



Agenda

Regular Meeting of the City Commission

City of Kalamazoo

Monday, May 2, 2016

7:00 PM

City Commission Chambers - 241 W. South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: **Pastor Matt Munson, Valley Family Church**
2. Pledge of Allegiance
3. Introduction of Guests
4. Proclamations
 - a. Purple Heart City

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

1. Calendar of Upcoming Meetings

E. PUBLIC HEARINGS

F. CONSENT AGENDA

(Action: Motion to approve Items "1-9" and authorize the City Manager to sign all documents on behalf of the City)

1. Approval of a two-year contract with Waste Management for loading, hauling, and disposal of belt press solids in the amount of \$6,929,162.
2. Approval of amendments to the FY2016 Budget in the amount of \$521,398 to carry forward certain expenditures that were included in the FY2015 Budget but not completed in FY2015.
3. First reading of an ordinance to rezone 21 parcels located at and near the intersection of Parkview Avenue and Oakland Drive from Zone CC (Commercial, Community District) and Zone CO (Commercial, Office District) to Zone CN-1 (Commercial, Neighborhood District); and schedule a public hearing for May 16, 2016.
4. Adoption of a RESOLUTION indicating the City has met the requirements to receive federal Transportation Alternatives Program funding for the Kilgore Road sidewalk installation project.

5. Approval of a Transit Services Agreement between Texas Township, Kalamazoo Valley Community College, the City of Kalamazoo, and the Central County Transportation Authority.
6. Approval of a special permit for a miniature pig to be kept at 1315 Fraternity Village Drive, subject to compliance with applicable statutes, ordinances and health codes.
7. Approval of an easement for Consumers Energy to place a power pole guy wire on City owned property at 1129 E Michigan Avenue.
8. Approval of the Mayor's term extensions, appointments, and reappointments to the Downtown Development Authority:
 - the extension of **Jim Escamilla's** term until March 31, 2017.
 - the reappointment of **Grant Fletcher** for a term expiring on March 31, 2019.
 - the appointment of **Stephanie Hinman** for a term expiring on March 31, 2020.
 - the appointment of **Susan Lindemann** for a term expiring on March 31, 2020.
 - the appointment of **Patti Owens** for a term expiring on March 31, 2020;
 - the extension of **Derek Wissner's** term until March 31, 2018.
9. Approval of the minutes from the City Commission meeting on April 4, 2016.

G. REGULAR AGENDA

1. Consideration of the following items related to the Group Violence Intervention Program:
 - a. Approval of a proposal for the Group Violence Intervention Program through the National Network for Safe Communities - John Jay College of Criminal Justice in the amount of \$316,753.75.
 - b. Acceptance of grant funding from the Kalamazoo Community Foundation to support the Group Violence Intervention Program in the amount of \$50,000

(Action: Motion to approve the proposal and accept the grant)
2. Adoption of an ORDINANCE repealing Chapter 23, Article II of the Code of Ordinances regarding the Friends of Recreation Board. **(Action: Motion to adopt the ordinance)**
3. Consideration of the following items related to the City's parking system:
 - a. Endorsement of the *Downtown Kalamazoo Five Year Transportation, Parking and Mobility Plan, 2016-2020*.
 - b. Adoption of an ORDINANCE to amend Section 36-185 of the Kalamazoo Code of Ordinances to raise the fines and late fees for parking violations within the City of Kalamazoo.

(Action: Motion to endorse the plan and adopt the ordinance)

H. REPORTS AND LEGISLATION

1. City Manager's Report

I. UNFINISHED BUSINESS

J. POLICY ITEMS

K. NEW BUSINESS

L. CITIZEN COMMENTS

M. MISCELLANEOUS COMMENTS AND CONCERNS BY COMMISSIONERS

N. CLOSED SESSION

O. ADJOURNMENT

ADDITIONAL INFORMATION

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Questions regarding agenda items may be answered prior to the meeting by contacting the City Manager's Office at 269.337.8047.

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Agendas for the regular meetings of the Kalamazoo City Commission are available on the Internet at: www.kalamazoocity.org

The Kalamazoo City Commission meetings are held on the first and third Mondays at 7:00 p.m. and are shown live on the Public Media Network (channel 190 for Charter customers, channel 99 for U-Verse customers). The meetings are rebroadcast on Tuesdays at 8:00 a.m., Wednesdays, at 1:00 a.m., and Thursdays at 3:00 p.m.



Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

PREPARED BY: Shelby Moss, Deputy City Clerk

DATE: 4/19/2016

SUBJECT: Calendar of Upcoming Meetings

INFORMATIONAL ITEMS

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

ATTACHMENTS:

	Type	Description
▣	Meeting Schedule	20160502 Calendar of Meetings



Calendar of Upcoming Meetings

City of Kalamazoo

City Commission (next 30 days)

Regular Business Meetings – 7:00 p.m. in the City Commission Chambers

May 16th and June 6th

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

May 16th

Advisory Boards, Commissions and Committees (next two weeks)

The **Parks and Recreation Advisory Board** will meet on Tuesday, May 3, 2016 at 5:20 p.m., in the Parks and Recreation Community Room at Mayors' Riverfront Park, located at 251 Mills Street.

The **Kalamazoo Historic Preservation Commission** will meet on Tuesday, May 10, 2016 at 7:00 p.m., in the Community Room at City Hall.

The **Employee Retirement System Board of Trustees** will meet on Wednesday, May 11, 2016 at 8:00 a.m., in the Third Floor Conference Room at City Hall.

The **Friends of Recreation Board** will meet on Thursday, May 12, 2016 at 8:15 a.m., in the Parks and Recreation Community Room at Mayors' Riverfront Park, located at 251 Mills Street.

The **Traffic Board** will meet on Thursday, May 12, 2016 at 4:00 p.m., in the Public Services Conference Room, located at 415 Stockbridge Avenue.

The **Community Development Act Advisory Committee** will meet on Thursday, May 12, 2016 at 6:30 p.m., in the Community Room at City Hall.

The **Zoning Board of Appeals** will meet on Thursday, May 12, 2016 at 7:00 p.m., in the City Commission Chambers at City Hall.

The **Downtown Development Authority** will meet on Monday, May 16, 2016 at 3:00 p.m., in the Community Room at City Hall.



Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Teresa Johnson, Interim Public Services Deputy Director

PREPARED BY: James H. Cornell, Wastewater Superintendent

DATE: 4/21/2016

SUBJECT: Belt Press Solids Disposal Contract

RECOMMENDATION

It is recommended that the City Commission approve a two-year contract for loading, hauling, and disposal of belt press solids with Waste Management in the amount of \$6,929,162.

BACKGROUND

Approximately 80,000 to 90,000 wet tons of biosolids are generated every year at the KWRP as part of various wastewater treatment processes. The current method of disposal for most of the biosolids produced at the WRP is placement in regional landfills. This method of disposal is currently the most economical for most treatment plants. This method of disposal requires loading and hauling of these biosolids to these landfills for ultimate disposal. Generally these biosolids need to be mixed with other municipal solid waste to ensure that proper compaction of waste materials occurs in the landfill. The disposal of the biosolids in the landfill increases the amount of bio-gas that the landfill generates and collects.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

This contract represents a 3.0% increase in price to \$35.36 a ton for year one and an additional 3.03% increase for year two to \$36.43 a ton. One of the factors for the large increase is that landfills across the country are facing reduced residential waste to mix with the belt press cakes. This results in handling issues at the landfill and associated increased costs.

This contract extension will run from June 1, 2016 to May 31, 2018. The 2016 portion of this contract will be \$1,990,874.67 and the 2017 portion of this contract will be \$3,473,189.83. Funds for this contract are available in the 2016 Wastewater Treatment Contractual Services budget. The 2017 portion of the contract will be budgeted for in the 2017 Wastewater Treatment Outside Contractual Services budget. The remaining portion of \$1,465,097.50 will be included in the 2018 budget.

ALTERNATIVES

KWRP staff is committed to explore alternatives for future contracts. Options include splitting the hauling contract between two vendors and to evaluate awarding the contract to a trucking company and have them contract with several landfills to suit our hauling needs and resolve some of the landfill issues. Staff has also looked at bringing back the land application option; however, landfill disposal is currently much less expensive than land application. Composting of residual solids for beneficial reuse has been studied; at this time this is not feasible with the local composting facilities ceased operations. In 2015 water reclamation plant staff conducted a solids study to evaluate new dewatering technology to determine if biosolids cake dryness could be increased to help reduce hauling costs. The solids study data is being reviewed by Jones & Henry Engineers to determine cost effective capital improvement project options.



Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Thomas C. Skrobola, Director of Management Services/Chief Financial Officer

PREPARED BY: Lisa Brown, Admin & Financial Services Manager and Stephanie McGowan, Budget Manager

DATE: 4/21/2016

SUBJECT: FY 2015 Budget Carryforwards

RECOMMENDATION

It is recommended that the City Commission approve the attached schedule of amendments to the FY2016 Budget to carry forward certain expenditures that were included in the FY2015 Budget but not completed in FY 2015, in the amount of \$521,398.

BACKGROUND

The General Fund requests carry forwards in the amount of \$245,991 for appraisals for Michigan Tax Tribunal cases, mailing supplies, software, vehicles for Community Planning & Development and Parks & Recreation, promotional exams and apparatus additions for Public Safety, and funds to update the Master Plan required by HUD, and create a Strategic Vision for the organization. The request also includes funding for Intergovernmental Initiatives, and Neighborhood Association grants.

Carry forward requests for non-general fund expenditures include pending medical claims impacting the insurance fund and the BRA Loan to NoMI for the Rivers Edge project.

The City's budget policies authorize approved capital project budgets to be re-appropriated at the end of the year. The attached schedule includes capital project budgets carried forward from 2015 to 2016 for informational purposes.

COMMUNITY RESOURCES CONSULTED

Community consultation was not required.

FISCAL IMPACT

The General Fund 2016 budget would increase by \$245,991. However, the proposed increase in expenditures were appropriated in the FY 2015 budget.

ALTERNATIVES

The City Commission could choose not to amend the FY2016 budget for all or a portion of the operational carry forwards which would hinder the completion of projects originally included in the FY2015 budget.

ATTACHMENTS:

Type	Description
☐	Budget Carryforward Detail

CITY OF KALAMAZOO
2015 - 2016 GENERAL FUND PROPOSED CARRYFORWARDS

	2016 Adopted Budget	2015-2016 Carryforwards	2016 Proposed Amended
REVENUE			
Tax Levy Revenue	28,656,467		28,656,467
Other Tax or PILOT Payments	1,888,281		1,888,281
Licenses, Permits & Fees	2,220,640		2,220,640
Intergovernmental Revenue	9,620,633		9,620,633
Charges for Services	9,434,251		9,434,251
Fines and Forfeitures	486,800		486,800
Interest & Rentals	182,108		182,108
Other Revenue	468,452		468,452
Total Revenue	52,957,632	-	52,957,632
EXPENDITURES			
City Commission	73,708		73,708
City Administration	860,447		860,447
City Attorney	649,270		649,270
City Clerk	622,473		622,473
Internal Auditor	85,957		85,957
Human Resources	672,028	120	672,148
Information Technology	1,184,453	16,000	1,200,453
Management Services	2,900,259	25,986	2,926,245
Public Safety	28,663,357	45,662	28,709,019
Public Services	5,514,193		5,514,193
Community Planning & Development	1,506,212	52,659	1,558,871
Economic Development	105,540		105,540
Parks & Recreation	1,824,117	34,000	1,858,117
Non-Departmental Expenditures	2,240,875	71,565	2,312,440
Initiatives	335,000		335,000
OPEB Expense	6,324,225		6,324,225
Total Operating Expenditure	53,562,114	245,991	53,808,105
Transfer to Local Street Fund	-		-
Transfer to CIP Fund	2,100,000		2,100,000
Total Transfer for Capital Improvement	2,100,000	-	2,100,000
TOTAL EXPENDITURES	55,662,114	245,991	55,908,105
Beginning Fund Balance	11,339,115		11,339,115
Surplus / (Deficit)	(3,054,482)		(3,054,482)
Contribution from/(to) Budget Stabilization	-		-
Contribution from/(to) Insurance Fund			-
Ending Fund Balance	8,284,633		8,284,633
Target Fund Balance	6,884,492		6,884,492
Amount Over (Under) Target	1,400,141		1,400,141

City of Kalamazoo
2015-2016 Capital Project Budget Carryforwards

	Carried Forward to 2016	Outside Funding	Other City Funding	Bond Reserves	Other Reserves
CAPITAL IMPROVEMENT PROGRAM					
Public Safety Projects					
UPDATE FIRE APPARATUS-2011	37,136	-	-	37,136	-
PUBLIC SAFETY FACILITIES UPGRADE-2014	12,536	-	-	12,536	-
REPLACE ENGINE #7	500,650	-	-	500,650	-
Total Public Safety Projects	550,322	-	-	550,322	-
Parks and Recreation Projects					
WOODS LAKE PARK REDEVELOPMENT	183,017	36,320	-	-	146,697
PARK ENTRANCE SIGNS	1,308	-	1,308	-	-
BRONSON PARK IMPROVEMENTS	25,000	-	-	25,000	-
FARMERS MARKET REDEVELOPMENT	13,532	-	-	13,532	-
Total Parks Projects	222,857	36,320	1,308	38,532	146,697
General Fund Projects					
CITY HALL-WEST BOILER REPLACEMENT	15,177	-	-	15,177	-
Total General Government Projects	15,177	-	-	15,177	-
Public Services					
1-94 BUSINESS LOOP GATEWAY-2011	23,243	8,176	-	-	15,067
KAL RIVER VALLEY TRAIL-DOWNTOWN CONNECT	1,574,507	1,450,000	-	124,507	(0)
KVCC/WMU STREETScape	200,000	-	-	200,000	-
ADA SIDEWALK IMP-VINE AT JOHN/BOERMAN	5,000	-	-	5,000	-
KRVT- PORTAGE CREEK-UPJOHN PARK (DNR)	457,000	457,000	-	-	-
LOVELL ST RAMPS - NEAR CITY HALL	8,000	-	-	8,000	-
Total Public Services Projects	2,267,750	1,915,176	-	337,507	15,067
TOTAL CAPITAL IMPROVEMENT PROGRAM	3,056,106	1,951,496	1,308	941,538	161,764
LOCAL STREETS CAPITAL PROJECTS					
FARMERS ALLEY-SOUTH ST. TO MI AVE	30,323	-	-	30,323	-
BALKEMA (CAMBRIDGE TO MILLER)	10,982	-	-	10,982	-
HAZARD (CENTER TO HUMPHREY)	63,369	-	-	63,369	-
FRANKLIN CIRCLE (JAMES TO MARCH)	-	-	-	-	-
HIBBARD (4TH TO SOUTH END)	37,843	-	-	37,843	-
MILLARD CT (CROSSTOWN TO ROSKAM CT)	11,285	-	-	11,285	-
ROSKAM COURT (MILLARD EAST)	17,835	-	-	17,835	-
TOTAL LOCAL STREETS	171,637	-	-	171,637	-

