of a contract supplemental/change order with Feyen-Zylstra LLC to supply, install and relocate two new sanitary lift station pumps at the Woods Lake lift station (Bid Ref #91438-004.0)

RECOMMENDATION:

It is recommended that the City Commission approve a contract supplemental/change order with Feyen-Zylstra LLC to supply, install and relocate two new sanitary lift station pumps at the Woods Lake lift station in the amount of \$252,381.00.

BACKGROUND:

On August 1st, 2022, the City of Kalamazoo awarded a contract to Feyen-Zylstra LLC for instrumentation, controls, and communication improvements at several sanitary lift station locations. Woods Lake improvements originally included a new control panel, and two new VFD (variable frequency drives) panels to control the speed of the pumps. To fit all this equipment into the existing lift station building and meet National Electric Code spacing requirements additional space is needed at the ground level of the station. To create this space the pumps were discussed and planned to be relocated downstairs by changing them to dry pit submersible pumps. These modifications were originally planned during design of these electrical improvements, but needs of the system caused priorities to change, and the pumps still require replacement. This additional scope of work will improve the pump and station design and create a safe, more efficient sanitary lift station.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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

Environmental Responsibility - A green and healthy City.

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 funds required for this contract supplemental are \$252,381.00. The funding available and estimated costs are detailed above. The necessary funds for this purchase are available in the FY26 Wastewater Capital Improvement Program. We are requesting the approval of this purchase using the funds listed above.

Description	Account	Project #	Dollar Amount
Wastewater CIP		wwr0100260-04-988.000	\$252,381.00



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.5.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: Tim Dubois, Chief Information Officer
Prepared by: John Hambright, Deputy Chief Information Officer

DATE: May 18, 2026

SUBJECT: Approval of a cooperative MiDeal purchase with Trace3 for Cisco switches as part of hardware lifecycle replacement (Bid Ref#000000-021.151)

RECOMMENDATION:

It is recommended that the City Commission approve the cooperative MIDEAL purchase of Cisco switches as part of hardware lifecycle replacement in the amount of \$268,831.18.

BACKGROUND:

The City replaces network devices like switches and wireless access points on a regular schedule to keep systems reliable, secure, and supported. Upgrading hardware is needed as older models lose support, create security risks, and become less dependable.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Good Governance- Ensuring the City organization has the capacity and resources to effectively implement the community's Strategic Vision in a way that is sustainable over the long term.

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 lifecycle replacement for network hardware is included in the City's Fiscal Year 2026 Information Technology operating budget.

Description	Account	Project #	Dollar Amount
IT Network and Security	101-228-00.000-976.000		\$268,831.18



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.6.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Tom Palumbo, PE, Senior Civil Engineer

DATE: May 18, 2026

SUBJECT: Approval of a contract extension with UNIQUE Paving Materials Corp. for Asphalt Patching Materials (Bid Ref #74567-013.1)

RECOMMENDATION:

It is recommended that the City Commission approve a contract extension with UNIQUE Paving Materials Corp. for Asphalt Patching Materials in the amount of \$293,000.00.

BACKGROUND:

Renewal pricing was obtained from UNIQUE Paving Materials. Asphalt patching continues to be a core function of Public Works operations. To ensure the best results, the City has maintained the alternative cold mix design used in recent years, which has demonstrated improved performance.

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

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.

FISCAL IMPACT:

The funds required for this contract are \$293,000. The funding for this blanket contract is available within the Public Services Department Major and Local Street Repair Budgets. The appropriate general ledger account will be charged based on usage. We are requesting the approval of this purchase using the funds below.

Description	Account	Project #	Dollar Amount
Major and Local Streets			\$293,000.00



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.7.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Ryan S. Stoughton, PE, Assistant City Engineer

DATE: May 18, 2026

SUBJECT: Approval of a contract with L D Docsa Associates Inc to install launder covers on the secondary clarifiers five (5) through eight (8) at the Kalamazoo Water Reclamation Plant located at the Harrison Facility (Bid Ref# 91359-005.0)

RECOMMENDATION:

It is recommended that the City Commission approve a contract with L D Docsa Associates Inc for labor and materials to install launder covers on the secondary clarifiers five (5) through eight (8) at the Kalamazoo Water Reclamation Plant located at the Harrison Facility in the amount of \$406,177.00.

BACKGROUND:

Natural algae formed on the secondary clarifier effluent launders creates an operational challenge on the tertiary disc filters when it detaches from the concrete wall and enters into the treatment flow. Covering the final clarifier effluent launders will prevent the algae from growing. To mitigate these challenges on an advanced timeline, the City posted a bid package on February 12, 2026 with a bid opening occurring on March 17, 2026.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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

Environmental Responsibility - A green and healthy City.

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 funds required for this contract are \$406,177.00. The funding available and estimated costs are detailed below. The necessary funds for this purchase are available in the FY26 Wastewater Capital Improvement Program. We are requesting the approval of this purchase using the funds below.

Description	Account	Project #	Dollar Amount
Wastewater CIP		wwr0100212-04-988.000	\$406,177.00



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.8.**

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

FROM: Malcolm Hankins, City Manager
Prepared by: Steve Vicenzi, CFO/Director of Management Services

DATE: May 18, 2026

SUBJECT: Approval of Contract Extension with Wayne County Appraisal, LLC d/b/a WCA Assessing for Assessor of Record Services (Bid Ref#946-16-003.7)

RECOMMENDATION:

It is recommended that the City Commission appoint Aaron Powers as City Assessor under the provisions of Charter Section 51, Effective June 1, 2026 and approve a three-year extension of a contract with Wayne County Appraisal, LLC d/b/a WCA Assessing to provide City Assessor/Assessor of Record services in the amount of \$456,710.76 for the duration of the contract, from June 1, 2026 through May 31, 2029.

BACKGROUND:

Since 2012, the City has contracted with Aaron Powers of WCA Assessing Services, located in Westland, Michigan, to provide Master Assessing services for the City.

The State is explicit as to the requirements for the supervision in the preparation of an assessment roll. WCA is also recommended to perform under a separate contract to complete all physical inspections/data entry pertaining to neighborhood reviews and building permits and handling of all small claims appeals. Therefore, Mr. Powers is in the best position to meet all State guidelines pertaining to roll preparation and supervision of the Assessment Roll.

Over the last several years, Mr. Powers has produced a completed Assessment Roll, fulfilled City Commission, staff and citizen requests and has handled full tribunal appeals from inception to completion.

Mr. Powers will continue, under supervision of the Director of Management Services/Chief Financial Officer, to perform all state and county statutory assessment duties including all required forms, act as secretary to the Board of Review, perform all required work that is necessary to produce a completed Assessment Roll, fulfill any City Commission requests and handle all full tribunal appeals from inception to completion.

Mr. Powers is on-site at City Hall in Kalamazoo several times a month, sets on-site appointments and meetings in advance and his office in Westland directly receives all calls and emails directed to the City Assessor. Mr. Powers works in conjunction with City staff and management to assure excellent assessing services.

The cost of this contract will supply the City with a state required Master Assessor to sign the assessment roll and to be on premises on a regular scheduled time frame so that appointments and meetings can be set in advance. Aaron Powers, the named Master Assessor will also be available by phone and e-mail and will work in conjunction with City staff and management to assure assessing services remain status quo.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Good Governance- Ensuring the City organization has the capacity and resources to effectively implement the community's Strategic Vision in a way that is sustainable over the long term.

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:

Funds to cover this contract are budgeted in the General Fund Budget within the Management Services Department, Assessing Division operating expenditures.

Description	Account	Project #	Dollar Amount
2026-2027 Agreement	101-257-00.000-801.000		\$144,872.52
2027-2028 Agreement	101-257-00.000-801.000		\$152,116.20
2028-2029	101-257-00.000-801.000		\$159,722.04



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.9.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Thomas Quigley, Public Services Fleet Manager

DATE: May 18, 2026

SUBJECT: Approval of a cooperative Sourcewell purchase with MacQueen Equipment LLC for a combination sewer cleaner (Bid Ref#00000-025.70)

RECOMMENDATION:

It is recommended that the City Commission approve a cooperative purchase with MacQueen Equipment LLC for a combination sewer cleaner in the amount of \$593,958.76.

BACKGROUND:

The City of Kalamazoo maintains approximately 300 miles of sanitary sewer pipe assets within the corporate limits of the City. In addition, the City maintains approximately 400 miles of sanitary sewer pipe assets within the City's partner communities. The City of Kalamazoo, Public Services Department, Wastewater Division routinely cleans debris and obstructions from the sanitary sewer system as best management practices within the asset management program as well as critical response to identified sewer blockages and overflows.

In addition to the combined approximate 700 miles of sanitary sewer pipes, the City also maintains 66 sanitary sewer lift stations. The wet wells of the lift stations also require routine cleaning maintenance utilizing a combination sewer cleaner as best management practices within the asset management program.

This equipment provides the City the opportunity to continue maintaining the City of Kalamazoo's Sanitary Sewer assets and respond to customer needs.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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

Environmental Responsibility - A green and healthy City.

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.

FISCAL IMPACT:

The funds required for this equipment purchase are \$593,958.76 including trade in for 4-393 and 4-394 and are included in the Wastewater 5-year operating capital plan. We are requesting the approval of this purchase using the funds below.

Description	Account	Project #	Dollar Amount
Vehicular Equipment	590-580-00.000-977.000		\$593,958.76



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.10.**

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

FROM: Malcolm Hankins, City Manager
Prepared by: Steve Vicenzi, Director of Management Services/CFO

DATE: May 18, 2026

SUBJECT: Resolution Confirming the 2026 Assessment Roll

RECOMMENDATION:

It is recommended that the City Commission adopt a resolution confirming the 2026 Assessment Roll.

BACKGROUND:

Section 85 of the City Charter requires the City Commission to confirm the annual Assessment Roll. Since the enactment of Proposal A, the City Commission is required to confirm both the state equalized value (SEV) and taxable value of the rolls. The SEV represents the assessor's value plus/minus any changes required by the County/State, bringing the total value to 50% of "true cash value" (estimated market value), which represents the State's Constitutional requirements. Furthermore, the taxable value of property, which is used to calculate property tax bills, has been further limited based on property tax caps set by the State Constitution and various State statutes.

The resolution will confirm the annual assessment rolls as reviewed and corrected by the Board of Review, the County of Kalamazoo, and the State of Michigan in the amount of \$3,168,934,950 (SEV) and the total taxable value amount of \$2,315,656,750.

The City Commission is also requested to confirm the amount of taxes to be raised for general operating purposes and Solid Waste.

The taxable amount of tax abated properties and qualified properties (in the Renaissance Zones, Neighborhood Enterprise Zones, Industrial Facilities Tax abatements Obsolete Property Rehabilitation Act & Land Bank Properties) are adjusted to arrive at an "effective taxable value". The effective taxable value after the Board of Review but prior to Brownfield and Tax Increment Financing (TIF) capture is \$2,294,695,231

There will not be a Headlee rollback (MCL 211.34d) to the 2026 millage rates. The rates as

adopted by resolution #26-04 are as follows:

General Operating	12.0000
Solid Waste	1.8000

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:



Good Governance- Ensuring the City organization has the capacity and resources to effectively implement the community's Strategic Vision in a way that is sustainable over the long term.

COMMUNITY ENGAGEMENT:

ALTERNATIVES

There is no recommended alternative. Failure to adopt the attached resolution would be a violation of the City Charter and State law and would prohibit the City Treasurer from issuing tax bills on July 1st.

COMMUNITY RESOURCES CONSULTED

The proposed 2026 Assessment Roll certificates have been provided to the Kalamazoo County Equalization Department, the Kalamazoo City Clerk's Office and the Kalamazoo City Treasurer's Office.

FISCAL IMPACT:

Based on the effective taxable value of \$2,294,695,231; the anticipated revenues are \$27,536,343 for the General Fund and \$4,130,451 for the Solid Waste Fund for a total of \$31,666,794 prior to Brownfield and TIF capture.

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 26-__

A RESOLUTION CONFIRMING THE 2026 ASSESSMENT ROLL

Minutes of a regular meeting of the City Commission of the City held on May 18, 2026, at 7:00 o'clock p.m. local time, at City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

WHEREAS, Section 85 of the City Charter of the City of Kalamazoo requires the City Commission to fully and finally confirm the annual assessment rolls upon completion of the review and correction of said rolls by the Board of Review, the County of Kalamazoo, and the State of Michigan; and

WHEREAS, said assessment rolls has been reviewed and corrected by the Board of Review, the County of Kalamazoo, and the State of Michigan:

NOW, THEREFORE, BE IT RESOLVED, that the 2026 assessment rolls as reviewed and corrected by the Board of Review, the County of Kalamazoo, and the State of Michigan in the total State Equalized Value amount of \$3,168,934,950 and the total Taxable Value amount of \$2,315,656,750 is hereby fully and finally confirmed.

BE IT FURTHER RESOLVED, that the amount to be raised by property taxes for general operating purposes and debt service in the 2026 Budget Resolution levied against the effective taxable value shall be approximately \$27,536,343.

BE IT FURTHER RESOLVED, that the amount to be raised by extra millage for solid waste and recycling programs levied against the effective taxable value shall be approximately \$4,130,451 pursuant to Public Act 298 of 1917, as amended.

The above resolution as offered by_

and supported by_

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on May 18, 2026. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267,1976). Minutes of the meeting will be available as required by said Act.

Scott A. Borling, City Clerk



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.11.**

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

FROM: Malcolm Hankins, City Manager
Prepared by: Steve Vicenzi, Director of Management Services / CFO

DATE: May 18, 2026

SUBJECT: Approval of DDA Tax Levy

RECOMMENDATION:

It is recommended that the City Commission adopt a resolution approving the request of the Downtown Development Authority to levy a tax rate of 1.9638 mills.

BACKGROUND:

The Downtown Development Authority adopted a resolution requesting that the City of Kalamazoo levy the DDA two-mill levy on its behalf. On January 5, 2026, the City Commission approved the 2026 DDA two-mill budget.

The DDA levy was subject to a Headlee rollback in 2004. The millage rollback occurred as a result of the district's taxable value increasing at a greater rate than the rate of inflation for that year. The rollback permanently reduces the DDA tax levy from 2.0 mills to 1.9638 mills.

The portion of the 2026 assessment roll attributed to the DDA at the conclusion of the March Board of Review is \$277,009,300 (SEV) and \$233,336,342 (Taxable).

The taxable amount of tax abated properties and qualified properties (Neighborhood Enterprise Zones, Industrial Facilities Tax abatement, Obsolete Property Rehabilitation Act & Land Bank properties) are adjusted to arrive at an "effective taxable value". The effective taxable value after the Board of Review and adjustments due to Brownfield and Tax Increment Financing (TIF) capture is \$145,530,034.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:



Good Governance- Ensuring the City organization has the capacity and resources to effectively implement the community's Strategic Vision in a way that is sustainable over the long term.

COMMUNITY ENGAGEMENT:

COMMUNITY RESOURCES CONSULTED

The City Commission conducted public budget deliberations, and both the Downtown Development Authority Board of Directors and the City Commission held public hearings.

ALTERNATIVES

The Commission could choose not to approve the millage. However, the Downtown Development Authority would not be able to collect the revenue appropriated for expenses in the 2026 Downtown Development Authority Budget.

FISCAL IMPACT:

The estimated revenue to be generated by the 1.9638 mill levy on the effective taxable value, which is after the reduction for captures by Brownfield and Tax Increment Financing districts, is approximately \$285,791.

CITY OF KALAMAZOO

RESOLUTION NO. 26-__

A RESOLUTION APPROVING THE REQUEST OF THE DOWNTOWN DEVELOPMENT AUTHORITY TO LEVY A 1.9638 MILL TAX ON ALL REAL AND TANGIBLE PERSONAL PROPERTY NOT EXEMPT BY LAW AND AS FINALLY EQUALIZED IN THE DOWNTOWN DEVELOPMENT DISTRICT PURSUANT TO ACT NO. 197 OF THE PUBLIC ACTS OF 1975 FOR FISCAL YEAR 2026.

Minutes of a regular meeting of the City Commission of the City held May 18, 2026, at 7:00 p.m., local time, at the City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

WHEREAS, the Downtown Development Authority Act, being Act No.197 of the Public Acts of 1975 as amended, authorizes the Downtown Development Authority to levy not more than two mills of tax on the real and tangible personal property not exempt by law and as finally equalized in the downtown district, and

WHEREAS, the Authority hereby finds and determines that the levying of such tax is necessary to carry out the purposes for which it was created; and

WHEREAS, the City of Kalamazoo has approved the levy of said tax for the years immediately preceding to halt property value deterioration and increase property valuation where possible in the business district and to eliminate the causes of that deterioration and to promote economic growth.

NOW, THEREFORE, BE IT RESOLVED, that the City of Kalamazoo approves the levy of a 1.9638 mill ad valorem tax on all real and tangible personal property not exempt by law and as finally equalized in the downtown district.

BE IT FURTHER RESOLVED, that all officials and employees of the Downtown Development Authority of Kalamazoo and the City of Kalamazoo are hereby directed and authorized to take whatever action is necessary and proper to levy the 1.9638 mills for 2026.

The above resolution was offered by Commissioner and seconded by Commissioner.

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on June 1, 2026. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by said Act.

Scott A. Borling, City Clerk



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.12.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Dennis A. Randolph, PE, Public Works Manager

DATE: May 18, 2026

SUBJECT: Approval of a contract with the Michigan Department of Transportation for Resurfacing of Parkview Avenue from Drake Road to Tamsin Avenue (Bid Ref#00000-026.55)

RECOMMENDATION:

It is recommended that the City Commission approve a contract with the Michigan Department of Transportation for the resurfacing of Parkview Avenue from Drake Road to Tamsin Avenue in the amount of \$351,900 of which \$288,030 is federal grant funds, and \$63,870 is the city's share.

BACKGROUND:

The City of Kalamazoo has been granted funds from the Federal Highway Administration and administered by the Michigan Department of Transportation under the "Surface Transportation – Urban" program. These funds are intended to improve and preserve streets and is consistent with the city's "Streets for All Program" and will help the city advance its efforts.

This project will consist of cold milling and hot mix asphalt paving along Parkview Avenue from Drake Road to Tamsin Avenue, including aggregate shoulder, structure adjustments, and permanent pavement markings, along with all necessary related work.

Approval of this agreement will allow the City to complete the project in accordance with finalized design requirements, regulatory obligations, and MDOT LAP procedures.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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

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 funds required for this contract are \$351,900. 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
Major Street CIP		mst0100306	\$63,870.00
Federal STU Program Funds			\$288,030.00

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 26-

**A RESOLUTION APPROVING CONTRACT 26-5124
FOR THE RESURFACING OF PARKVIEW AVE
FROM DRAKE RD TO TAMSIN AVE**

Minutes of a regular meeting of the Kalamazoo City Commission held on May 18, 2026 at 7:00 p.m., local time, in the City Commission Chambers at City Hall, 241 W. South Street.

PRESENT, Commissioners:

ABSENT, Commissioners:

Recitals:

1. The City of Kalamazoo had determined it is advantageous and desirable to contract with the Michigan Department of Transportation (MDOT) for the following public infrastructure improvements:

Hot mix asphalt cold milling and paving along Parkview Avenue from Drake Road to Tamsin Avenue, including aggregate shoulder, structure adjustments and permanent pavement markings; and all together with necessary related work.

2. MDOT has designated the agreement describing the terms and conditions for this project "Contract No. 26-5124".
3. MDOT requires a certified resolution from the local jurisdiction identifying the person(s) authorized to execute their contracts.

It is Resolved:

1. Contract No. 26-5124 with the Michigan Department of Transportation is approved.
2. The following officials are authorized to execute said contract on behalf of the City of Kalamazoo:

Malcolm Hankins, City Manager

Rebekah Kik, Deputy City Manager

Laura Lam, Chief Operating Officer

The above resolution was offered by Commissioner__ and seconded by Commissioner__.

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on May 11, 2026. Public notice was given and the meeting was conducted in compliance with the Michigan Open Meetings Act (PA 267 of 1976). Minutes of the meeting will be available as required by the Act.

Scott A. Borling, City Clerk

STP

DA

Control Section	STU 39000
Job Number	215577CON
Project	26A0429
CFDA No.	20.205 (Highway Research Planning & Construction)
Contract No.	26-5124

PART I

THIS CONTRACT, consisting of PART I and PART II (Standard Agreement Provisions), is made by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF KALAMAZOO, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements, in Kalamazoo, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I", dated April 6, 2026, attached hereto and made a part hereof:

Hot mix asphalt cold milling and paving along Parkview Avenue from Drake Road to Tamsin Avenue, including aggregate shoulder, structure adjustments and permanent pavement markings; and all together with necessary related work.

WITNESSETH:

WHEREAS, pursuant to Federal law, monies have been provided for the performance of certain improvements on public roads; and

WHEREAS, the reference "FHWA" in PART I and PART II refers to the United States Department of Transportation, Federal Highway Administration; and

WHEREAS, the PROJECT, or portions of the PROJECT, at the request of the REQUESTING PARTY, are being programmed with the FHWA, for implementation with the use of Federal Funds under the following Federal program(s) or funding:

SURFACE TRANSPORTATION PROGRAM

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

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NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto shall undertake and complete the PROJECT in accordance with the terms of this contract.

2. The term "PROJECT COST", as herein used, is hereby defined as the cost of the physical construction necessary for the completion of the PROJECT, including any other costs incurred by the DEPARTMENT as a result of this contract, except construction engineering and inspection.

No charges will be made by the DEPARTMENT to the PROJECT for any inspection work or construction engineering.

The costs incurred by the REQUESTING PARTY for preliminary engineering, construction engineering, construction materials testing, inspection, and right-of-way are excluded from the PROJECT COST as defined by this contract.

The Michigan Department of Environment, Great Lakes, and Energy, hereinafter referred to as "EGLE", has informed the DEPARTMENT that it adopted new administrative rules (R 325.10101, et. seq.) which prohibit any governmental agency from connecting and/or reconnecting lead and/or galvanized service lines to existing and/or new water main. Questions regarding these administrative rules should be directed to EGLE. The cost associated with replacement of any lead and/or galvanized service lines, including but not limited to contractor claims, will be the sole responsibility of the REQUESTING PARTY.

3. The DEPARTMENT is authorized by the REQUESTING PARTY to administer on behalf of the REQUESTING PARTY all phases of the PROJECT, including advertising and awarding the construction contract for the PROJECT or portions of the PROJECT. Such administration shall be in accordance with PART II, Section II of this contract.

Any items of the PROJECT COST incurred by the DEPARTMENT may be charged to the PROJECT.

4. The REQUESTING PARTY, at no cost to the PROJECT or to the DEPARTMENT, shall:

- A. Design or cause to be designed the plans for the PROJECT.
- B. Appoint a project engineer who shall be in responsible charge of the PROJECT and ensure that the plans and specifications are followed.
- C. Perform or cause to be performed the construction engineering, construction materials testing, and inspection services necessary for the completion of the PROJECT.

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The REQUESTING PARTY will furnish the DEPARTMENT proposed timing sequences for trunkline signals that, if any, are being made part of the improvement. No timing adjustments shall be made by the REQUESTING PARTY at any trunkline intersection, without prior issuances by the DEPARTMENT of Standard Traffic Signal Timing Permits.

5. The PROJECT COST shall be met in part by contributions by the Federal Government. Federal Surface Transportation Flex Funds in combination with Federal Surface Transportation Urban Funds shall be applied to the eligible items of the PROJECT COST up to the lesser of: (1) \$310,234 or (2) an amount such that 81.85 percent, the normal Federal participation ratio for such funds, is not exceeded at the time of the award of the construction contract with Federal Surface Transportation Flex Funds limited to \$110,234 and used first. The balance of the PROJECT COST, after deduction of Federal Funds, shall be charged to and paid by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

Any items of PROJECT COST not reimbursed by Federal Funds shall be the sole responsibility of the REQUESTING PARTY.

6. No working capital deposit will be required for this PROJECT.

In order to fulfill the obligations assumed by the REQUESTING PARTY under the provisions of this contract, the REQUESTING PARTY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the REQUESTING PARTY will be based upon the REQUESTING PARTY'S share of the actual costs incurred less Federal Funds earned as the PROJECT progresses.

7. At such time as traffic volumes and safety requirements warrant, the REQUESTING PARTY will cause to be enacted and enforced such ordinances as may be necessary to prohibit parking in the traveled roadway throughout the limits of the PROJECT.

8. The performance of the entire PROJECT under this contract, whether Federally funded or not, will be subject to the provisions and requirements of PART II that are applicable to a Federally funded project.

In the event of any discrepancies between PART I and PART II of this contract, the provisions of PART I shall prevail.

Build America, Buy America Requirements (2 CFR Part 184 and 2 CFR 200.322) and Buy America Requirements (23 CFR 635.410) shall apply to the PROJECT and will be adhered to, as applicable, by the parties hereto.

9. The REQUESTING PARTY certifies that it is not aware if and has no reason to believe that the property on which the work is to be performed under this agreement is a facility,

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as defined by the Michigan Natural Resources and Environmental Protection Act [(NREPA), PA 451, 1994, as amended 2012]; MCL 324.20101(1)(s). The REQUESTING PARTY also certifies that it is not a liable party pursuant to either Part 201 or Part 213 of NREPA, MCL 324.20126 et seq. and MCL 324.21323a et seq. The REQUESTING PARTY is a local unit of government that has acquired or will acquire property for the use of either a transportation corridor or public right-of-way and was not responsible for any activities causing a release or threat of release of any hazardous materials at or on the property. The REQUESTING PARTY is not a person who is liable for response activity costs, pursuant to MCL 324.20101 (vv) and (ww).

10. If, subsequent to execution of this contract, previously unknown hazardous substances are discovered within the PROJECT limits, which require environmental remediation pursuant to either state or federal law, the REQUESTING PARTY, in addition to reporting that fact to EGLE, shall immediately notify the DEPARTMENT, both orally and in writing of such discovery. The DEPARTMENT shall consult with the REQUESTING PARTY to determine if it is willing to pay for the cost of remediation and, with the FHWA, to determine the eligibility, for reimbursement, of the remediation costs. The REQUESTING PARTY shall be charged for and shall pay all costs associated with such remediation, including all delay costs of the contractor for the PROJECT, in the event that remediation and delay costs are not deemed eligible by the FHWA. If the REQUESTING PARTY refuses to participate in the cost of remediation, the DEPARTMENT shall terminate the PROJECT. The parties agree that any costs or damages that the DEPARTMENT incurs as a result of such termination shall be considered a PROJECT COST.

11. If federal and/or state funds administered by the DEPARTMENT are used to pay the cost of remediating any hazardous substances discovered after the execution of this contract and if there is a reasonable likelihood of recovery, the REQUESTING PARTY, in cooperation with EGLE and the DEPARTMENT, shall make a diligent effort to recover such costs from all other possible entities. If recovery is made, the DEPARTMENT shall be reimbursed from such recovery for the proportionate share of the amount paid by the FHWA and/or the DEPARTMENT and the DEPARTMENT shall credit such sums to the appropriate funding source.

12. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the FHWA pursuant to Title 23 of the United States Code.

Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT or its agents pursuant to the terms of this contract are done to assist the REQUESTING PARTY in meeting program guidelines in order to qualify for available funds. Such approvals, reviews, inspections and recommendations by the DEPARTMENT or its agents shall not relieve the REQUESTING PARTY and the local agencies, as applicable, of their ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT or its agents is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT or its agents does not relieve the REQUESTING PARTY and the local agencies, as applicable of their exclusive jurisdiction of the highway and responsibility under MCL 691.1402 et seq., as amended.