City of Kalamazoo
2015-2016 Capital Project Budget Carryforwards

	Carried Forward to 2016	Outside Funding	Other City Funding	Bond Reserves	Other Reserves
MAJOR STREETS CAPITAL PROJECTS					
LOVERS LANE (CORK TO ROYCE)	7,874	-	-	7,874	-
CORK (WESTNEDGE TO BURDICK)	10,466	-	-	10,466	-
PORTAGE (KILGORE TO LAKEWAY)	15,959	-	-	15,959	-
NORTH (DOUGLAS TO GULL RD)	60,954	-	-	60,954	-
2010 TRAFFIC SIGNAL UPGRADES	10,000	-	-	10,000	-
OAKLAND/PARKVIEW IMPROVEMENTS	38,712	-	-	38,712	-
STADIUM/DRAKE INTERSECTION	16,936	-	-	16,936	-
DRAKE (W. MAIN TO GRAND PRAIRIE)	98,038	-	-	98,038	-
HOWARD (MICHIGAN TO KENDALL)	2,196	-	-	2,196	-
ROSE (RANSOM TO PATERSON)	748	-	-	748	-
WALLACE (MICHIGAN TO MAIN)	8,763	-	-	8,763	-
FACTORY (MILLER TO PALMER)	7,779	-	-	7,779	-
TRAFFIC SIGNAL UNDERGROUND CONDUIT	96,069	-	-	96,069	-
CROSSTOWN PKWY SIGNAL UPGRADES	38,319	-	-	38,319	-
KAZOO MALL/WATER ST-SIGNAL UPGRADES	359,886	-	-	359,886	-
PORTAGE (CROSSTOWN TO EGLESTON)	14,277	-	-	14,277	-
PITCHER (WATER TO NORTH)	84,268	-	-	84,268	-
RIVERVIEW (GULL TO MT. OLIVET)	54,991	-	-	54,991	-
MILLS (STOCKBRIDGE TO KING HWY)	5,590	-	-	5,590	-
I94/SPRINKLE ROAD INTERCHANGE	6,027	-	-	6,027	-
2015 TRAFFIC SIGNAL UPGRADES	61,069	-	-	61,069	-
PORTAGE ROAD CMAQ PROJECT	12,100	-	-	12,100	-
RANSOM/GULL/HARRISON ROUNABOUT	25,226	-	25,226	0	-
WESTNEDGE AREA STORM DRAIN REHAB	166,513	-	-	166,513	-
TOTAL MAJOR STREETS	1,202,758	-	25,226	1,177,532	-
WATER CAPITAL PROJECTS					
OSHTOMO WELLFIELD-STATION #38	75,000	-	-	75,000	-
TEXAS TWSP BOOSTER/BLEEDER STATION	20,000	-	-	20,000	-
2015 WATER PUMP STATION IMPROVEMENTS	95,821	-	-	95,821	-
BEECH TANK BOOSTER STA #28-REPL FREQ DR	3,868	-	-	3,868	-
VALVE IMPROVEMENT PROGRAM	75,765	-	-	75,765	-
LOVERS LN (LAKEWAY N 1800')-REPL 8" MAIN	16,431	-	-	16,431	-
GULL RD BRIDGE MAIN REPLACEMENT	3,500	-	-	3,500	-
FARMERS ALLEY WATER MAIN REPLACEMENT	8,085	-	-	8,085	-
SPRINKLE ROAD WATER MAIN REPLACEMENT	129,162	-	-	129,162	-
6200 WEST KL AVE/GR LAKES EXPLORATION	6,049	-	-	6,049	-
APPLGATE TRAILS PHASE #3	3,268	-	-	3,268	-
HOUSTON PLACE WATER MAIN RECONSTRUCTION	33,867	-	-	33,867	-
2310 GOLDSWORTH DR/WMU DINING FACILITY	1,900	-	-	1,900	-
2965 OAKLAND DR - SAWALL HEALTH FOODS	626	-	-	626	-
COMPUTER REPLACEMENT	3,702	-	-	3,702	-
MOBILE WORKORDER SOLUTION	19,128	-	-	19,128	-
WATER SYSTEM SCADA REPLACEMENT-2014	130,394	-	-	130,394	-
TOTAL WATER	626,565	-	-	626,565	-

City of Kalamazoo
2015-2016 Capital Project Budget Carryforwards

	Carried Forward to 2016	Outside Funding	Other City Funding	Bond Reserves	Other Reserves
WASTEWATER CAPITAL PROJECTS					
COMPUTER REPLACEMENT	14,310	-	-	-	14,310
RECORDS MGMT-GBA SOFTWARE	6,365	-	-	-	6,365
HACH WIMS	10,000	-	-	-	10,000
HARRISON FACILITY BUILDING DEMO-2013	6,448	-	-	-	6,448
BURKE COURT LIFT STATION #1 UPGRADES	21,021	-	-	-	21,021
WHITES LAKE LIFT STATION	7,748	-	-	-	7,748
TERTIARY BLDG. #19-SCREW PUMP DESIGN	41,266	-	-	-	41,266
SECONDARY BLDG. #12-RAS PUMP	430,154	-	-	-	430,154
HARRISON-5TH STREET RECONSTRUCTION	14,085	-	-	-	14,085
HARRISON-HEATING IMPROVEMENTS	3,239	-	-	-	3,239
LOAD CENTER 5 REPLACEMENT	77,947	-	-	-	77,947
TV SEWER TRUCK	49,113	-	-	-	49,113
WW SCADA SYSTEM UPGRADE	8,109	-	-	-	8,109
PHOSPHAX ANALYZER-TERTIARY BLDG #20	2,322	-	-	-	2,322
BLANKET PROBE UPGRADE-SECONDARY #11B	3,211	-	-	-	3,211
FARMERS ALLEY SEWER MAIN REPLACEMENT	7,038	-	-	-	7,038
CIPP SEWER LINER AT FORBES & BANK OUTLET	285,178	-	-	-	285,178
HOUGHTON PLACE SANITARY SEWER REHAB	975	-	-	-	975
HARRISON FACILITY SEWER LINE REPLACEMENT	1,898	-	-	-	1,898
TOTAL WASTEWATER	990,426	-	-	-	990,426



Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Laura Lam, CP&D Director

PREPARED BY: Robert H. Bauckham, Senior Development Planner

DATE: 4/18/2016

SUBJECT: Rezone 21 parcels at Parkview and Oakland

RECOMMENDATION

It is recommended that the City Commission offer the first reading of an ordinance to rezone 21 parcels located at and near the intersection of Parkview Avenue and Oakland Drive from Zone CC (Commercial, Community District) and Zone CO (Commercial, Office District) to Zone CN-1 (Commercial, Neighborhood District), and schedule the public hearing for May 16, 2016.

BACKGROUND

This is the first of four multiple-parcel rezoning requests that will be brought to the City Commission for review by the Community Planning and Development Department. The purpose of the requests is to bring the zoning of the parcels in each of the four separate areas of the city into compliance with the future land use plan. The future land use plan, adopted in 2010, was the culmination of two years of meetings with the citizens and business owners of Kalamazoo on how land in the city should be utilized through the year 2030. The plan represents the hopes and desires of the overall community for the future development of Kalamazoo.

This first request pertains to twenty-one parcels located at and near the Parkview Avenue and Oakland Drive intersection. The future land use plan shows that most of the parcels at the intersection are in the Neighborhood Commercial category. The only exception is the property for the Woods Lake Elementary School at the southeast corner of the intersection, which is in the Institutional land use category and is not included in this rezoning request. The twenty-one parcels that are included are currently in the CC or CO zoning district. The request is to rezone all of these parcels to the CN-1 zone, to be in compliance with the future land use plan. All rezoning requests are checked for compliance with the future land use plan.

The following table lists the twenty-one parcels proposed for the rezoning, and indicates how they are currently used and zoned.

Parcel Address	Current Zone	Current Use
2130 Parkview Avenue (south portion)	CC	Park and memorial
2122 Parkview Avenue	CC	Vacant land

2118 Parkview Avenue	CC	Hair salon
2114 Parkview Avenue	CC	Parking lot
3122 Oakland Drive	CC	Vacant land (city owned)
3120 Oakland Drive	CC	Vacant land (city owned)
3110 Oakland Drive	CC	Former liquor store
3104 Oakland Drive	CC	Jewelry store
3108 Oakland Drive	CC	Vacant land
3050 Oakland Drive (south portion)	CC	Gasoline station
3037 Oakland Drive	CC	Coffee shop
3029 Oakland Drive	CC	Bank
3013 Oakland Drive (south portion)	CC	Oakwood Plaza
2036 Oakland Drive (west portion)	CC	Commercial center
1803 Whites Road	CO	Medical offices
1817 Whites Road	CO	Medical offices
1850 Whites Road	CO	Medical offices
1900 Whites Road	CO	Medical offices
1901 Whites Road	CO	Medical offices
2020 Whites Road	CC	Consumers Energy
2025 Whites Road (west portion)	CC	Bank

The CN-1 zone encourages neighborhood-type commercial uses. The CC zone permits such neighborhood commercial uses and also allows more intensive commercial uses such as auto sales and repair businesses, animal kennels and sales, construction sales and service businesses, fast order food drive-through businesses, bars, liquor stores, gasoline stations, hotels, commercial parking lots, and car washes. Such uses would not be allowed without a variance or special use permit in the CN-1 zone. During the development of the current future land use plan, the community made it clear that such uses, which typically include increased levels of traffic, noise, and lighting compared to the permitted uses in CN-1, were not desired for this intersection. The table of allowed uses from the zoning ordinance for the CC zone and the CN-1 zone is attached for review.

In the proposed CN-1 zone, all but two parcels would conform with the new zoning. The former liquor store (Bacchus) at 3110 Oakland Drive could not be re-established if it is abandoned and remains vacant for over one year, because such uses are not permitted in zone CN-1. The current gasoline station at 3050 Oakland Drive (Rich's) would be a non-conforming use and could not be expanded. Currently, the northern portion of the parcel is in the CN-1 zone and it can be argued that the gas station is a non-conforming use as a result of this split zoning. As a non-conforming use, the gas station could remain in operation as it is indefinitely. It could receive repairs/maintenance and be re-modeled, but it could not be expanded. If the facility was destroyed, it could not be re-built as a gas station and would have to be re-built as a conforming use. All of the other current uses on the parcels for the rezoning would be conforming uses in the proposed CN-1 zone.

The rezoning would eliminate the split zoning that exists on five of the subject parcels, and place them in one zoning district. This is a policy in the Planning division for all areas of the city.

COMMUNITY RESOURCES CONSULTED

The owners and occupants of all of the parcels that are subject to this rezoning, and the owners and occupants of all parcels located within a 300-foot radius were notified of the request and invited to contact Planning staff for

more information. The Oakland Drive/Winchell Neighborhood Association and Oakwood Neighborhood Association were also notified of the request. No concerns about the rezoning have been received as of the date of this report. Two letters of support for the request are attached. The property owners/occupants and neighborhood associations were also invited to attend the Planning Commission public hearing for the request, and they will be invited to attend the City Commission public hearing.

FISCAL IMPACT

None of the existing businesses or users on the subject parcels would be required to relocate or change their operations as a result of the rezoning. If abandoned for over a year, the former Bacchus store could only be re-utilized as a conforming use. The current Rich's gas station could not be expanded from it's current footprint. The Neighborhood Commercial zone allows for smaller scaled retail, with smaller setbacks, and parking requirements. The city will benefit from the types of retail, business, and mixed use potential that is able to be built in a more compact way, remaining in scale with the surrounding neighborhood.

ALTERNATIVES

The City Commission has the option of not approving the rezoning request. If it is not approved, the 21 subject parcels will continue to not be in conformance with the future land use plan. Intensive commercial uses could locate on some of the parcels, such as auto repair shops, which the community has indicated via the 2010 Master Plan that it would not like to see in that area of the city. It is recommended that the rezoning be approved.

ATTACHMENTS:

Type	Description
❑ Ordinances	Parkview Ave./Oakland Dr. Rezoning Ordinance
❑ Aerial Photo	Aerial photograph
❑ Map - Existing Land Use	Existing land use
❑ Map – Proposed Zoning	Proposed zoning
❑ Map – Future Land Use	Future land use plan
❑ Background Material	Use table
❑ Correspondence	Support letters
❑ Minutes	PC Meeting Minutes

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTION 1.8.A. ZONE DISTRICT MAP OF THE ZONING
ORDINANCE, BEING APPENDIX A OF THE KALAMAZOO CODE**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Under Section 1.8.E. the Zone District Map described in Section 1.8.A. is amended as follows:

The land area hereinafter described to be rezoned from Zone CC (Commercial, Community District) and Zone CO (Commercial, Office District) to Zone CN-1 (Commercial, Neighborhood District).

That area of land in Section 29 of the City of Kalamazoo, County of Kalamazoo, State of Michigan, commonly referred to as the following twenty-one parcels:

1901 Parkview Avenue	3108 Oakland Drive
2036 Parkview Avenue (west portion)	3110 Oakland Drive
2114 Parkview Avenue	3120 Oakland Drive
2118 Parkview Avenue	3122 Oakland Drive
2122 Parkview Avenue	1803 Whites Road
2130 Parkview Avenue (south portion)	1817 Whites Road
3013 Oakland Drive (south portion)	1850 Whites Road
3029 Oakland Drive	1900 Whites Road
3037 Oakland Drive	2020 Whites Road
3050 Oakland Drive (south portion)	2025 Whites Road
3104 Oakland Drive	

The parcels are legally identified in Attachment A. A map identifying the land area is also attached.

Section 2. Repealer. All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____, 2016, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been available as required by said Act, and furthermore, said ordinance was duly recorded, posted, and authenticated by the Mayor and City Clerk as provided by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott A. Borling, City Clerk

ATTACHMENT A – ORDINANCE NO. _____

1901 Parkview Avenue (Parcel No. 06-29-498-021)

All that part of Lots 15 through 21 and the west half of Lot 22 lying south of the southerly line of Parkview Avenue as extended in 1963 of the Supervisor's Plat of A C Gilbert's subdivision according to the plat thereof as recorded in Liber 10 of Plats, Page 13.

2036 Parkview Avenue – west portion (Parcel No. 06-29-495-001)

Lot 1, excluding the South 20 feet of the Supervisor's Plat of A C Gilbert's subdivision according to the plat thereof as recorded in Liber 10 of Plats, Page 13.

Also that part of Lot 2 of the Supervisor's Plat of A C Gilbert's subdivision according to the plat thereof as recorded in Liber 10 of Plats, Page 13 described as follows: commencing on the southwest corner of Lot 2; thence East along the south line of Lot 2 to the southeast corner of that lot; thence North 61.9 feet along the easterly line of Lot 2; thence West 50 feet parallel to the south line of Lot 2; thence South 5.72 feet parallel to the easterly line of Lot 2; thence West parallel to the south line of Lot 2 to the west line of that lot and the easterly line of Oakland Drive; thence Southwesterly along the easterly line of Oakland Drive to the place of beginning. Also the South 115.52 feet of Lots 5 & 6, excluding that part lying South of the north line of Parkview Avenue.

2114 Parkview Avenue (Parcel No. 06-29-474-004)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at a point 118.4 feet West and 16 feet North of the southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 29; thence West parallel with the south line of this Section 40 feet; thence North 134 feet; thence East 40 feet; thence South 134 feet to place of beginning; Excluding that part lying in the Parkview Avenue right-of-way.

2118 Parkview Avenue (Parcel No. 06-29-474-005)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at a point 158.4 feet West and 16 feet North of the southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 29; thence West parallel with the south line of this Section 40 feet; thence North 134 feet; thence East 40 feet; thence South 134 feet to place of beginning; Excluding that part lying in the Parkview Avenue right-of-way.

2122 Parkview Avenue (Parcel No. 06-29-473-004)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at a point 198.4 feet West and 16 feet North of the southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 29; thence West parallel with the South line of this Section 40 feet; thence North 150 feet; thence East 40 feet; thence South 150 feet to place of beginning; Excluding that part lying in the Parkview Avenue right-of-way.

2130 Parkview Avenue – south portion (Parcel No. 06-29-473-002)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at a point 238.4 feet West of the southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 29; thence West 120 feet along the south line of Section 29; thence North 188.52 feet; thence West 82.5 feet; thence North 90 feet to a point in the Indian Reserve Line which is 278.5 feet North of the south line of Section 29; thence West along the Reserve Line to the shore of Oakland Lake (now Woods Lake); thence Northeasterly along the shore of Woods Lake to a point 239.5 feet west of the North-South 1/8 line of the Southeast 1/4 of Section 29; thence South parallel to that 1/8 line to the Reserve Line; thence East 239.5 the Reserve Line to that 1/8 line; thence South 68° 18' East 27.7 feet to a point in the westerly line of Oakland Drive; thence South 12° 20' West 20 feet along the westerly line of Oakland Drive; thence Northwesterly 23 feet; thence West 118.4 feet; thence South 8 feet; thence West 120 feet; thence South 250 feet to the point of beginning – excluding that part lying in the Parkview Avenue right-of-way.

3013 Oakland Drive – south portion (Parcel No. 06-29-487-001)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at the southeast corner of Section 29; thence North 0° 4' West 310.18 feet along the east line of Section 29 to the north line of Whites Road; thence West 578.57 feet along that north line to place of beginning; thence continuing West along that north line 462.57 feet; thence North 50.77 feet – recorded 50.45 feet; thence South 46° 16' East 27.76; thence North 43° 44' East 90 feet parallel with the southeasterly line of Oakland Drive; thence North 46° 16' West 125 feet to that southeasterly line; thence North 43° 44' East 506.44 feet along the southeasterly line of Oakland Drive; thence South 46° 16' East 208.02 feet; thence South 43° 44' West 126.49 feet; thence South 1° 13' East 264.06 feet to place of beginning.

3029 Oakland Drive (Parcel No. 06-29-491-002)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing in the northerly line of Whites Road at its intersection with the east line of Section 29; thence Westerly along that north line of Whites Road 1060.93 feet; thence North 69.56 feet; thence North 46° 16' West 69.56 feet to southeasterly line of Oakland Drive for place of beginning; thence North 43° 44' East along that southeasterly line 90 feet; thence South 46° 16' East 125 feet; thence South 43° 44' West 90 feet; thence North 46° 16' West 27.76 feet; thence North 8.33 feet; thence North 46° 16' West 5.63 feet; thence West 8.7 feet; thence North 46° 16' West 79.56 feet to place of beginning.

3037 Oakland Drive (Parcel No. 06-29-490-001)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing in the north line of Whites Road at a point 1060.93 feet West of the east line of Section 29; thence West along that north line 92.62 feet; thence Northwesterly along a curve to the right with a radius of 30 feet a distance of 70.02 feet; thence North 43° 44' 92.62 feet; thence South 46° 16' East 69.56 feet; thence South 69.56 feet to place of beginning.

3050 Oakland Drive – south portion (Parcel No. 06-29-469-001)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at a point on the west line of Oakland Drive 174.24 feet Northeasterly from an iron stake which is 278.52 feet North of the East 1/8 post on the south line of Section 29; thence North 46° 30' West 110 feet; thence South 44° 17' West to the Indian Reserve Line at a point 278.52 feet North of the south line of Section 29; thence East along that Indian Reserve Line to a point North 68° 18' West 27.7 feet from the west line of Oakland Drive; thence South 68° 18' east 27.7 feet to the west line of Oakland Drive; thence northerly and northeasterly along the westerly line of Oakland Drive to place of beginning.

3104 Oakland Drive (Parcel No. 06-29-474-001)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at a point 258 feet North of the southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 29; thence West parallel with that south line of Section 29 118.4 feet; thence South 40 feet; thence East 133.65 feet; thence North 12° 20' East 29.6 feet; thence Northwesterly 23 feet to place of beginning.

3108 Oakland Drive (Parcel No. 06-29-473-003)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing in the North-South 1/4 line of the Southeast 1/4 of Section 29 at a point 258 feet North of the south line of Section 29; thence West parallel with that south line 118.4 feet; thence South 8 feet parallel with the 1/8 line of Section 29; thence West 40 feet parallel with the south line of Section 29 for place of beginning; thence continuing West 80 feet; thence South 100 feet; thence East 80 feet; thence North 100 feet to place of beginning.

3110 Oakland Drive (Parcel No. 06-29-474-002)

That parcel of land in Section 29, Town 2 South, Range 11 West beginning at a point 118.4 feet West and 98 feet North of the southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 29; thence North 52 feet; thence West 40 feet; thence North 100 feet; thence East 40 feet; thence South 32 feet; thence East 133.65 feet to the westerly line of Oakland Drive; thence South 12° 20' West along that westerly line 122.85 feet; thence West 106.65 feet to place of beginning; Excluding that part lying in the Oakland Drive right-of-way.

3120 Oakland Drive (Parcel No. 06-29-474-010)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at the southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 29; thence West 118.4 feet along the south line of Section 29; thence North 30 feet to the point of beginning; thence South 14 feet to a point 16 feet North of the south line of Section 29 - that point being on the north line of Parkview Avenue as originally established; thence East 88.2 feet parallel with the south line of Section 29 to the west right-of-way line of Oakland Drive as originally established; thence North 12° 20' East 83.94 feet along that right-of-way line; thence West 20 feet parallel with the south line of Section 29; thence Southwesterly 73.19 feet to a point 30 feet North of the south line of Section 29 – that point being 60 feet East of the point of beginning; thence 60 feet parallel with the south line of Section 29 to the point of beginning; Excluding that part lying in the Parkview Avenue or Oakland Drive rights-of-way.

3122 Oakland Drive (Parcel No. 06-29-474-011)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at a point on the north line of Parkview Avenue 118.4 feet West and 30 feet North of the southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 29; thence North 68 feet; thence East 86.65 feet parallel with the south line of Section 29 to a point which lies 20 feet West of the west right-of-way line of Oakland Drive as originally established; thence Southwesterly 73.19 feet to a point 30 feet North of the south line of Section 29, said point also being 60 feet East of the point of beginning; thence West 60 feet parallel with the south line of Section 29 to the point of beginning; Excluding that part lying in the Parkview Avenue or Oakland Drive rights-of-way.

1803 Whites Road (Parcel No. 06-29-499-027)

Lots 26 and 27, the North 125.52 feet of Lot 25 and the North 125.52 feet of the east half of Lot 24 of Supervisor's Plat of A C Gilbert's subdivision according to the plat thereof as recorded in Liber 10 of Plats, Page 13, the South 20 feet of Lots 26 & 27 being subject to a right-of-way for driveway purposes.

Also a parcel in the Southwest 1/4 of Section 28, Town 2 South, Range 11 West, described as follows: Commencing at the southwest corner of Section 28; thence 0° 10' 30" West 244.03 feet along the west line of Section 28 to a point on the south line of Whites Road; thence South 89° 41' 30" East 25 feet along that south line of Whites Road; thence South 0° 10' 30" East 243.99 feet parallel with the west line of Section 28 to a point on the south line of Section 28; thence North 89° 47' 45" West 25 feet along that south line to place of beginning.

1817 Whites Road (Parcel No. 06-29-499-023)

Lot 23, the South 120 feet of Lots 24 and 25, the North 125.52 feet of the West half of Lot 24, and the East half of Lot 22 – excluding the South 20 feet for a drive and excluding the Northerly portion lying in Whites Road – of Supervisor's Plat of A C Gilbert's subdivision according to the plat thereof as recorded in Liber 10 of Plats, Page 13.

1850 Whites Road Unit 1 (Parcel No. 06-29-489-001)

Unit 1 of the Whites Road Professional Offices Condominium under the Kalamazoo County Condominium Subdivision Plan 54 recorded at Liber 1394, Page 1052; 2nd Amendment to Master Deed recorded at Document No. 2007-006120.

1850 Whites Road Unit 2 (Parcel No. 06-29-489-002)

Unit 2 of the Whites Road Professional Offices Condominium under the Kalamazoo County Condominium Subdivision Plan 54 recorded at Liber 1394, Page 1052; 2nd Amendment to Master Deed recorded at Document No. 2007-006120.

1850 Whites Road Unit 3 (Parcel No. 06-29-489-003)

Unit 3 of the Whites Road Professional Offices Condominium under the Kalamazoo County Condominium Subdivision Plan 54 recorded at Liber 1394, Page 1052; 2nd Amendment to Master Deed recorded at Document No. 2007-006120.

1850 Whites Road Unit 4 (Parcel No. 06-29-489-004)

Unit 4 of the Whites Road Professional Offices Condominium under the Kalamazoo County Condominium Subdivision Plan 54 recorded at Liber 1394, Page 1052; 2nd Amendment to Master Deed recorded at Document No. 2007-006120.

1850 Whites Road Unit 5 (Parcel No. 06-29-489-005)

Unit 5 of the Whites Road Professional Offices Condominium under the Kalamazoo County Condominium Subdivision Plan 54 recorded at Liber 1394, Page 1052; 2nd Amendment to Master Deed recorded at Document No. 2007-006120.

1850 Whites Road Unit 6 (Parcel No. 06-29-489-006)

Unit 6 of the Whites Road Professional Offices Condominium under the Kalamazoo County Condominium Subdivision Plan 54 recorded at Liber 1394, Page 1052; 2nd Amendment to Master Deed recorded at Document No. 2007-006120.

1850 Whites Road Unit 7 (Parcel No. 06-29-489-007)

Unit 7 of the Whites Road Professional Offices Condominium under the Kalamazoo County Condominium Subdivision Plan 54 recorded at Liber 1394, Page 1052; 2nd Amendment to Master Deed recorded at Document No. 2007-006120.

1850 Whites Road Unit 8 (Parcel No. 06-29-489-008)

Unit 8 of the Whites Road Professional Offices Condominium under the Kalamazoo County Condominium Subdivision Plan 54 recorded at Liber 1394, Page 1052; 2nd Amendment to Master Deed recorded at Document No. 2007-006120.

1900 Whites Road (Parcel No. 06-29-488-001)

That parcel of land in Section 29, Town 2 South, Range 11 West commencing at the southeast corner of Section 29; thence North 0° 4' West 310.18 feet along the east line of Section 29 to the north line of Whites Road; thence West 289.57 feet along that north line to the place of beginning; thence continuing West along that north line 139 feet; thence North 1° 13' West 175 feet; thence West 150 feet parallel with that north line; thence North 1° 13' West 89.06 feet; thence North 43° 44' East 126.49 feet; thence South 46° 16' East 69.49 feet; thence North 83° 29' East 151.05 feet; thence South 1° 13' East 324.56 feet to place of beginning.

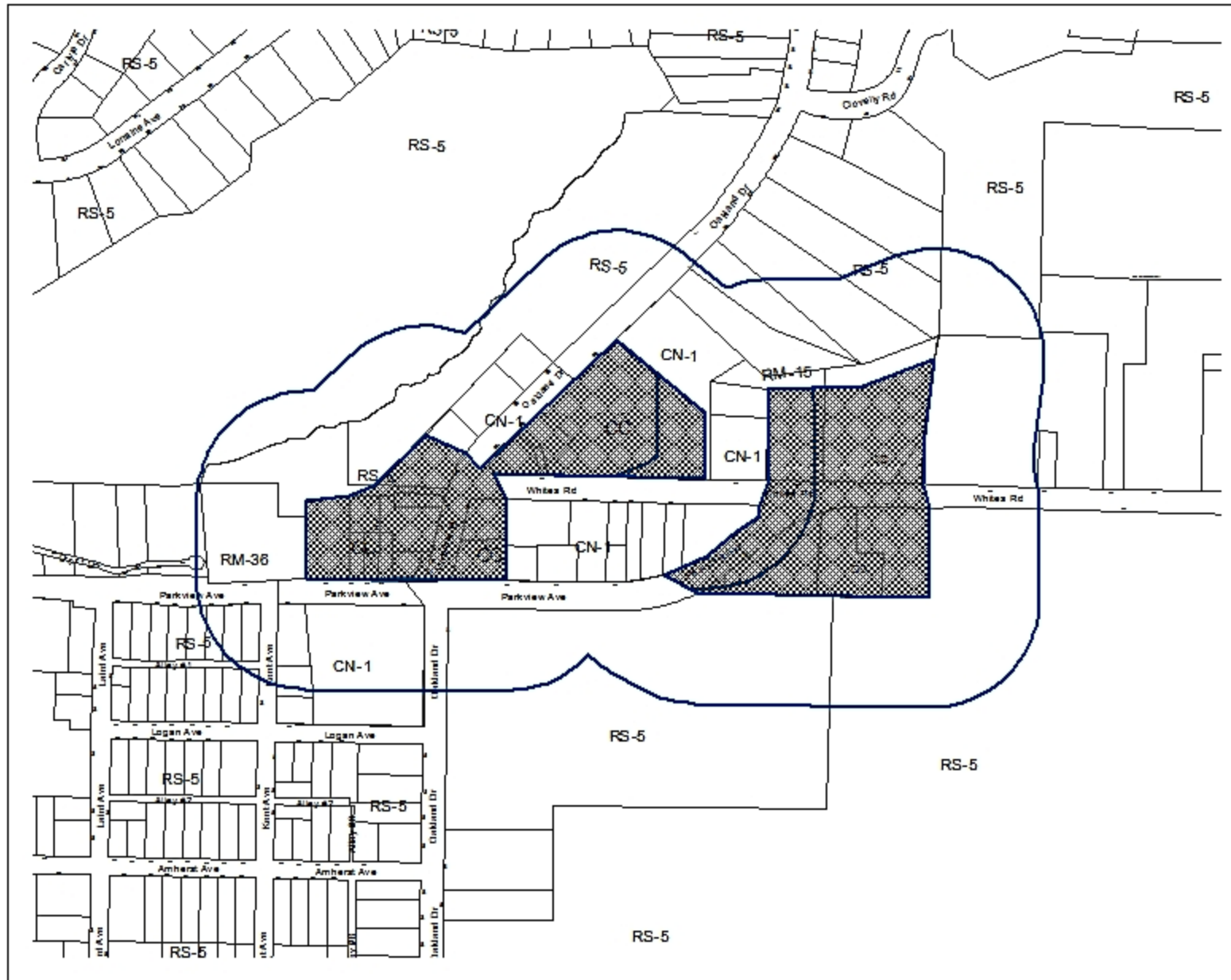
2020 Whites Road (Parcel No. 06-29-491-001)

That parcel of land in Section 29, Town 2 South, Range 11 West beginning in the north line of Whites Road at a point 1040.39 feet West of the east line of Section 29; thence West along that north line 20 feet; thence North 69.56 feet; thence South 46° 16' East 10 feet; thence East 8.7 feet; thence South 46° 16' East 5.63 feet to a point North of the point of beginning; thence South to place of beginning.

2025 Whites Road (Parcel No. 06-29-495-002)

Lot 2 – excluding that portion commencing at the southwest corner of Lot 2; thence East 140.66ft along the south line of Lot 2 to the southeast corner of Lot 2; thence North 61.9 feet along the east line of Lot 2; thence West 50 feet parallel with the south line of Lot 2; thence South 5.72 feet; thence West parallel with that south line to the east line of Oakland Drive; thence South 12° 20' West along that east line to place of beginning. Also Lots 3 and 4, the North 130 feet of Lots 5 and 6, and the North 125.52 feet of Lots 7 and 8, of the Supervisor's Plat of A C Gilbert's subdivision according to the plat thereof as recorded in Liber 10 of Plats, Page 13.