When providing approvals, reviews and recommendations under this contract, the DEPARTMENT or its agents is performing a governmental function, as that term is defined in MCL 691.1401 et seq., as amended, which is incidental to the completion of the PROJECT.

Upon completion of the PROJECT, the REQUESTING PARTY shall accept the facilities constructed as built to specifications within the contract documents. It is understood that the REQUESTING PARTY shall own the facilities and shall operate and maintain the facilities in accordance with all applicable Federal and State laws and regulations, including, but not limited to, Title II of the Americans with Disabilities Act (ADA), 42 USC 12131 et seq., and its associated regulations and standards, and DEPARTMENT Road and Bridge Standard Plans and the Standard Specifications for Construction.

13. The DEPARTMENT, by executing this contract, and rendering services pursuant to this contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402 et seq., as amended. Exclusive jurisdiction of such highway for the purposes of MCL 691.1402 et seq., as amended, rests with the REQUESTING PARTY and other local agencies having respective jurisdiction.

14. The REQUESTING PARTY shall approve all of the plans and specifications to be used on the PROJECT and shall be deemed to have approved all changes to the plans and specifications when put into effect. It is agreed that ultimate responsibility and control over the PROJECT rests with the REQUESTING PARTY and local agencies, as applicable.

15. The REQUESTING PARTY agrees that the costs reported to the DEPARTMENT for this contract will represent only those items that are properly chargeable in accordance with this contract. The REQUESTING PARTY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this contract that apply to the reporting of costs incurred under the terms of this contract.

16. Each party to this contract will remain responsible for any and all claims arising out of its own acts and/or omissions during the performance of the contract, as provided by this contract or by law. In addition, this is not intended to increase or decrease either party's liability for or immunity from tort claims. This contract is also not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this contract.

17. The parties shall promptly provide comprehensive assistance and cooperation in defending and resolving any claims brought against the DEPARTMENT by the contractor, vendors or suppliers as a result of the DEPARTMENT'S award of the construction contract for the

PROJECT. Costs incurred by the DEPARTMENT in defending or resolving such claims shall be considered PROJECT COSTS.

18. The DEPARTMENT shall require the contractor who is awarded the contract for the construction of the PROJECT to provide insurance in the amounts specified and in accordance with the DEPARTMENT'S current Standard Specifications for Construction and to:

- A. Maintain bodily injury and property damage insurance for the duration of the PROJECT.
- B. Provide owner's protective liability insurance naming as insureds the State of Michigan, the Michigan State Transportation Commission, the DEPARTMENT and its officials, agents and employees, the REQUESTING PARTY and any other county, county road commission, or municipality in whose jurisdiction the PROJECT is located, and their employees, for the duration of the PROJECT and to provide, upon request, copies of certificates of insurance to the insureds. It is understood that the DEPARTMENT does not assume jurisdiction of the highway described as the PROJECT as a result of being named as an insured on the owner's protective liability insurance policy.
- C. Comply with the requirements of notice of cancellation and reduction of insurance set forth in the current standard specifications for construction and to provide, upon request, copies of notices and reports prepared to those insured.

19. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolutions approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed as written below.

CITY OF KALAMAZOO

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
for Department Director MDOT

By _____
Title:



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April 6, 2026

EXHIBIT I

CONTROL SECTION	STU 39000
JOB NUMBER	215577CON
PROJECT	26A0429

ESTIMATED COST

CONTRACTED WORK

Estimated Cost	\$351,900
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COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	\$351,900
Less Federal Funds*	<u>\$288,030</u>
BALANCE (REQUESTING PARTY'S SHARE)	\$ 63,870

*Federal Funds for the PROJECT are limited to an amount as described in Section 5.

NO DEPOSIT

DOT

TYPE B
BUREAU OF HIGHWAYS
03-15-93

PART II

STANDARD AGREEMENT PROVISIONS

SECTION I COMPLIANCE WITH REGULATIONS AND DIRECTIVES

SECTION II PROJECT ADMINISTRATION AND SUPERVISION

SECTION III ACCOUNTING AND BILLING

SECTION IV MAINTENANCE AND OPERATION

SECTION V SPECIAL PROGRAM AND PROJECT CONDITIONS

SECTION I

COMPLIANCE WITH REGULATIONS AND DIRECTIVES

- A. To qualify for eligible cost, all work shall be documented in accordance with the requirements and procedures of the DEPARTMENT.
- B. All work on projects for which reimbursement with Federal funds is requested shall be performed in accordance with the requirements and guidelines set forth in the following Directives of the Federal-Aid Policy Guide (FAPG) of the FHWA, as applicable, and as referenced in pertinent sections of Title 23 and Title 49 of the Code of Federal Regulations (CFR), and all supplements and amendments thereto.
 - 1. Engineering
 - a. FAPG (6012.1): Preliminary Engineering
 - b. FAPG (23 CFR 172): Administration of Engineering and Design Related Service Contracts
 - c. FAPG (23 CFR 635A): Contract Procedures
 - d. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments—Allowable Costs
 - 2. Construction
 - a. FAPG (23 CFR 140E): Administrative Settlement Costs-Contract Claims
 - b. FAPG (23 CFR 140B): Construction Engineering Costs
 - c. FAPG (23 CFR 17): Recordkeeping and Retention Requirements for Federal-Aid Highway Records of State Highway Agencies
 - d. FAPG (23 CFR 635A): Contract Procedures
 - e. FAPG (23 CFR 635B): Force Account Construction
 - f. FAPG (23 CFR 645A): Utility Relocations, Adjustments and Reimbursement

- g. FAPG (23 CFR 645B): Accommodation of Utilities (PPM 30-4.1)
 - h. FAPG (23 CFR 655F): Traffic Control Devices on Federal-Aid and other Streets and Highways
 - i. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments—Allowable Costs
3. Modification Or Construction Of Railroad Facilities
- a. FAPG (23 CFR 140I): Reimbursement for Railroad Work
 - b. FAPG (23 CFR 646B): Railroad Highway Projects
- C. In conformance with FAPG (23 CFR 630C) Project Agreements, the political subdivisions party to this contract, on those Federally funded projects which exceed a total cost of \$100,000.00 stipulate the following with respect to their specific jurisdictions:
- 1. That any facility to be utilized in performance under or to benefit from this contract is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities issued pursuant to the requirements of the Federal Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended.
 - 2. That they each agree to comply with all of the requirements of Section 114 of the Federal Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all regulations and guidelines issued thereunder.
 - 3. That as a condition of Federal aid pursuant to this contract they shall notify the DEPARTMENT of the receipt of any advice indicating that a facility to be utilized in performance under or to benefit from this contract is under consideration to be listed on the EPA List of Violating Facilities.
- D. Ensure that the PROJECT is constructed in accordance with and incorporates all committed environmental impact mitigation measures listed in approved environmental documents unless modified or deleted by approval of the FHWA.
- E. All the requirements, guidelines, conditions and restrictions noted in all other pertinent Directives and Instructional Memoranda of the FHWA will apply to this contract and will be adhered to, as applicable, by the parties hereto.

SECTION II

PROJECT ADMINISTRATION AND SUPERVISION

- A. The DEPARTMENT shall provide such administrative guidance as it determines is required by the PROJECT in order to facilitate the obtaining of available federal and/or state funds.
- B. The DEPARTMENT will advertise and award all contracted portions of the PROJECT work. Prior to advertising of the PROJECT for receipt of bids, the REQUESTING PARTY may delete any portion or all of the PROJECT work. After receipt of bids for the PROJECT, the REQUESTING PARTY shall have the right to reject the amount bid for the PROJECT prior to the award of the contract for the PROJECT only if such amount exceeds by ten percent (10%) the final engineer's estimate therefor. If such rejection of the bids is not received in writing within two (2) weeks after letting, the DEPARTMENT will assume concurrence. The DEPARTMENT may, upon request, readvertise the PROJECT. Should the REQUESTING PARTY so request in writing within the aforesaid two (2) week period after letting, the PROJECT will be cancelled and the DEPARTMENT will refund the unused balance of the deposit less all costs incurred by the DEPARTMENT.
- C. The DEPARTMENT will perform such inspection services on PROJECT work performed by the REQUESTING PARTY with its own forces as is required to ensure compliance with the approved plans & specifications.
- D. On those projects funded with Federal monies, the DEPARTMENT shall as may be required secure from the FHWA approval of plans and specifications, and such cost estimates for FHWA participation in the PROJECT COST.
- E. All work in connection with the PROJECT shall be performed in conformance with the Michigan Department of Transportation Standard Specifications for Construction, and the supplemental specifications, Special Provisions and plans pertaining to the PROJECT and all materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. No extra work shall be performed nor changes in plans and specifications made until said work or changes are approved by the project engineer and authorized by the DEPARTMENT.

- F. Should it be necessary or desirable that portions of the work covered by this contract be accomplished by a consulting firm, a railway company, or governmental agency, firm, person, or corporation, under a subcontract with the REQUESTING PARTY at PROJECT expense, such subcontracted arrangements will be covered by formal written agreement between the REQUESTING PARTY and that party.

This formal written agreement shall: include a reference to the specific prime contract to which it pertains; include provisions which clearly set forth the maximum reimbursable and the basis of payment; provide for the maintenance of accounting records in accordance with generally accepted accounting principles, which clearly document the actual cost of the services provided; provide that costs eligible for reimbursement shall be in accordance with clearly defined cost criteria such as 49 CFR Part 18, 48 CFR Part 31, 23 CFR Part 140, OMB Circular A-87, etc. as applicable; provide for access to the department or its representatives to inspect and audit all data and records related to the agreement for a minimum of three years after the department's final payment to the local unit.

All such agreements will be submitted for approval by the DEPARTMENT and, if applicable, by the FHWA prior to execution thereof, except for agreements for amounts less than \$100,000 for preliminary engineering and testing services executed under and in accordance with the provisions of the "Small Purchase Procedures" FAPG (23 CFR 172), which do not require prior approval of the DEPARTMENT or the FHWA.

Any such approval by the DEPARTMENT shall in no way be construed as a warranty of the subcontractor's qualifications, financial integrity, or ability to perform the work being subcontracted.

- G. The REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, shall make such arrangements with railway companies, utilities, etc., as may be necessary for the performance of work required for the PROJECT but for which Federal or other reimbursement will not be requested.
- H. The REQUESTING PARTY, at no cost to the PROJECT, or the DEPARTMENT, shall secure, as necessary, all agreements and approvals of the PROJECT with railway companies, the Railroad Safety & Tariffs Division of the DEPARTMENT and other concerned governmental agencies other than the FHWA, and will forward same to the DEPARTMENT for such reviews and approvals as may be required.
- I. No PROJECT work for which reimbursement will be requested by the REQUESTING PARTY is to be subcontracted or performed until the DEPARTMENT gives written notification that such work may commence.

- J. The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of the work it agrees to undertake and perform.
- K. The REQUESTING PARTY shall pay directly to the party performing the work all billings for the services performed on the PROJECT which are authorized by or through the REQUESTING PARTY.
- L. The REQUESTING PARTY shall submit to the DEPARTMENT all paid billings for which reimbursement is desired in accordance with DEPARTMENT procedures.
- M. All work by a consulting firm will be performed in compliance with the applicable provisions of 1980 PA 299, Subsection 2001, MCL 339.2001; MSA 18.425(2001), as well as in accordance with the provisions of all previously cited Directives of the FHWA.
- N. The project engineer shall be subject to such administrative guidance as may be deemed necessary to ensure compliance with program requirement and, in those instances where a consultant firm is retained to provide engineering and inspection services, the personnel performing those services shall be subject to the same conditions.
- O. The DEPARTMENT, in administering the PROJECT in accordance with applicable Federal and State requirements and regulations, neither assumes nor becomes liable for any obligations undertaken or arising between the REQUESTING PARTY and any other party with respect to the PROJECT.
- P. In the event it is determined by the DEPARTMENT that there will be either insufficient Federal funds or insufficient time to properly administer such funds for the entire PROJECT or portions thereof, the DEPARTMENT, prior to advertising or issuing authorization for work performance, may cancel the PROJECT, or any portion thereof, and upon written notice to the parties this contract shall be void and of no effect with respect to that cancelled portion of the PROJECT. Any PROJECT deposits previously made by the parties on the cancelled portions of the PROJECT will be promptly refunded.
- Q. Those projects funded with Federal monies will be subject to inspection at all times by the DEPARTMENT and the FHWA.

SECTION III

ACCOUNTING AND BILLING

A. Procedures for billing for work undertaken by the REQUESTING PARTY:

1. The REQUESTING PARTY shall establish and maintain accurate records, in accordance with generally accepted accounting principles, of all expenses incurred for which payment is sought or made under this contract, said records to be hereinafter referred to as the "RECORDS". Separate accounts shall be established and maintained for all costs incurred under this contract.

The REQUESTING PARTY shall maintain the RECORDS for at least three (3) years from the date of final payment of Federal Aid made by the DEPARTMENT under this contract. In the event of a dispute with regard to the allowable expenses or any other issue under this contract, the REQUESTING PARTY shall thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

The DEPARTMENT, or its representative, may inspect, copy, or audit the RECORDS at any reasonable time after giving reasonable notice.

If any part of the work is subcontracted, the REQUESTING PARTY shall assure compliance with the above for all subcontracted work.

In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract, or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY, a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense and, (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate

arrangements to conveniently and reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The assessment of interest will begin thirty (30) days from the date of the invoice. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT'S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, as amended, including, but not limited to, the Single Audit Amendments of 1996 (31 USC 7501-7507).

The REQUESTING PARTY shall adhere to the following requirements associated with audits of accounts and records:

- a. Agencies expending a total of \$500,000 or more in federal funds, from one or more funding sources in its fiscal year, shall comply with the requirements of the federal Office of Management and Budget (OMB) Circular A-133, as revised or amended.

The agency shall submit two copies of:

The Reporting Package
The Data Collection Form
The management letter to the agency, if one issued by the audit firm

The OMB Circular A-133 audit must be submitted to the address below in accordance with the time frame established in the circular, as revised or amended.

b. Agencies expending less than \$500,000 in federal funds must submit a letter to the Department advising that a circular audit was not required. The letter shall indicate the applicable fiscal year, the amount of federal funds spent, the name(s) of the Department federal programs, and the CFDA grant number(s). This information must also be submitted to the address below.

c. Address: Michigan Department of Education
Accounting Service Center
Hannah Building
608 Allegan Street
Lansing, MI 48909

d. Agencies must also comply with applicable State laws and regulations relative to audit requirements.

e. Agencies shall not charge audit costs to Department's federal programs which are not in accordance with the OMB Circular A-133 requirements.

f. All agencies are subject to the federally required monitoring activities, which may include limited scope reviews and other on-site monitoring.

2. Agreed Unit Prices Work - All billings for work undertaken by the REQUESTING PARTY on an agreed unit price basis will be submitted in accordance with the Michigan Department of Transportation Standard Specifications for Construction and pertinent FAPG Directives and Guidelines of the FHWA.
3. Force Account Work and Subcontracted Work - All billings submitted to the DEPARTMENT for Federal reimbursement for items of work performed on a force account basis or by any subcontract with a consulting firm, railway company, governmental agency or other party, under the terms of this contract, shall be prepared in accordance with the provisions of the pertinent FHPM Directives and the procedures of the DEPARTMENT. Progress billings may be submitted monthly during the time work is being performed provided, however, that no bill of a lesser amount than \$1,000.00 shall be submitted unless it is a final

or end of fiscal year billing. All billings shall be labeled either "Progress Bill Number _____", or "Final Billing".

4. Final billing under this contract shall be submitted in a timely manner but not later than six months after completion of the work. Billings for work submitted later than six months after completion of the work will not be paid.
5. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with Federal monies, the DEPARTMENT will act as billing agent for the REQUESTING PARTY, consolidating said billings with those for its own force account work and presenting these consolidated billings to the FHWA for payment. Upon receipt of reimbursement from the FHWA, the DEPARTMENT will promptly forward to the REQUESTING PARTY its share of said reimbursement.
6. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with non-Federal monies, the DEPARTMENT will promptly forward to the REQUESTING PARTY reimbursement of eligible costs.

B. Payment of Contracted and DEPARTMENT Costs:

1. As work on the PROJECT commences, the initial payments for contracted work and/or costs incurred by the DEPARTMENT will be made from the working capital deposit. Receipt of progress payments of Federal funds, and where applicable, State Critical Bridge funds, will be used to replenish the working capital deposit. The REQUESTING PARTY shall make prompt payments of its share of the contracted and/or DEPARTMENT incurred portion of the PROJECT COST upon receipt of progress billings from the DEPARTMENT. Progress billings will be based upon the REQUESTING PARTY'S share of the actual costs incurred as work on the PROJECT progresses and will be submitted, as required, until it is determined by the DEPARTMENT that there is sufficient available working capital to meet the remaining anticipated PROJECT COSTS. All progress payments will be made within thirty (30) days of receipt of billings. No monthly billing of a lesser amount than \$1,000.00 will be made unless it is a final or end of fiscal year billing. Should the DEPARTMENT determine that the available working capital exceeds the remaining anticipated PROJECT COSTS, the DEPARTMENT may reimburse the REQUESTING PARTY such excess. Upon completion of the PROJECT, payment of all PROJECT COSTS, receipt of all applicable monies from the FHWA, and completion of necessary audits, the REQUESTING PARTY will be reimbursed the balance of its deposit.

2. In the event that the bid, plus contingencies, for the contracted, and/or the DEPARTMENT incurred portion of the PROJECT work exceeds the estimated cost therefor as established by this contract, the REQUESTING PARTY may be advised and billed for the additional amount of its share.

C. General Conditions:

1. The DEPARTMENT, in accordance with its procedures in existence and covering the time period involved, shall make payment for interest earned on the balance of working capital deposits for all projects on account with the DEPARTMENT. The REQUESTING PARTY in accordance with DEPARTMENT procedures in existence and covering the time period involved, shall make payment for interest owed on any deficit balance of working capital deposits for all projects on account with the DEPARTMENT. This payment or billing is processed on an annual basis corresponding to the State of Michigan fiscal year. Upon receipt of billing for interest incurred, the REQUESTING PARTY promises and shall promptly pay the DEPARTMENT said amount.
2. Pursuant to the authority granted by law, the REQUESTING PARTY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified in PART I and PART II. If the REQUESTING PARTY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the REQUESTING PARTY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the REQUESTING PARTY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the REQUESTING PARTY with payment thereof, and to notify the REQUESTING PARTY in writing of such fact.
3. Upon completion of all work under this contract and final audit by the DEPARTMENT or the FHWA, the REQUESTING PARTY promises to promptly repay the DEPARTMENT for any disallowed items of costs previously disbursed by the DEPARTMENT. The REQUESTING PARTY pledges its future receipts from the Michigan Transportation Fund for repayment of all disallowed items and, upon failure to make repayment for any disallowed items within ninety (90) days of demand made by the DEPARTMENT, the DEPARTMENT is hereby authorized to withhold an equal amount from the REQUESTING PARTY'S share of any future distribution of Michigan Transportation Funds in settlement of said claim.

4. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT and upon completion of the PROJECT, payment of all items of PROJECT COST, receipt of all Federal Aid, if any, and completion of final audit by the DEPARTMENT and if applicable, by the FHWA, shall make final accounting to the REQUESTING PARTY. The final PROJECT accounting will not include interest earned or charged on working capital deposited for the PROJECT which will be accounted for separately at the close of the State of Michigan fiscal year and as set forth in Section C(1).
5. The costs of engineering and other services performed on those projects involving specific program funds and one hundred percent (100%) local funds will be apportioned to the respective portions of that project in the same ratio as the actual direct construction costs unless otherwise specified in PART I.

SECTION IV

MAINTENANCE AND OPERATION

- A. Upon completion of construction of each part of the PROJECT, at no cost to the DEPARTMENT or the PROJECT, each of the parties hereto, within their respective jurisdictions, will make the following provisions for the maintenance and operation of the completed PROJECT:

1. All Projects:

Properly maintain and operate each part of the project, making ample provisions each year for the performance of such maintenance work as may be required, except as qualified in paragraph 2b of this section.

2. Projects Financed in Part with Federal Monies:

- a. Sign and mark each part of the PROJECT, in accordance with the current Michigan Manual of Uniform Traffic control Devices, and will not install, or permit to be installed, any signs, signals or markings not in conformance with the standards approved by the FHWA, pursuant to 23 USC 109(d).
- b. Remove, prior to completion of the PROJECT, all encroachments from the roadway right-of-way within the limits of each part of the PROJECT.

With respect to new or existing utility installations within the right-of-way of Federal Aid projects and pursuant to FAPG (23 CFR 645B): Occupancy of non-limited access right-of-way may be allowed based on consideration for traffic safety and necessary preservation of roadside space and aesthetic quality. Longitudinal occupancy of non-limited access right-of-way by private lines will require a finding of significant economic hardship, the unavailability of practicable alternatives or other extenuating circumstances.

- c. Cause to be enacted, maintained and enforced, ordinances and regulations for proper traffic operations in accordance with the plans of the PROJECT.
- d. Make no changes to ordinances or regulations enacted, or traffic controls installed in conjunction with the PROJECT work without prior review by the DEPARTMENT and approval of the FHWA, if required.

- B. On projects for the removal of roadside obstacles, the parties, upon completion of construction of each part of the PROJECT, at no cost to the PROJECT or the DEPARTMENT, will, within their respective jurisdictions, take such action as is necessary to assure that the roadway right-of-way, cleared as the PROJECT, will be maintained free of such obstacles.
- C. On projects for the construction of bikeways, the parties will enact no ordinances or regulations prohibiting the use of bicycles on the facility hereinbefore described as the PROJECT, and will amend any existing restrictive ordinances in this regard so as to allow use of this facility by bicycles. No motorized vehicles shall be permitted on such bikeways or walkways constructed as the PROJECT except those for maintenance purposes.
- D. Failure of the parties hereto to fulfill their respective responsibilities as outlined herein may disqualify that party from future Federal-aid participation in projects on roads or streets for which it has maintenance responsibility. Federal Aid may be withheld until such time as deficiencies in regulations have been corrected, and the improvements constructed as the PROJECT are brought to a satisfactory condition of maintenance.

SECTION V

SPECIAL PROGRAM AND PROJECT CONDITIONS

- A. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the acquisition of right-of-way must be under construction by the close of the twentieth (20th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that right-of-way.
- B. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the performance of preliminary engineering must be under construction by the close of the tenth (10th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.
- C. On those projects funded with Federal monies, the REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, will provide such accident information as is available and such other information as may be required under the program in order to make the proper assessment of the safety benefits derived from the work performed as the PROJECT. The REQUESTING PARTY will cooperate with the DEPARTMENT in the development of reports and such analysis as may be required and will, when requested by the DEPARTMENT, forward to the DEPARTMENT, in such form as is necessary, the required information.
- D. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.
- E. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

APPENDIX A

PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011

APPENDIX B TITLE VI ASSURANCE

During the performance of this contract, the contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

1. **Compliance with Regulations:** For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department or the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to, the following:
 - a. Withholding payments to the contractor until the contractor complies; and/or
 - b. Canceling, terminating, or suspending the contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Department or the USDOT may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a contractor becomes involved in or is threatened with litigation from a subcontractor or supplier as a result of such direction, the contractor may request the Department to enter into such litigation to protect the interests of the state. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Revised June 2011

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

Assurance that Recipients and Contractors Must Make (Excerpts from US DOT Regulation 49 CFR 26.13)

- A. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:**

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

- B. Each contract MDOT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:**

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.13.**

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

FROM: Malcolm A. Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Jesse Okeley, Right of Way Supervisor

DATE: May 18, 2026

SUBJECT: Consumers Energy - Authorization for Change in the Street Lighting Contract –
825 Porter Street (Bid Ref#00000-026.54)

RECOMMENDATION:

It is recommended that the City Commission adopt a RESOLUTION authorizing the City Manager to sign an Authorization for Change in Standard Lighting Contract with Consumers Energy for changes at 825 Porter Street.

BACKGROUND:

The City of Kalamazoo works closely with Consumers Energy for the placement of street lighting within the City. In order for additional or lighting upgrades, Consumers Energy requires a signed resolution for changes to the Standard Street Lighting Contract. This request is for the removal of utility poles at 825 Porter.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:
Safe Community

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 is a marginal annual cost associated with the update. The capital costs to install the street lighting has been paid for by others.

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING CHANGES IN THE STANDARD
LIGHTING CONTRACT WITH CONSUMERS ENERGY FOR
REMOVAL OF STREET LIGHT AT 825 PORTER**

Minutes of a regular meeting of the Kalamazoo City Commission held on May 18, 2026 at 7:00 p.m., local time, in the City Commission Chambers at City Hall, 241 W. South Street.

PRESENT, Commissioners:

ABSENT, Commissioners:

It is Resolved:

1. That it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of Kalamazoo, dated 10/1/2015, in accordance with the Authorization for Change in Standard Lighting Contract dated, 05/18/2026, heretofore submitted to and considered by this Commission; and
2. The following officials are authorized to execute such authorization for change on behalf of the City of Kalamazoo:

Malcolm Hankins, City Manager

Rebekah Kik, Deputy City Manager

Laura Lam, Chief Operating Officer

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

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on May 18, 2026. Public notice was given and the meeting was conducted in compliance with the Michigan Open Meetings Act (PA 267 of 1976). Minutes of the meeting will be available as required by the Act.

Scott A. Borling, City Clerk



**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING
CONTRACT (COMPANY-OWNED) FORM 547**

Contract Number: 103029411081

Consumers Energy Company is authorized as of _____ by the City of KALAMAZOO CITY, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of KALAMAZOO CITY, dated 10/1/2015.

Lighting Type: General Unmetered Light Emitting Diode Lighting Rate GU-LED

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 10/1/2015 shall remain in full force and effect.