P.C. #2016.06 - Rezone 21 parcels at Parkview and Oakland from
Zone CC (Commercial, Community District) and Zone CO (Commercial, Office)
to Zone CN-1 (Commercial, Neighborhood District)

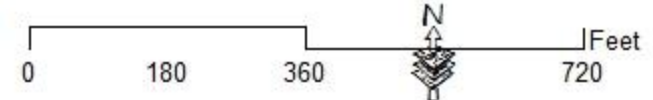


REZONE 21 PARCELS AT PARKVIEW AND OAKLAND FROM
ZONE CC AND ZONE CO TO ZONE CN-1

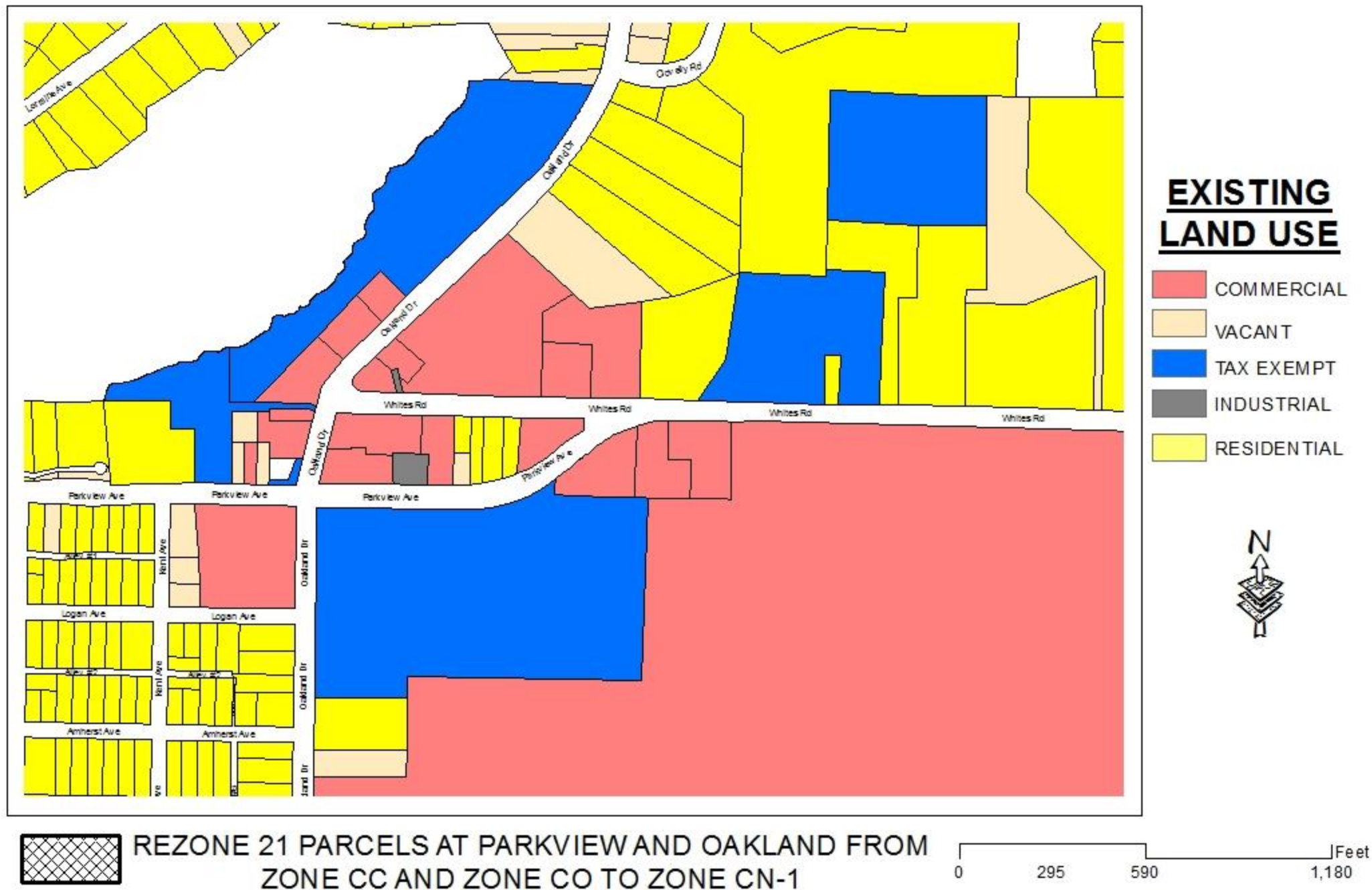
P.C. #2016.06 - Rezone 21 parcels at Parkview and Oakland from
Zone CC (Commercial, Community District) and Zone CO (Commercial, Office District)
to Zone CN-1 (Commercial, Neighborhood District)



REZONE 21 PARCELS AT PARKVIEW AND OAKLAND FROM
ZONE CC AND ZONE CO TO ZONE CN-1



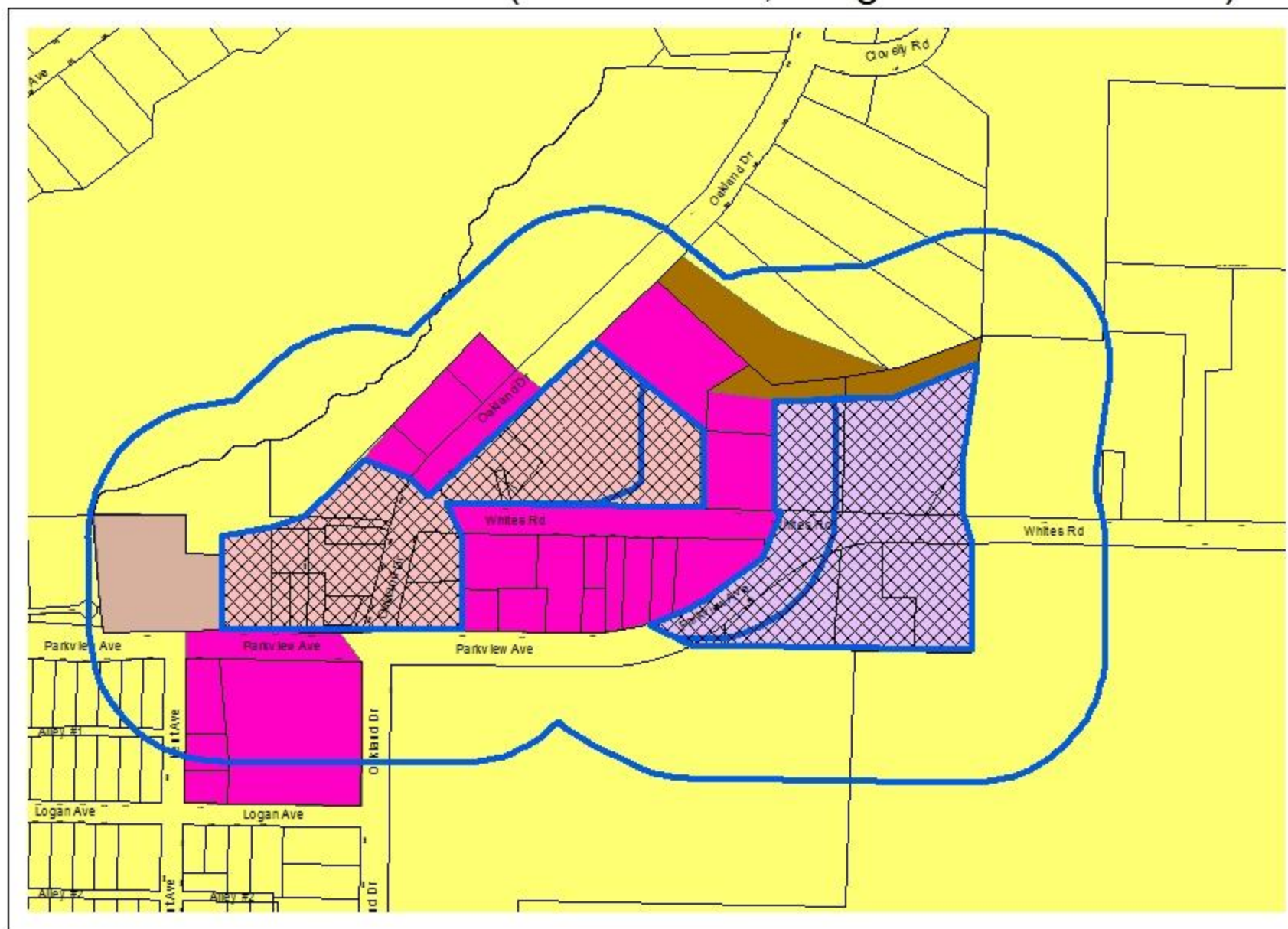
P.C. #2016.06 - Rezone 21 parcels at Parkview and Oakland from
Zone CC (Commercial, Community District) and Zone CO (Commercial, Office District)
to Zone CN-1 (Commercial, Neighborhood District)



P.C. #2016.06 -Rezone 21 parcels at Parkview and Oakland from
Zone CC (Commercial, Community District) and Zone CO
(Commercial, Office District) to
Zone CN-1 (Commercial, Neighborhood District)

**CURRENT
ZONING**

- CBTR
- CC
- CCBD
- CMU
- CN-1
- CO
- M-1
- M-2
- PUD
- RD-19
- RM-15
- RM-15C
- RM-36
- RMU
- RS-5
- RS-7

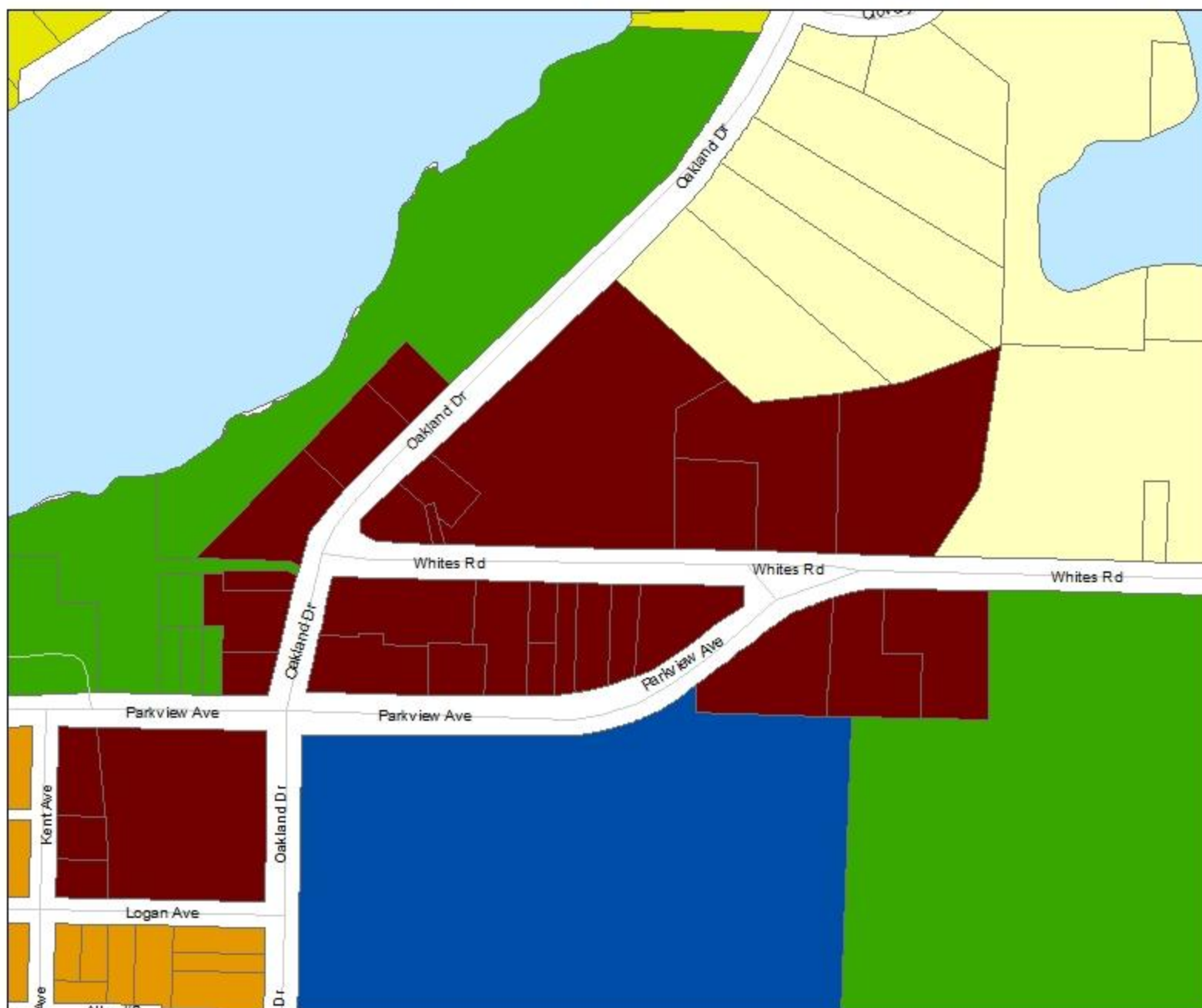


REZONE 21 PARCELS AT PARKVIEW AND OAKLAND FROM
ZONE CC AND ZONE CO TO ZONE CN-1

0 140 280 560 Feet



P.C. #2016.06 - Rezone 21 parcels at Parkview and Oakland from
Zone CC (Commercial, Community District) and Zone CO (Commercial, Office District)
to Zone CN-1 (Commercial, Neighborhood District)



Future Land Use

- Central Business District
- Community Commercial
- Core Residential 1
- Core Residential 2
- Employment Centers
- Greenspace
- Institutional
- Mixed-Use
- Modern Residential 3
- Modern Residential 4
- Multiple-Family
- Neighborhood Commercial
- Railroad Right of Way



0 145 290 580 Feet

[Amended 3-19-2007 by Ord. No. 1822; 9-20-2010 by Ord. No. 1872; 1-31-2011 by Ord. No. 1878; 8-20-2012 by Ord. No. 1900; 6-2-2014 by Ord. No. 1922]

[illegible]

§ 4.1

KALAMAZOO CODE

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
Nursing/Convalescent Home						S	S	P	P		P	P				P	P	P	P					§ 4.2C
Assisted Living Facility						S	S	P	P		P	P				P	P	P	P					§ 4.2C
Rehabilitation Center (Live-In Facilities With Up To 6 Beds)						S		S	S		P	P		S	S	S	P	P	P					§ 4.2C
Rooming/Boardinghouse						S	S	S	S					P	P	P	P	P	P					§ 4.2U
PUBLIC AND CIVIC																								
College or University												P					P	P	P				P	
Community Recreation																								
Open Space/Nature Preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Parks/Recreation Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Community Service Center	S	S	S	S	S	S	S	S	S	S	S	P	S	S	S	P	P	P	P		S	S	P	§ 4.2H
Drop-In Center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P		S	S	P	
Cultural Exhibits, Libraries and Museums	S	S	S	S	S	S	S	S	S	S	S	P	S	S	P	P	P	P	P	P	P	P	P	§ 4.2H
Government Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Hospital												S			S		S	P					P	
Lodge, Fraternal or Civic Assembly											S	P		S	P	P	P	P		P			P	
Postal Service	S	S	S	S	S	S	S	S	S	P	S	P	P	P	P	P	P	P	P	P	P	P	P	
Public Safety Substation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Religious Assembly	S	S	S	S	S	S	S	S	S		S	P	S	S	P	P	P	P		P	P	P	P	§ 4.2H
School	S	S	S	S	S	S	S	S	S	S	S	P	S	S	P	P	P	P	P	P	S	S	P	
Utilities and Public Service	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	S	
COMMERCIAL																								
Adult Regulated Use																	P			P				§ 4.2B
Agricultural Sales or Service																	P			P	P			
Animal Service																								

APPENDIX A — ZONING ORDINANCE

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CNI	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
Kennels																	S	S		P	P			
Grooming											S	P					P	P		P	P			
Sales											S	P					P	P						
Veterinary Clinic											S	P					P	P		P	P			
Veterinary Hospital																	P	P		P	P			
Building Maintenance Service											S						P	P		P	P			
Business Support Service												P			P	P	P	P	P	P	P			
Communications Service												P			P	S	P	P	P	P	P			
Construction Sales and Service																	P			P	P			
Day Care																								
Day-Care Home, Family (6 or Fewer Residents)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		C		P	P	§ 4.2K
Day-Care Home, Group (7 to 12 Residents)	S	S	S	S	S	S	S	S	S	S	S	P	S	P	P	P	P	P		C		P	P	§ 4.2K
Day Care Center (Commercial or Institutional)											S	P	S	S	P	P	P	P	P	P	P	P	P	§ 4.2J
Eating and Drinking Establishments																								
Fast Order Food Without Drive-Through											S	P		P	P	P	P	P		P	P	P	P	§ 4.2M
Fast Order Food Drive- Through												S				S	P	P		P	P	P	P	§ 4.2M
Sit Down Restaurant											S	P		P		P	P	P		P	P	P	P	§ 4.2E
Tavern or Lounge											S	P		S		P	P	P		P	P	P	P	§ 4.2E
Brewpub											S	P		S		P	P	P		P	P	P	P	§ 4.2E
Tea room/Cafe				S	S	S	S	S	S		S	P	S	P		P	P	P		P	P	P	P	§ 4.2V
Entertainment and Sports, Spectator																								
Limited												P		S		P	P	P		P	P	P	P	
General																P	P	P		P	P	P	P	

§ 4.1

KALAMAZOO CODE

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
Financial, Insurance, and Real Estate Services											S	P	P	P	P	P	P	P	P	P	P			§ 4.2I
Food and Beverage Retail Sales																								
Convenience Stores											S	S		P		S	P	P	P	P	P			§ 4.2I
Package Liquor Stores											S	S					P	P	P	P	P			§ 4.2I
Food Sales (Grocery)											S	P		P		P	P	P	P	P	P			§ 4.2I
Funeral and Interment Service																								
Cemeteries and Mausoleums	S	S	S	S	S	S	S	S	S				S	S	S	S	P	P	P			P		
Cremating																				P	P			
Funeral Home															P	P	P	P						
Gasoline and Fuel Sales (Without Vehicle Service or Repair)												S				S	P	P	P	P	P			
Gasoline and Fuel Sales (With Minor Vehicle Service or Repair)												S					P	P		P	P			
Lodging																								
Bed-and-Breakfast Inn			S	S	S	P	P	P	P		S	P	P	P	P	P	P	P					P	
Hotel/Motel												S					P	P		C	C		P	
Medical Service											S	P	P	P	P	P	P	P	P	P	P	P	P	
Office, Administrative or Professional											S	P	P	P	P	P	P	P	P	P	P			
Parking, Commercial			S	S	S	S	S	S	S						S	S	P	P	P		P	P	P	§ 4.2R
Personal Convenience Service											P	P		P		P	P	P	P	P	P			§ 4.2I
Employment Agency Primarily for Day Workers																				P	P			
Personal Improvement Service											P	P	P	P	P	P	P	P		P	P			
Repair Service, Consumer											P	P	P	P	P	P	P	P	P	P	P			§ 4.2I

APPENDIX A — ZONING ORDINANCE

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
Retail Sales and Service, Indoor				S	S	S	S	S	S		P	P	S		P		P	P		P	P			§ 4.2S
Retail Sales and Service, Outdoor											S					S	P	P		P	P			§ 4.2T
Sports and Recreation, Participant																								
Indoor													S				P	P		P	P	P	P	
Outdoor																	P	P		P	P	P	P	
Vehicle and Equipment Sales and Service																								
Car Wash												S				S	P	P		P	P			§ 4.2F
Fleet Storage																								
Heavy Equipment Repair																								
Light Equipment Repair												S					P	P		P	P			
Heavy Equipment Sales/Rental																								
Light Equipment Sales/Rental											S						P	P		P	P			§ 4.2P
Storage of Inoperable Vehicles																				P	P			§ 4.2Y
Storage of RVs and Boats											S						S			P	P			
INDUSTRIAL																								
Brewery																				P	P			
Explosive Storage																					P			
Industrial, General												S								P	P			
Industrial, Intensive																					P			
Laundry Service																					P	P		
Manufacturing and Production, Limited											S							P	S	P	P			See Note 3
Manufacturing and Production, Technological											S							P	P	P	P			See Note 3

§ 4.1

KALAMAZOO CODE

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)	
Mining																					S	P			
Research and Development												S							P	P	P		P		
Scrap and Salvage Operations																					P			§ 4.2Y	
Wholesale, Storage, and Distribution																									
Mini-Warehouses																	S			P	P				
Light (Enclosed Only)												S					S			P	P				
Heavy																					P				
Microbrewery											P							P		P	P			See Note 3	
OTHER																									
Agriculture, Crop																				P	P	P	P		
Greenhouse																S	P			P	P	P	P		
Recycling Facilities																									
Large Collection Facility																					P	P			
Small Collection Facility												P								P	P	P			
Processing Center																					P	P			
Telecommunications	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P	P	*	*	*See § 4.2W for permitted and special uses
Wind Energy Units																									
Building-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§ 4.2Z ²	
Small Freestanding (not primary use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§ 4.2Z ²	
Large and multiple (not primary use)						P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	§ 4.2Z ²	
Freestanding (primary use)						S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	§ 4.2Z ²	

NOTES:

- 1 For new residential uses in the commercial districts, see § 4.2Q.3.
- 2 For site plan requirements, see § 4.2Z.1.
- 3 In the CCBD Zoning District, the manufacturing and production, limited, manufacturing and production, technological; and microbrewery uses are restricted so that

the total building area dedicated to the manufacturing use in CCBD is no greater than 10,000 square feet.

Legend for Use Table



April 12, 2016

To the City of Kalamazoo Planning Commission;

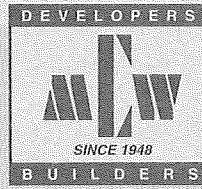
The Board of the Oakland Drive/ Winchell Neighborhood Association unanimously **supports** the City of Kalamazoo's initiative to change the zoning of 21 parcels of land located at or near the Parkview/Oakland Drive intersection from their current zoning of Zone CC (Commercial, Community District) and Zone CO (Commercial, Office District) to CN-1 (Commercial, Neighborhood District) in order to:

- 1) Protect the value and character of our neighborhood by limiting the number and scope of allowable uses as permitted in a CN-1 Zone
- 2) Honor the results of 2010 Master Plan by bringing the zoning of these parcels into compliance with the future land use plan designation for them. The Master Plan and Future Use Plans were directed by public input and adopted by the City Commission; they are agreed upon plans that must guide the direction of our city
- 3) Address traffic congestion that poses a safety hazard to cars, pedestrians and cyclists at the Parkview/Oakland Drive intersection
- 4) Promote sustainable land use that respects the proximity of the parcels to Woods Lake

Respectfully Submitted;

Oakland Drive/Winchell Neighborhood Association Board:

Peter Kushner, President
Chris Shook, Vice President
Diana Morton-Thompson, Treasurer
Sandy Bolstad, Secretary
Tom Kayser, Board member
Barb Ross, Board member
Paul Scott, Board member
Kathy Shook, Board member



Oakwood Plaza, LLC

April 7, 2016

Ms. Rebekah Kik
City of Kalamazoo
City Planner
241 West South Street
Kalamazoo, MI 49007

Re: Zoning Change, Application No: P.C. #2016.06, Parkview/Oakland Drive

Dear Ms. Kik,

Thank you so much for meeting with me and my colleagues, Matt McDade and Tim Timmons to discuss the rezoning of our property (Oakwood Plaza) and other surrounding parcels from Zone CC to CN-1, Commercial, Neighborhood District. I believe it productive and of value for Community Planning to share thoughts about land use in our City with the private sector, especially those involved in existing and ongoing development. By working together, we can encourage building and development that is an asset to our community with the ability to adapt in order to meet the needs of our customers and the changes that occur in the marketplace.

The impact of changing some of the Community Commercial (CC) category to Neighborhood Commercial (CN-1) can be significant. I am coming from the perspective of the owner of Oakwood Plaza and the Water Street Coffee as well as someone who remains very active in the vicinity and is interested in future development.

What we need as owners, developers and managers of our properties for the long term, is the ability to upgrade and change with the times. The Future Land Use Plan was created in 2010 and this initiative started in 2005. Many uses that are desired and popular today did not even exist a decade ago. My comments and suggestions are meant to be constructive and provide for some text change in the CN-1 Zone (either generally or specifically to broaden some Permitted Uses or those permitted with a Special Use Permit), and to establish a mechanism or procedure that allows flexibility. To be clear, I am not suggesting a mechanism that is like a Variance because that requires the establishment of a hardship (which can not be economic in nature.) I am supporting a process that envisions a requested change based upon good planning practice and form that fits the particular parcel(s).

I do not wish to comment on some of the allowed uses that do not seem to be compatible with in CN-1, like residential or quasi-residential (rooming house), public/civic and others. My focus is on commercial and retail use and related.

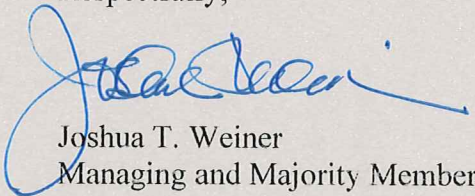
The following uses should be allowed in CN-1: animal services (like a pet store grooming, veterinarian), Business support services (like accounting and tax, law office, wireless and communications store, financial services, real estate, banking), eating and drinking establishments and the ability to have a drive-thru which is critical for today's fast casual offerings and many other retail uses.

I do understand that some uses may not be appropriate---a gas station or strictly liquor store. I am sure that there are other noxious uses, too.

In conclusion, my associates and I support the concept of establishing a Commercial, Neighborhood District. We need to broaden some of the allowed uses and establish a means to obtain approval for a use that is not specifically on the list or does not quite fit a label, but one that makes reasonable sense.

I look forward to continuing dialogue with City Planning, the Planning Commission and City Commission.

Respectfully,



Joshua T. Weiner
Managing and Majority Member

CC: Timothy A. Timmons
Matthew J. McDade
Jenny R. Gately

City of Kalamazoo
PLANNING COMMISSION
PC 2016.06
April 12, 2016

P.C. #2016.06: Consideration of a request from the Community Planning and Development Department to rezone twenty-one parcels located at and near the Parkview/Oakland Drive intersection from Zone CC (Commercial, Community District) and Zone CO (Commercial, Office District) to Zone CN-1 (Commercial, Neighborhood District). [Recommendation: motion to recommend approval of the rezoning request to the City Commission.]

Planner Bauckham presented a staff report. The City Planning staff initiated this rezoning request as the first of four to be presented throughout this year. The purpose is to bring the parcels in the area into compliance with the Future Land Use Plan (FLUP) which the city adopted in 2010. The FLUP represents the desires of the community as a whole for how the land in the city should be used and developed through 2030. This would make the entire area CN-1, Commercial Neighborhood District as per the FLUP. CN-1 Zone allows a variety of neighborhood type commercial uses, such as retail stores, offices and restaurants. CC zones allows these uses as well as more intensive uses such as automobile sales and repair, bars, liquor stores, gas stations and car washes. These uses tend to have more noise and traffic associated with them, which in 2010 the community made it clear that they did not want these types of uses in this area of the city. Under the new zoning there would only be two nonconforming parcels; the Bacchas store would not be able to sell liquor if abandoned for more than a year and Rich's gas station would not be able to expand nor would it be able to be rebuilt as a gas station if anything were to happen to it. All the owners and occupants were notified of the rezoning. No objections have been received for this rezoning. Two letters of support have been received; from the owners of the Oakwood Plaza shops and from the Oakland/Winchell Neighborhood Association.

Commissioner Cripe asked why this is being presented at this particular time. Planner Bauckham responded that this is something that has been on work plans to be done and because of other projects, such as the lighting ordinance, it was not possible earlier. The neighborhood supports this change and wants to make sure that future development is in line with what the neighborhood wants.

Christopher Bovid is an Kalamazoo attorney who owns three lots in Woods Lake and is a member of the Woods Lake Association. The Woods Lake Association fully supports the rezoning of the properties.

Frank Wolf lives on Woods Lake and is also a part of the Woods Lake Association and is very active in keeping the lake in good condition. He agrees with the statements of Mr. Bovid adding that there is already a fair amount of storm water runoff from the current gas station. Mr. Wolf fully supports this rezoning.

Claus Globig is a resident of the neighborhood and fully supports this proposal.

Cheryl Lord is the Oakwood Neighborhood Association director. The Oakwood Neighborhood Association owns the property that is considered the park. They are working with the Nature Center to make their property a conservancy easement, this would insure that the property will never be developed. The board of directors and residents have been indicating that they are in support of this rezoning.

Peter Kushner is the president of the Oakwood Association. He read their letter of support into the record.

Diana Morton-Thompson is a board member of Oakland Dr/Winchell Neighborhood Association, speaking as a neighborhood resident. She stated that the neighborhood cannot stay in stasis and the timing is perfect to make this change.

Commissioner Greenman Wright inquired as to if the CN-1 zoning will enable traffic engineers to change the traffic flow in reference to the third point on the Oakland Dr/Winchell Neighborhood Association letter. Planner Kik responded that the CN-1 district is less intensive and has smaller footage uses. This will scale the size and type of businesses in the area and in turn helps with traffic flow. Commissioner Coss asked Planner Kik if the CN-1 zoning would prohibit the process of moving toward a conservancy. Planner Kik does not believe that zoning will inhibit the easement. Assistant City Attorney John Kneas confirmed that zoning will not affect it at all. Commissioner Coss inquired as to the plans for the City owned property and if it would need to be rezoned if turned into a park. Planner Kik stated that there are no plans for that parcel at this time and that a park can be in any zone.

Commissioner Hall, supported by Commissioner Coss, moved to approve P.C. #2016.06: A request from the Community Planning and Development Department to rezone twenty-one parcels located at and near the Parkview/Oakland Drive intersection from Zone CC (Commercial, Community District) and Zone CO (Commercial, Office District) to Zone CN-1 (Commercial, Neighborhood District). With a roll call vote, the motion carried unanimously.



Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: James J. Baker, PE, Interim Public Services Director

PREPARED BY: Matt G. Johnson, PE, City Engineer

DATE: 4/22/2016

SUBJECT: Resolution supporting the Kilgore Road project for use of Transportation Alternatives Program Funding

RECOMMENDATION

It is recommended that the City Commission approve a resolution indicating the City has met the requirement to receive federal transportation alternative program funding and authorize the City Manager to sign all related documents.

BACKGROUND

The City of Kalamazoo has been approved through our local Metropolitan Planning Organization to receive federal transportation alternative funding to install sidewalk along Kilgore Road from the Kilgore Service Drive to Meredith Ave. Public Services budget for the project in the 2016 Major Streets CIP budget.

Per the Michigan Department of Transportation Pre-Implementation Project Development Guide, the City is required to issue a resolution indicating financing is secured; the City will own and operate the facility with a maintenance plan, and designate a specific employee to sign all related documents.

The City currently meets these requirements. The project is budgeted in the 2016 Major Streets CIP budget. The City has in place Ordinance 33-38 indicating that Maintenance and Repair of Sidewalk is the responsibility of the adjoining property owner. The resolution will authorize the City Manager to execute the agreement.

COMMUNITY RESOURCES CONSULTED

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

FISCAL IMPACT

Approving the resolution will allow the City of Kalamazoo to be eligible to receive the Transportation Alternative Program funding in the amount of \$121,500 for use on the Kilgore Road project.

ALTERNATIVES

The alternate of not approving the resolution is not recommended.

ATTACHMENTS:

	Type	Description
▢	Resolution	Resolution

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION 16-00

**RESOLUTION OF COMMITMENT OF
TRANSPORTATION ALTERNATIVES PROJECT**

**KILGORE ROAD NON-MOTORIZED FACILITY
FROM KILGORE SERVICE ROAD TO MEREDITH STREET**

KALAMAZOO COUNTY, MICHIGAN

WHEREAS, the Federal Transportation Act, provides funding towards transportation alternatives for pedestrian and bicycle facilities, access to public transportation, enhanced mobility and safety, and the Michigan Department of Transportation is soliciting new candidate project applications for Transportation Alternatives Program (TAP) grants; and

WHEREAS, the City of Kalamazoo has identified an improvement project on Kilgore Road, a public road that is within and borders the municipal jurisdictions of the City of Portage and the City of Kalamazoo; and

WHEREAS, the City of Kalamazoo has submitted an application to request TAP funding to provide non-motorized facility improvements in the form of a 5-foot wide, sidewalk, along the south side of Kilgore Road, providing barrier-free non-motorized access, for pedestrian access to single and multi-family housing and businesses within this well-traveled urban corridor; and

WHEREAS, the City of Kalamazoo has approved the preparation of non-motorized project plans, has submitted an application to the Michigan Department of Transportation to build a non-motorized facility within the public right of way, and has budget the local matching funds plus all non-eligible safety project costs in the Major Streets CIP budget; and

WHEREAS, the City of Kalamazoo will commit to owning operating, and funding/implementing a maintenance plan/program over the design life of the facility improvements constructed with the TAP funds.

WHEREAS, the City of Kalamazoo authorizes James K. Ritsema – City Manager to act as the City of Kalamazoo’s agent during project development and sign a project agreement upon receipt of funding award.

NOW, THEREFORE, BE IT RESOLVED that the Kalamazoo City Commission does certify that the financing is secured, available, and committed for the use of federal Transportation Alternatives Project funds for the Kilgore Road, Non-Motorized Facility.

The above resolution was offered by and supported by.

AYES, Commissioners:

NAYS, Commissioners: None

ABSTAIN, Commissioners: None

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 2, 2016. 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



Commission Agenda Report

City of Kalamazoo

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

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

PREPARED BY: Sean McBride, Executive Director

DATE: 4/26/2016

SUBJECT: Transit Service Agreement between Texas Township, Kalamazoo Valley Community College (KVCC), City of Kalamazoo and the Central County Transportation Authority (CCTA).

RECOMMENDATION

City Commission approval is recommended for the Transit Services Agreement between Texas Township, Kalamazoo Valley Community College, City of Kalamazoo and the Central County Transportation Authority.

BACKGROUND

The Central County Transportation Authority was created in the fall of 2014 by the Kalamazoo County Board of Commissioners. The boundaries of the CCTA originally included all regional cities and townships that have fixed-route bus service. The state law that governs regional public transit authorities, Public Act 196, enables jurisdictions to "opt-out" of the boundaries of a public transit authority during a designated period shortly after the creation of such authority. After the CCTA was created, Texas Township and Pavilion Township opted-out of the CCTA boundaries. In addition, Oshtemo Township opted out a small section of the township that includes fixed-route bus service along the West Main corridor from approximately US-131 to 9th Street.