Notification Number(s): 1077124153

Comments: Design Doc: 11873004, 11873853, 11877990, 11877837

City of KALAMAZOO CITY

By: _____

(Signature)

(Printed)

Its: _____

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

GENERAL UNMETERED LIGHT EMITTING DIODE LIGHTING RATE GU-LED

- (2) 54 watt LED White Cobrahead Non-Cutoff to Remove at location Loc 5 & 7;

GENERAL NOTES

- OUTAGE REQUIRED
- CITY WELL & SEWER
- SW ORDER 2026-01045

CIRCUIT:
MOSEL 1659
PITCHER 01

UPSTREAM DEVICE:
0503-800A RECLOSER
LOCATION:
PROUTY ST & EDWARDS ST

(2) INSTALL

45-2
S8FGDE.(3)SP5,NEUT DE
FIGURE 23-153-1
P=4',D=5'
S8FGDE.FG INS.(3)PRI DE,NEUT DE
FIGURE 23-229-1
20K-FG-P-13'-RT
FIGURE 22-101-14 DETAIL A

(3) REMOVE

SBS.(3)SP5,NEUT DE

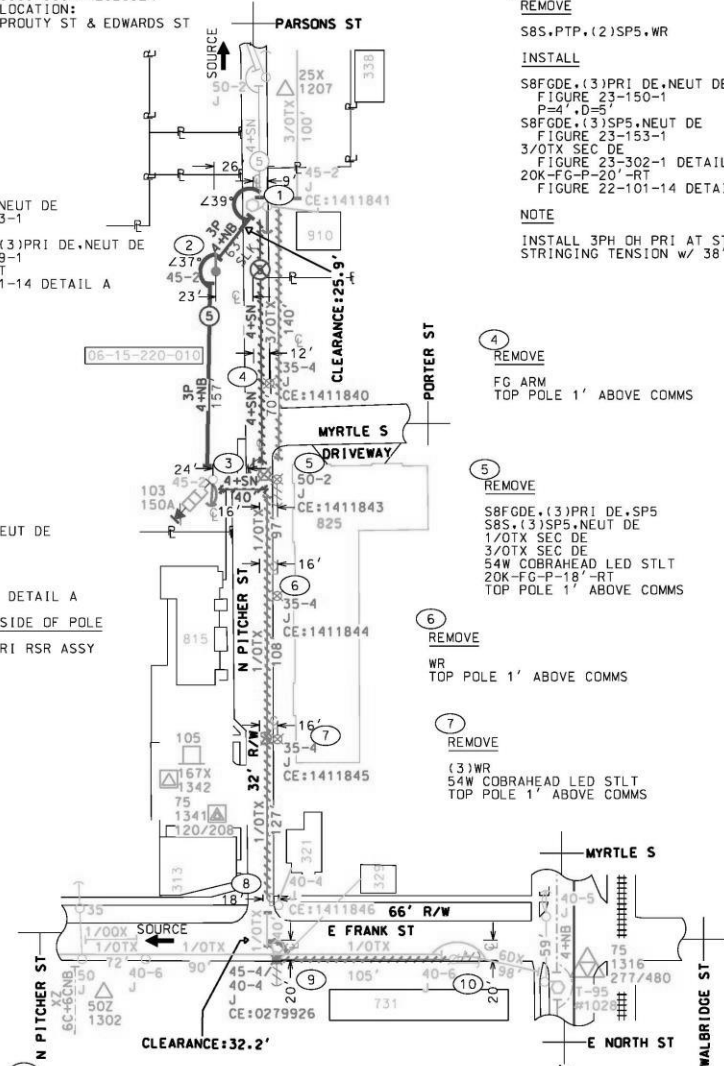
INSTALL
S8FGDE.(3)PRI DE,NEUT DE
FIGURE 23-150-1
D=11'
20K-FG-P-12'-STE
11K-P
FIGURE 22-101-15 DETAIL A

RELOCATE TO NORTH SIDE OF POLE

SBS W/ (3)CD,3PH PRI RSR ASSY
FIGURE 63-31-1

CIRCUIT:
COOLEY 0369
NORTH STREET 02

UPSTREAM DEVICE:
XFMR TLM 5211151302
LOCATION:
825 SCUDDER CT



(1) REMOVE

SBS,PTP,(2)SP5,WR

INSTALL

S8FGDE.(3)PRI DE,NEUT DE
FIGURE 23-150-1
P=4',D=5'
S8FGDE.(3)SP5,NEUT DE
FIGURE 23-153-1
3/OTX SEC DE
FIGURE 23-302-1 DETAIL A
20K-FG-P-20'-RT
FIGURE 22-101-14 DETAIL A

NOTE

INSTALL 3PH OH PRI AT STANDARD
STRINGING TENSION W/ 38" SAG

(4) REMOVE

FG ARM
TOP POLE 1' ABOVE COMMS

(5) REMOVE

S8FGDE.(3)PRI DE,SP5
SBS.(3)SP5,NEUT DE
1/OTX SEC DE
3/OTX SEC DE
54W COBRAHEAD LED STL
20K-FG-P-18'-RT
TOP POLE 1' ABOVE COMMS

(6) REMOVE

WR
TOP POLE 1' ABOVE COMMS

(7) REMOVE

(3)WR
54W COBRAHEAD LED STL
TOP POLE 1' ABOVE COMMS

(8) REMOVE

(3)WR

INSTALL

1/OTX SEC DE
FIGURE 23-302-1 DETAIL A

(9) REMOVE

(3)WR
11K-P-10'-RS
11K-P-12'-RS
11K-P SPAN GUY
TOP POLE 1' ABOVE COMMS

INSTALL

40-4
SEC TAN CLP
FIGURE 23-301-1
1/OTX SEC DE
FIGURE 23-302-1 DETAIL A

TRANSFER

54W COBRAHEAD LED STL - MOUNT AT 23'
6" MTG BRKT W/ BOND WIRE
FIGURE 42-102-1
OH SVC

NOTE

RESAG 1/OTX TO SVC TENSION W/ 11" SAG

MISS DIG System, Inc.
1-800-482-7171



METER ORDER NUMBER	SUBSTATION	WO NO.	825 PORTER ST. KZO - ECNC RLO				JOB PURPOSE:						
	MOSEL & COOLEY	699.A.0289	CM NO.100008270443				CUST REQUESTED OH LINES RELOCATED TO PREPARE FOR NEW APARTMENT BUILDING.						
METER NUMBER	CIRCUIT	EXT NO.	TLM NUMBER	# OF RODS	OHMS	ORDER TYPE	MAT. TYPE	NOTIFICATION NUMBER	DESIGN NUMBER	ORDER NUMBER	UPSTREAM SECTIONALIZING DEVICE:	CONSUMERS ENERGY CONTACTS	
	PITCHER & NORTH ST	01 & 02	52111512			ECNC	RLO	1076591556	11873004		0503-800A RECLOSER	DEPARTMENT	NAME
READ						ECNC	RLO	1076987586	11873853		XFMR TLM 1302	COORDINATOR	KEVIN SCHILL
METER LOCATION						ECNC	RLO	1077124153	11877990		LOCATION:	DESIGNER	JACOB J. WILSON
						ECNC	RLO	1077126050	11877937		PROUTY ST/EDWARDS ST & 825 SCUDDER CT		NUMBER
													769-500-1559
													269-532-9012

- OUTAGE REQUIRED
- CITY WELL & SEWER
- SW ORDER 2026-01045

CIRCUIT:
MOSEL 1659
PITCHER 01

UPSTREAM DEVICE;
0503-800A RECLOSER
LOCATION:
PROUTY ST & EDWARDS ST

2 INSTALL

45-2
S8FGDE,(3)SP5,NEUT DE
FIGURE 23-153-1
P=4',D=5' — R
S8FGDE,FG INS,(3)PRI DE,NEUT DE
FIGURE 23-229-1
20K-FG-P-13'-RT
FIGURE 22-101-14 DETAIL A

1
REMOVE

S8S, PTP, (2) SP5, WR

INSTALL

S8FGDE,(3)PRI DE,NEUT DE
FIGURE 23-150-1
P=4',D=5'
S8FGDE,(3)SP5,NEUT DE
FIGURE 23-153-1
3/OTX SEC DE
FIGURE 23-302-1 DETAIL A
20K-FG-P-20'-RT
FIGURE 22-101-14 DETAIL A

NOTE

INSTALL 3PH OH PRI AT STANDARD
STRINGING TENSION w/ 38" SAG

4
REMOVE

FG ARM
TOP POLE 1' ABOVE COMMS

5
REMOVE

S8FGDE,(3)PRI DE,SP5
S8S,(3)SP5,NEUT DE
1/OTX SEC DE
3/OTX SEC DE
54W COBRAHEAD LED STLT
20K-FG-P-18'-RT
TOP POLE 1' ABOVE COMMS

6
REMOVE

WR
TOP POLE 1' ABOVE COMMS

7
REMOVE

(3)WR
54W COBRAHEAD LED STLT
TOP POLE 1' ABOVE COMMS

8
REMOVE

(3) WR

INSTALL

1/OTX SEC DE
FIGURE 23-302-1 DETAIL A

CIRCUIT:
COOLEY 0369
NORTH STREET 02

UPSTREAM DEVICE;
XFMR TLM 5211151302
LOCATION:
825 SCUDDER CT

9
REMOVE

(3)WR
11K-P-10'-RS
11K-P-12'-RS
11K-P SPAN GUY
TOP POLE 1' ABOVE COMMS

INSTALL

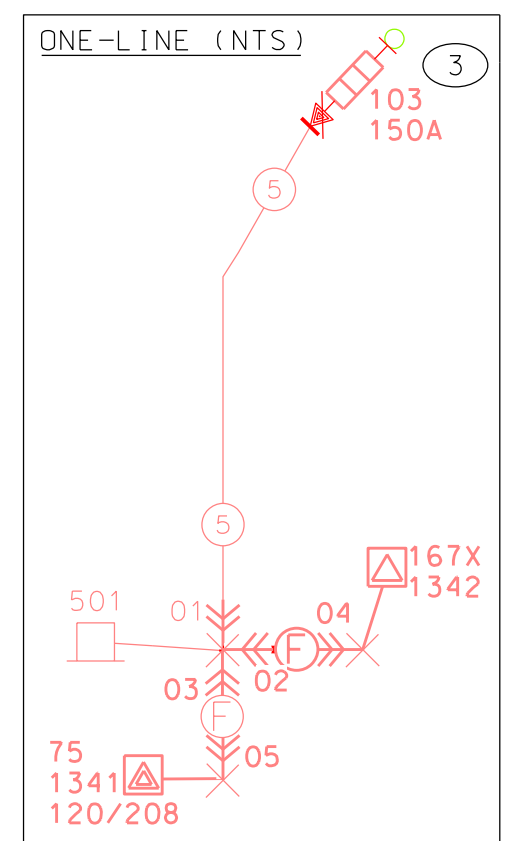
40-4
SEC TAN CLP
FIGURE 23-301-1
1/OTX SEC DE
FIGURE 23-302-1 DETAIL A

TRANSFER

54W COBRAHEAD LED STLT - MOUNT AT 23'
6' MTG BRKT w/ BOND WIRE
FIGURE 42-102-1
OH SVC

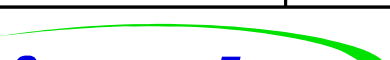
NOTE

RESAG 1/OTX TO SVC TENSION w/ 11" SAG



MISS DIG System, Inc.
1-800-482-7171



METER ORDER NUMBER	SUBSTATION	WD NO.						825 PORTER ST, KZO - ECNC RLO					JOB PURPOSE:											
_____	MOSEL & COOLEY	1659 & 0369						CM NO.100008270443					CUST REQUESTED OH LINES RELOCATED TO PREPARE FOR NEW APARTMENT BUILDING.											
METER NUMBER	CIRCUIT	CKT NO.	TLM NUMBER	# OF RODS	OHMS																			
_____	PITCHER & NORTH ST	01 & 02	52111512			ORDER TYPE	MAT. TYPE	NOTIFICATION NUMBER	DESIGN NUMBER	ORDER NUMBER														
READ	 A CMS Energy Company ELECTRIC		CE STAKING REQ'D ☒ Yes ☐ No			ECNC	RLO	1076591556	11873004	UPSTREAM SECTIONALIZING DEVICE: 0503-800A & XFORM TLM 1302 LOCATION: PROUTY ST/EDWARDS ST & 825 SCUDDER CT														
			EREI	OHL	1076987586	11873853																		
			EREI	OHL	1077124153	11877990																		
FORESTRY REQ'D ☐ Yes ☒ No			ECNC	RLO	1077126050	11877837																		
METER LOCATION											CONSUMERS ENERGY CONTACTS													
__											<table><tr><td>DEPARTMENT</td><td>NAME</td><td>NUMBER</td></tr><tr><td>COORDINATOR</td><td>KEVIN SCHUELE</td><td>269-500-1459</td></tr><tr><td>DESIGNER</td><td>JACOB D'ORFEN</td><td>269-532-9012</td></tr></table>					DEPARTMENT	NAME	NUMBER	COORDINATOR	KEVIN SCHUELE	269-500-1459	DESIGNER	JACOB D'ORFEN	269-532-9012
DEPARTMENT	NAME	NUMBER																						
COORDINATOR	KEVIN SCHUELE	269-500-1459																						
DESIGNER	JACOB D'ORFEN	269-532-9012																						
ELECTRIC CAD TITLE BLOCK (2020)			SHEET C	SHEET 1 OF 1	SCALE 1"=100'	KALAMAZOO CO					KALAMAZOO TWP T 02S R 11W SEC. 15													



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.14.**

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

FROM: Malcolm A. Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Jesse Okeley, Right of Way Supervisor

DATE: May 18, 2026

SUBJECT: Consumers Energy - Authorization for Change in the Street Lighting Contract –
440 North Church Street (Bid Ref#00000-026.54)

RECOMMENDATION:

It is recommended that the City Commission adopt a RESOLUTION authorizing the City Manager to sign an Authorization for Change in Standard Lighting Contract with Consumers Energy for changes at 440 North Church Street.

BACKGROUND:

The City of Kalamazoo works closely with Consumers Energy for the placement of street lighting within the City. In order for additional or lighting upgrades, Consumers Energy requires a signed resolution for changes to the Standard Street Lighting Contract. This request is for the removal and replacement of street lights at 440 North Church Street.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:
Safe Community

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 is a marginal annual cost associated with the update. The capital costs to install the street lighting has been paid for by others.

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING CHANGES IN THE STANDARD
LIGHTING CONTRACT WITH CONSUMERS ENERGY FOR
REMOVAL OF STREET LIGHT AT 440 NORTH CHURCH STREET**

Minutes of a regular meeting of the Kalamazoo City Commission held on May 18, 2026 at 7:00 p.m., local time, in the City Commission Chambers at City Hall, 241 W. South Street.

PRESENT, Commissioners:

ABSENT, Commissioners:

It is Resolved:

1. That it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of Kalamazoo, dated 10/1/2015, in accordance with the Authorization for Change in Standard Lighting Contract dated, 05/18/2026, heretofore submitted to and considered by this Commission; and
2. That it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of Kalamazoo, dated 04/01/2013, in accordance with the Authorization for Change in Standard Lighting Contract dated, 05/18/2026, heretofore submitted to and considered by this Commission; and
3. The following officials are authorized to execute such authorization for change on behalf of the City of Kalamazoo:

Malcolm Hankins, City Manager

Rebekah Kik, Deputy City Manager

Laura Lam, Chief Operating Officer

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

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on May 18, 2026. Public notice was given and the meeting was conducted in compliance with the Michigan Open Meetings Act (PA 267 of 1976). Minutes of the meeting will be available as required by the Act.

Scott A. Borling, City Clerk



**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING
CONTRACT(COMPANY-OWNED) FORM 547**

Contract Number: 103029411081

Consumers Energy Company is authorized as of _____ by the City of KALAMAZOO CITY, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of KALAMAZOO CITY, dated 10/1/2015.

Lighting Type: General Unmetered Light Emitting Diode Lighting Rate GU-LED

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 10/1/2015 shall remain in full force and effect.

Contract Number: 100000267342

Consumers Energy Company is authorized as of _____ by the City of KALAMAZOO CITY, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of KALAMAZOO CITY, dated 4/1/2013.

Lighting Type: General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 4/1/2013 shall remain in full force and effect.

Notification Number(s): 1077098752

Comments:

City of KALAMAZOO CITY

By: _____

(Signature)

(Printed)

Its: _____

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

- (1) 150 watt HPS Center Suspension NA to Remove at location 201 W KALAMAZOO AVE;

GENERAL UNMETERED LIGHT EMITTING DIODE LIGHTING RATE GU-LED

- (1) 70 watt LED White Cobrahead NA to Remove at location 201 W KALAMAZOO AVE;
- (1) 54 watt LED White Cobrahead NA to Remove at location 246 W KALAMAZOO AVE;

GENERAL NOTE
 OUTAGE REQUIRED
 TRANSFER TLM3206 TO CE1833796
 TOPPED POLE AT LOC5,7-8,14 REMOVED
 AFTER COMMS TRANSFER ATTACHMENTS
 ERET NOTIFICATION: 1076566184
 HYDROVAC REQUESTED FOR POLE
 RELOCATION WORK PER 9010
 METRO TO PROVIDE CONDUIT FOR RISER
 AND CALL IN SWITCHING ORDER AT LOC104

HLT NEEDED AT SUBSTATION

UPSTREAM DEVICE:
 0437-900A SWITCH
 LOCATION:
 N PARK ST
 W WILLARD ST

14 REMOVE CE:1833796
 TOP POLE 1' ABOVE COMMS
 S8S, (3) SP5, 4TX DE
 S8FGDE
 (3) OPEN SEC DE, (6) WR
INSTALL
 55-2
 S8S, PTP, (2) SP5
 FIGURE 23-140-1 DETAIL A
 D=11.5'
 S8S, (3) 25KVA XFMR ASSY
 FIGURE 26-301-1
 MOUNT HT:35'
 4TX DE
 FIGURE 23-302-1 DETAIL A
 (3) WR
 FIGURE 23-303-1 DETAIL A
TRANSFER
 (2) OH SVC

13 REMOVE
 D8S, (3) SP5
INSTALL
 S8FGDE, (3) OPEN WIRE SEC DE 23'
 FIGURE 23-303-1 DETAIL B
 20K-1P-15'-RT
 FIGURE 22-405-1 DETAIL A

10 REMOVE CE:1833789
 (4) OPEN WIRE SEC DE
INSTALL
 NEUT DE
 11K-1P SPAN GUY ATTACHMENT
 FIGURE 22-420-1 DETAIL B
 ATTACH 175" FROM POLE TOP
TRANSFER
 STLT W/BRKT TO LOC104
 FIGURE 42-103-1
 MOUNT HT:25'
 BOND TO NEUT
 FIGURE 42-105-1 DETAIL B
INSTALL
 55-1
 S8FGDE, 3P PRI DE, NEUT DE
 FIGURE 23-150-1
 S8FGDE, (3) SP5, NEUT DE
 FIGURE 23-153-1
 FIGURE 23-229-1
 S8FGDE, (3) OPEN WIRE SEC DE
 FIGURE 23-303-1 DETAIL B
 S8S, LA, CO W/200A FUSE
 FIGURE 63-31-1
 P=4
 D=1'
 4TX DE
 FIGURE 23-302-1 DETAIL A
 20K-FG-1P SPAN GUY ASSY
 20K-FG-1P-
 FIGURE 22-420-1 DETAIL D
 ATTACH 15", 193"
 11K-1P SPAN GUY ASSY
 FIGURE 22-420-1 DETAIL B
 ATTACH 191" FROM POLE TOP
NOTE
 INSTALL POLE 3' SOUTH OF LOC10

9 INSTALL
 50-2
 S8FGDE, (2) 3P PRI DE, (2) NEUT DE
 FIGURE 23-153-1
 D=10'
 (2) 4TX DE
 FIGURE 23-302-1
 DETAIL A
REMOVE CE:1833786
 TOP POLE 1' ABOVE COMMS
 D8S, (2) 3P PRI DE, (3) SP5
 (2) WR
 11K-1P SPAN GUY ATTACHMENT
INSTALL
 50-2
 (2) S8FGDE, (6) SP5, (2) NEUT DE
 FIGURE 23-153-1
 FIGURE 23-229-1
 P=4
 D=9'
 4TX DE, 6DX DE
 FIGURE 23-302-1 DETAIL A
TRANSFER
 STLT W/BRKT
 FIGURE 42-103-1
 MOUNT HT:25'
 BOND TO NEUT
 FIGURE 42-105-1
 DETAIL B

1 REMOVE CE:0657839
 S8S, (3) SP5
 S8S, (3) 100KVA XFMR ASSY
 (3) WR

2 REMOVE CE:0657838
 S8S, (3) SP5

3 REMOVE CE:0657836
 S8S, (2) SP5, PTP
 (2) D8S, 1/00X DE
 (6) OPEN WIRE SEC DE
 11K-1P SPAN GUY ASSY
 C/S STLT ATTACHMENT
INSTALL
 6DX DE
 FIGURE 23-302-1 DETAIL A

5 REMOVE CE:1833514
 TOP POLE 1' ABOVE COMMS
 D8S, 3P PRI DE
 STLT BRKT W/70W LED
 1/0TX DE
 11K-FG-1P-RS

4 REMOVE CE:1833513
 TOP POLE 1' ABOVE SEC
 S8S, (2) 3P PRI DE, (3) SP5
 C/S STLT ASSY
 1/00X DE, (3) WR
 11K-1P SPAN GUY ATTACHMENT
 11K-FG-1P-RS
INSTALL
 1/0TX DE
 FIGURE 23-302-1 DETAIL A

10A INSTALL
 55-1
 S8FGDE, 3P PRI DE, NEUT DE
 FIGURE 23-150-1
 S8FGDE, (3) SP5, NEUT DE
 FIGURE 23-153-1
 FIGURE 23-229-1
 S8FGDE, (3) OPEN WIRE SEC DE
 FIGURE 23-303-1 DETAIL B
 S8S, LA, CO W/200A FUSE
 FIGURE 63-31-1
 P=4
 D=1'
 4TX DE
 FIGURE 23-302-1 DETAIL A
 20K-FG-1P SPAN GUY ASSY
 20K-FG-1P-
 FIGURE 22-420-1 DETAIL D
 ATTACH 15", 193"
 11K-1P SPAN GUY ASSY
 FIGURE 22-420-1 DETAIL B
 ATTACH 191" FROM POLE TOP
NOTE
 INSTALL POLE 3' SOUTH OF LOC10

100A INSTALL
 35-4
 20K-FG-1P SPAN GUY ATTACHMENT
 20K-1P
 FIGURE 22-420-1 DETAIL C
 ATTACH 11", 27" FROM POLE TOP
 20K-1P-25'-STE
 20K-1P-
 11K-1P-25'-RS
 FIGURE 22-420-1 DETAIL C

8 REMOVE CE:1833787
 TOP POLE 1' ABOVE COMMS
 (2) D8S, (6) SP5, 3P PRI DE
 (3) S8S, (3) SP5
 (4) WR
TRANSFER
 STLT BRKT W/54W LED TO LOC7

6 REMOVE CE:1833784
 TOP POLE 1' ABOVE SEC
 D8S, (2) 3P PRI DE
 S8S, (3) SP5
 STLT BRKT W/54W LED
 (4) WR
 11K-1P SPAN GUY ASSY
INSTALL
 WR
 FIGURE 23-301-2

REPLACED VOLTAGE DROP

	EXISTING	PROPOSED
ADDED LOAD	2.5	2.5
XFMR LOAD	2.5	2.5
FLOKER LOAD	5.0	5.0
VOLT DROP	0.20	0.10
FLOKER	4.10	1.95

MISS DIG System, Inc.
 1-800-482-7171

811

440 N CHURCH ST, K20 - ECNC RLO
 CM NO.100008013207

ORDER TYPE	NOTIFICATION NUMBER	SESSION NUMBER	ORDER NUMBER
ECNC RLO	1074354791	11861246	
ERET DML	1077098752	11877612	
ECNC RLO	1076349176	11864559	
ECNC UPD	1076566472	11864722	
ECNC NLU	1076623756	11864851	

JOB PURPOSE:
 CUSTOMER REQUEST TO DEMO PRI AND SEC
 AND PARKING GARAGE CONSTRUCTION

UTILITIES NOTIFICATION DEVICES:
 SEE PRINT
 LOCATION:
 SEE PRINT

CONSUMERS ENERGY CONTACTS

DEPARTMENT	NAME	NUMBER
OPERATIONS	JOHN BOZEMAN	360-480-1189
SALES	JOHN BOZEMAN	360-480-1189

CONSUMERS ENERGY
 A ONE Energy Company

FORESTRY REQ'D ☒ Yes ☐ No

SCALE: 1"=40'

SHEET C SHEET 1 OF 1

DATE: 04-11-2018 09:43:00

FILE: 04-11-2018 09:43:00

KALAMAZOO CO KALAMAZOO TWP T 02S R 11W SEC. 15



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.15.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: Antonio Mitchell, Director of Community Planning and Economic Development
Prepared by: Erin Hahn, Business Specialist

DATE: May 18, 2026

SUBJECT: Approval of an Off-Premises Tasting Room Permit for One Well Brewing, located at 4213 Portage St., Kalamazoo, MI 49001.

RECOMMENDATION:

It is recommended that the City Commission grant local government approval for an Off-Premises Tasting Room Permit for One Well Brewing, located at 4213 Portage St., Kalamazoo, MI 49001, and authorize the City Clerk to execute all documents required for submission to the Michigan Liquor Control Commission (MLCC).

BACKGROUND:

One Well Brewing is seeking approval of an Off-Premises Tasting Room Permit in connection with its existing Distiller License located at 3618 Gembrit Circle, Kalamazoo, Michigan. The proposed off-premises tasting room would operate at 4213 Portage Street, Kalamazoo, Michigan. Under Michigan law, an Off-Premises Tasting Room Permit allows a licensed manufacturer to sell and serve its products for onsite consumption at a location separate from the primary licensed production facility. Approval of the permit would support the continued growth and expansion of the business. The applicant will remain subject to all applicable Michigan Liquor Control Commission requirements, as well as local zoning, building, and operational regulations.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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.

FISCAL IMPACT:

There is no fiscal impact to the City of Kalamazoo.



Local Government Approval For Off-Premises Tasting Room License
(Authorized by MCL 436.1536)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new Off-Premises Tasting Room License application.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a regular meeting of the Kalamazoo City Commission council/board
(regular or special) (name of township, city, village)
called to order by Mayor David Anderson on May 18, 2026 at 7:00 p.m.
(date) (time)
the following resolution was offered:
Moved by _____ and supported by _____
that the application from One Well Brewing, LLC
(name of applicant - if a corporation or limited liability company, please state the company name)

for a NEW OFF-PREMISES TASTING ROOM LICENSE

to be located at: 4213 Portage St. Suites A, B & C Kalamazoo, Michigan 49001

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the
council/board at a _____ meeting held on _____
(regular or special) (date) (name of township, city, village)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Fax to: 517-763-0059



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.16.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: Antonio Mitchell, Director of Community Planning and Economic Development
Prepared by: Kevin Ford, Shared Prosperity Coordinator

DATE: May 18, 2026

SUBJECT: Approval of Social District in the Northside Cultural Business District

RECOMMENDATION:

It is recommended that the City Commission adopt a resolution approving the establishment of a social district in the Northside Cultural Business District.

BACKGROUND:

The Northside Cultural Business District Authority (NCBDA) was created to support Northside resident-owned businesses and expand business ownership in the neighborhood; build the cultural identity of the neighborhood and preserve significant places; and improve infrastructure, facades, and streets.

In July 2020, in order to help offset statewide impacts of COVID 19, Public Act 124 of 2020 was signed into law. PA 124 allows municipalities to designate “social districts” and “commons areas” within those districts, into which customers of licensed establishments could serve alcoholic drinks. Patrons could take a drink into the commons area, wander about, shop in store, browse a gallery, or pause to enjoy their drink on a bench or table in the public realm. A commons area could be established any place in the City that has three or more licensed establishments contiguous to the commons area.

The City's first social district and commons area has already been established along the Kalamazoo Mall, Michigan Avenue, and associated adjacent blocks with data supporting its subsequent success. The NCBDA, in partnership with local small businesses, want to establish its first social district. Similar to the downtown district, the proposed commons area would operate seven days a week, 10am-10pm Sunday-Thursday, and 10am-12am Friday and Saturday. In accordance with PA 124, establishments will be required to serve in plastic cups no larger than 16oz that identify the social district, and the licensed establishment serving them. No other open containers will be permitted in the commons area. The area will be maintained by the local

businesses within the district.

The proposed program would be monitored regularly for compliance, cleanliness, and economic impact. Adjustments to hours, operations, or other policies may be made at a later date, should they be deemed necessary. Also, additional commons areas may be established should businesses in other parts of the district or other neighborhood nodes express interest.

This action is intended to boost capacity to support the economic vitality of businesses within the district. This area will provide an opportunity for larger gatherings and events, bringing much need attention and activity in the district. It is anticipated that this will have a positive impact on the economic condition of businesses within the Northside Cultural Business District. Small, locally owned businesses, and their employees will be the primary benefactors of this program.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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.

FISCAL IMPACT:

There is no fiscal impact to the City of Kalamazoo. All expenses for the social district will come through the Northside Cultural Business District.

NORTHSIDE CULTURAL BUSINESS DISTRICT AUTHORITY

RESOLUTION NO. 1

RESOLUTION RECOMMENDING AND REQUESTING THAT THE CITY COMMISSION CREATE A SOCIAL DISTRICT WITHIN THE NORTHSIDE CULTURAL BUSINESS DISTRICT AUTHORITY

WHEREAS, the Northside Cultural Business District Authority (the “NCBDA”) was created pursuant to Part 6 of Public Act 57 of 2018 (the “Act”), for the purpose of correcting and preventing deterioration in its business district, encouraging historic preservation and promoting economic growth, and to allow for a new method of financing activities associated with the continued growth, maintenance, administration, and programming within the NCBDA development area; and

WHEREAS, the Michigan Liquor Control Code was recently amended to allow the governing body of a local governmental unit to designate social districts and commons areas which may be used by qualified licensees that obtain a social district permit from the Michigan Liquor Control Commission (MLCC) to utilize expanded areas for the consumption of alcohol; and

WHEREAS, the NCBDA Board believes it is in the best interest of the NCBDA businesses and residents for the NCBDA development area to contain a social district, and recommends and requests that the City Commission move forward in its establishment; and

WHEREAS, the NCBDA wishes to be formally involved in the process in order to recommend the social district area and commons area, and to assist in the preparation of the local management and maintenance plans in the NCBDA development area.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The NCBDA Board of Directors recommends and requests that the City Commission take all necessary steps to create a social district within the NCBDA development area, and to formally involve the NCBDA in the process in order to recommend the social district area and commons area, and to assist in the preparation of the local management and maintenance plan in the NCBDA development area.

2. All resolutions and parts of resolutions in conflict herewith are rescinded.

YEAS: Anderson, Dodd, Gamsho, Henderson, Jordan-Woods, Thrash

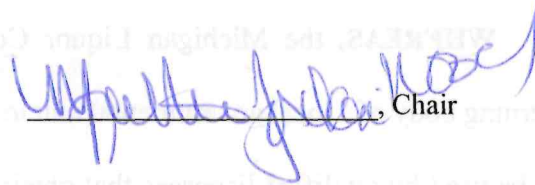
NAYS: None

ABSTAIN: None

ABSENT: Pulley, Rey

RESOLUTION DECLARED ADOPTED.

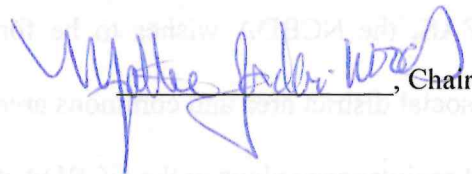
Dated: February 19, 2026

 , Chair

CERTIFICATION

I hereby certify that the above is a true and complete copy of a resolution adopted by the Board of Directors of the Northside Cultural Business District Authority of the City of Kalamazoo at a meeting held on February 19, 2026 and that public notice of said meeting was given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: 3/25/ 2026

 , Chair

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 26-

**A RESOLUTION DESIGNATING SOCIAL DISTRICTS CONTAINING
COMMONS AREAS AND ADOPTING A MANAGEMENT AND
MAINTENANCE PLAN IN ORDER TO ALLOW CERTAIN ON
PREMISES LIQUOR LICENSEES EXPANDED USE OF SHARED AREAS
FOR CONSUMPTION OF ALCOHOL PURSUANT TO PUBLIC ACT 124
OF 2020**

Minutes of a regular meeting of the City Commission of the City held on May 18, 2026, at or after 7:00 o'clock p.m., local time, at City Hall.

PRESENT, Commissioners:

ABSENT, Commissioners:

The following preamble and resolution was offered by _____ and supported by _____.

WHEREAS, Public Act 124 (the Act) allows the governing body of a local governmental unit to designate social districts and commons areas which may be used by qualified licensees to obtain a social district permit from the Michigan Liquor Control Commission (MLCC) to utilize expanded areas for the consumption of alcohol; and

WHEREAS, if the governing body of a local governmental unit designates a social district that contains a commons area, the governing body must define and clearly mark the commons area with signs, establish local management and maintenance plans including, but not limited to, hours of operation for submittal to the MLCC, and maintain the commons areas in a manner that protects the health and safety of the community; and

WHEREAS, the City Commission finds that designating social districts and commons areas pursuant to the Act is in the best interests of the citizens of the City of Kalamazoo;

NOW, THEREFORE, BE IT RESOLVED that the City Commission designates the social districts and commons areas as provided on the attached maps, establishes the attached management and maintenance plan, and authorizes the City Manager or his designee to take all such other actions necessary in order to implement this Resolution and comply with the Act.

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to forward this Resolution and the attached maps and management and maintenance plans to the MLCC as required by the Act together with this Resolution.

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

AYES, Commissioners:

NAYS, Commissioners:

ABSTAIN, Commissioners:

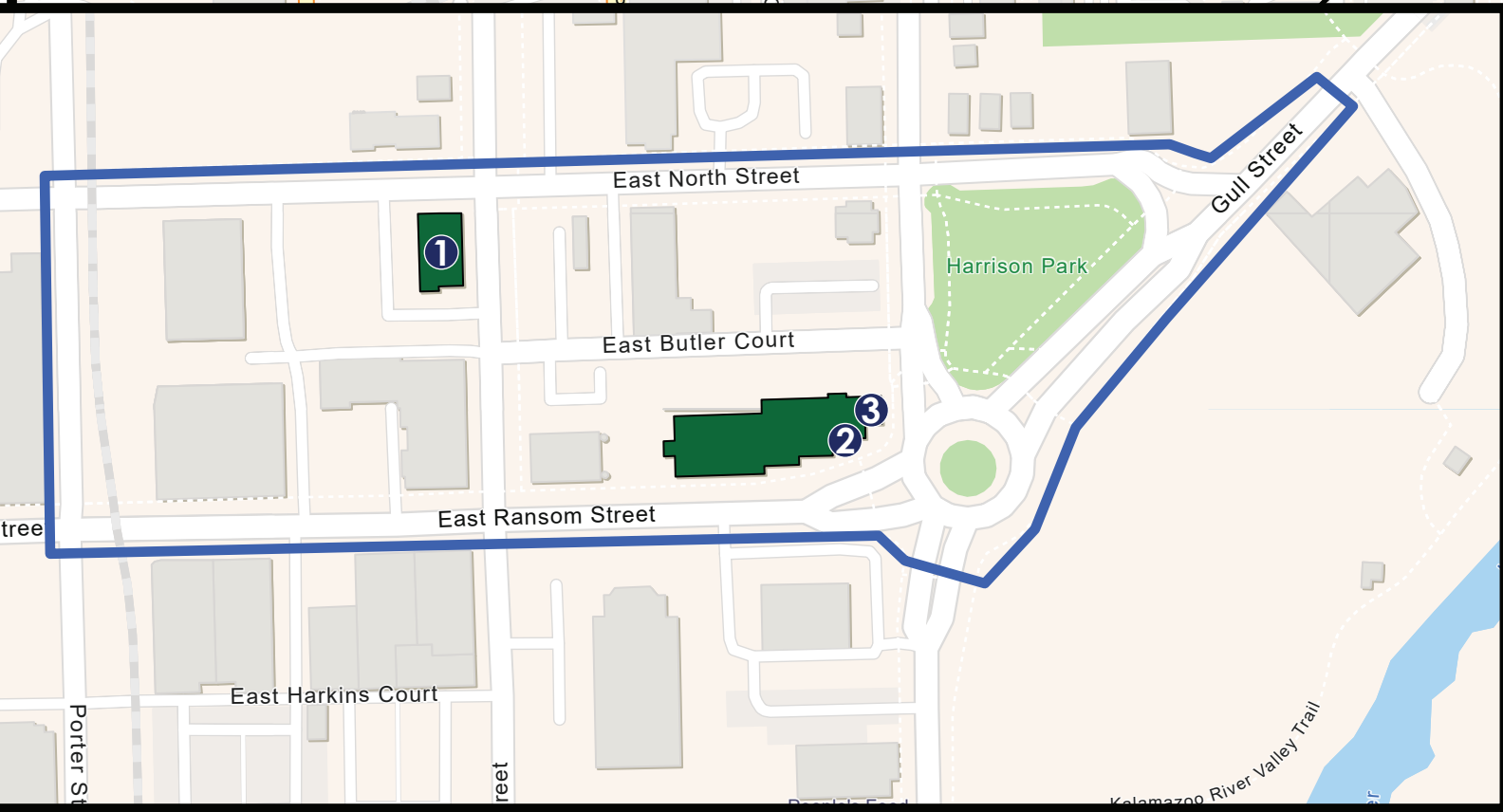
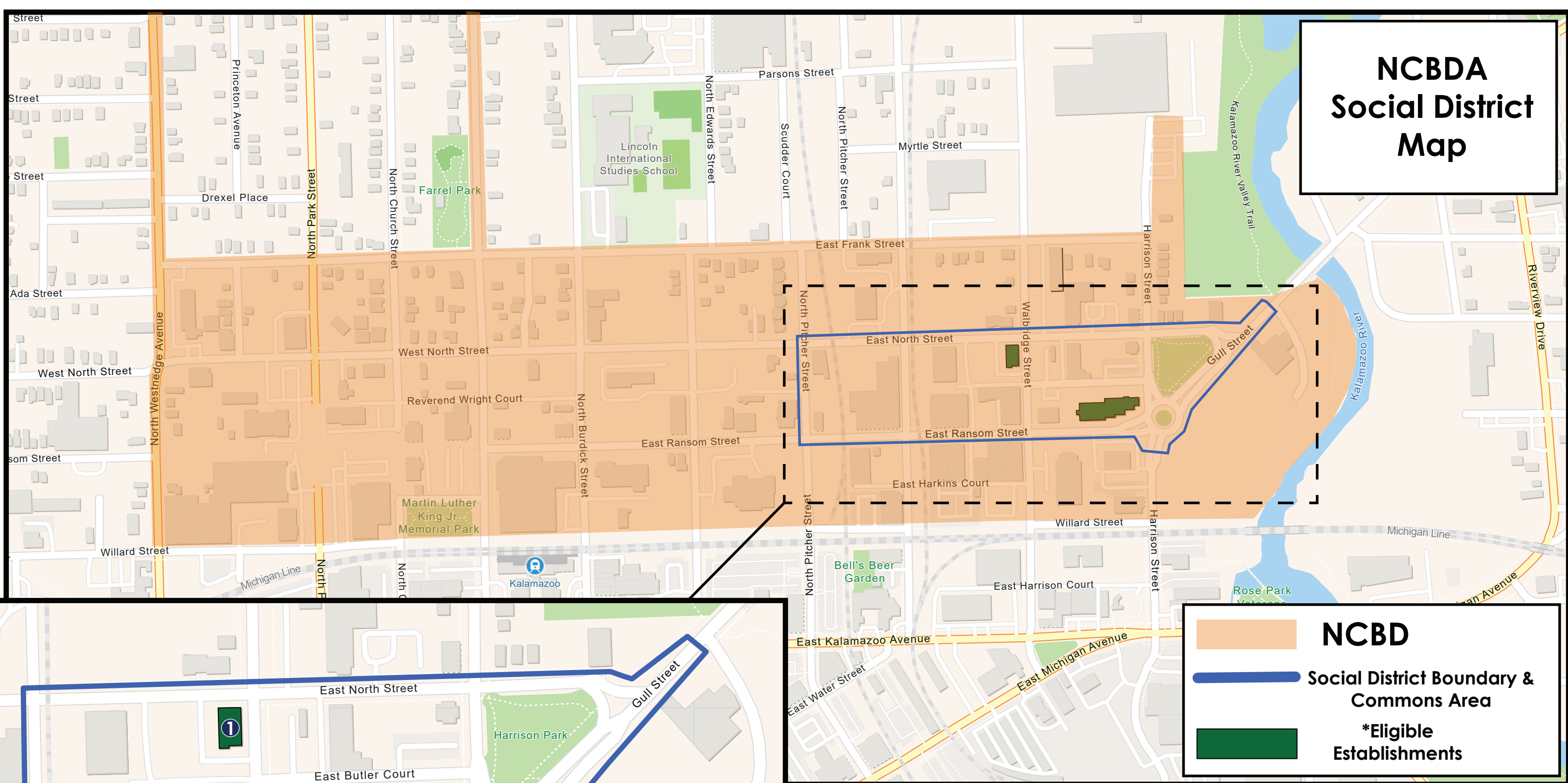
RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on May 18, 2026. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976.

Scott A. Borling, City Clerk

NCBDA Social District Map



- 1** Louie's Trophy House (629 Walbridge St, Kalamazoo, MI 49007)
- 2** Brewery Outre (567 E Ransom St, Kalamazoo, MI 49007)
- 3** Papa's Italian Sausage (543 E Ransom St, Kalamazoo, MI 49007)

**Eligible Establishments could expand in the future*



NCBDA Social District and Commons Area(s) *Management and Maintenance Plan*

1) OPERATION:

1. The Social District and Commons Areas shall be open for operation daily from 10am to midnight.
2. No tents or lighting shall be installed within the Social District or Commons Area(s) without City permission.
3. No amplified sound shall be used in the Social District or Commons Areas without City permission.
4. Umbrellas may be installed but shall not be mechanically fastened to street or sidewalk surfaces.
5. Dogs are permitted in the Social District and Commons Areas (the City's leash laws still apply, as does the obligation to pick up after your dog).

2) ACCESS:

1. Pedestrian access shall be maintained to all buildings in the Social District and Commons Areas as required by the City of Kalamazoo.
2. Emergency access shall be maintained to all adjacent properties in the Social District and Commons Areas as required by the City of Kalamazoo.

3) ALCOHOL:

1. Alcoholic beverages are allowed in the Commons Area(s) only in accordance with a Social District Permit issued by the Michigan Liquor Control Commission (MLCC), any accompanying MLCC regulations, and City of Kalamazoo requirements.
2. Alcoholic beverages shall only be purchased at the licensed premises of a Social District Permit holder and must be consumed in designated Commons Areas.

4) SEATING, TABLES, AND RELATED FURNISHINGS:

1. The NCBDA will maintain any seating, tables, and related furnishings that have been purchased and within the Social District.
2. Seating, tables, and related furnishings that have been provided by individual Social District Permit Holders shall be the sole responsibility of the Social District Permit Holders and must comply with ADA accessibility requirements. Under certain circumstances, Social District Permit holders may use public space for seating, tables, and related furnishings. Interested Social District Permit holders must contact Kalamazoo Downtown Partnership for necessary reviews and municipal approvals.
3. Related furnishings are defined as planters, fencing, spatial delineators or other elements that are deployed as part of a seating expansion within the Social District.

5) SIGNAGE

1. NCBDA in consultation with the City will provide signage that designates the Commons Area(s) and Commons Area(s) boundaries.
2. Existing City of Kalamazoo sign ordinances are still applicable within Social District and Commons Area(s)

6) TRASH AND RECYCLING:

1. NCBDA will provide temporary trash cans and/or recycling cans within Commons Area(s) and at Commons Area boundaries and will maintain these trash cans and/or recycling cans and conduct trash removal operations at these locations for the duration of the Social District and Commons Area operation so long as it is economically feasible to do so.
2. At locations where existing trash cans are already installed, NCBDA and City of Kalamazoo will continue their current maintenance and trash removal operations.

7) REVIEW:

1. The Management and Maintenance Plan shall be included in any future Social District reviews conducted by the City of Kalamazoo or other entities.
2. NCBDA shall be included in any review and consulted on any revisions to the Social District and Management and Maintenance Plan.
3. Alcoholic beverages consumed in Commons Areas are required to be in designated cups per the requirements of the MLCC and the City of Kalamazoo.
4. Social District Permit holders are responsible for the sale of alcohol on their licensed premises in accordance with their individual Social District Permits and all MLCC rules and regulations, including confirming the consumer's identification and age, and prohibiting the sale of alcohol to intoxicated parties.
5. The City Manager is authorized to exclude from the Social District any premises authorized by the Michigan Liquor Control Commission under a special license during the effective period of the special license.
6. During regular patrols, Kalamazoo Department of Public Safety will monitor Commons Area(s) as assigned for compliance with MLCC and City of Kalamazoo rules and regulations.
7. NCBDA staff and/or contractors will also monitor Commons Areas and report compliance issues to the proper authorities so long as it is economically feasible to do so.
8. Additional commons areas may be considered at a future date by City Commission



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.17.**

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

FROM: James Henderson, Human Resources and Labor Relations Director

DATE: May 18, 2026

SUBJECT: City Manager Temporary Housing Allowance Extension

RECOMMENDATION:

It is recommended that the City Commission approve a six-month extension of the City Manager's housing allowance in accordance with the terms of the City Manager Employment Agreement.

BACKGROUND:

At the October 30, 2025, City Commission meeting, the Commission approved an employment agreement with the City Manager. The agreement included a Temporary Housing Allowance beginning in January 2026 for a six-month period. The City Manager Employment Agreement also includes a provision authorizing the City Commission to extend the temporary housing allowance for an additional six months to provide the City Manager adequate time to continue pursuing a home purchase. The requested extension would be consistent with the allowance provisions contemplated within the employment agreement and would provide continued flexibility as the City Manager evaluates long-term area housing options.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Good Governance- Ensuring the City organization has the capacity and resources to effectively implement the community's Strategic Vision in a way that is sustainable over the long term.

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 extension contemplates \$3,500 per month for up to a maximum of six months or \$21,000.

D. Temporary Housing Allowance

The City shall pay Hankins an interim housing allowance of \$3,500.00 per month beginning on the first pay period Hankins is eligible to receive his biweekly salary and shall continue for a period of six months, or until Hankins purchases and closes on a home, whichever comes first. The City at its discretion may extend this housing allowance up to an additional six months in the event Hankins has not been able to purchase and close on a home within the first six months of employment. These additional payments shall continue for a period of six months, or until Hankins purchases and closes on a home, whichever comes first. It is Hankins' obligation to notify the City when he has entered into an agreement for the purchase of a home and additionally notify the City when Hankins has closed on the home.



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **G.18.**

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

FROM: Malcolm Hankins, City Manager
Prepared by: Patrick McVerry, CPRP, Director of Parks and Recreation

DATE: May 18, 2026

SUBJECT: Approval of a Memorandum of Understanding with the Kalamazoo Regional Educational Service Agency / Career Connect for the summer youth employment and training program (Bid Ref#000000-026.53)

RECOMMENDATION:

It is recommended that the City Commission approve a Memorandum of Understanding with the Kalamazoo Regional Educational Service Agency / Career Connect for the summer youth employment and training program in the amount of \$416,000.

BACKGROUND:

The City annually participates in a partnership with the Kalamazoo Regional Educational Service Agency/Career Connect to provide summer employment and training opportunities for youth. The budgeted amount will support the hiring of approximately 80-120 youth between the ages of 14-21 to participate in career exploration, employability skills training and paid internships. Funds may also be utilized during the school year to provide additional opportunities for paid internships, additional training, talent tours, job shadows, and continued career coaching for youth.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Youth Development - A place with supports where young people thrive.

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.

This program was a part of community engagement during the Imagine Kalamazoo 2025 planning process and remains a priority to the community. The program has consistently been a priority of the Kalamazoo City Commission at the annual budget retreat. While this MOU did not have direct community engagement, the program development was created with the community and partners it will fund.

FISCAL IMPACT:

The funding for this program is through the Kalamazoo Foundation for Excellence Aspirational Projects Fund Youth Employment (project #ffe0100002).

Memorandum of Understanding between the City of Kalamazoo and Kalamazoo Regional Educational Service Agency, Career Connect (June 2026)

The City of Kalamazoo will provide funding for the Kalamazoo Regional Educational Service Agency (KRESA), Career Connect will provide employment and training opportunities for youth. This letter serves as an agreement between KRESA Career Connect and the City of Kalamazoo (City). All services will be provided in accordance with the following terms:

1. A Purchase Order will be issued by the City of Kalamazoo to KRESA in the amount \$416,000.00. This is the maximum contractual amount of funding for the 2026 My-CITY/Summer Youth Employment Program, which the City agrees to pay. Any unused funds will be returned to the City.
2. Upon receiving an invoice, the City will make three payments to KRESA, one on or before August 7, one on or before August 31, and the final payment will be due 10 days following receipt by the City of the final report submitted by KRESA Career Connect following the completion of the program.
3. The youth and career coaches employed for this program are employees of KRESA; they will not be considered employees of the City of Kalamazoo.
4. The budget amount of \$416,000.00 will support the hiring of approximately 80-120 youth between the ages of 14 - 21 to participate in work experience, career exploration and employability skills training. Funds may also be utilized during the school year to provide additional opportunities for paid internships, trainings, talent tours, job shadows, and continued career coaching for youth.
5. Additional work may be identified by the City and KRESA Career Connect and conducted within the Kalamazoo Public School District and other City of Kalamazoo neighborhoods.
6. Youth will be employed from June 22, 2026, through August 7, 2026. KRESA Summer Career Coaches will be employed from June 15, 2026, through August 14, 2026. KRESA staff will be employed with the summer project from approximately April 6, 2026 – August 28, 2026. Youth may have the opportunity to continue employment during the school year and KRESA Career Coaches will be employed with the project during that time.
7. The City and KRESA Career Connect will work closely with each other to determine the specificity of data to be collected and identify any special needs or requests.
8. KRESA Career Connect will submit a final report for this project due 30 days after the end of the program. The report shall include a summary of expenditures, and program statistics, such as number of youths hired, number of career coaches, participant demographics, and a summary of all training conducted.

AGREEMENT

I/we acknowledge and agree to the terms of this Memorandum of Understanding.

For the City of Kalamazoo

For Kalamazoo RESA

By: Malcolm Hankins, City Manager

By: Dr. Dedrick Martin, Superintendent

Date

Date

Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, May 11, 2026 at 5:02 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Drew Duncan
Jeanne Hess
Stephanie Hoffman
Jacqueline Slaby
Alonzo Wilson

COMMISSIONERS ABSENT:

Chris Praedel*

Also present were City Manager Malcolm Hankins, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

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

Public Comments

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

2026-17-01

Presentation by the
Kalamazoo County
Childcare Coalition

Dr. Kenlana Ferguson, Executive Director of the Michigan Transformation Collective, and Beth Berglin, Policy & Strategy Director, delivered a presentation entitled *The Current State of Kalamazoo Child Care*. A copy of the slides from the presentation was filed with the papers for this meeting.

*Commissioner Praedel arrived at 5:30 p.m.

Commissioner Questions:

Following the presentation, the presenters responded to Commissioner questions regarding the City's participation in the Tri-Share program for its employees, the evaluation of programs funded by the childcare millage, participation by local institutions of higher education in the governance and oversight of millage-funded programs, similar initiatives by Kalamazoo's regional partners, and the number of children whose families might receive assistance from the childcare millage.

Commissioner
Comments

Finally, an opportunity was given for Commissioner comments, but no comments were offered.

Adjournment

The meeting adjourned at 5:46 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, May 11, 2026 at 7:01 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Drew Duncan
Jeanne Hess
Stephanie Hoffman
Chris Praedel
Jacqueline Slaby
Alonzo Wilson

COMMISSIONERS ABSENT:

None

Also present were City Manager Malcolm Hankins, City Attorney Aaron Leal, and City Clerk Scott Borling.

Opening Ceremony

Invocation/Pledge

The invocation, given by Pastor Jesse Herron, New Life Fellowship Church of God in Christ, was followed by the Pledge of Allegiance.

Proclamations
2026-18-01

Commissioner Praedel proclaimed May 16, 2026 *World Migratory Bird Day*. Gail Walter from the Audubon Society of Kalamazoo received the proclamation.

2026-18-02

Commissioner Slaby proclaimed May 11-17, 2026 *Period Poverty Awareness Week*. Sarah Koestler, Executive Director of Care Collective of Southwest Michigan, received the proclamation.

2026-18-03

Vice Mayor Duncan proclaimed April 26 – May 2, 2026 *National Apprenticeship Week*. Jamar Herron received the proclamation.

2026-18-04

Commissioner Hess proclaimed May 8, 2026 *Childcare Provider Appreciation Day*. Beth Berglin, Director of Policy & Strategy for Michigan Transformation Collective, and a group of caregivers received the proclamation.

Formal Adoption of the Agenda

Adoption of the Agenda

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

Communications

Communications

City Manager Hankins invited the public to open houses at City facilities for Public Services Week and to City-sponsored events celebrating National Bike Month.

Public Comments

Public Comments

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

K, non-resident, regarding the City's lack of action and funding to support immigrants and the City's black and brown communities.

Caleb Leonard, City resident, regarding communication between the City and the community during emergency situations. (document filed)

2026-18-05

An anonymous speaker, regarding the need for the City to act on, and not just be aware of, the topics addressed in the proclamations.

Tina McClinton, City resident, regarding high rents, the Portage Street road diet, and flooding in her neighborhood. (pictures filed)

2026-18-06

Charlae Davis, with ISAAC, regarding City Manager Hankins' efforts to engage the community, the need for independent oversight of the surveillance systems used by the Kalamazoo Department of Public Safety, and the need for equitable, shared decision-making between the City Commission and its boards.

Consent Agenda

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 extension with K & B Asphalt for crack seal of City streets in the amount of \$116,910.

2026-18-07

- approval of a contract supplemental and change order with Corby Energy Services, Inc for sanitary sewer lining in support of Wastewater's Asset Management Plan in the amount of \$216,796.30.

2026-18-08

- approval of a contract supplemental and change order with Westwind Construction & Development for the Abbey 42 private water filtration and plumbing upgrades in the amount of \$414,447.28; and approval of a budget amendment in the same amount.

2026-18-09

- approval of a Memorandum of Understanding with Cooper Township and the Georgia Pacific Parties for water connections.

2026-18-10

- approval of the Mayor's appointment of Keshia Dickason to the Civil Rights Board for a term expiring on March 31, 2027.

2026-18-11

- approval of the following appointments to boards and commissions:

2026-18-12

- the appointment of Katie Bloom to the Environmental Concerns Committee for a term expiring on January 1, 2027.

- the appointment of Elizabeth Kraatz to the Parks and Recreation Advisory Board for a term expiring on January 1, 2027.

- approval of a request from the Kalamazoo Country Club for a permit to publicly display fireworks at 1609 Whites Road on Friday, July 3, 2026.

2026-18-13

- approval of a request from the Kalamazoo Growlers to publicly display fireworks at Homer Stryker Field on May 29, June 12, June 26, July 4, July 10, and July 31, 2026.

2026-18-14

2026-18-15

- approval of the minutes from the City Commission meetings on April 20, 2026.