The Central County Transportation Authority (CCTA) adopted a policy in the fall of 2014 regarding, "Fixed-Route Bus Service to Areas Outside Authority Boundaries," in which fixed-route bus service will not be provided to areas outside the CCTA boundaries unless a service agreement between the parties is approved. As part of the policy, the fee for service paid by the jurisdiction is to fully offset millage revenues that would have been received by the CCTA if the jurisdiction (or portion of the jurisdiction) were included in the CCTA boundaries.

One of the areas with fixed-route bus service impacted by this policy is Texas Township, specifically Route 11 - Stadium Drive. This service into Texas Township would stop on September 6, 2016 without a service agreement. Route 11 would stop at 9th Street at N Avenue and service along 9th Street from N Avenue to KVCC would be eliminated. Staff worked collaboratively with Texas Township and KVCC officials to develop the attached service agreement to continue service by Route 11 in Texas Township. This agreement has already been approved by the CCTA, Texas Township and KVCC.

COMMUNITY RESOURCES CONSULTED

The boundaries of the Central County Transportation Authority has been the topic of numerous public meetings, including at meetings of the the CCTA, Kalamazoo County Transportation Authority, Kalamazoo County Board of Commissioners, Kalamazoo Transportation Authority Board, City of Kalamazoo, City of Portage, City of Parchment, Texas Township, Oshtemo Township, Comstock, Township, Kalamazoo Township, Pavilion Township and Kalamazoo Area Transportation Study (KATS). The provision of fixed-route bus service inside and outside the boundaries of the CCTA was the topic at multiple CCTA meetings, leading to the development of the policy identified above in the background section.

FISCAL IMPACT

The fee to continue service to Texas Township and KVCC for the first year of service will be \$79,468 from July 1, 2016 through June 30, 2017. For the period of July 1, 2016 through September 30, 2016 the City of Kalamazoo will continue to provide the service and will receive the quarterly payment. After October 1, 2016, the CCTA will assume the responsibilities of the agreement.

ATTACHMENTS:

Type	Description
□	Agreement Transit Service Agreement

Transit Service Agreement

Central County Transportation Authority
("CCTA")

530 North Rose Street
Kalamazoo, Michigan 49007
Attn: Sean McBride, Executive Director

Charter Township of Texas Township
("Texas Township")

7110 West Q Avenue
Kalamazoo, Michigan 49009
Attn: Julie VanderWiere, Superintendent

Kalamazoo Valley Community College
("KVCC")

6767 West O Avenue
Texas Township, Michigan 49009
Attn: Michael Collins, Executive Vice
President

City of Kalamazoo
("City of Kalamazoo ")

241 West South Street
Kalamazoo, Michigan 49007
Attn: James Ritsema, City Manager

CCTA, Texas Township, KVCC and City of Kalamazoo agree as follows in exchange for good and valuable consideration, the sufficiency of which is hereby acknowledged:

1. Acknowledged Facts.

a. The City of Kalamazoo currently provides regional public transit services to Texas Township and KVCC's Main Campus, located at 6767 West O Avenue, Texas Township, Michigan 49009.

b. Beginning October 1, 2016, pursuant to a Comprehensive Transition Agreement, regional public transit operations will be operated by the Central County Transportation Authority ("CCTA") and not the City of Kalamazoo.

c. CCTA's public transit operations will be funded in part by a 0.75 millage that was approved on August 5, 2015, by voters residing in CCTA's designated district boundaries. The approved millage will be levied beginning July 2016. Texas Township and KVCC's Main Campus are outside of CCTA's designated district boundaries and are therefore not subject to the millage.

d. Texas Township and KVCC wish to continue receiving fixed route bus service and are therefore willing to share responsibility for payment to CCTA for the fixed-route bus service described below.

e. Without this Agreement, fixed route bus service on Route 11 – Stadium will not serve Texas Township or KVCC's Main Campus beginning September 6, 2016.

2. Transit Service to be Provided.

a. **Fixed-Route Service.** City of Kalamazoo or CCTA will provide fixed-route service to Texas Township and KVCC facilities as currently provided on Route 11 – Stadium (the "Fixed Route Service"). A map and schedule of the Fixed Route Service is attached as Exhibit A. City of Kalamazoo or CCTA will notify KVCC

and Texas Township of any changes to service hours, frequency, or route design that impacts Route 11 in Texas Township. City of Kalamazoo or CCTA will have the sole discretion to adjust services to meet overall system needs and objectives. City of Kalamazoo or CCTA will set passenger fares consistent with fares charged for other fixed-route service.

b. **Fee for Services.** The fee for the Fixed-Route Service ("Service Fee") will be \$79,468 for the period of July 1, 2016 through June 30, 2017 and will be shared between Texas Township and KVCC. Texas Township will pay 27% of the Service Fee, or \$21,456, and KVCC will pay 73%, or \$58,012, for this period.

i. Beginning July 1, 2017, and on each July 1 thereafter, CCTA may annually adjust the Service Fee, but shall not have any authority to adjust the ratio of the Service Fee shared between and paid by Texas Township and KVCC. Annual increases to the Service Fee, if any, shall be limited as follows:

1) the increase shall not exceed the lesser of the most recently reported Consumer Price Index (CPI) annual percentage increase or the previous year's percentage increase in Kalamazoo County taxable value; and

2) if the CCTA levies less than 0.75 mills within the CCTA boundaries, the annual Service Fee increase permitted by subparagraph (1) above will be reduced by the percentage actually levied less than 0.75 mills. For clarification, if the CCTA levies 0.735 mills (2% less than 0.75 mills), the Service Fee will be reduced by 2% after calculating any increase caused by the CPI/taxable value adjustment in subparagraph (1) above. The CCTA will determine the millage levy amount on an annual calendar year basis no later than May 15 of each year.

c. **Payment Terms.** KVCC and Texas Township will each be invoiced separately, on a quarterly basis, after the Fixed-Route Service has been provided (i.e. CCTA will invoice KVCC and Texas Township on October 1 for the Fixed-Route Service provided during the July through September quarter.). The first invoice on October 1, 2016 will be issued by the City of Kalamazoo, and subsequent invoices will be issued by CCTA.

d. **Provision of Service:** City of Kalamazoo agrees to provide the Fixed-Route Service through September 30, 2016, at which time CCTA will take over providing the Fixed-Route Service.

3. **Insurance.** City of Kalamazoo and CCTA will maintain the same level of property damage and liability insurance covering the Fixed-Route Service that they maintain for their other transit services. Texas Township and KVCC will maintain their current level of

property damage and liability insurance on their respective properties and operations. Each party will, upon request, provide a certificate of its insurance to the other parties.

4. Loss Payment and Indemnification.

a. To the extent permitted by law, each party shall defend, indemnify, and hold harmless each other party and its officers, directors, employees, agents, and other affiliates, from and against any and all damages, costs, liability, and expense, whatsoever (including attorneys' fees and related disbursements) arising directly or indirectly from the indemnifying party's breach (or breach by any of the indemnifying party's employees or other agents) of this Agreement, including without limitation all claims relating to the injury or death of any person or damage to any property.

b. **Notice.** A party claiming a loss or right to indemnification must promptly give written notice of that claim to the indemnifying party as soon as reasonably possible. The indemnifying party need not pay any loss to the extent that failure to give prompt notice materially adversely affects its ability to defend against the claim. The indemnifying party has the exclusive right to defend or settle the claim.

5. Term and Early Termination.

a. **Term.** This Agreement is effective beginning July 1, 2016 and expires on June 30, 2021.

b. **Early Termination.** The City and CCTA may jointly terminate this Agreement before the term expiration date, and Texas Township and KVCC may jointly do the same, by providing at least 90 days advance written notice of termination to the other parties, subject to the remainder of this subparagraph. If the City or CCTA breaches this Agreement, then the Agreement may be terminated early only if KVCC and Texas Township agree. If KVCC or Texas Township breaches this Agreement, then the Agreement may be terminated early only by the City or CCTA.

6. **Default and Remedies.** A party is in default only if it fails to perform an obligation within 15 days after receiving written notice of default from one or both of the other parties. Upon a default, the innocent parties have all available remedies, including the right to terminate this Agreement to the extent permitted under section 5b.

7. General.

a. **Notice.** Any notice, consent or approval required or permitted to be given under this Agreement shall be:

i. in writing;

ii. addressed to the recipient at the address of the recipient set forth on this Agreement's first page, or to such other address as that party may hereafter designate in writing to the other party; and

iii. deemed to have been received upon (i) personal delivery, (ii) one business day after being deposited with Federal Express or another reliable, nationally-recognized overnight courier service for next day delivery or transmission, or (iii) two business days after being deposited in the United States mail, registered or certified mail, postage prepaid, return receipt required.

8. **Severall Liability.** Texas Township and KVCC are severally responsible for their respective obligations under this Agreement.

9. **Assignment.** No party may assign its rights under this Agreement, except that CCTA may assign its rights as part of its transfer of assets under the Comprehensive Transition Agreement.

10. **No Waiver.** The failure to exercise, or delay in exercising, any power or right under this Agreement shall not operate as a waiver, nor shall any single or partial exercise of any such right or power preclude any other or further exercise thereof or the exercise of remedies otherwise available in equity or at law.

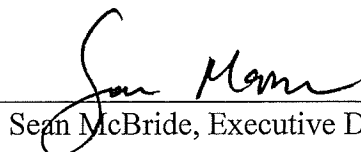
11. **Entire Understanding; Modification.** This Agreement sets forth the entire understanding between the parties with respect to the subject matter of this Agreement, and supersedes any other undertakings and agreements, whether oral or in writing, previously entered into by them with respect to the subject matter of this Agreement.

12. **Severability of Provisions.** Each provision in this Agreement is separate. If any provisions of this Agreement are ever held by a court to be unenforceable or invalid, the balance of this Agreement shall not be affected and shall remain enforceable.

13. **Governing Law.** This Agreement shall be governed by the laws of the State of Michigan.

Central County Transportation Authority

Dated: 4/11/16, 2016

By 
Sean McBride, Executive Director

Texas Township

Dated: _____, 2016

By _____
Its _____

Kalamazoo Valley Community College

Dated: _____, 2016

By _____

Its _____

City of Kalamazoo

Dated: _____, 2016

By _____

Its _____

Exhibits

A Map and Current Route Schedule

Monday - Saturday

to downtown



6:15am	6:27	6:43	6:45	6:54	7:08
7:15	7:27	7:43	7:45	7:54	8:08
7:45*	7:57*	8:13*	8:15*	8:24*	8:38*
8:15	8:27	8:43	8:45	8:54	9:08
8:45*	8:57*	9:13*	9:15*	9:24*	9:38*
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6:15	6:27	6:43	6:45	6:54	7:08
7:15	7:27	7:43	7:45	7:54	8:08
8:15	8:27	8:43	8:45	8:54	9:08
9:15	9:27	9:43	9:45	9:54	10:08

* No service on Saturdays during these times.

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Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

DATE: 4/22/2016

SUBJECT: Request for Special Permit

RECOMMENDATION

It is recommended that the City Commission approve a special permit for a miniature pig to be kept at 1315 Fraternity Village Drive, subject to compliance with applicable statutes, ordinances and health codes.

BACKGROUND

This request is being submitted to you pursuant to the provisions of Section 7-4 of the Code of Ordinances:

No person shall keep, upon any premises within the City limits, any swine whatever, without a special permit from the City Commission or its designee, which permit shall be granted only upon the written application of the person desiring the permit. Such application shall specify the location of the premises upon which the swine are proposed to be kept and the number desired to be kept. Such permit, if granted, shall state the location of the premises and the number of swine allowed to be kept, and it shall be unlawful to keep such swine upon any other premises or to keep any greater number than specified in the permit.

In 2011 Mr. Jim Nicolow requested a permit to keep one (1) miniature pig as a family pet in his home at 2344 Sheffield Drive. The City Commission granted the permit on December 21, 2011. This fall Mr. Nicolow's daughter, Genevieve, will be attending Western Michigan University, and she is requesting a permit to keep the same pig at 1315 Fraternity Village Drive, which will be her address for the upcoming school year. The pig (named Vance) is an indoor, litter trained pig. Ms. Nicolow indicates she has received permission from her landlord to keep Vance under the terms for animals in the standard lease agreement. Ms. Nicolow also indicates she has assessed the town home and believes it to be a suitable home for Vance.

Ms. Nicolow has met all requirements of the ordinance, as she has submitted a written request that indicates the number of pigs to be kept and the address at which they will be kept. Furthermore, there have been no complaints about Vance the pig at the Sheffield Drive address.

COMMUNITY RESOURCES CONSULTED

The City Clerk has contacted the Public Safety Department, and there have been no animal-related complaints against Ms. Nicolow or Vance at their current address.

FISCAL IMPACT

There is no fiscal impact related to this request.

ALTERNATIVES

The City Commission could deny the request or approve the request with additional conditions. Since there are no violations of City Ordinances and no known health or safety issues, denying this request is not recommended.



Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: James J. Baker, PE, Interim Public Services Director

PREPARED BY: Matt G. Johnson, PE, City Engineer

DATE: 4/22/2016

SUBJECT: Grant Consumers Energy an easement to place a power pole guy wire on City owned property 1129 E Michigan Avenue

RECOMMENDATION

It is recommended that the City Commission grant Consumers Energy an easement to place a power guy wire on 1129 E. Michigan Avenue and authorize the City Manager to sign all related documents.

BACKGROUND

The City of Kalamazoo is teaming with the Road Commission of Kalamazoo County to improve the intersection of E. Main Street and E. Michigan Avenue. As part of the improvements the intersection will be realigned to improve safety.

As part of the improvements, Consumers Energy is required to relocate utility poles in the project area. Staff has been working with Consumers to place the poles in the best locations. Due to the tight right of way in the area, Consumers is required to place a guy wire to anchor the pole on City owned property. Public Services reviewed the locations and found no objections to the request.

COMMUNITY RESOURCES CONSULTED

This recommendation does not require advisory board or additional public input.

FISCAL IMPACT

There are no fiscal impacts.

ALTERNATIVES

The City may choose to not grant the easements but that option is not recommended.

ATTACHMENTS:

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

- ▢ Easement Signing instructions
- ▢ Easement Easement
- ▢ Map Drawing

INSTRUCTIONS FOR SIGNING EASEMENTS

- 1) **DO NOT SIGN ON THIS SHEET, EXAMPLE ONLY!**
- 2) Sign where indicated, with **Legal Names** in **BLACK INK**.
- 3) Type or Print names **IN BLACK INK** under **ALL** signatures, **including** notary's signature.

"The State requires that printing be black ink on white paper for forms presented for recording."

- 4) Notary is to sign their name and stamp, type, or print remaining necessary information. Also complete the acknowledgement using signing date in both places.
- 5) Any changes made to this document will be considered **NULL and VOID**. Any errors found on said document upon receipt, will also be considered as **NULL and VOID**. If, for any reason, changes need to be made, prior approval from the area Right-of-Way Specialist is required.
- 6) **If you have a relative that is a notary, they CAN NOT notarize this signature!**

EXAMPLE:

Date: (date document is signed)

Owner:



BOTH DATES MUST BE THE SAME!!!



(SIGNATURE)

Type or print owners name here
(Legal first name, Middle initial, Last name)

(SIGNATURE)

Type or print owners name here
(Legal first name, Middle initial, Last name)

Acknowledgment

The foregoing instrument was acknowledged before me in (name of county) County, Michigan,
on (date document is signed) by (print owners names (as indicated above) and marital

DatePrint Owner's Name(s)

status on these two lines)

Place Stamp & Seal in this location only

Notary Stamp (place above line)

(SIGNATURE)

(Type or print name here) _____ Notary Public

_____ County, Michigan

Acting in _____ County

My Commission expires: _____

EASEMENT FOR GUY WIRES, AND ANCHORS

Notification # 1029559217
Design Doc # 10581056
Agreement # MI00000021775

Parties: "Owner" is CITY OF KALAMAZOO, a Michigan municipal corporation

Owner's mailing address is 241 W. South St., Kalamazoo, Michigan 49001

"Consumers" is CONSUMERS ENERGY COMPANY, a Michigan corporation. Consumers' address is One Energy Plaza, Jackson, Michigan 49201.