2026-18-16

- approval of a purchase agreement with Stephen and Linda French for the purchase of Parcel No. 07-27-280-012 in Comstock Township in the amount of \$57,000. (Postpone until May 18, 2026)

Vice Mayor Duncan, seconded by Commissioner Slaby, 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 Hess, Hoffman, Praedel, Slaby, Wilson, Vice Mayor Duncan, Mayor Anderson

NAYS: None

Regular Agenda

Regular Agenda

2026-18-17

Resolution 26-21 re:
the 2027 DWSRF
Project Plan

Public Services Director James Baker delivered a presentation entitled *2027 DWSRF Project Plan Public Meeting – Lead Service Line Replacements: City Hall, Monday, May 11, 2026, 7:00 p.m.* A copy of the slides from this presentation was filed with the papers for the meeting.

Commissioner Questions:

Following the presentation, Director Baker responded to Commissioner questions regarding outreach to residents (including language accessibility), the implementation of a feedback loop, the impact of having received other DWSRF loans on the likelihood the City will be successful with this application, whether all the lead service lines to be replaced in this phase had been identified, the neighborhoods where this work had been completed, and whether smart meters would be installed in conjunction with service line replacements.

Public Comments: none

Commissioner Slaby, seconded by Vice Mayor Duncan, moved to adopt a **RESOLUTION** adopting a Project Plan for Water System Improvements and designating James J. Baker, P.E. as the authorized project representative.

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

AYES: Commissioners Hess, Hoffman, Praedel, Slaby, Wilson, Vice Mayor Duncan, Mayor Anderson

NAYS: None

Director Baker delivered a presentation entitled *Portage Street – Cork to Stockbridge MDOT Contract No. 26-5078: City Commission, Monday, May 11, 2026*. A copy of the slides from this presentation was filed with the papers for the meeting.

Commissioner Questions:

Following the presentation, Director Baker responded to Commissioner questions regarding disruption mitigation for affected businesses, the installation of dual sidewalks rather than bike lanes, how the bike lanes with this project would fit with the larger bike network, whether the project area included Heritage Community, the types of pedestrian refuge islands that would be installed, the merge section just north of Reed Street, the urban chip-seal process, the number of miles of roadway the City maintained, the right turn lane at Miller Road, and the speed limit(s) on Portage after the project.

Public Comments:

Tobi Hanah-Davies, City resident, expressed support

Commissioner Slaby, seconded by Commissioner Hess, moved to adopt a **RESOLUTION** approving Contract No. 26-5078 with the Michigan Department of Transportation for the 4-to-3 lane conversion of Portage Street with bike lanes from Cork Street to Stockbridge Avenue in the amount of \$1,039,402, which includes \$750,000 in federal grant funds and a City share of \$289,402.

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

AYES: Commissioners Hess, Hoffman, Praedel, Slaby, Wilson, Mayor Anderson

NAYS: Vice Mayor Duncan

Director Baker delivered a presentation entitled *Railroad Crossing Elimination Planning Grant: City Commission, Monday, May 11, 2026*. 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 Commissioner questions regarding a “do-nothing” option, the transition of ownership for property currently owned by the railroads, the future use of vacated railroad rights-of-way, job losses associated with moving the rail yard, neighborhood support for the project, the timeline for the planning process, next steps once a plan is in place, funding sources for the work to implement the plan, to-date actions the City has taken related to this project, and the impacts of the recent train derailment downtown.

Public Comments: none

Commissioner Hoffman, seconded by Commissioner Wilson, moved to adopt a **RESOLUTION** accepting a \$3,225,000 funding package, including a Railroad Crossing Elimination Grant and State Incentive Payments, and approving a budget amendment in the amount of \$3,225,000.

2026-18-18

Resolution 26-22 re:
MDOT Contract No.
26-5078, Portage
Street 4-to-3 Lane
Conversion

2026-18-19

Resolution 26-23 re:
Railroad Crossing
Elimination Planning
Grant and MDOT
Funding

2026-18-19

Resolution 26-23 re:
Railroad Crossing
Elimination Planning
Grant and MDOT
Funding (cont'd)

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

AYES: Commissioners Hess, Hoffman, Praedel, Slaby, Wilson, Vice Mayor
Duncan, Mayor Anderson

NAYS: None

Reports and Legislation**2026-18-20**

City Manager's Report

City Manager Hankins highlighted items in the written City Manager's Report, including the Employee Appreciation Event, the City's response to recent windstorms, and his attendance at meet-and-greet events in the community.

Commissioner Comments

Commissioner
Comments

Commissioner Hess offered remarks on the City Clerk's Office and the May 5th election; Public Safety Station 2 hosting fifth grade students from Woodward Elementary School; the Neighborhood Connect event on May 6th; the downtown IK 2035 Design It! events; and the opening of The Landing Place family shelter.

Vice Mayor Duncan announced he was partnering with ISAAC for a gun violence summit on July 1st. Vice Mayor Duncan spoke about Mother's Day and the National Day of Prayer event at City Hall.

Commissioner Praedel offered comments on the importance of the lead service line replacement project and the Portage Street 4-to-3 lane conversion project; Public Services Week events; and meeting with a couple of students to discuss ways to motivate youth for public service.

Mayor Anderson thanked Vice Mayor Duncan for throwing out the first pitch at the Milwood Little League opening day, and he offered remarks on the opening of the Farmer's Market.

Adjournment

Adjournment

The meeting adjourned at 9:35 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **H.1.**

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

FROM: Malcolm Hankins, 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: May 18, 2026

SUBJECT: Approval of a Purchase Agreement for the Purchase of Parcel No. 07-27-280-012
(Bid Ref#00000-026.47)

RECOMMENDATION:

It is recommended that the City Commission approve a Purchase Agreement with Stephen and Linda French for the purchase of Parcel No. 07-27-280-012, in the amount of \$57,000.00, and authorize City Manager to sign all necessary documents.

BACKGROUND:

Public Services operates Treatment Plant No. 39 located at 8801 Miller Drive. Treatment Plant No. 39 is a baseload station for the East Side High District. It is a unique plant as it is the only plant in the Kalamazoo Regional Water System with a Ranney Well. A Ranney Well features a large vertical caisson with horizontal radial collector laterals. This plant was constructed in 1988 and is approaching its useful life.

Stephen and Linda French approached Public Services and inquired if the City would be interested in purchasing Parcel No. 07-27-280-012, the property adjacent to Treatment Plant No. 39. As Public Services expects to make future treatment plant upgrades, and in an effort to achieve superior source water protection through additional isolation distance around the existing wellhead, Public Services was intrigued by the inquiry. Public Services retained the professional appraisal services of Appraisal Group II, LLC via Metro Consulting Associates to perform an appraisal of the property. Public Services offered \$57,000 based on the appraisal report. This offer has been accepted, and Public Services recommends approval of this purchase agreement.

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 cost for this property purchase is \$57,000. Funding for the purchase is available in the City's 2026 Water Capital Improvement Budgets.

Description	Account	Project #	Dollar Amount
Water Capital Improvement		wat0100012-04-971.000	\$57,000.00

Appraisal Group II, Inc.

27490 Drape Road

Lawton, MI 49065

Phone/fax: (269) 624-9494

Email: appraisalgrouptwo@gmail.com

**APPRAISAL REPORT
ON**

Vacant Parcel, ID# 07-27-280-012

Miller Drive, Comstock Township (Galesburg)

Kalamazoo County, Michigan 49053



REPORT PREPARED FOR

Gail Morton, SR/WA
Right of Way Project Manager
Metro Consulting Associates
45345 Five Mile Road
Plymouth, MI 48170

City of Kalamazoo

REPORT PREPARED BY

Tim F. Scheu, Ph.D.
Appraisal Group II, Inc.
27490 Drape Road
Lawton, MI 49065

Appraisal Group II, Inc.

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Lawton, MI 49065

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Email: appraisalgrouptwo@gmail.com

LETTER OF TRANSMITTAL

January 8, 2026

Gail Morton, SR/WA
Right of Way Project Manager
Metro Consulting Associates
45345 Five Mile Road
Plymouth, MI 48170

City of Kalamazoo

RE: The appraisal of vacant parcel at end of Miller Drive

Dear Ms. Morton,

In accordance with your request, this letter and the accompanying Appraisal Report present the conclusions of the appraisal process completed for the above referenced property (subject property).

The subject property consists of a vacant parcel located at the west end of Miller Drive in Comstock Township (Galesburg), Kalamazoo County, Michigan and is identified by Parcel ID# 07-27-280-012. It has not been assigned a street address. The client for this appraisal report is Metro Consulting Associates. In addition to the client, intended users include the City of Kalamazoo. The report is not to be used or relied upon by any other parties. The intended use of the appraisal report is for use by the client and intended user for possible acquisition purposes. This report is not intended for any other use. The appraisal assignment objective is to estimate the As Is Market Value of the subject property. The property rights appraised are all those rights derived from a Fee Simple interest.

The appraiser performed a visual inspection, i.e., an observation, of all readily accessible areas of the subject property on December 11, 2025. The appraiser has been retained to arrive at an opinion of value for the subject property and is not a building inspector. The As Is Market Value is estimated as of December 11, 2025. The As Is Market Value estimate is not subject to any Extraordinary Assumptions or Hypothetical Conditions.

Appraisal Group II, Inc.

27490 Drape Road

Lawton, MI 49065

Phone/fax: (269) 624-9494

Email: appraisalgrouptwo@gmail.com

The subject property site has a total of approximately 9.5 acres. The subject site consists of vacant land.

This appraisal report has been made in an attempt to conform to Title XI of the Federal Financial Institution's Reform, Recovery, and Enforcement Act of 1989 (FIRREA), its regulations, the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation, and in compliance with the client's appraisal standards and instructions for this appraisal assignment. The definition of Market Value is intended to follow the Market Value definition as per FDIC's final rule of FIRREA-12CFR, Part 323.2. The analyses, opinions, and conclusions are limited by the reported assumptions and limiting conditions, and represents the appraiser's unbiased professional analysis, opinions, and conclusions. This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

The value estimates contained in this report are meaningful only if the report is taken in its entirety. The value estimates contained in this report are based on what the appraiser believes to be accurate site and building information obtained from the public records. The appraiser was not provided an environmental inspection report for this analysis. The appraiser is unaware of any environmental conditions that would adversely impact the market value of the subject property; however, the appraiser is not qualified to inspect for environmental conditions and recommends an environmental report be ordered as part of any transaction involving the subject property. The appraiser reserves the right to adjust any and all estimates of value contained in this report if a qualified professional makes an adverse environmental condition known to the appraiser. In addition, there are underlying financial, and continued economic assumptions included in this report that led to the value conclusions reached. Some assumptions inevitably will not materialize and unanticipated events and or circumstances may occur. In addition, federal and state tax laws often influence the market value of a property. Changes in tax laws could affect the subject's potential marketability and market value.

The value opinion contained in this appraisal report is based on findings of an analysis of market data available to the appraiser at the time of the assignment. The forecast and/or projections included in this report are utilized to assist in the valuation process and assume certain demand and supply factors, as well as a continued stable economic climate; therefore, the actual experience of the subject property may differ from the forecasted, which could change the valuation conclusions reached. Any future

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review of this appraisal must consider the facts as they existed as of the appraisal date, as well as what constituted reasonable expectations at the time.

As a result of the information and analysis presented in the accompanying report, opinions of the Market Value have been formed, subject to the stated assumptions and limiting conditions, certification, and definitions herein expressed, as of the Valuation Dates, and are as follows:

Final Estimated Market Value As Is on December 11, 2025: \$57,000
--

This letter is invalid as an opinion of value if detached from the appraisal report and attachments. The report contains a narrative description of the procedures, methodologies, and conclusions. This letter and the accompanying report are solely intended for the client for the purpose stated herein, and are not to be referred to or distributed, in whole or in part, without our prior written consent. The reported value estimates are applicable for the stated date and purpose only and may not be appropriate for any other date or purpose. The reported value estimates are qualified by certain assumptions, limiting conditions, definitions, and certification included in the accompanying report.

Respectfully Submitted,



Tim F. Scheu, Ph.D.

State of Michigan Certified General Real Estate Appraiser License #1205000728

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Summary of Salient Facts-Overview

Subject Property:	Vacant parcel located at the west end of Miller Drive in Comstock Township (Galesburg), Kalamazoo County, Michigan 49093.
Client:	Metro Consulting Associates
Intended Users:	Metro Consulting Associates, City of Kalamazoo
Intended Use:	Possible acquisition purposes
Property Rights Appraised:	Fee Simple interest
Value Type:	As Is Market Value
Report Type:	Appraisal Report
Inspection Date:	December 11, 2025
Effective Date:	December 11, 2025
Report Date:	January 8, 2026
Extraordinary Assumption:	The As Is Market Value estimate is not subject to any Extraordinary Assumptions.
Hypothetical Conditions:	The As Is Market Value estimate is not subject to any Hypothetical Conditions.
Parcel Numbers:	07-27-280-012
Current Owner:	Stephen R and Linda L French
Current Use:	Vacant land
Zoning:	Open Wetlands District
Land Area:	Approximately 9.5 acres
Building Size:	NA
Highest & Best Use:	As Is: Recreational land or single-family residential
Final Value Estimate:	Market Value As Is on December 11, 2025: \$57,000

Certification

I certify that to the best of my knowledge and belief:

- (1) The statements of fact contained in this report are true and correct.
- (2) The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is my personal, unbiased professional analyses, opinions, and conclusions.
- (3) I have no present or prospective interest in the property that is the subject of this report. I have no interest or bias with respect to the parties involved.
- (4) The "Estimate of Market Value" in the appraisal report is not based in whole or in part upon the race, color, or national origin of the current or prospective owners or occupants of the property appraised, or upon the race, color, or national origin of the owners or occupants of the properties in the vicinity of the property appraised.
- (5) The appraisal was not conducted on the basis of a requested minimum valuation, a specific valuation, or the approval of a loan.
- (6) My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- (7) This appraisal report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics and Standards of the Professional Conduct of the appraisal organizations with which the Appraiser is affiliated.
- (8) Tim Scheu visually inspected the property that is the subject of this report on December 11, 2025.
- (9) Gabriel L. Scheu (Limited Appraisal License #1201070177) provided professional assistance in the completion of this report. All analysis opinions and conclusions were completed by Tim Scheu.
- (10) Additional records, beyond what are contained in this appraisal report, in some instances, may be in the general office files of this appraiser. Thus, by reference, the appraiser's office files, including market data verification forms and market adjustment extractions, is part of the "written appraisal."

- (11) To the best of the Appraiser's ability, the analyses, opinions, and conclusions along with the resulting report were developed in accordance with Title XI of the Federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) and its regulations, as well as the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.
- (12) To the best of the appraiser's ability this report conforms to the appraisal standards, and regulations of the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Office of Comptroller of Currency.
- (13) Appraisers are required to be licensed and are regulated by the Michigan Department of Licensing and Regulatory Affairs P. O. Box 30018, Lansing, Michigan 48909.
- (14) I have not performed any services as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

Signature: _____



Date: January 8, 2026

Tim F. Scheu

State of Michigan Certified General Real Estate Appraiser License #1205000728

General Assumptions and Limiting Conditions

The certification of the Appraiser appearing in the appraisal report is subject to the following conditions, and the Appraiser in the report sets too such other specific and limiting conditions as forth.

- (1) The Appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the Appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is valued as though free and clear unless otherwise stated. The property is appraised as though under responsible ownership, and management.
- (2) Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The Appraiser has made no survey of the property, and no responsibility is assumed in connection with such matters. It is assumed that the use of the land and existing improvements or proposed improvements is within the boundaries of the property described, and that there is no encroachment or trespass unless noted. It is also assumed that there are no encroachments or zoning and building violations encumbering the subject property.
- (3) The Appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made and only when the appraiser's standard per diem fees and travel costs are paid prior to the appearance.
- (4) Any distribution of the valuation in the report between land, improvements, fixtures, and business value applies only under the existing program of utilization. The separate valuations must not be used in conjunction with any other appraisal and are invalid if so used.
- (5) The Appraiser assumes that there are no hidden or apparent conditions of the property, subsoil, (toxic substances) or structures, which would render it more or less valuable. The Appraiser assumes no responsibility for such conditions, or for engineering that might be required to discover such factors.
- (6) All Information, including estimates, opinions financial statements, and leases, furnished to the Appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, the Appraiser can assume no responsibility for accuracy of such items furnished the Appraiser.

- (7) Disclosure of the contents of the appraisal report is governed by the Bylaws and Regulations of the professional organizations with which the Appraiser is affiliated.
- (8) Neither all, nor any part of the content of the report, or copy thereof (including conclusions as to the property value, the identity of the Appraiser, professional designations, reference to any professional appraisal organizations, or the firm with which the Appraiser may be connected), shall be used for any purposes by anyone but the client specified in the report, without the previous consent of the Appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the Appraiser.
- (9) The appraiser is not a building inspector and does not inspect the improvements for building code compliance, structural integrity, workman like condition or health and safety issues. Unless openly visible exceptions to any of the above are noted in the appraisal report all structures are considered to be in workmanlike condition and functional. On all appraisals, subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a competent manner. The survey, legal description, plans and specifications, when finalized will conform to the preliminary information provided the Appraiser as the basis of this report. The appraiser recommends that qualified professionals be utilized to inspect the subject improvements for a determination on any of the above items. If any deficiencies are noted and made available to the appraiser, the appraiser reserves the right to change any and all estimates of market value contained in this report if applicable.
- (10) In this appraisal assignment, the existence of potentially hazardous material used in the construction or maintenance of the building, such as the presence of urea-formaldehyde foam insulation, asbestos, buried tanks and/or existence of toxic waste that may or may not be present on or near the property, has not been considered. The Appraiser is not qualified to detect such substances. The appraiser urges the client to retain expert(s) in this field if desired or any question exists.
- (11) The appraiser is not qualified to inspect for any type of infestation or mold of any type to the subject property. As part of this appraisal assignment the appraiser will not complete any type of an infestation inspection. The appraiser recommends that the client retain the necessary expert(s) in this field if desired, or any questions exist. The presence of termites, and any potentially hazardous material, could affect value. If any deficiencies are noted by qualified professionals and made available to the appraiser, the appraiser reserves the

right to change any and all estimates of market value contained in this report if applicable.

- (12) In the event that any environmental condition is found to be present by a qualified inspector, or a survey is found to not be consistent with the information the appraiser had to work with at the time of the appraisal, the estimates of value contained in this report are subject to possible change.
- (13) The appraiser takes no responsibility for any events, conditions or circumstances affecting the property's market value that take place subsequent to either the date of value contained in this report, or the date of the appraiser's field inspection, whichever occurs first. In addition, all estimates presented in this report are based on an evaluation of the current overall economy of the area, and neither take into account nor make provision for the effect of any sharp rise or decline in local or economic conditions. The appraiser does not warrant that the estimates will be attained, but they have been prepared on the basis of information obtained during the course of this study and are intended to reflect the expectations of typical investors.
- (14) It is agreed that the liability of the appraiser to the client is limited to the amount of the fee paid as liquidated damages. The appraiser responsibility is limited to the client, and use of this appraisal by third parties shall be solely at the risk of the client, and or third parties.
- (15) If the reader is making a fiduciary or individual investment decision and has any questions concerning the material contained in this report, it is recommended that the reader contact the appraiser.
- (16) The Americans with Disabilities Act ("ADA") became effective January 26, 1992. The appraiser has not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the market value of the property. Since the appraiser has no direct evidence relating to this issue, possible noncompliance with the requirements of ADA in estimating the value of the property has not been considered.

Extraordinary Assumptions

Per the Uniform Standards of Professional Appraisal Practice (USPAP):

Extraordinary Assumption is defined as follows:

“An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser’s opinions or conclusions.”

The As Is Market Value estimate is not subject to any Extraordinary Assumptions.

Hypothetical Conditions

Per the Uniform Standards of Professional Appraisal Practice (USPAP):

Hypothetical Condition is defined as follows:

“A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results but is used for the purpose of analysis.”

The estimated As Is Market Value is not subject to any Hypothetical Conditions.

Competency

Based on the understanding of the assignment to be performed, the appraiser is competent to perform the appraisal because:

1. The appraiser has extensive knowledge of the subject property type.
2. The appraiser has extensive experience valuing the subject property type.
3. The appraiser has extensive experience working in the subject’s market area.
4. All necessary and appropriate steps have been taken in order to complete the assignment competently.

Subject Property Identification

The subject property consists of a vacant parcel located at the west end of Miller Drive in Comstock Township (Galesburg), Kalamazoo County, Michigan and is identified by Parcel ID# 07-27-280-012. It has not been assigned a street address. I was not provided with a survey or legal description for this appraisal assignment. The Assessor's Parcel ID legal description information (not for legal use) is included in the report addendum.

Client and Intended Users

The client for this appraisal report is Metro Consulting Associates. In addition to the client, intended users include the City of Kalamazoo. There are no other identified intended users. The report cannot be used or relied upon by any other parties. The fact that some party, other than the client, paid for the appraisal, either directly, or indirectly, does not make them an intended user.

Intended Use

It is my understanding that the function of this appraisal is to be part of a package of material utilized by the client and intended user for possible acquisition purposes. This report is not intended for any other use. The appraiser is not responsible for unauthorized use of this report.

Report Type

The appraiser has prepared an Appraisal Report in accordance with the Uniform Standards of Professional Appraisal Practice. As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly.

Scope of Work

Per the client's request, the appraisal assignment objective is to estimate the As Is Market Value of the Fee Simple interest for the identified subject property. The scope of this valuation assignment was developed with consideration of the intended use and user(s) of the appraisal report, the appraisal assignment objective, and the subject property type. In addition to this section of the report, the scope of the appraisal is also contained in the Valuation sections of the report. The complete scope of the appraisal assignment encompasses Parts I, II, III, and IV of the report.

The Appraisal Process is the set of steps followed to arrive at the estimate of the subject property's value. First, the appraisal problem will be defined. The real estate along with the real property interest is identified. The effective date of the appraisal must be established. Factors that are believed to possibly affect the value of the subject property are identified.

Research for this appraisal was gathered from numerous sources including (but not limited to) the following:

- Kalamazoo County Public Records
- Comstock Township Public Records
- GKAR Multiple Listing Service
- Brokers with experience in the subject property type and market area
- Data in the appraiser's office
- Information provided by the client and contact person
- Visual inspection of the readily accessible areas of the subject property.

The information collected allows the appraiser to determine if in fact there is an influence from a given factor and to quantify that influence. Information on the area, neighborhood, and the subject property is then analyzed. Highest and best use is determined based on the market data, legal constraints, and the physical condition of the property at the time of the inspection.

Those approaches that are deemed appropriate and which can be meaningfully applied are used to estimate the value of the subject property. The three approaches to value are: The Cost Approach, The Sales Comparison Approach, and The Income Approach. The Cost and Income Approaches were determined to not be an applicable analysis method from which to estimate a market value based on the type of subject property (vacant land).

The Sales Comparison Approach is an applicable valuation method for the subject property type. The report's comparable sales were chosen based on a variety of factors including, but not limited to, date of sale, location, size, amenities, zoning classification, and rights transferred. All data sources were deemed reliable and familiar

with the transactions. There was adequate data available for the Sales Comparison Approach from which to base the opinion of market value.

Property Rights Appraised

The property rights of the subject property being appraised as identified in this report consist of a Fee Simple Estate.

Fee Simple is defined by *The Dictionary of Real Estate Appraisal, 6th ed.*

(Chicago: Appraisal Institute, 2015), as being:

"Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

Value Type and Definition

The appraisal assignment objective is to develop an opinion of Market Value for the subject property.

Market Value is defined as follows: The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.

Implicit in this definition is the consummation of a sale as of a specific date and the passing of title from seller to buyer under conditions whereby:

- (a) Buyer and seller are typically motivated;
- (b) Both parties are well informed or well advised; and each acting in what they consider their own best interests;
- (c) A reasonable time is allowed for exposure in the open market;
- (d) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- (e) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

*The definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of the Controller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

Inspection of Property

The appraiser has been retained to arrive at an opinion of value for the subject property and is not a land surveyor or geotechnical engineer. The visual inspection performed by the appraiser is an observation and is not intended to reveal encroachments, easements, boundary issues, topography, soil types, environmental concerns and drainage issues, and the appraiser does not claim to be an expert in those areas. It is not the responsibility of the appraiser to perform the kind of inspection designed to find those kinds of problems or characteristics nor would he have the expertise to detect or diagnose many of those issues even if something was discovered.

The appraiser performed a visual inspection, i.e., an observation of the subject property on December 11, 2025. This appraisal report is not a survey or geotechnical inspection, and the appraisal report cannot be relied upon to disclose conditions and/or defects in the property (See General Assumptions and Limiting Conditions).

Effective Dates

As Is

The As Is Market Value is estimated as of December 11, 2025. Value "As Is" is defined as the value of a property in its present condition subject to the market conditions prevalent as of the effective date of the appraisal, without hypothetical conditions, assumptions, or qualifications as to the physical or legal aspects of the property. If the property has not achieved stabilized occupancy or sellout as of the date of the appraisal, all applicable deductions and discounts need to be applied in order to estimate the "As Is" value.

Exposure Time

Per the Uniform Standards of Professional Appraisal Practice (USPAP), Exposure Time may be defined as follows:

"The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective opinion based on an analysis of past events assuming a competitive and open market."

Exposure time depends on many factors including, but not limited to the following: property type, value range, financing availability, other properties on the market, and general market conditions. It should be noted the reasonable exposure time period is not intended to be a prediction of a date of sale. The reasonable Exposure Time period for the subject property type As Is, is estimated to be 12 to 24 months.

Marketing Time

Per the Uniform Standards of Professional Appraisal Practice (USPAP), Marketing Time may be defined as follows:

An opinion of the amount of time it might take to sell a real or personal property interest at the concluded Market Value level during the period immediately after the effective date of an appraisal based on present conditions. In view of the market conditions as detailed, it would be reasonable to conclude that the Marketing Time associated with the subject property would generally accord with the exposure time as noted above.

Report Date

The appraisal report date is January 8, 2026.

Area Description

Location Characteristics and Transportation

The subject property is located in Comstock Charter Township, Kalamazoo County, Michigan. Comstock Township is part of the Kalamazoo/Portage metropolitan area, the largest metropolitan area in a region typically referred to as Southwest Michigan. The metropolitan area is located approximately 140 miles west of Detroit and 150 miles east of Chicago, both major cities are connected to the metropolitan area by I-94. Grand Rapids is located 50 miles north of Kalamazoo, accessed via US-131. South Bend Indiana is 64 miles southwest of Portage, accessed via US-131 and main state highways. The Kalamazoo/Portage metropolitan area is serviced by: Over twenty truck lines, and the following railroads, AMTRAK, Western, Conrail, and Grand Trunk Railroad. Air transportation is available at the Kalamazoo/Battle Creek International Airport with approximately 50 arrivals per day. The airport provides for connecting flights to the major airports of Chicago, Detroit, and Cincinnati. In addition, there are direct flights to several popular cities.

Economic and Employment Factors

The greater metropolitan areas of Kalamazoo and Portage constitute the largest opportunities for employment in Southwestern Michigan. Manufacturers in Kalamazoo County produce a wide variety of products including pharmaceuticals, hospital equipment, automotive parts, various paper products, processed food, plastic goods, office furniture, mechanical seals, auto testing/diagnostic equipment, and bedding plants. The Pfizer and Stryker Corporations are both Fortune 500 companies located in the Kalamazoo/Portage metropolitan area. Other major employers in the area include Borgess Medical Center, Western Michigan University and Bronson Methodist Hospital.

The Kalamazoo-Portage MSA's unemployment rate was reported at 5.3% in May 2025 which was up from the 4.9% rate reported in January 2025. The reported unemployment rate for the State of Michigan in May 2025 was reported to be 5.4%, up from the 5.3% rate reported for January 2025.

Recent development within the MSA includes Stryker Corporation's new \$154 million research and development facility (completed February 2020) in the City of Portage. The 75-acre development includes a 485,000 square foot facility. Stryker received a \$1 million performance-based Michigan Business Development Program grant for this project. Stryker also recently completed a \$109 million expansion to its 79-acre manufacturing facilities site in the City of Portage.

Developers broke ground on the Kalamazoo Event Center in the City of Kalamazoo's central business district in September 2025. The 450,000 square foot, \$515 million dollar, privately funded event center will host concerts and sporting events, and house Western Michigan University's basketball teams and hockey teams, and the Kalamazoo Wings hockey team. The opening date is tentatively scheduled for Fall 2027.

Two ongoing research, business and industrial parks located in the subject's market are the Midlink Industrial Park and the Western Michigan University Business, Technology and Research Park. The Midlink Industrial Park consists of a 340-acre business park that was previously home to a General Motors manufacturing facility. The new owners of the former manufacturing plant have spent approximately 225 million dollars over the past 10 years converting the facility into two state of the art multiple-tenant distribution and warehouse facilities with a total of approximately 1,600,000 SF. The largest tenant to date Kaiser Aluminum utilizes 464,519 SF. In addition to renovating the existing facility the developers also added new roads and entrances (now has four entrances). This has provided accessibility to the several lots available for development. Per Midlink representatives they have sold or leased over 2,950,000 SF and sold more than \$3.3 million in land parcels. In addition to the light industrial, warehouse, and research users there are lots available for commercial development. A new Candlewood Suites Motel has been built on the site.

Western Michigan University's Business, Technology, and Research Park was started in 2000 and is located within WMU's 265-acre Parkview Campus, which is also home to WMU's College of Engineering and Applied Sciences. The BTR park includes private sector firms from life sciences, advanced engineering, and information technology business sectors. The park's Southwest Michigan Innovation Center, a high-tech, wet lab business incubator that was created by the local Southwest Michigan First agency along with WMU's Biosciences Research and Commercialization Center helps support emerging life science ventures. Per WMU the park's first phase is home to approximately 40 companies that provide more than 850 jobs. The BTR Park has received the State of Michigan Smart Zone designation, which allows for a portion of the tax revenues generated by the park's companies to be returned to the park for infrastructure upgrades. Per WMU, this figure exceeds \$500 million annually. The first phase of the development is 100% developed.

WMU began site development of the 55-acre BTR Park North (Phase II) in 2019. Phase II received a \$2.1 million grant for site development from the U.S. Economic Development Administration. It formally opened in September 2021, along with the park's first occupant, Ascension Borgess Cancer Center (approximate 8.00-acre site). Two additional parcels within the park were approved for sale in March 2022 (5.52-acre and 4.45-acre) to Bronson Healthcare and Faraday Defense Corp., respectively. Five acres remain available for development.

Population and Quality of Life

Kalamazoo County's 2020 census population is 261,670. This represents a 4.33% increase from the 2010 census. The City of Kalamazoo's 2020 census population is 73,598 and the City of Portage's 2020 census population is 48,891. The

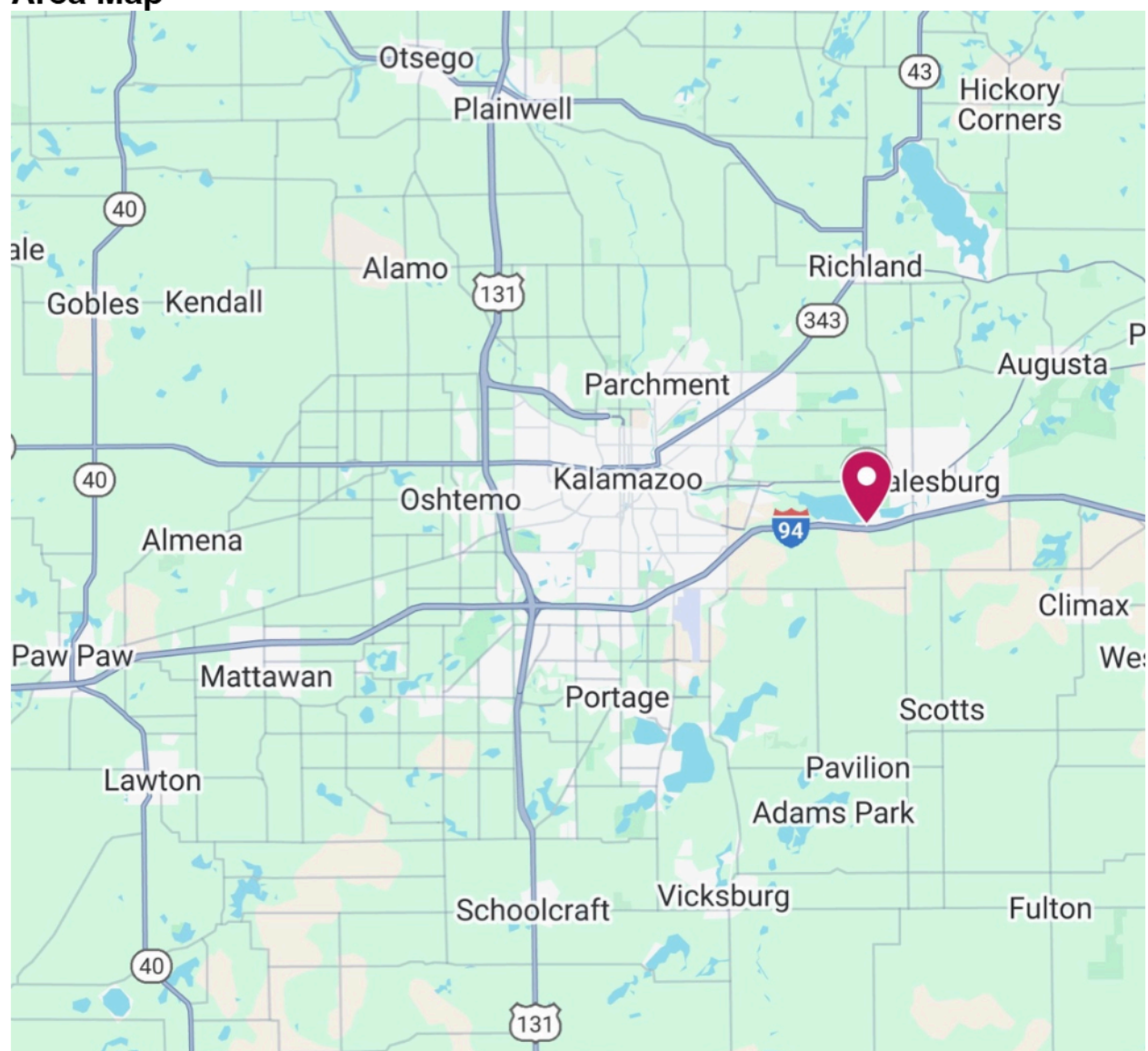
City of Kalamazoo's population is down 0.894% from the 2010 census, while the City of Portage's population is up 5.32% from the 2010 census.

The Kalamazoo Public School system and the Portage Public School system serve the Cities of Kalamazoo and Portage, respectively. There are also a variety of private schools that serve the area. There are two four-year institutions of higher education in Kalamazoo County as well as a community college.

A group of anonymous local donors introduced in November 2005; a free tuition program referred to as The Kalamazoo Promise. The Kalamazoo Promise program offers free or reduced tuition to any public Michigan university for graduates of the Kalamazoo Public School system. The program was expanded in 2015, offering KPS graduates free or reduced tuition to 15 private Michigan colleges. The amount of free tuition granted is based on the student's length of enrollment within the Kalamazoo School system. Those students enrolled from kindergarten through 12th grade will be granted 100% free tuition. Those students enrolled after kindergarten will be funded tuition on a sliding scale. A student must at least be enrolled from 9th to 12th grade to receive the minimum amount of tuition assistance, which is 65%. After being in place for over ten years the results have shown an increase in enrollment in the KPS system, a higher percentage of students finishing high school and a higher percentage of graduates enrolling in further education.

Conclusions

The Kalamazoo County vicinity benefits from a varied employment base complemented by sufficient services and amenities. The local metropolitan area has excellent linkages to major metropolitan areas via I-94 and US 131. Overall local employment continues to grow steadily. The Kalamazoo/Portage metropolitan area appears to offer opportunities for prudent investments.

Area Map

Neighborhood Description

Location

The subject neighborhood is located in Comstock Township, Kalamazoo County Michigan adjacent to the east side of the City of Kalamazoo and adjacent to I-94. The neighborhood consists of those sites with frontage on Miller Drive and located between S 35th Street on the east and the end of Miller Drive on the west. I-94 can be accessed at the 35th Street interchange providing the subject neighborhood with very good location characteristics.

Characteristics

The subject neighborhood is best described as a mixed-use linear neighborhood. Land use adjacent to the north side of the neighborhood is dominated by the presence of Morrow Lake and the associated watershed areas around the lake. Adjacent to the south side of the subject neighborhood is I-94. Land use is a mixture of light industrial and single-family residential. Approximately 30% of the neighborhood consists of vacant land. There is a large rest stop in the central part of the neighborhood that is only accessible from I-94. Light industrial use consists of a large self-storage facility and smaller warehouse/distribution facilities. The light industrial use is primarily located on the east side of the neighborhood closer to the I-94 interchange. Single-family residential use is located in the central and western parts of the neighborhood. Single-family homes range in value from approximately \$200,000 to \$450,000. The homes in the higher end of the price range have frontage on Morrow Lake. The level of building maintenance is average. Supply and demand appear to be in balance. The neighborhood is located in the Galesburg-Augusta Public School District.

Summary

Based on the above information and analysis the subject's neighborhood appears to offer opportunities for prudent investment.

Neighborhood Photographs



View looking north down 46th Street.

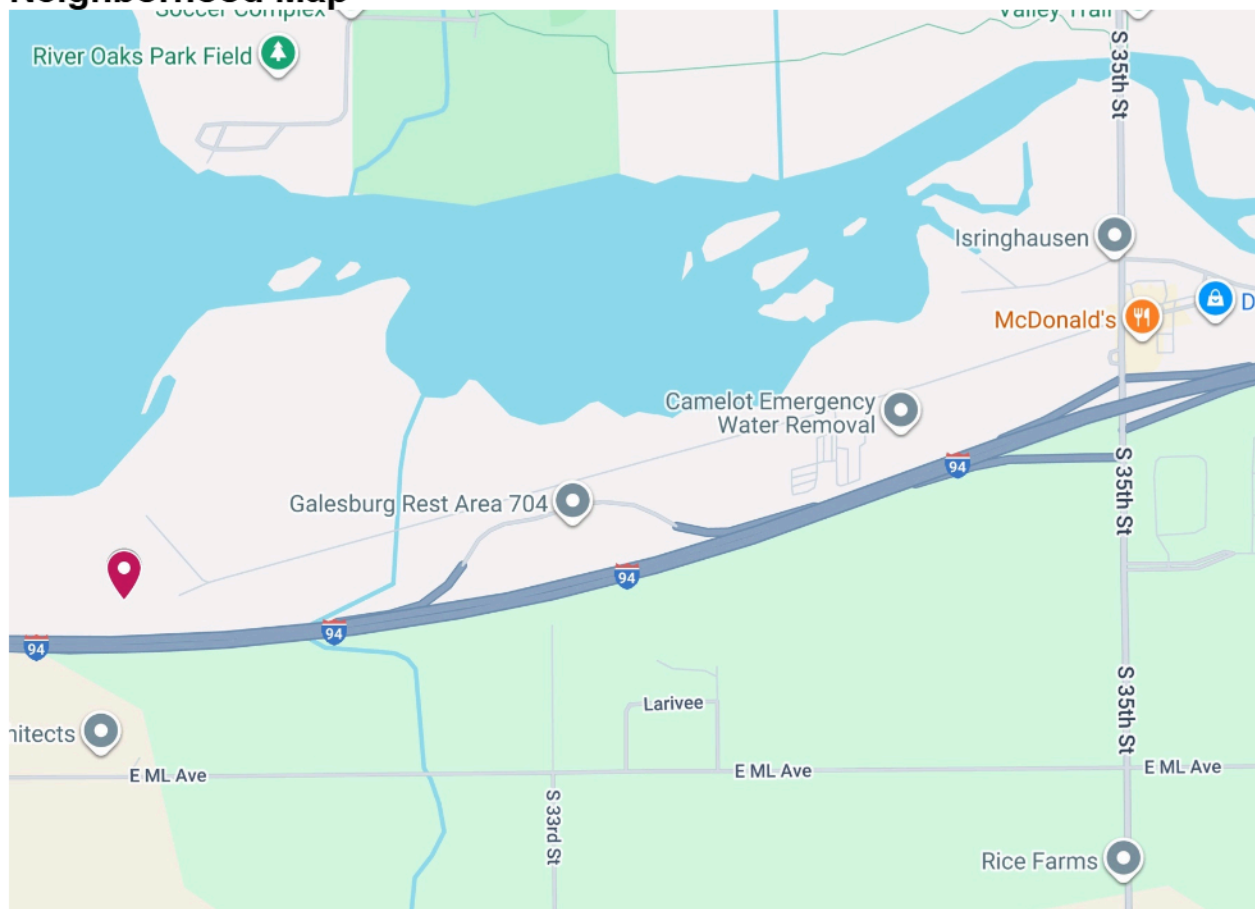


View looking south down 46th Street.



View looking east down 110th Street.

Neighborhood Map



Current Occupancy and Use

The subject property consists of vacant land.

Current Ownership and Market History of Subject

The current owner of the subject property is Stephen R. and Linda L. French. The current owner has owned the subject property for more than three years.

Pending Transactions

There are no reported sales agreements on the subject property.

Zoning

Land use regulations are generally established at the local community level. These regulations include zoning ordinances. A zoning department and zoning board oversee the adherence to and implementation of the various zoning policies and districts. Through the control of land use, the community benefits from a more harmonious land use pattern.

The subject property is zoned (OW) Open Wetlands District per Comstock Township's zoning map dated 06/16/2025. This zoning district is "designed to support, encourage, and provide for necessary natural resources of the Township and for the conservation and development thereof so as to prevent substantial, immeasurable, permanent and irreparable injury of and damage to the inhabitants and property of the Township." (Comstock Township zoning ordinance) Objectives of this zoning classification is to protect soils necessary to the maintenance of aquifer stability, prevent certain soil conditions and activity, protect against the loss of wildlife, fish, and aquatic organisms, and prevent conditions which increase dangers of flood and pollution. Permitted uses include limited farming, recreational use, single-family dwellings, family childcare and adult foster care uses. It is beyond the scope of this appraisal, nor is the appraiser qualified to make a final determination concerning the subject's zoning compliance and recommends that a zoning administrator with the appropriate governing body be contacted to determine the zoning status of the subject property. An excerpt from the zoning ordinance is included in the addendum.

Property Taxes

The following property tax information was obtained from the Comstock Township Treasurer's office. The subject is taxed under a single parcel number.

Parcel #	2025 SEV	2025 Taxable	2025 Summer	2024 Winter
07-27-280-012	\$20,500	\$979	\$10.47 (paid)	\$48.44 (paid)

Site Description

General

The following site description is based on a visual inspection of the site, information obtained from public records, and information provided by the client for this report. I was not provided with a survey for this appraisal.

Location

The subject property consists of a vacant parcel located at the west end of Miller Drive in Comstock Township (Galesburg), Kalamazoo County, Michigan. The subject parcel has not been assigned a street address and is identified by Parcel ID# 07-27-280-012.

Shape, Size, and Topography

The subject site is rectangular in shape and has a total of approximately 9.5 acres per the public record. The subject site has a moderately rolling topography. The site includes a row of large native trees along the south side of the site and a thinner line of native trees running along the center of the site. The site includes a strip of open prairie land along the north side and in between the two rows of native trees giving the impression that these two open areas have been utilized as access drives across the site. Electrical lines appear to run along the north side of the site.

Accessibility and Frontage

Based on information provided by Comstock Township and Kalamazoo County, it appears that the current paved portion of Miller Drive stops short of the subject parcel's east side. However, the right of way associated with Miller Drive extends to the east side of the subject parcel (see Miller Drive Right of Way Access Diagram at the end of this section). Thus, for permanent continued access to the subject parcel, Miller Drive would have to be extended from its current location to the subject parcel. The appraiser is not qualified to determine who would bear the expense (the owner or Kalamazoo County Road Commission) as it would depend upon the type of development and the permit being requested.

Utilities

The subject property is reported to have access to electric service.

Site Improvements

The subject site consists of unimproved land.

Land Use Restrictions

A survey was not provided to the appraiser. Based on a review of GIS online maps and a visual inspection of the property, the appraiser is not aware of any easements, encroachments, or restrictions that would adversely affect the functional use of the site. The appraiser is not qualified to make a final determination and recommends a qualified surveyor be utilized to make a final determination regarding easements, encroachments, or restrictions.

Flood Plain

A certified Flood zone determination was not provided to the appraiser. Based on an online FEMA Flood Map Service Center search, the subject property appears to be in an Unshaded Zone X (areas of minimal flood hazard) per FIRM Community Panel #26077C0215E, effective date 07/31/2024. The appraiser is not qualified to make a final determination concerning flood zone status and recommends that a qualified surveyor be utilized to determine the flood zone status of the subject property. A copy of the flood map panel is included in the addendum.

Environmental Factors

The inspection of the subject site did not disclose any unusual adverse conditions directly affecting the land, but no responsibility is accepted for discovering or evaluating subsoil, hidden or unusual conditions. The appraiser was not provided with an environmental report and reserves the right to change the market value estimate if contamination were to be found. The limiting conditions stated earlier in this report cover these items in more detail.

Potential environmentally hazardous conditions can exist on virtually any site including the subject site. Therefore, the possibility that these conditions may exist near the subject site also exists. Potential environmentally hazardous conditions can exist due to many causes and can be the result of many different types of conditions. The appraiser is not an expert in determining the presence or absence of hazardous substances, defined as all hazardous or toxic materials, waste, pollutants, or contaminants, including but not limited to asbestos, PCB, UFFI, or other raw materials or chemicals used in the construction or otherwise present on the property. The analysis of potentially hazardous conditions is not within the purpose, function, or scope of this report. The appraiser recommends that qualified professionals be contracted to analyze the environmental condition of the subject property and any environmental factors that may impact the subject property. The appraiser assumes no responsibility for studies or analyses that would be required to conclude the presence or absence of

such substances or loss as a result of the presence of such substances. The Michigan Environmental Laws make it absolutely essential that all potential buyers of real estate have knowledge of all environmental factors that may impact the subject site. The appraiser reserves the right to adjust any and all estimates of value contained in this report, subject to a review of all environmental reports and analysis completed on the subject property.

Site Photographs



View looking west across the central part of the site.



View looking east across the east side of the site.

Highest and Best Use

The highest and best use is that reasonable and probable use that will support the highest present value. Highest and best use as defined by The Dictionary of Real Estate Appraisal, 5th ed., s.v. “highest and best use,” “highest and best use of land or a site as though vacant,” and “highest and best use of property as improved.”

Highest and best use:

"The reasonably probable and legal use of vacant land or an improved property, that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. Alternatively, the probable use of land or improved property-specific with respect to the user and timing of the use-that is adequately supported and results in the highest present value."

Highest and best use of land or a site as though vacant:

"Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements."

Highest and best use of property as improved:

"The use that should be made of a property as it exists. An existing improvement should be renovated or retained as is so long as it continues to contribute to the total market value of the property, or until the return from a new improvement would more than offset the cost of demolishing the existing building and constructing a new one."

Implied within these definitions is recognition of the contribution of that specific use to community environment, or to community development goals in addition to wealth maximization of individual property owners. It is also implied that the determinations of highest and best use results from the appraiser's judgment and analytical skill, that is, that the use determined from analysis represents an opinion of the appraiser's. The highest and best use of both land as vacant, and improved, must meet four criteria. The criteria are that the highest and best use must be (1) legally permissible, (2) physically possible, (3) financially feasible, and (4) maximally productive.

Highest and Best Use As Is**Legally Permissible**

The subject property is zoned Open Wetlands District. Single-family dwellings, limited agricultural and related uses, and recreational use are permitted within this zoning classification. Given the subject's location characteristics, size of the site, and availability of municipal services, the subject is not adversely restricted by the current zoning classification.

Physically Possible

The subject has a sufficient functional area for a variety of potential legally permitted uses. I am not aware of any adverse easements, environmental factors, or unusual soil conditions that would prevent the parcel from being improved other than the needed extension of Miller Drive.

Financially Feasible

Financially feasible uses consider all legal and physically possible uses as they relate to market supply and demand. As indicated in prior sections of this report the subject parcel has average location characteristics for a variety of potential permitted uses.

Maximally Productive

The maximally productive use considers all the legally permitted, physically possible and financially feasible uses and concludes by determining that use that would bring the highest return to the land. Factors considered in this analysis include initial capital investment versus resultant cash flows with the use providing the highest net return being described as the maximally productive use.

Highest and Best Use As If Vacant Summary

The highest and best use for the subject parcel As Is on December 11, 2025, is for recreational or potential permitted rural residential use.

Cost Approach

The Cost Approach is based on the Principle of Substitution that states that a prudent investor would pay no more for a property than the cost of constructing a property of equal desirability and utility without undue delay. This approach to value is dependent upon the relationship between the physical object and Market Value often referred to as Physical Value. Physical Value consists of the current Market Value of the subject site as if vacant, to which is added the depreciated Market Value of the improvements on the site and to the site. The latter is derived from the estimate of the cost to reproduce or replace the improvements from which must be deducted accrued depreciation, if any, in terms of physical deterioration, functional obsolescence, and external obsolescence as defined previously in this report.

The Cost Approach was determined to not be an applicable methodology from which to base an estimate of the subject property Market Value for the following reason:

- The subject property consists of vacant land.

Therefore, the Cost Approach was not used as a method from which to base an opinion of Market Value for the subject property.

Sales Comparison Approach

The basic premise of the Sales Comparison Approach follows: A prudent investor will pay no more for the subject property than the cost to acquire an equally desirable substitute in the open marketplace. In the Sales Comparison Approach, Market Value is estimated by comparing the subject property to similar properties that have recently sold, are listed for sale, or are under contract for sale. The selling prices for the comparable sales are adjusted for differences between the comparable sales characteristics and the subject property characteristics resulting in an indicated Market Value for the comparable. The indicated Market Values for the comparable sales are used as a basis for estimating the Market Value of the subject property.

The Sales Comparison valuation method was used to estimate an opinion of Market Value for the subject property. All available relevant comparable sales for the past several years were researched. The comparable sales are shown on the following pages, followed by the grid analysis and narrative summary.

Comparable Parcel Sale #1

Location:	1919 N Pineayr Drive, Charleston Township (Climax) Kalamazoo County, Michigan
Date of Sale:	08/2024
Price:	\$130,000
Parcel Size:	Approximately 10 acres
Verification:	Broker
Zoning:	Agricultural
Highest & Best Use:	Large lot residential
Shape:	Irregular
Topography:	Light rolling, heavily wooded with pond
Services:	Electric available in street
Description:	Located off a paved road in Galesburg-Augusta School District
Unit Price:	\$13,000 per acre

Comparable Parcel Sale #2

Location:	Pineayr Drive (cross street 38 th Street), Charleston Township (Climax), Kalamazoo County, Michigan
Date of Sale:	07/2024
Price:	\$56,000
Parcel Size:	Approximately 4.66 acres
Verification:	Broker
Zoning:	Agricultural
Highest & Best Use:	Large lot residential
Shape:	Irregular
Topography:	Light rolling, heavily wooded
Services:	Electric available in street
Description:	Located off a paved road in Galesburg-Augusta School District
Unit Price:	\$12,017 per acre

Comparable Parcel Sale #3

Location:	Augusta Drive (cross street 38 th St. and G Ave.), Charleston Township (Augusta), Kalamazoo County, Michigan
Date of Sale:	12/2023
Price:	\$135,000
Parcel Size:	Approximately 24.03 acres
Verification:	Broker
Zoning:	Agricultural
Highest & Best Use:	Large lot residential, recreational
Shape:	Irregular with limited road frontage (102')
Topography:	Light rolling, heavily wooded
Services:	Electric available in street
Description:	Located off a paved road in Galesburg-Augusta School District
Unit Price:	\$5,618 per acre

Comparable Parcel Sale #4

Location:	4550 N 38 th Street, Charleston Township (Augusta), Kalamazoo County, Michigan
Date of Sale:	2/2025
Price:	\$90,000
Parcel Size:	Approximately 7.56 acres
Verification:	Broker
Zoning:	Agricultural/Residential
Highest & Best Use:	Large lot residential, recreational
Shape:	Irregular with limited road frontage (102')
Topography:	Light rolling, moderately wooded
Services:	Electric available in street
Description:	Located off a gravel road in Gull Lake School District. Includes an older home and barn that need to be torn down at an estimated cost of \$30,000.
Unit Price:	\$7,937 per acre net of estimated demolition cost

Comparable Parcel Sale #5

Location:	7805 E Drive N, Emmett Township (Battle Creek), Calhoun County, Michigan
Date of Sale:	09/2025
Price:	\$82,000
Parcel Size:	Approximately 17.07 acres
Verification:	Broker
Zoning:	Residential
Highest & Best Use:	Large lot residential
Shape:	Irregular
Topography:	Moderate rolling, heavily wooded with large pond and an area cleared for a house.
Services:	Electric, natural gas available in street
Description:	Located off a paved road in Harper Creek School District with over 1,200 feet of frontage along I-94.
Unit Price:	\$4,804 per acre