Grant of Easement: For good and valuable consideration [*exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)*], Owner grants Consumers a permanent easement to enter "Owner's Land" to construct, operate, inspect, maintain, replace, improve, and remove guy wires, and anchors on, over, and across a portion of "Owner's Land," called "the Easement Area." Owner's Land is in the City of Kalamazoo, County of Kalamazoo, and State of Michigan and is described in attached Exhibit A. The Easement Area is within Owner's Land and is described in attached Exhibit B.

Trees and Other Vegetation: Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation, whether inside or outside the Easement Area, that Consumers believes may interfere with the construction, operation, or maintenance of the guy wires, and anchors.

Buildings/Structures: Owner shall not locate any buildings or other structures on the Easement Area. If Owner violates this provision, Owner shall reimburse Consumers for any expenses Consumers incurs correcting the violation. If Consumers corrects the violation by relocating the guy wires, and anchors on Owner's Land, this easement shall automatically apply to such relocated facilities.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Successors: This easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Restoration of Easement Area: Consumers shall grade and re-seed all disturbed lawn areas following completion of work on Owner's Land. Consumers shall not be responsible to repair pavement or other surface improvements, trees, or landscaping now or hereafter located in the Easement Area.

Indemnity: Consumers shall indemnify, defend, and hold Owner harmless from and against any liability for personal injuries or property damage to the extent proximately caused by Consumers' negligent acts or omissions in performing work within the Easement Area pursuant to this Easement.

Date: _____

Owner: CITY OF KALAMAZOO, a Michigan
municipal corporation

By: James Ritsema
Its: City Manager

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, Michigan,
on _____ by James Ritsema, City Manager of the City of Kalamazoo, a
Date
Michigan municipal corporation, on behalf of the corporation.

Notary Stamp (Place above line)

Notary Public
_____, County, Michigan
Acting in _____ County
My Commission expires: _____

Prepared By: Wanda J. Woloszyn 4/7/2016
Consumers Energy Company
One Energy Plaza
Jackson, Michigan 49201

After recording, return to:
Carrie Main, EP7-471
Business Services
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

Tax Parcel No.: 06-14-325-008

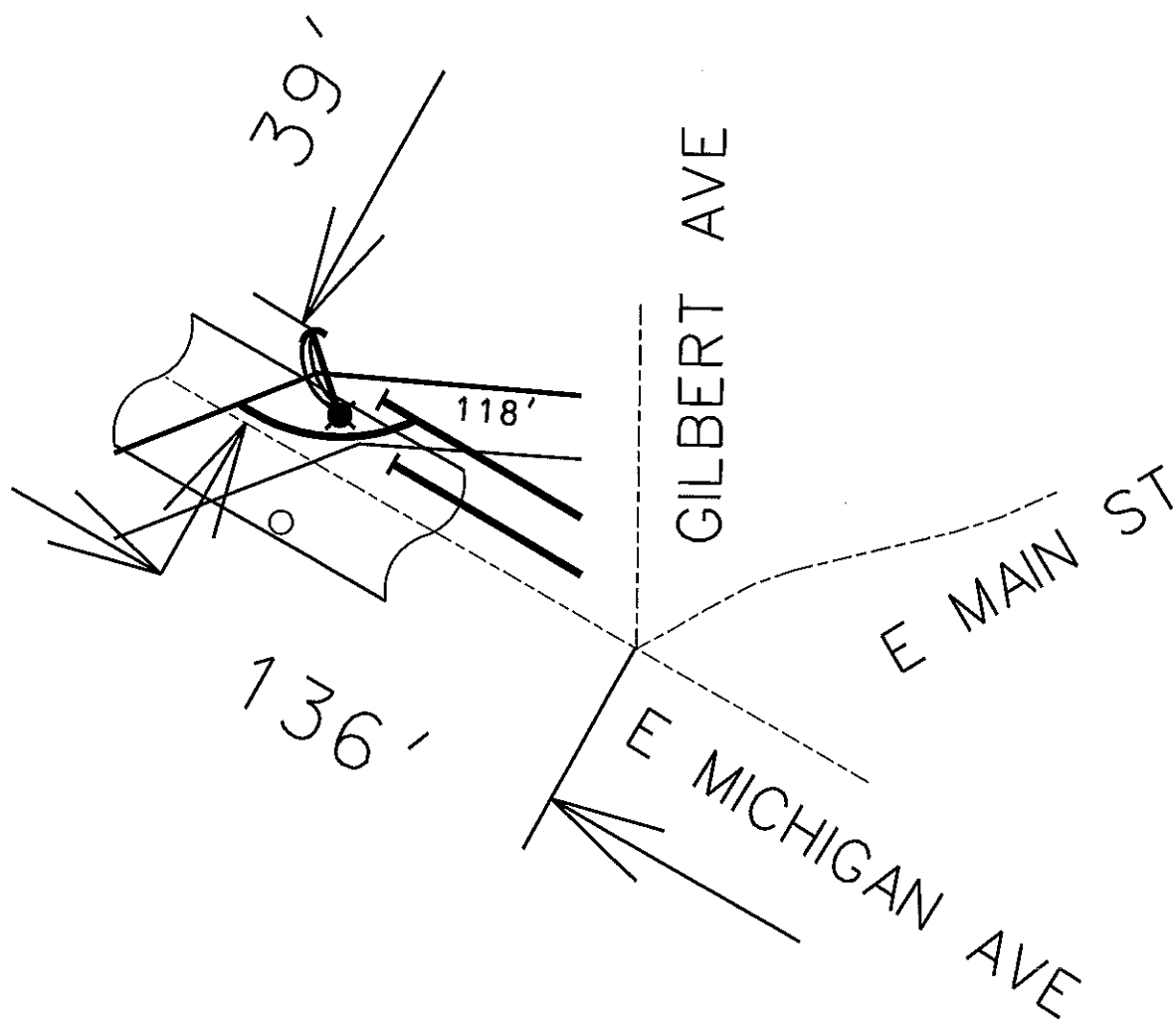
Part of the Southwest $\frac{1}{4}$ of Section 14, Town 2 South, Range 11 West, City of Kalamazoo, Kalamazoo County, Michigan, described as: BEGINNING in the westerly line of Gilbert Avenue at the Northeasterly line of Michigan Avenue (US 12A); thence North along the West line of Gilbert Avenue to a point 132 feet North of the Northerly line of East Main Street as extended; thence Westerly parallel with the Northerly line of East Main Street to the Northeasterly right of way line of East Michigan Avenue; thence South $59^{\circ}30'00''$ East along the Northeasterly right of way line of East Michigan Avenue to the POINT OF BEGINNING.

Commonly known as: 1129 E. Michigan Ave., Kalamazoo, Michigan 49048

EXHIBIT B

Easement Area

A 30 foot-wide strip of land, being 15 feet on each side of the centerline of each guy wires, and anchors constructed on Owner's Land, the centerline located approximately as shown in the attached drawing,





Commission Agenda Report

City of Kalamazoo

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

FROM: Bobby J. Hopewell, Mayor

PREPARED BY: Scott A. Borling, City Clerk

DATE: 4/27/2016

SUBJECT: Approval of the Mayor's Term Extensions, Appointments, and Reappointments to the Downtown Development Authority

RECOMMENDATION

It is requested that the City Commission approve the Mayor's recommended term extensions, appointments, and reappointments to the Downtown Development Authority:

- the extension of **Jim Escamilla's** term until March 31, 2017.
- the reappointment of **Grant Fletcher** for a term expiring on March 31, 2019.
- the appointment of **Stephanie Hinman** for a term expiring on March 31, 2020.
- the appointment of **Susan Lindemann** for a term expiring on March 31, 2020.
- the appointment of **Patti Owens** for a term expiring on March 31, 2020.
- the extension of **Derek Wissner's** term until March 31, 2018.

BACKGROUND

State law and City ordinance establish that the Mayor appoints and reappoints members to the Downtown Development Authority (DDA) Board of Directors. I have reviewed the applications for Susan Lindemann, Stephanie Hinman, and Patti Owens, and I have appointed these individuals to the DDA. In addition I have reappointed Grant Fletcher and have extended the terms of Jim Escamilla and Derek Wissner. I am now requesting City Commission approval of these reappointments as required by ordinance.

A majority of the DDA Board members must have an interest in property located in the downtown district, and at least one member must be a resident of the district. Each of the appointees meets these qualifying criteria: Susan Lindemann is the Head of Facilities Management for Kalamazoo Public Library; Stephanie Hinman is the Executive Director of the State Theatre; Patti Owens is a real estate developer for Greenleaf Capital, Inc. and a resident of the downtown district; Grant Fletcher is the Director of Nutrition and Retail Services at Bronson Healthcare Group; Jim Escamilla is the President and CEO of the architectural and engineering firm Byce & Associates; and Derek Wissner is the co-owner of Memories Bridal and Evening Wear.

COMMUNITY RESOURCES CONSULTED

The nominations were considered and approved by the DDA Board of Directors.

FISCAL IMPACT

There is no fiscal impact directly associated with these appointments, reappointments, and term extensions.

ALTERNATIVES

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



Commission Agenda Report

City of Kalamazoo

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

FROM: Scott A. Borling, City Clerk

DATE: 4/27/2016

SUBJECT: Approval of City Commission Minutes

RECOMMENDATION

It is recommended that the City Commission approve the minutes from its meeting on April 4, 2016.

ATTACHMENTS:

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

	Minutes April 4, 2016 Business Meeting Minutes
---	--

	A business meeting of the Kalamazoo City Commission was held on Monday, April 4, 2016 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 W. South Street.
Roll Call	COMMISSIONERS PRESENT: Vice Mayor Don Cooney David Anderson Erin Knott Matt Milcarek Shannon Sykes Jack Urban COMMISSIONERS ABSENT: Mayor Bobby Hopewell Also present were City Manager Jim Ritsema, City Attorney Clyde Robinson, and Deputy City Clerk Shelby Moss.
Commissioners Excused	Commissioner Urban, seconded by Commissioner Milcarek, moved to excuse the absence of Mayor Hopewell. With a voice vote the motion passed.
Invocation/Pledge	A moment of reflective silence was followed by the Pledge of Allegiance.
Proclamation	Commissioner Knott read a proclamation entitled Child Abuse Prevention Month. Carol Dedow from the Kalamazoo County Child Abuse Prevention Council received the proclamation.
Adoption of the Agenda	By unanimous consent the City Commission adopted its meeting agenda as presented.
Communications	City Manager Ritsema informed the Commission that a presentation of the Draft Downtown Kalamazoo Parking Plan would be presented at the Monday, April 18, 2016 regular business meeting. James Baker, Interim Public Services Director, presented a Water Quality Video produced by City staff to illustrate the excellent quality and safety of the drinking water in Kalamazoo.
Public Hearing re: the PY2016 HUD Action Plan and Funding Allocations	At 4:14 p.m. Vice Mayor Cooney opened a public hearing to receive comments on the recommendations of the Community Development Act Advisory Committee (CDAAC) and the proposed Program Year 2016 Action Plan. Vanessa Collins-Smith, Community Development Compliance Specialist II, reported the City would receive the following allocation of funds from the U.S. Department of Housing and Urban Development (HUD): Community Development Block Grant (CDBG) - \$1,478,874; HOME Program - \$422,450; and Emergency Solutions Grant (ESG) - \$138,353. Ms. Collins-Smith outlined the application process and stated the final step was submitting the action plan by May 15th to HUD. Dana Underwood, Board Member of CDAAC, outlined the application review process and thanked City staff and her fellow CDAAC members for all their time commitments and hard work. Ms. Underwood also highlighted the need for affordable rental housing in the community.

At 7:22 p.m. Vice Mayor Cooney closed the public hearing.

Commissioners Milcarek and Anderson and Vice Mayor Cooney thanked CDAAC and City staff for their hard work.

Commissioner Anderson, seconded by Commissioner Urban, moved to 1) accept the recommendations of the Community Development Act Advisory Committee and adopt the Program Year 2016 Action Plan; and 2) authorize the Director of Community Planning and Development to act as the official representative of the City and to sign all required HUD documents.

With a roll call vote this motion passed:

AYES: Commissioners Anderson, Knott, Sykes, Urban, Vice Mayor Cooney

NAYS: None

ABSTAIN: Commissioner Milcarek*

*At the time of the vote, Commissioner Milcarek announced he was abstaining due to a conflict of interest.

At 7:24 p.m. Vice Mayor Cooney opened a public hearing to receive comments on an ordinance to rezone the east 105 feet of 827 S. Westnedge Avenue from Zone RM-36 (Residential, Multi-Dwelling District) to Zone CN-1 (Commercial, Neighborhood District).

Rebecca Kik, City Planner, gave a brief presentation on the proposed rezoning and stated the rezoning was in line with the City's current and future Land Use Plan. Ms. Kik stated rezoning the property would bring the zoning in line with neighboring properties. Ms. Kik noted Rainey Street would remain closed and the property owner had no intention of reopening the street.

At 7:28 p.m. Vice Mayor Cooney closed the public hearing.

Commissioner Milcarek, seconded by Commissioner Anderson, moved to adopt an **ORDINANCE** to rezone the east 105 feet of 827 S. Westnedge Avenue from Zone RM-36 (Residential, Multi-Dwelling District) to Zone CN-1 (Commercial, Neighborhood District.)

With a roll call vote this motion passed:

AYES: Commissioners Anderson, Knott, Milcarek, Sykes, Urban, Vice Mayor Cooney

NAYS: None

Approval of PY2016
HUD Action Plan and
Funding Allocations

Public Hearing re: the
Rezoning of 827 S.
Westnedge Avenue

Ordinance 1937
Rezoning 827 S.
Westnedge Avenue

Consent Agenda

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

- approval of the purchase of Body Worn Cameras from Watch Guard through the MiDEAL purchasing program in the amount of \$201,435.
- acceptance of grant funding in the amount of \$76,075 from the Michigan Municipal Risk Management Authority to support the Body Worn Camera project.
- approval of the purchase of ten Public Safety fleet vehicles from Berger Chevrolet through the MiDEAL purchasing program in the amount of \$298,733.46.
- approval of a three-year term contract for industrial uniform rental and cleaning service with Continental Linen Services for staff within the Public Services Department in the amount of \$150,000.
- denial of a request from Fiber Technologies Networks, L.L.C. for a Bilateral Metropolitan Extension Telecommunications Right of Way Oversight (METRO) Act permit for the reasons that it is incomplete, and does not conform with either the METRO Act or the City's Zoning Code regulations pertaining to telecommunication facilities.
- approval of the minutes from the City Commission meetings on March 21, 2016.

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

With a roll call vote this motion passed.

AYES: Commissioners Anderson, Knott, Milcarek, Sykes, Urban, Vice Mayor Cooney

NAYS: None

Citizen Comments

Next, an opportunity was given for general citizen comments.

Frank Warren, City resident, expressed concern regarding City vehicle purchases made outside of the City limits.

Jose L. Campos, City resident, expressed concerns regarding the crumbling street in front of his house on Dover Road. Mr. Campos stated garbage trucks and other heavy vehicles were causing the destruction of the street, and he invited Commissioners to see the damage for themselves.

Franklin Thompson, City resident, spoke about his life and the recent Kalamazoo shooting spree. Mr. Thompson expressed concern for the stress level of Public Safety Officers.

The following individuals expressed support for the Fair Chance for All Policy originally introduced at the Monday, March 21, 2016 City Commission meeting:

Allison Kennedy, City resident
Jerrin Yarbrough, Non-resident
Debbie Kline, Non-resident
Nick Boyd, City resident
Christine Lewis, City resident
Alphonso Harris, City resident

John Howard, City resident, expressed concern about unlicensed taxis operating in the City and the condition of their vehicles.

Kris Mbah, City resident, thanked the City Commission for accepting the CDAAC recommendations. Mr. Mbah expressed concern about the proposed Downtown Kalamazoo Parking Plan.

Katlin Martin, City resident, requested information regarding the approved purchase of fleet vehicles, the re-zoning at 827 S. Westnedge Avenue, and the body camera program. Ms. Martin expressed support for the Fair Chance for All campaign.

Chris Wahmhoff, City resident, expressed support for the City's water system but emphasized the importance of safety and protecting the water system.