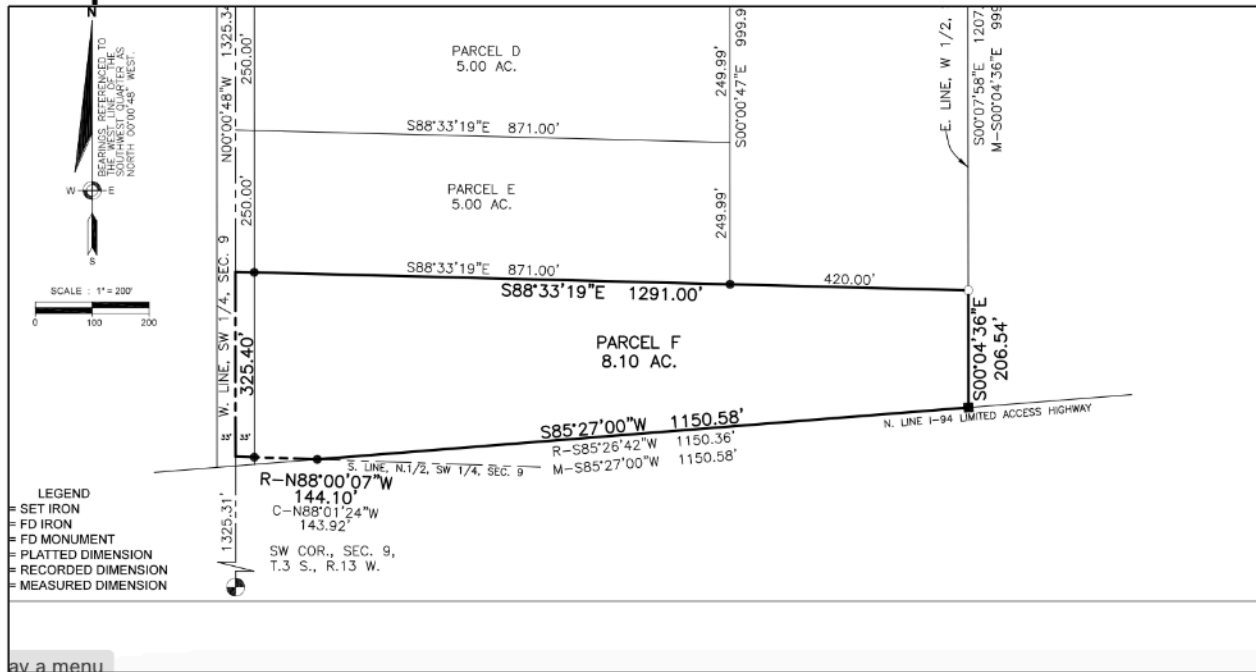
Comparable Parcel Sale #6

Location:	18376 16 Mile Road, Convis Township (Marshall), Calhoun County, Michigan
Date of Sale:	07/2025
Price:	\$115,000
Parcel Size:	Approximately 6.67 acres
Verification:	Broker
Zoning:	Residential
Highest & Best Use:	Large lot residential
Shape:	Irregular
Topography:	Mild rolling, lightly wooded
Services:	Electric
Description:	Located off a paved road in Marshall School District with over 1,000 feet of frontage along I-69. Includes a garage (768 SF) and a small A-Frame cabin (no plumbing or permanent heating) both in average condition. Estimated contributory market value of improvements is \$50,000 equates to \$65,000 for site.
Unit Price:	\$9,745 per acre for the site

Comparable Parcel Sale #7

Location:	60701 62 nd Avenue, Hartford Township (Hartford), Van Buren County, Michigan
Date of Sale:	06/2025
Price:	\$78,000
Parcel Size:	Approximately 18 acres
Verification:	Broker
Zoning:	Agricultural/Residential
Highest & Best Use:	Large lot residential/Recreational
Shape:	Irregular
Topography:	Mild rolling, heavily wooded
Services:	Electric available
Description:	Located off a paved road in Hartford School District adjacent to I-94.
Unit Price:	\$4,333 per acre

Comparable Parcel Sale #8

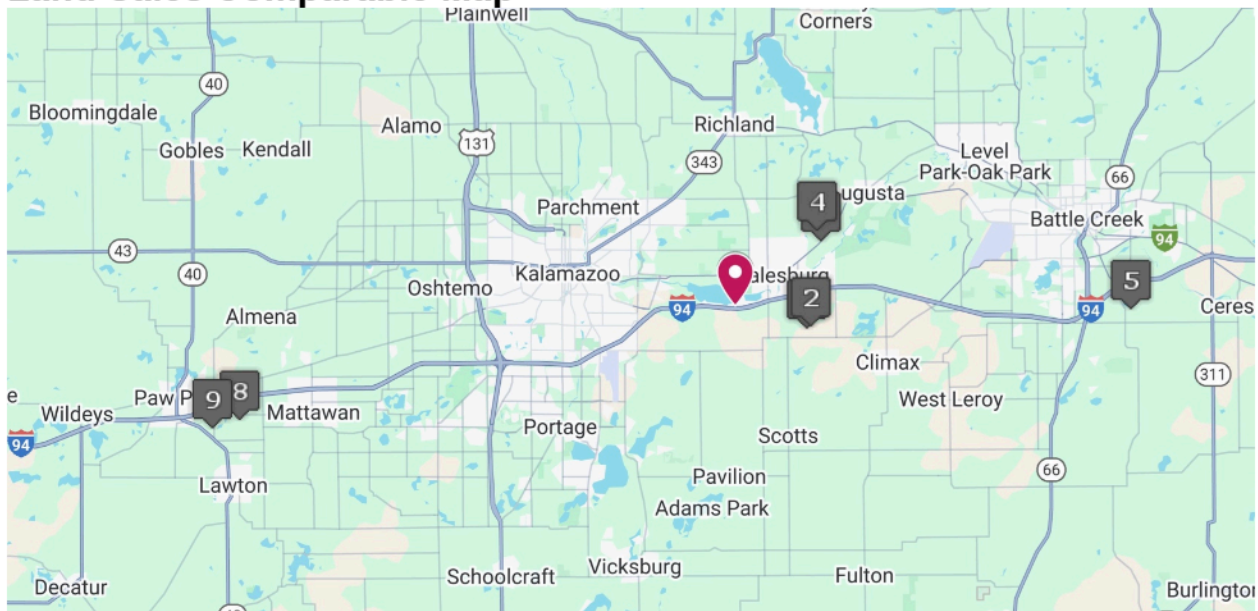


Location:	South end of 30 th Street adjacent to I-94, Antwerp Township (Paw Paw), Van Buren County, Michigan
Date of Sale:	06/2024
Price:	\$57,000
Parcel Size:	Approximately 8.1 acres
Verification:	Broker
Zoning:	Agricultural/Residential
Highest & Best Use:	Large lot residential/recreational
Shape:	Irregular
Topography:	Basically level cleared parcel
Services:	Electric, natural gas available
Description:	Located off a paved road in Paw Paw School District adjacent to I-94.
Unit Price:	\$7,037 per acre

Comparable Parcel Sale #9

Location:	56 th Avenue (cross street 56 th Ave. and 30 th adjacent to south side of I-94), Antwerp Township (Paw Paw), Van Buren County, Michigan
Date of Sale:	03/2024
Price:	\$142,500
Parcel Size:	Approximately 15.65 acres
Verification:	Broker
Zoning:	Agricultural/Residential
Highest & Best Use:	Large lot residential/recreational
Shape:	Rectangular
Topography:	Mild rolling heavily wooded
Services:	Electric available
Description:	Located off a paved road in Paw Paw School District adjacent to I-94.
Unit Price:	\$9,105 per acre

Land Sales Comparable Map



1. 1919 N Pineayr Drive, Charleston Township
2. Pineayr Drive (cross street 38th St), Charleston Township
3. Augusta Drive (cross street 38th St. and G Ave.), Charleston Township
4. 4550 N 38th Street, Charleston Township
5. 7805 E Drive N, Emmett Township
6. 18376 16 Mile Road, Convis Township
7. 60701 62nd Avenue, Hartford Township
8. South end of 30th Street adjacent to I-94, Antwerp Township
9. 56th Avenue (cross street 56th Ave and 30th adjacent to south side of I-94), Antwerp Township

Land Sales Adjustment Grid Analysis

CATEGORY	SUBJECT	#1	#2	#3	#4	#5	#6	#7	#8	#9
SP/ACRE	NA	\$13,000	\$12,017	\$5,618	\$7,937	\$4,804	\$9,745	\$4,333	\$7,037	\$9,105
AVG SP/ACRE	\$8,177									
MARKET COND.	CURRENT	Aug-24	Jul-24	Dec-23	Feb-25	Sep-25	Jul-25	Jun-25	Jun-24	Mar-24
ADJUST PERCENT		3%	3%	6%	2%	0%	1%	1%	4%	5%
FINANCING	CONV.	SIM	SIM	SIM	SIM	SIM	SIM	SIM	SIM	SIM
ADJUSTMENT	NA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ZONING	OPEN WETLAND	SIM	SIM	SIM	SIM	SIM	SIM	SIM	SIM	SIM
ADJUSTMENT	NA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADJUST \$		390.00	360.51	337.08	158.74	0.00	97.45	43.33	281.48	455.25
EQUIV. SP/ACRE \$		\$13,390	\$12,378	\$5,955	\$8,096	\$4,804	\$9,842	\$4,376	\$7,318	\$9,560
LOCATION	BELOW AVG	SUP	SUP	SUP	SUP	SIM	SIM	SIM	SIM	SIM
ADJUSTMENT	NA	-0.25	-0.25	-0.25	-0.25	0.00	0.00	0.00	0.00	0.00
SERVICES	ELECTRIC	SIM	SIM	SIM	SIM	SUP	SIM	SIM	SUP	SIM
ADJUSTMENT		0.00	0.00	0.00	0.00	-0.05	0.00	0.00	-0.05	0.00
SIZE	9.5	10	4.66	24.03	7.56	17.07	6.67	18.00	8.10	15.70
ADJUSTMENT		0.00	-0.05	0.05	0.00	0.05	0.00	0.05	0.00	0.00
SHAPE/ACCESS	RECT/POOR	SUP	SUP	INF	SUP	SUP	SUP	SUP	SUP	SUP
ADJUSTMENT		-0.20	-0.20	0.20	-0.20	-0.25	-0.20	-0.20	-0.15	-0.20
TOPOGRAPHY	LIGHT ROLLING	SIM	SIM	SIM	SIM	INF	SUP	SIM	SUP	SIM
ADJUSTMENT		0.00	0.00	0.00	0.00	0.25	-0.10	0.00	-0.05	0.00
OTHER	AVERAGE	SIM	SIM	SIM	SIM	SIM	SIM	SIM	SIM	SIM
ADJUSTMENT		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMP. ADJUST.	NA	-0.45	-0.50	0.00	-0.45	0.00	-0.30	-0.15	-0.25	-0.20
ADJ. IN \$		-\$6,026	-\$6,189	\$0	-\$3,643	\$0	-\$2,953	-\$656	-\$1,830	-\$1,912
IND VALUE \$	NA	\$7,365	\$6,189	\$5,955	\$4,453	\$4,804	\$6,890	\$3,720	\$5,489	\$7,648
AVG. IND. VAL./ACRE										\$5,835

Land Sales Comparison Approach Summary

The selling prices ranged from \$4,333 to \$13,000 per acre with an average of \$8,177 per acre. The sales were compared to the subject property in a variety of categories. Adjustments for differences between the comparable sales and the subject were made to the comparable selling prices. No adjustments for differences were made for differences in Financing, Zoning and Other. A summary explanation of the adjustments in other categories is as follows.

Market Conditions

This category adjusts for differences in market conditions at the time of the sale versus the date of valuation. All the comparable land sales except #5 were adjusted for differences in market conditions.

Location

The subject property benefits from easy access to I-94. The subject property site suffers from the adjacent exposure to I-94 which is a disadvantage for the legally permitted developable options. Comparable land sales #1-#4 were adjusted for differences in location characteristics.

Services

The subject property has access to electric services. Comparable land sales #5 and #8 were adjusted for differences in utility services.

Size

As the size of the parcel increases the relevant price per unit decreases within relevant parameters. Comparable land sales #2, #3, #5 and #7 were adjusted for significant differences in land size with the subject property.

Shape/Access

This category adjusts for differences in shape, and accessibility that includes such factors as road frontage, type of road frontage and the configuration of the parcel. To provide permanent access to the subject property, Miller Drive would have to be extended up to the east side of the subject property. The subject property shape is long and narrow subjecting it to a great amount of exposure to I-94 and limits the potential for splitting the site into multiple parcels as this would require a long interior access drive. All the comparable land sales were adjusted for differences with the subject property.

Topography

The subject property has a moderate to sloping overall topography with wooded areas and some linear open areas. Comparable land sales #5, #6 and #8 were adjusted for overall differences with the subject property.

Conclusion

The adjusted indicated market values per acre ranged from \$3,720 to \$7,648 per acre. The average indicated market value per acre is equal to \$5,835. The median indicated market value is equal to \$5,955 per acre. The gross adjustments ranged from 25% to 60% with an average of 42%. Comparable land sales #6-#9 all had less than the average gross adjustments. These four sales had an average indicated market value equal to \$5,937 per acre which is very close to the overall median. All the comparable land sales will be used in the final correlation. I estimate a market value of \$6,000 per acre as being applicable for the subject property. This equates to an estimated Market Value equal to $(9.5 \times \$6,000)$ \$57,000 which also rounds to **\$57,000**.

Income Approach

The Income Approach is based on the principle that the Market Value of a property is: *Indicated by the net return to the property, or what is also known as the present worth of future benefits.*

The Income Approach was not used as a basis for estimating the Market Value of the subject property based on the subject property type and location characteristics.

Final Reconciliation

The reconciliation is the last step in the appraisal process in which the final Market Value is estimated from the various estimates of Market Value developed by the Cost, Sales Comparison, and Income Approaches. The relative significance, applicability, and defensibility of each indicated value is analyzed, with the greatest weight given to the approach deemed most appropriate for the subject property.

The analysis objective was to estimate the subject property Market Value of the Fee Simple interest. The Cost and Income Approaches were not used to estimate the Market Value given the subject property type.

The Sales Comparison Approach was utilized to estimate the Market Value of the subject property. The Sales Comparison Approach benefits from a good supply of comparable property sales.

Indicated Market Values As Is on December 11, 2025	
Cost Approach	Not Applicable
Sales Comparison Approach	\$57,000
Income Approach	Not Applicable
Final Estimated Market Value	\$57,000



Date: January 8, 2026

Tim F. Scheu, Ph.D.

State of Michigan Certified General Real Estate Appraiser License #1205000728

Legal Description

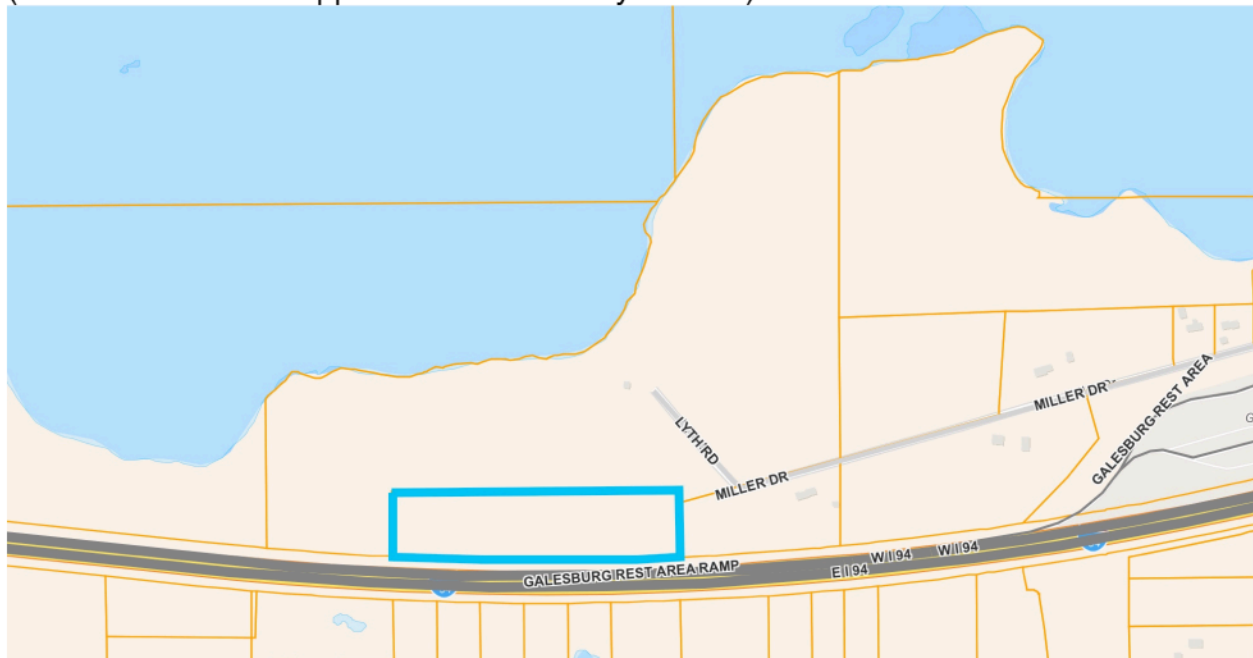
The appraiser was not provided with a survey or legal description for this appraisal assignment. Legal description information (not for legal use) obtained from Kalamazoo County's online public database is as follows:

(no assigned street address), Parcel ID# 07-27-280-012

SEC 27-2-10 ALL THAT PORTION OF SE1/4 NE1/4 LYING N OF I-94 ROW

Plat Map

(site boundaries are approximate not survey defined)

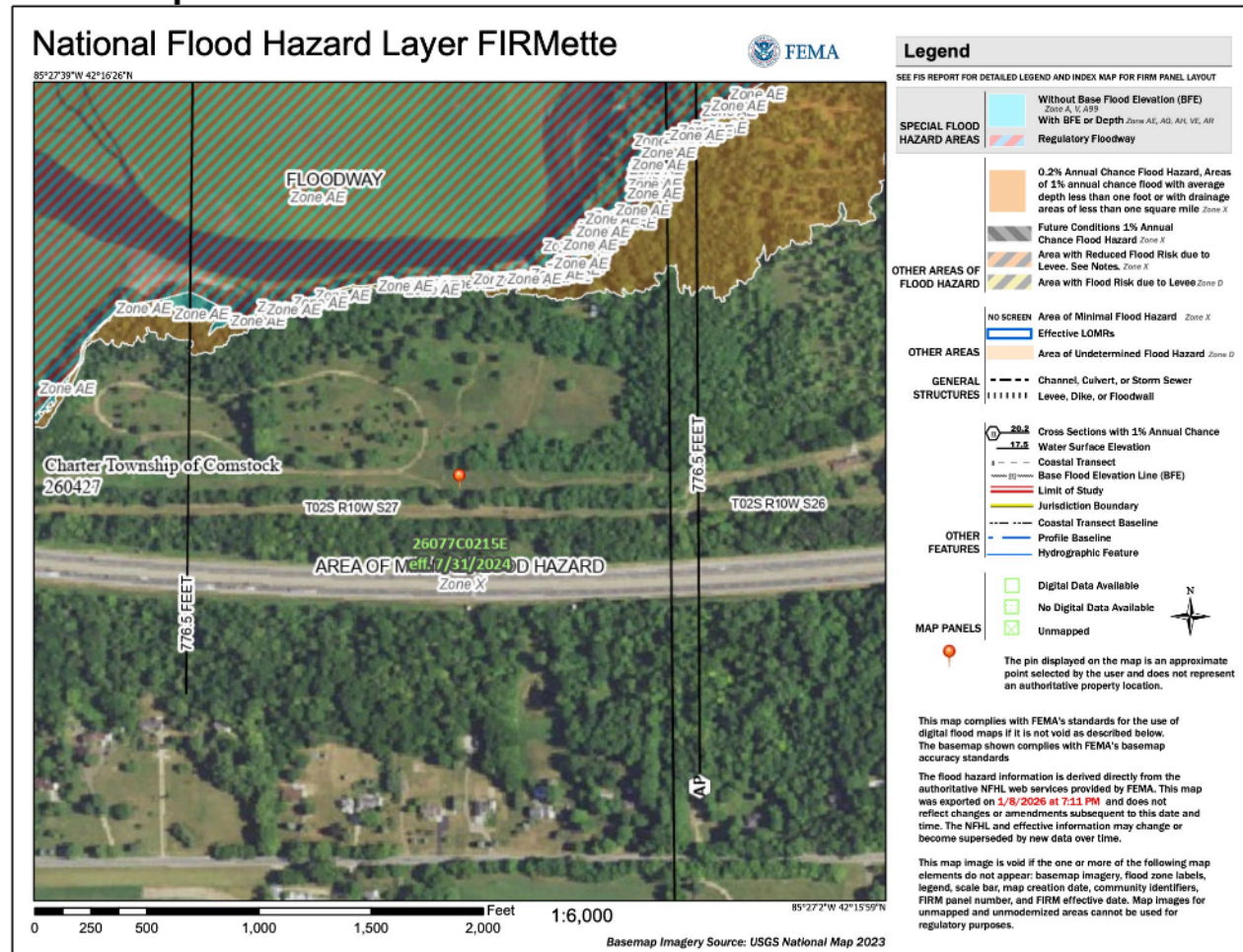


Plat Map with Aerial Photograph Overlay-2025

(site boundaries are approximate not survey defined)



Flood Map



Zoning Description

CHARTER TOWNSHIP OF COMSTOCK Effective: October 18, 2024

1. Purpose & Intent

2. Definitions

3. Zoning Districts

4. Use Standards

5. Site Standards

6. Development Procedures

7. Administration & Enforcement

3.1.Q OW Open Wetlands

1. Intent

Pursuant to Section 52 of Article 4 of the Constitution of the State of Michigan and the Township Rural Zoning Act, being Act 184 of the Public Acts of 1943, as amended, wherein the conservation and development of natural resources of the State are of paramount public concern in the interest of health, safety and general welfare of the people of the State of Michigan, the within Open Wetlands district classification is designed to support, encourage and provide for necessary natural resources of the Township and for the conservation and development thereof so as to prevent substantial, immeasurable, permanent and irreparable injury of and damage to the inhabitants and property of the Township.

2. Objectives

- Protection of soils capable of providing necessary infiltration for the maintenance of aquifer stability.
- Prevention of damage caused by erosion, scarification, sedimentation, turbidity or siltation.
- Protection against the loss of wildlife, fish or other beneficial aquatic organisms, vegetation and also protection against the destruction of the natural habitat thereof.
- Prevention of conditions which increase susceptibility to dangers of flood and pollution.



User Note: Click on [Blue](#) for use-specific standards or refer to Article 4 Use Standards.

3. Permitted uses

- Farming, limited^[1]
- Hunting, fishing, and the preservation of scenic, historic, and scientific areas and wildlife preserves
- [Non-resident buildings used solely in conjunction with raising water fowl, minnows, and other similar lowland animals, fowl, or fish §4.32](#)
- Hiking trails and bridle paths
- [Single-family dwellings^{\[1\]} §4.17](#)
- Accessory buildings^[1] and uses^[1] customarily incidental to the above permitted uses
- Incidental raising and retail sale of horticultural and agricultural products grown on the premises
- [Family child care homes^{\[1\]} §4.13](#)
- Adult foster care family home^[1]
- Adult day care family home^[1]

4. Special land uses

- Parks, parkways and recreational facilities,^[1] publicly owned and operated
- Educational institutions, public^[1]
- Cemeteries, public and private
- [Places of worship §4.36](#)
- [Temporary sales office §4.50](#)
- Piers, docks, and boat houses
- Relocation of any water course
- Any filling, drainage or dredging of district lands
- Dams, power plants, and flowages
- Removal of topsoil or peat
- [Essential services^{\[1\]} §4.18](#)
- [Kennels^{\[1\]} and/or boarding kennels^{\[1\]} §4.27](#)
- [Group child care homes^{\[1\]} §4.13](#)
- [Planned unit developments^{\[1\]} §3.24](#)
- [Telecommunication antennas^{\[1\]} located on structures other than telecommunication towers^{\[1\]} §4.60](#)
- Adult foster care small group home^[1]
- Adult day care group home^[1]
- [Temporary use for anemometers and supporting towers §4.51](#)

3-58



clearzoning

CHARTER TOWNSHIP OF COMSTOCK Effective: October 18, 2024

4.35	Other similar uses	4-37
4.36	Places of worship	4-37
4.37	Primary Caregivers	4-38
4.38	Private clubs and lodges	4-39
4.39	Private stables	4-39
4.40	Public buildings or portions thereof no longer used for public purposes	4-40
4.41	Public utility and municipal buildings	4-41
4.42	Public stables and riding academies	4-42
4.43	Residential facility for human care	4-42
4.44	Restaurants	4-43
4.45	Retail sales of lawn and garden materials	4-43
4.46	Roadside stand	4-43
4.47	Sanitary landfills and solid waste disposal facilities	4-44
4.48	Temporary outdoor festivals and similar events	4-51
4.49	Temporary outdoor sales and service	4-54
4.50	Temporary sales office	4-55
4.51	Temporary use for anemometers and supporting towers	4-55
4.52	Temporary use for highway construction purposes	4-56
4.53	Temporary use of mobile homes	4-57
4.54	Tool and die shops	4-58
4.55	Two-family dwellings, attached (duplexes)	4-58
4.56	Vehicle wash establishments	4-59
4.57	Veterinary offices, hospitals, clinics	4-59
4.58	Vocational and technical educational institutions and private educational institutions	4-59
4.59	Wind Energy Conversion Systems (WECS)	4-60
4.60	Wireless Communication Facilities (WCFs)	4-63
4.61	Battery Energy Storage Systems	4-70

1. Purpose & Intent

2. Definitions

3. Zoning Districts

4. Use Standards

5. Site Standards

6. Development Procedures

7. Administration & Enforcement

4-3

clearzoning



Qualifications

Tim F. Scheu, Ph.D.

ADDRESS

Appraisal Group II, Inc., 27490 Drape Road, Lawton, Michigan

EDUCATION

Ph.D. Finance, University of Illinois, Champaign,

Illinois, January 1985

BBA Finance, University of Notre Dame, May 1975

EMPLOYMENT

July 1983 – Present: Associate Professor Finance and Commercial Law, Haworth College of Business, Western Michigan University
Responsible for the preparation and delivery of material for the following courses: Real Estate Fundamentals, Real Estate Appraisal Real Estate Finance, Real Estate Investment, Real Estate Management

March 1985 – Present: Independent Fee Appraiser for Commercial and Residential Properties. Clients include:

Government: State of Michigan, City of Kalamazoo, City of South Haven, Kalamazoo County, Calhoun County

Financial Institutions: PNC Bank, Comerica Bank, TCF Bank, Mercantile Bank of Michigan, Sturgis Bank and Trust, Huntington National Bank, Southern Michigan Bank and Trust, First National Bank of Michigan, 1st Source Bank, Edgewater Bank, New Buffalo Savings Bank, Advia Credit Union, Kellogg Community Credit Union, Arbor Financial Credit Union, Honor Credit Union, Marshall Community Credit Union, Consumers Credit Union, Element 22, Highpoint Community Bank, Kalamazoo County State Bank

Private Parties: Attorneys, Corporations, Public schools, and Investors.

PROFESSIONAL ASSOCIATIONS

Michigan Certified General Real Estate Appraiser #1205000728

Michigan Real Estate Broker's License #6501203000

Michigan Association of Realtors, National Association of Realtors

PUBLICATIONS

Colwell, Peter, and Scheu, Tim. "Property Tax Issues in Illinois" April 1982, Illinois Business Review.

Dissertation Topic: Site Valuation and Optimal Development, 1985

Colwell, Peter, and Scheu, Tim. "Optimal Lot Size and Configuration" Journal of Urban Economics, Mar. 1989.

Colwell, Peter, and Scheu, Tim "A History of Site Valuation Rules: Functions and Empirical Evidence", The Journal of Real Estate Research, Volume #9 Summer 1994

Colwell, Peter, and Scheu, Tim, "Public Land Use Constraints: Lot and House Configuration"; Journal of Real Estate Research, Volume 16, 1998

Appraiser's License

GRETCHEN WHITMER GOVERNOR	STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS BUREAU OF PROFESSIONAL LICENSING CERTIFIED GENERAL REAL ESTATE APPRAISER LICENSE		
TIM FRANCIS SCHEU			
LICENSE NO. 1205000728	EXPIRATION DATE 07/31/2026	24135110530	THIS DOCUMENT IS DULY ISSUED UNDER THE LAWS OF THE STATE OF MICHIGAN

Buy/Sell Agreement

1. AGREEMENT: This Agreement dated February 24, 2026 between
Sellers, whose mailing address:

Stephen R. French and
3886 Weathervane Trail
Galesburg, MI 49053

Linda L. French

Home Phone:

Email:

U. S. Citizen? ☒ Yes ☐ No

U. S. Citizen? ☒ Yes ☐ No

and the **Buyer**:

City of Kalamazoo, a Michigan municipal corporation
241 West South Street, Kalamazoo, Michigan 49007

2. PROPERTY DESCRIPTION: Buyer agrees to purchase from Sellers the properties identified as:

#1 Tax ID # 07-27-280-012, commonly known as I-94/Miller Road Vacant Land, Galesburg, MI 49053,
Comstock Township, Kalamazoo County, Michigan.

3. SALE PRICE: \$57,000.00 Dollars total.

4. METHOD OF PAYMENT: ALL MONIES SHALL BE PAID BY CASH, CERTIFIED CHECK, OR
CASHIER CHECK. The sale will be completed by the following method:

---CASH--- Buyer will pay the sale price in cash upon Seller's execution and delivery of a Warranty
Deed at closing.

**SELLERS UNDERSTANDS THAT SELLING OR TRANSFERRING THE PROPERTY DOES NOT
RELIEVE SELLER OF ANY OBLIGATIONS OR OTHER INDEBTEDNESS TO WHICH THE
PROPERTY IS SUBJECT, UNLESS OTHERWISE AGREED TO BY A LENDER OR REQUIRED BY
LAW OR REGULATION.**

5. TITLE INSURANCE: (check one) [] An Expanded Coverage ALTA Homeowner's Policy of Title
Insurance or [] a Standard ALTA Owner's Policy of Title Insurance, through Devon Title Agency, in
the amount of the purchase price will be furnished to Buyer at Buyer's expense and a commitment
to issue a policy insuring marketable title vested in buyer's name, will be made available for
buyer's inspection prior to closing. If the property is not an existing residential

structure (one to four family) on a residential parcel or a condominium unit, then a **[X] Standard ALTA
Owners' Policy of Title Insurance** shall be provided.

If Buyer objects to any items on the commitment, Seller will have 45 days after receiving written notice
to remedy the claimed defects.

6. PROPERTY TAXES: Sellers will be responsible for any taxes billed up to the closing date.

The buyer will be responsible for all taxes billed as of the closing date and moving forward.

Tax Proration: Real Estate taxes shall be prorated based on the City's due-date basis. Prorated taxes will be calculated by the title company.

ASSESSMENTS:

Sellers will pay any existing assessments which are due and payable, or any liens or both, on the properties on, before or at the date of closing.

7. WELL/SEPTIC: NA. Properties are Vacant Lands and have City water and sewer utilities available.

8. INSPECTIONS: By signing this Agreement, Sellers are representing that the Buyer is aware that inspection services of buildings and building components and systems are commercially available. Buyer has the right to inspect the buildings and building components and systems or have the buildings and building components and systems inspected by experts selected by the Buyer. The Buyer has elected to arrange and pay for the following inspections:

 X No Inspections Plumbing Heating, Ventilating, Air Conditioning
 Electrical Termites and other wood destroying insects
 Radon Water Test for Lead and Nitrites (required if FHA or VA financing)
 Structural, including roof X Other (specify) VACANT LAND

DISCLOSURE: The Undersigned Buyer and Seller(s) each acknowledge that they have read and signed the

SELLERS DISCLOSURE STATEMENT, if applicable.

INITIALS: NA Buyer NA Seller

 X VACANT LAND-Not Applicable

9. The property includes all buildings; **GAS, OIL, and MINERAL RIGHTS OWNED BY SELLER;** all attached fixtures, mailbox; all plantings and if any.

 X Property at# 7-27-280-012, commonly know as I-94/Miller Road Vacant Land, Galesburg, MI 49053, Comstock Township, Kalamazoo County, Michigan.

11. CONTINGENCIES: The Buyer's obligation to consummate this transaction (choose one):

 X IS NOT CONTINGENT – upon the sale or exchange of any other property by Buyer.

 IS CONTINGENT UPON CLOSING – of sale or exchange of Buyer's property.

12. CLOSING: The closing will be held as soon as reasonably possible after all parties have been notified that all necessary documents have been prepared and accepted per the Buyer's protocol and policies. The title company's closing fee will be paid by the BUYER.

13. OCCUPANCY: Seller will vacate the property at the date of closing.

Sellers are responsible for utilities, maintenance and any repairs or damage caused to the property before closing and before vacating and will transfer the property clean and rubbish free.

14. SURVEY: Seller or X Buyer

Will pay for: NA Stake Survey, NA Mortgage Inspection or NA Waived.

In the event of encroachment or substantial variation of the presumed boundaries, Sellers will remedy within 45 days or may risk termination of this Sales Agreement.

15. ATTORNEY RECOMMENDED: Buyer and Sellers acknowledge that it is recommended that an attorney may be retained to review the marketability of title and determine that the terms of this contract have been met.

*INITIALS: _____ Buyer _____ Seller

16. HEIRS AND SUCCESSORS: This contract binds Buyer, Sellers and their personal representatives and heirs, and anyone succeeding to his or her interest in the property. Neither party may assign this contract without the written consent of the other party, which consent will not be unreasonably withheld.

17. GENERAL PROVISIONS: Any part of this contract found invalid or unenforceable will not change the remaining terms. All notices given and any changes to this contract must be in writing and signed by both parties. Parties may strictly enforce the time elements of this contract.

18: EARNEST MONEY DEPOSIT: Buyer deposits \$0.00 in Earnest Money. Deposit, if any of Earnest Money is held with (check one) ☐ Seller or ☐ DEVON TITLE AGENCY (fully executed Earnest Money Deposit Holding Agreement must be included in order for Devon Title Agency to hold the Deposit) If this offer is not accepted, the Seller is to refund the deposit.

X No earnest money to be deposited.

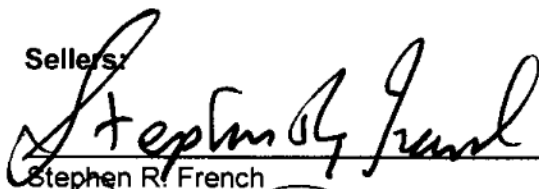
19. DEFAULT: If Buyer or Sellers defaults in the terms of this agreement, Buyer or Sellers may pursue legal action to enforce this contract.

20: WIRE FRAUD: Sellers and Buyer are advised that wire fraud is an increasingly common problem. If you receive any electronic communication directing you to transfer funds or provide nonpublic personal information, such as social security numbers, drivers' license numbers, wire instructions, bank account number, etc., even if that electronic communication appears to be from a Real Estate Broker, title company or lender, DO NOT reply until you have verified the authenticity of the email by direct communication with Broker, Title Company or Lender. DO NOT use telephone numbers provided in the email. Such requests may be part of a scheme to steal funds or use your identity.

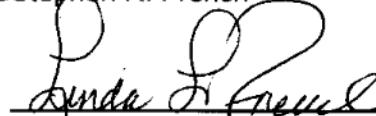
21: TRANSFER TAXES: The Buyer shall pay all state and county property transfer tax unless otherwise stated in this purchase agreement.

22: SELLERS and BUYERS SIGNATURE(s): Sellers agree to accept this offer as written and agree that when accepted by Sellers and Buyers it will be considered to be a binding contract. Sellers and Buyer have received a copy of this document.

Sellers:


Stephen R. French

2/24/22
Date


Linda L. French

2/24/26
Date

23: BUYERS SIGNATURE(s): Buyer agrees to accept this offer as written and agrees that when accepted by Sellers and Buyer it will be considered to be a binding contract. Sellers and Buyer have received a copy of this document.

BUYER:

CITY OF KALAMAZOO, a Michigan municipal corporation:

Malcolm Hankins,
City Manager

Date

Prepared and Drafted By:
The Office of City Attorney
241 W. South St.
Kalamazoo, MI 49007
(269) 337-8185

Metro Consulting Associates
Gail Morton, SR/WA
809 Drury Lane
Portage, MI 49002
(269) 350-1574



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **H.2.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Thomas Quigley, Fleet Manager

DATE: May 18, 2026

SUBJECT: Approval of a contract extension with J & H Oil Company for Gasoline, Diesel, and Biodiesel fuel (Bid Ref#40509-017.3)

RECOMMENDATION:

It is recommended that the City Commission approve a contract extension with J & H Oil Company Inc. in the amount of \$1,200,000.00.

BACKGROUND:

In 2017, the City of Kalamazoo and Kalamazoo County participated in a cooperative sealed bid purchase of gasoline and diesel fuel. A one-year contract for Biodiesel was awarded to Kalamazoo Oil Inc. (now operating as J & H Oil Company) on June 7, 2021. As a result of that bidding process the current contract expires May 31, 2025.

Since the petroleum market is continually changing, the contract was structured to obtain a firm and competitive price which stays current with the market by bidding the margin charged by the supplier. This margin includes the supplier's cost and profit to deliver the fuel to the City's storage sites. This margin is added to the regional refiner's rack price with each shipment of fuel.

The City purchases all fuel in bulk quantity and dispenses all fuel to City vehicles and equipment. A term contract extension with J & H Oil Company is recommended for approval. Kalamazoo County will contract separately for their fuel needs.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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

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 funds required for this contract are \$1,200,000.00. The funding available and estimated costs are detailed below. This contract is an inventory contract and the expense of the purchase is charged to the balance sheet. When the fuel is used, it is charged to the appropriate vehicle and fund. We are requesting the approval of this purchase using the funds below.

Description	Account	Project #	Dollar Amount
Gas No Lead Fuel	101-000-00.000-102.001		\$0.00
Diesel Fuel	101-000-00.000-102.002		\$0.00
Biodiesel Fuel	101-000-00.000-102.003		\$0.00



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **H.3.**

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

FROM: Malcolm Hankins, City Manager
Prepared by: Steve Vicenzi, CFO/Director of Management Services

DATE: May 18, 2026

SUBJECT: Approval of a Contract Extension with Wayne County Appraisal, LLC d/b/a WCA Assessing for Assessing Services (Bid Ref#946-16-002.6)

RECOMMENDATION:

It is recommended that the City Commission approve a three-year extension of a contract with Wayne County Appraisal, LLC d/b/a WCA Assessing in the amount of \$1,398,611.16 for the duration of the contract, from June 1, 2026, through May 31, 2029.

Of this total amount, \$443,651.40 is the first-year amount for property maintenance for real property pertinent to building permits, personal property canvass, entry and analysis in the City of Kalamazoo, real property inspections and canvass based upon a ten (10) year re-inspection cycle, Board of Review assistance, clerical services, and small claims appeals performed by WCA Assessing of the three-year extension. Including the first year, year two amount is \$465,834.00, and the year three amount is \$489,125.76 for a contract extension total of \$1,398,611.16.

BACKGROUND:

In January 2012, the City Commission approved the Adopted FY 2012 Budget inclusive of a plan to contract out assessing field work. This plan has had the effect of eliminating 3 full-time real property field appraisers and 1 full-time personal property appraiser. WCA has been providing assessment services since April 2012. On an annual basis, WCA Assessing has completed field inspections on all building permits and reviewed the assessment records on more than 10% of all parcels to comply with State guidelines that all parcels be inspected within a 7 to 10-year cycle. Utilizing a contracted service has kept costs below what it would be anticipated to cost the City for full time staffing. WCA has also provided excellent customer service throughout their time contracted for assessing services.

Of this total amount, \$443,651.40 is the first-year amount for property maintenance for real property pertinent to building permits, personal property canvass, entry and analysis in the City of Kalamazoo, real property inspections and canvass based upon a ten (10) year re-inspection

cycle, Board of Review assistance, clerical services, and small claims appeals performed by WCA Assessing of the three-year extension. Including the first year, year two amount is \$465,834.00, and the year three amount is \$489,125.76 for a contract extension total of \$1,398,611.16.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Good Governance- Ensuring the City organization has the capacity and resources to effectively implement the community's Strategic Vision in a way that is sustainable over the long term.

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:

Funds to cover this contract are budgeted in the General Fund Budget within the Management Services Department, Assessing Division operating expenditures.

Description	Account	Project #	Dollar Amount
2026-2027 Agreement	101-257-00.000-801.000		\$443,651.40
2027-2028 Agreement	101-257-00.000-801.000		\$465,834.00
2028-2029 Agreement	101-257-00.000-801.000		\$489,125.76



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **H.4.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: James J. Baker, PE, Public Services Director and City Engineer
Prepared by: Tom Palumbo, PE, Public Works Senior Civil Engineer

DATE: May 18, 2026

SUBJECT: Approval of a contract extension with Rieth-Riley for Asphalt Paving Materials
(Bid Ref#74507-018.1)

RECOMMENDATION:

It is recommended that the City Commission approve a contract extension with Rieth-Riley for asphalt paving materials in the amount of \$1,635,400.00.

BACKGROUND:

The City of Kalamazoo has an extensive local street repaving program in addition to the repair, maintenance, and upkeep of many different streets and facilities that use hot mix asphalt (HMA) and asphalt materials. To facilitate a constant and cost-effective supply of this important construction material, Public Services contracts on a yearly basis with a local plant to provide mixes in such quantity and type to meet City needs.

Renwal pricing for 2026 Asphalt Paving Materials were requested. Rieth-Riley has provided HMA mix to the City in past years with satisfactory results, and Public Services thus recommends awarding the contract.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Good Governance- Ensuring the City organization has the capacity and resources to effectively implement the community's Strategic Vision in a way that is sustainable over the long term.

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

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

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.

FISCAL IMPACT:

The funding required for this contract is \$1,635,400.00. The funding has been identified in the 2026 operating and capital budgets for General Fund, Major and Local Streets. This is a blanket contract and expenses will be charged to the appropriate fund and activity based on usage by each department.

Description	Account	Project #	Dollar Amount
2026 Departmental Budgets			\$1,635,400.00

May 18, 2026

CITY MANAGER'S REPORT

COO Lam Honored with 2026 YWCA Women of Achievement

Our very own Laura Lam is being recognized and honored as a 2026 Woman of Achievement by YWCA Kalamazoo. Laura's dedicated service to the City of Kalamazoo spans more than 13 years, during which she has consistently demonstrated exceptional leadership, professionalism, and a deep commitment to public service.

Throughout her tenure, Laura has played an instrumental role in advancing key City initiatives, strengthening organizational operations, and supporting both staff and the broader community with integrity and compassion. Her recognition as a Woman of Achievement reflects not only her professional accomplishments, but also the positive and lasting impact she continues to make within the organization and across the Kalamazoo community.

We congratulate Laura on this well-deserved honor and thank her for her continued leadership and service to the City of Kalamazoo.

Kalamazoo Mall Seasonal Refresh

The Kalamazoo Mall is currently undergoing a seasonal refresh as crews work to prepare the downtown corridor for the busy spring and summer season. Planters are being cleaned and refreshed, streets and sidewalks are being thoroughly cleaned, and public spaces are being power washed to improve the overall appearance and pedestrian experience throughout the Mall.

This effort provides a much cleaner, more welcoming environment for residents, visitors, downtown businesses, and event attendees while helping preserve the condition and appearance of one of Kalamazoo's most recognizable public spaces. Regular maintenance and beautification efforts like these play an important role in supporting downtown vitality, encouraging foot traffic, and enhancing community pride.

The Kalamazoo Promise 20th Anniversary

The City of Kalamazoo is proud to support The Kalamazoo Promise in recognizing the 20-year anniversary of The Promise and its transformational impact on students, families, and the broader community. As part of this effort, the City of Kalamazoo is assisting with the refresh and enhancement of city limit signage to help commemorate this important milestone and celebrate Kalamazoo's longstanding commitment to education and opportunity.

Street banners and some downtown crosswalk painting may be included in the City's commemoration as well. The refreshing will serve as both a visual acknowledgment of The Promise's legacy and a welcoming feature for residents and visitors entering the community. The Kalamazoo Promise continues to play a significant role in

supporting educational attainment, economic development, and community growth, and the City of Kalamazoo is honored to partner in celebrating two decades of impact.

Connecting With Our Community

This past week, I had the pleasure of officially starting my role as a Board Member for Communities in Schools of Kalamazoo, an organization dedicated to surrounding students with a community of support so they can stay in school and achieve success in life. I also recently toured the program and found the level of coordination, and commitment from staff and partners to be impressive. Seeing firsthand how students are supported through mentoring, behavioral health resources, attendance interventions, and family engagement reinforced the important role this organization plays in strengthening outcomes for young people across our community.

I look forward to collaborating with fellow board members, community partners, and school leaders to continue advancing opportunities for Kalamazoo students and families.



City Commission Agenda Report

City of Kalamazoo

Date: **5/18/2026**

Item: **K.1.**

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

FROM: Malcolm Hankins, City Manager
Reviewed by: Antonio Mitchell, Director of Community Planning and Economic Development
Prepared by: Erin Hahn, Business Specialist

DATE: May 18, 2026

SUBJECT: Approval of Amendments to the City of Kalamazoo Marihuana Social Equity Policy

RECOMMENDATION:

It is recommended that the City Commission approve the amended Marihuana Social Equity Policy.

The proposed amendments modernize the City's existing social equity framework by shifting the policy away from a primary focus on participation in the cannabis industry and toward long-term community wealth building, ownership, and economic mobility for residents in historically underinvested neighborhoods. The amended policy establishes a clearer framework for the use of local marihuana permit fee revenue and State marihuana excise tax revenue to support measurable outcomes tied to homeownership, business ownership, commercial ownership, asset retention, and generational wealth transfer.

BACKGROUND:

On May 18, 2020, the City Commission adopted the City's original Marihuana Social Equity Policy alongside local zoning and licensing regulations authorizing adult-use marihuana businesses within the City of Kalamazoo. The policy was subsequently amended on June 1, 2020, following updates to the State of Michigan's Cannabis Regulatory Agency Social Equity Program.

The original policy was designed to reduce barriers to participation in the regulated cannabis industry for individuals and communities disproportionately impacted by prior marihuana enforcement. Since adoption, staff have continued to evaluate implementation outcomes, broader cannabis market conditions, and strategies that most effectively support long-term economic mobility and wealth creation within Kalamazoo neighborhoods.

Over the past several years, the cannabis industry has experienced substantial financial instability statewide, including significant product price declines, market oversupply, increased taxation, and ongoing operational challenges.

In evaluating future policy direction, staff reviewed broader economic development and wealth-building strategies and identified that long-term economic mobility is more strongly tied to ownership of appreciating assets, including homes, businesses, and commercial property, than workforce participation alone. Staff also identified continued systemic barriers to ownership, access to capital, asset retention, and generational wealth transfer within the Northside, Eastside, and Edison neighborhoods.

The proposed amendments retain the City's existing social equity incentives related to permit fee reductions and zoning separation distance reductions for qualifying applicants and permit holders. In addition, the amendments establish a revised framework for the use of social equity-related revenues centered around three community wealth-building pillars:

1. First Access to Capital and Asset Acquisition

This pillar supports direct access to ownership opportunities through investments such as down payment assistance, business startup support, commercial property acquisition assistance, licensing support, tools, equipment, and other forms of entry-point capital intended to lead directly to ownership and asset acquisition.

2. Ownership Retention and Growth

This pillar supports long-term stabilization and growth for new owners and entrepreneurs through activities such as business stabilization assistance, procurement and contract readiness support, housing stabilization assistance, and other investments intended to help residents maintain and grow recently acquired assets.

3. Asset Protection and Transfer

This pillar supports the long-term preservation and transfer of wealth through services such as wills and trusts, title clearing, heirs' property resolution, succession planning, LLC formation, and other legal protections that help preserve ownership across generations.

The amended policy prioritizes measurable outcomes related to increased homeownership and business ownership, stabilization of new owners during early years of ownership, preservation of resident-owned assets, and creation of transferable generational wealth.

If adopted, the amended policy will serve as the foundation for a future Social Equity Request for Proposals (RFP) process focused on measurable community wealth-building outcomes aligned with the City's Economic Development Strategy and broader equitable economic development goals.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

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

Shared Prosperity - Abundant opportunities for all people to prosper

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 amended policy establishes that at least fifty percent (50%) of local marihuana business permit fee revenue and State marihuana excise tax revenue received by the City shall be allocated toward programs, services, and initiatives aligned with the policy's community wealth-building framework.

No additional General Fund appropriation is required as part of this action.

Subject: Draft Marihuana Social Equity Policy**Date:** May 11, 2026**PURPOSE:**

The purpose of this policy is to address the long-term economic impacts of marihuana prohibition and enforcement by expanding access to ownership, wealth-building opportunities, and economic participation for residents and communities disproportionately impacted by prior marihuana enforcement. This policy applies to all marihuana businesses permitted to operate within the City of Kalamazoo. Current permit holders shall comply with the requirements of this policy at the time of permit renewal, including submission and supplementation of any required social equity plan documentation.

SCOPE:

This policy seeks to:

- Allow targeted focus on disproportionately impacted individuals and City neighborhoods
- Reduce barriers to entering the marihuana industry specific to Kalamazoo residents
- Provide funding for programs, services, and initiatives that support wealth-building outcomes for residents of the Northside, Eastside, and Edison neighborhoods

POLICY:**A. Fee reductions**

The City marihuana business permit fee required of qualifying social equity individuals and business entities is reduced as follows:

1) A 25% reduction in the City permit fee for a sole proprietor who is a resident, or a business entity composed of majority (51% or more) ownership by one or more persons who are residents, of City Census Tracts 1 (Eastside), 9, 10, (Edison), and/or 2.02, 3 (Northside) for at least 3 years prior to applying for a marihuana business permit.

2) A reduction in the City permit fee for one, but not both, of the following:

- A 25% reduction in the City permit fee for a City resident or group of City residents with a marihuana-related misdemeanor conviction or expunged conviction that does not involve distribution of a controlled substance to a minor, who have 51% or more ownership interest in the business, and who has or have resided in the City for at least 3 years prior to applying for a marihuana business permit.
- A 40% reduction in the City permit fee for a City resident or group of City residents with a marihuana-related felony conviction or expunged conviction that does not involve delivery or distribution of a controlled substance to a minor, who have 51% or more ownership interest in

the business, and who has or have resided in the City for at least 3 years prior to applying for a marihuana business permit.

3) An additional 10% reduction in the City permit fee if a sole proprietor or a member of the business entity holding at least a 10% ownership interest in the business has been a registered primary caregiver for at least 2 years between 2008 and 2017.

B. Zoning Code Exceptions

1) A business entity operating as a marihuana retailer may locate 500 feet from another marihuana retailer in conformity with the City zoning code if:

- The applicant, or a majority (51% or more) of the applicant-owners is a City resident within City Census Tracts 1 (Eastside), 9, 10 (Edison), and/or 2.02, 3 (Northside) for the 3 years prior to applying for a marihuana business permit; or
- A City resident or group of City residents with a marihuana-related misdemeanor or felony conviction, that does not involve delivery or distribution of a controlled substance to a minor and who has 51% or more ownership interest in the business

2) A business entity operating as a marihuana microbusiness or class A microbusiness may locate 250 feet from another microbusiness or class A microbusiness in conformity with the City zoning code if:

- An applicant, or a majority (51% or more) of the applicant-owners is a City resident within City Census Tracts 1 (Eastside), 9, 10 (Edison), and/or 2.02, 3 (Northside) for the past 3 years; or
- A City resident or group of City residents with a marihuana-related misdemeanor or felony conviction or expunged marihuana-related conviction that does not involve delivery or distribution of a controlled substance to a minor and who has 51% or more ownership interest in the business

C. Use of Funds

1) At least fifty percent (50%) of local marihuana business permit fee revenue and State marihuana excise tax revenue received by the City shall be allocated to programs, services, and initiatives that support measurable community wealth building outcomes for residents of the Northside, Eastside, and Edison neighborhoods.

Funded activities shall be aligned with the following pillars:

a. First Access to Capital and Asset Acquisition

Funds may support programs and initiatives that provide residents with direct access to the capital, financing assistance, or acquisition support necessary to obtain ownership of appreciating assets.

Eligible activities may include, but are not limited to:

- Down payment and closing cost assistance for owner-occupied housing
- Startup capital for new businesses, including assistance with licensing, insurance, legal formation, inventory, equipment, or operational startup costs
- Commercial property acquisition assistance
- Capital access programs for entrepreneurs and microenterprises
- Equipment, tools, or infrastructure necessary to establish or expand a business
- Gap financing programs intended to move residents from business preparation into active ownership

Priority shall be given to programs that result in a completed transaction or acquisition, including homeownership, business ownership, commercial ownership, or other forms of appreciating asset ownership.

b. Ownership Retention and Growth

Funds may support programs and initiatives that strengthen the long-term viability, stability, and revenue-generating capacity of resident-owned assets and businesses.

Eligible activities may include, but are not limited to:

- Business stabilization and growth assistance
- Contract readiness and procurement assistance for resident-owned businesses
- Programs connecting resident-owned businesses to contracting opportunities with public, institutional, or private sector partners
- Technical assistance tied to revenue generation, expansion, or operational sustainability
- Housing stabilization assistance intended to prevent the loss of recently acquired owner-occupied housing
- Programs that preserve ownership during periods of financial hardship or unexpected capital need
- Investments that support equity growth, business scaling, or long-term asset appreciation

Programs funded under this section should prioritize measurable outcomes related to retained ownership, revenue generation, business growth, equity preservation, or increased asset value.

c. Asset Protection and Transfer

Funds may support programs and initiatives that protect resident-owned assets and ensure the legal transfer, preservation, and continuation of ownership across generations.

Eligible activities may include, but are not limited to:

- Estate planning services
- Wills and trusts
- Title clearing and heirs' property resolution
- LLC formation and business entity structuring
- Operating agreements and succession planning
- Legal assistance related to asset preservation or transfer
- Reduced-fee or pro bono legal service partnerships that produce completed legal documents and enforceable ownership protections

Priority shall be given to programs that result in completed legal protections, documented ownership security, or successful transfer planning for resident-owned assets or businesses.

D. Compliance with Social Equity Plan

1) Individuals or entities that have received fee reductions and/or reduced separation distance opportunities based on this social equity policy must provide proof of continued eligibility at time of City permit renewal.

a. If eligible, they will receive fee deductions when renewing their permit.

b. If no longer eligible:

i. They will not receive fee deductions

ii. If the individual or entity took advantage of reduced separation distance opportunities, they would no longer be eligible to operate the business at that location.

3) Marihuana businesses seeking renewal of their City-issued permit must provide answers to the following questions:

a. How many City residents do you currently employ?

b. How many current employees reside in Census Tracts 1 (Eastside); 9,10 (Edison) and/or 2,02, 3 (Northside)?

c. What is your plan to employ residents of the identified census tracts?

d. How many of your employees have prior marihuana-related convictions or expungements, excepting a conviction for delivery or distribution to a minor?

e. What is your plan for employees with a prior marihuana conviction to move up within your business and/or the marihuana industry?

4) To be eligible for renewal of the City permit a marihuana business must qualify as a Silver Social Equity All-Star or better with the Michigan Cannabis Regulatory Agency.

EFFECTIVE DATE: _____

David Anderson, Mayor

HISTORY:

May 18, 2020

This policy was initially adopted by the City Commission in conjunction with zoning and licensing ordinances authorizing the establishment of adult-use marihuana businesses.

June 1, 2020

The day after the City Commission first adopted this policy, the Michigan Marihuana Regulatory Agency announced changes to its Social Equity Program, effective June 1, 2020. As a result, the City Commission amended this policy to incorporate a 40% reduction in permit fees for a marihuana felony conviction not involving delivery or distribution to a minor.