Tia Wallace, City resident, expressed concerns regarding the parking rate increases in the proposed Downtown Kalamazoo Parking Plan and the negative impact they would have on her family and the downtown area.

Andrew Worden, City resident, expressed concerns regarding the proposed Downtown Kalamazoo Parking Plan and the negative impact the increased parking rates would have on the downtown.

Gwendolyn Hooker, City resident, expressed concerns regarding policies and procedures at the Kalamazoo County Jail.

Dana Underwood, City resident, expressed several concerns regarding: 1) a City income tax; 2) the increased parking rates in the proposed Downtown Kalamazoo Parking Plan; 3) public participation in City meetings; and 4) a lack of management plan for the Downtown Development Authority.

Cody Dekker, City resident, requested more community engagement opportunities such as town hall meetings, and he expressed concerns about the mental health of inmates at the Kalamazoo County Jail.

Van Forsman, City resident, spoke about his life experiences.

Citizen Comments
(cont'd)

Commissioner
Comments

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

Commissioner Milcarek expressed support for improved logistics of garbage collection in the City.

Commissioner Urban remarked on the need for increased public participation and engagement.

Commissioner Knott stated she would visit Dover Road and see the damage being done.

Commissioner Sykes thanked the Commission and everyone in the audience for all their hard work and continued efforts to address issues facing the community.

Commissioner Anderson noted the Kalamazoo County Jail was a function of Kalamazoo County Government, and he encouraged residents to attend Kalamazoo County Commission meetings with their concerns about the jail.

Vice Mayor Cooney stated the Fair Chance for All campaign was in line with the City Commission priority to reduce poverty, especially among children. Vice Mayor Cooney requested City Manager Ritsema follow up with Mr. Campos regarding Dover Road.

In response to a question from Vice Mayor Cooney, City Manager Ritsema stated the vehicles being purchased from Berger Chevrolet were being purchased through the State of Michigan MiDEAL program. City Manager Ritsema stated the MiDEAL program allowed the City to purchase vehicles at a competitive rate, and he encouraged local dealerships to register with the MiDEAL program.

Adjournment

The meeting adjourned at 8:39 p.m.

Respectfully submitted,

Shelby A. Moss
Deputy City Clerk

For City Commission approval on May 2, 2016

Approved by: _____

Bobby J. Hopewell, Mayor
Dated: May 2, 2016

*This page was left
blank intentionally.*



Commission Agenda Report

City of Kalamazoo

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

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

REVIEWED BY: Jeffrey Hadley, Public Safety Chief

PREPARED BY: Ryan Tibbets, Assistant Chief – Fire Administration/Finance

SUBJECT: Group Violence Intervention Program

RECOMMENDATION

It is recommended that the City Commission approve a proposal in the amount of \$316,753.75 for the Group Violence Intervention Program through the National Network for Safe Communities - John Jay College of Criminal Justice, 555 West 57th Street, Suite 1140, New York, NY 10019 and authorize the City Manager to sign the proposal.

It is also recommended that the City Commission accept grant funding in the amount of \$50,000 to support the Group Violence Intervention Program from the Kalamazoo Community Foundation, 402 E. Michigan Ave., Kalamazoo, MI 49007 and authorize the City Manager to sign the grant documents.

BACKGROUND

Public Safety has partnered with the National Network for Safe Cities to launch the Group Violence Intervention (GVI) Program. This strategy will combine targeted enforcement, principles of deterrence, and community legitimacy components in order to achieve immediate and sustained reductions in violence in Kalamazoo. Implementation of this model will complement the broader violence reduction strategies underway by the City of Kalamazoo through a coordinated deterrence message and through community “call-in” sessions involving lower risk offenders. Specific grant activities will include; training; violent crime incident reviews; research integration; the use of a focused deterrence message; organizing service providers and key community stakeholders; improving perceived police legitimacy by integrating neighborhood stakeholders into the focused deterrence strategy; ongoing enforcement and repeat “call-in” sessions to reaffirm the deterrence message.

COMMUNITY RESOURCES CONSULTED

The partnerships for this initiative include KDPS, the U.S. Attorney’s Office in the Western District of Michigan, the Kalamazoo County Prosecutor’s Office, and the Michigan Department of Corrections. Second, social service and community providers include Goodwill Industries (social service providers), the Douglass Community Association (mental health and case management assistance), Northside Ministerial Alliance and Interfaith Strategy for Advocacy & Action in the Community (ISAAC) (faith-based outreach teams to promote criminal justice legitimacy in the targeted neighborhoods), and Peace During War (former gang member outreach workers).

FISCAL IMPACT

The two-year cost for the GVI Program is estimated to be \$316,753.75 with funding coming from the following sources: the Kalamazoo Community Foundation, Irving S. Gilmore Foundation and the City of Kalamazoo. The City of Kalamazoo's share of the costs are included in the Adopted FY 2016 Budget.

ALTERNATIVES

No alternatives are recommended by staff.

ATTACHMENTS:

Type	Description
□	Proposal Group Violence Intervention Proposal



REDUCING SERIOUS VIOLENCE IN KALAMAZOO, MI Proposal

David Kennedy
Director, Center for Crime Prevention and Control
National Network for Safe Communities
John Jay College of Criminal Justice
555 West 57th Street, Suite 1140
New York, NY 10019

About the National Network for Safe Communities

The National Network for Safe Communities, a project of John Jay College of Criminal Justice, was launched in 2009 under the direction of David M. Kennedy and John Jay College President Jeremy Travis. The National Network supports cities implementing proven strategic interventions to reduce violence and improve public safety, minimize arrest and incarceration, strengthen communities, and improve relationships between law enforcement and the communities it serves.

The National Network is committed to building a community of practice that operates along a set of guiding principles.

- First do no harm
- Strengthen communities' capacity to prevent violence
- Enhance legitimacy
- Offer help to those who want it
- Get deterrence right
- Use enforcement strategically

The interventions based on these principles have been successfully implemented in cities across the country. The Group Violence Intervention, first developed as "Operation Ceasefire" in Boston, MA, has been successfully applied in cities as diverse as Chicago, IL, Cincinnati, OH, and Stockton, CA. The intervention for eliminating neighborhood overt drug markets, first developed in High Point, NC, has been successfully applied in cities as diverse as Providence, RI, Hempstead, NY, and Nashville, TN.

In addition to providing technical advising to jurisdictions implementing these strategic interventions, the National Network facilitates peer support and collaborative learning opportunities to help cities learn from one another; address common issues; provide a supportive community of practice for new jurisdictions; and make these interventions standard practice across the United States.

Executive Summary

The National Network's strategies dramatically reduce violence in communities while avoiding the collateral consequences of traditional law enforcement practices. This proposal describes an empirically proven approach designed to produce rapid, significant, and sustainable reductions in serious violence in Kalamazoo. Under the direction of David Kennedy, the National Network will serve as the primary technical advisor to Kalamazoo's implementation of the Group Violence Intervention (GVI) in areas of the city suffering from high rates of serious violent crime. The National Network will guide the intervention through regular site visits, distance support, cooperative peer learning opportunities, and collaborative problem solving.

This proposal addresses the following core areas:

- Implementing the Group Violence Intervention
- Kalamazoo GVI Design and Advising
- Kalamazoo GVI Project Structure
- Key Working Partners
- Implementation Activities
- Budget Narrative

The National Network Approach: An Effective Response to Violence

Over 15 years of research has shown that violence and community disorder in troubled neighborhoods are caused predominantly by a remarkably small and active number of people locked in the group dynamics of gangs and drug crews. The National Network's Group Violence Intervention (GVI) has repeatedly shown that cities can dramatically reduce violence when community members and law enforcement join together to directly engage with these groups and clearly communicate 1) a credible moral message against violence, 2) a credible law enforcement message about the consequences of further violence, and 3) a genuine offer of help for those who want it. To do this, the city must assemble a partnership of law enforcement, social service providers, and community actors (parents, ministers, gang outreach workers, neighborhood associations, ex-offenders and others) to engage in a sustained relationship with violent groups. The key moment in the strategy is a "call-in," a face-to-face meeting between group members and the partnership, repeated at intervals as necessary. The partners deliver key messages to group members: that the violence is wrong and has to stop; that the community needs them alive, out of prison and with their loved ones; that help is available to all who will take it; and that violence will be met with clear, predictable and certain consequences.

A central operational shift is that law enforcement puts the gangs on prior notice that law enforcement will meet violence with a specific and swift response directed at the group as a whole rather than at individuals. Individual violent offenders receive the same enforcement attention as they had previously. However, other group members get new attention from police and prosecutors for any crimes committed, outstanding warrants, probation and parole violations, and open cases. The intervention combines this enforcement message with a powerful moral message against violence from community members whom the group members respect, and a reorganized, streamlined social service structure tailored especially for group members who want to change. The explicit aim is to create collective accountability to reduce informal peer dynamics in the group that promote violence, make community standards against violence clear and offer genuine help for those who will take it.

GVI has been endorsed by the United States federal government through its Project Safe Neighborhoods (PSN) program¹, by American law enforcement groups², and by national advocacy groups³. When properly implemented, cities routinely see rapid reductions in serious violence on the order of two-thirds for group-related homicide. This result is typically accompanied by low levels of actual enforcement and enthusiastic support of affected communities.

Kalamazoo Group Violence Intervention Design and Advising

GVI requires that people from disparate backgrounds, often with competing priorities, work together in unusual ways and focus on a single goal: reducing serious violence in their community. Real working partnership among these stakeholders is both the strategy's most important element and its greatest challenge. The National Network's vast experience with this approach has shown that successful implementation requires consistent support from expert technical advisors seasoned in guiding implementation. The most effective implementation efforts combine ongoing support from a seasoned support team, peer support and consultation, and focus and attention to particular areas of operational significance from national and international experts, all connected to similar efforts in other jurisdictions.

The National Network is well-positioned to provide this support. Over 15 years of implementing and advising this work, we have built a community of practice with deep expertise in each of the components of the strategy and the innovations emerging to support it. The National Network regularly deploys this community through peer site visits, distance learning, and collaborative workshops to ensure effective implementation, advancement, and sustainability of the strategy within the jurisdictions we advise. We convene experts from active jurisdictions to share knowledge around core operational issues of implementation, such as strategic law enforcement, police legitimacy, support and outreach to active offenders, governance and institutionalization, and other areas. Members of the National Network assist one another with the concrete work in the jurisdictions, develop and share innovations, and work together on a shared agenda.

The development of international criminal law and its associated tribunal jurisdiction has generated new issues and provided a further stimulus to the "globalization" of GVI and its related subject areas, such as building police legitimacy and strengthening relationships between police and distressed communities⁴. As part of the National Network's efforts to expand the violence reduction and community-building benefits of GVI internationally, the City of Kalamazoo will become a member of the National Network under this proposal. To ensure effective implementation, Kalamazoo will implement the National Network's GVI approach and participate in coordinated collective problem solving, regular working sessions, and limited peer

¹ See, for example, http://www.ojp.usdoj.gov/BJA/pdf/Offender_Notification_Meetings.pdf.

² <http://www.fightingcrime.org/wp-content/uploads/sites/default/files/reports/nygangreport.pdf>

³ http://www.childrensdefense.org/site/DocServer/gunrpt_revised06.pdf?docID=1761

⁴ <http://www.ucl.ac.uk/scs/downloads/research-reports/gangs-and-guns-report>

exchanges with subject matter experts to expand and enhance Kalamazoo's violence reduction work.

Kalamazoo Group Violence Intervention Project Structure

The National Network proposes to work with Kalamazoo's local leadership to implement GVI over the course of one year. If the strategy is implemented with fidelity to its core principles, Kalamazoo can expect to see the following at the end of the proposal period: 1) reduction in the targeted crime areas, 2) improvement in interagency law enforcement partnerships, 3) strengthened relationships between law enforcement and community, and 4) increased knowledge and expertise in this work that would allow the city's partnership to consider addressing other serious crime areas using the approach.

The following section briefly describes the technical support structure and associated costs for a 24-month launch. The National Network recommends the following necessary elements to effectively design and implement the GVI in the City of Kalamazoo.

Key Working Partners

The core work of GVI implementation is to assess the gang and violence dynamics in Kalamazoo, craft an appropriate operational strategy, and begin implementation. The following are the key partners whose commitment is required to ensure effective implementation:

- **The Kalamazoo executive governance board.** Long experience with this work has shown that implementation and sustainability benefits when a city selects key individuals responsible for making decisions. This measure helps the effort stay on track, ensure fidelity to core implementation principles, and provide accountable parties to steer the operation when challenges arise.
- **Kalamazoo-based project manager.** A local project manager responsible for coordinating and managing the implementation is essential to the effectiveness of GVI. The project manager must be able to operate effectively within law enforcement, social service, and community circles. The position would need to be fully supported by local funds over the course of the project. The project manager will work directly with the National Network technical assistance team and become an independent subject matter expert able to assist Kalamazoo in any future expansion of the approach to other areas.
- **National Network strategic advising/implementation team.** Under the Direction of David Kennedy, the National Network will serve as primary technical advisors to the Kalamazoo project manager and working group and deliver a comprehensive implementation curriculum as outlined below. This team will also include support from NNSC staff with deep experience in overseeing the intervention. This staff will provide onsite guidance to help monitor, assess, and advise the project managers and oversee the activities throughout implementation of GVI.

Implementation Activities

The Kalamazoo Department of Public Safety, Community Outreach and Problem Solving Division (COPS) has worked to integrate elements of the GVI strategy and principles into their work. The implementation activities outline in this proposal would build on and enhance the existing work of the COPS Division.

To launch implementation in Kalamazoo the National Network will be onsite to introduce key political, community and agency leadership to the approach; provide intensive advising to structure and adapt the strategy to the Kalamazoo street scene; offer support throughout initial implementation; and “build out” the basic strategy to include recent innovations and current best practices. This process will include the following activities:

- 1. Conduct a comprehensive problem analysis.** The National Network technical assistance team will conduct both qualitative and quantitative analysis of criminal violence dynamics in Kalamazoo. This will include direct research with frontline law enforcement personnel to complete 1) a group audit of all active violent street groups and 2) an incident review of several years’ worth of violent incidents. Problem analysis examines the role of specific factions of groups and/or gangs, crews, as well as individuals, in that violence. Lastly, staff will create geographic depictions of the violence overlaid with identified gang territory. The purpose of the problem analysis is to develop a clear understanding of Kalamazoo’s violence problem and to begin working with law enforcement to build its capacity to prevent violence and employ the GVI framework. The National Network will also work with Kalamazoo Public Safety to assess how their current weekly Crime Reduction Meetings and the intelligence gathering at these meetings inform the problem analysis and the launch of the intervention.
- 2. Develop site-specific interventions.** Based on the results of the problem analysis, the National Network will develop an implementation plan. This plan will outline a curriculum, trainings and a set of activities to be implemented.
- 3. Develop a Working Group:** The specifics of this initiative will be most effectively addressed in detail as part of a Working Group process of designing a Kalamazoo-specific intervention. To move forward, it will also be necessary to ensure the concrete commitment of the local police department, sheriff’s office, prosecutor, probation and parole services, and the Mayor’s Office. Social Services representatives will be added to this group as part of strategy development. All parties must agree to a Working Group process in which they, supported by the National Network, adapt the GVI strategy to Kalamazoo and manage its implementation. Implementation necessarily depends on the local operational partners; however, under the right circumstances implementation should be well under way with the first six months.
- 4. Build Support and Outreach structure.** During this initiative, the commitment of local social service community is essential. The National Network will work with the partnership to develop the GVI Support and Outreach structure to include the following characteristics; staying alive and out of prison, affirmative outreach, protection from risk, addressing trauma, providing “big small stuff” and other traditional services.

5. **Develop knowledge base of project managers and Working Group.** During the first twelve months of implementation, the National Network will conduct weekly technical assistance calls with a set curriculum to develop the project managers' knowledge of the theory and application of GVI. From twelve to 24 months, the National Network will conduct technical assistance calls to solve problems and continuing challenges.

6. **Provide peer support and collaborative learning opportunities.** The experience of the National Network team indicates that practitioners are more likely to embrace innovation when they learn about it from their peers. As such, we will promote and conduct both the virtual and in-person convening of Kalamazoo and other site teams to promote peer learning, deliver cross-site trainings, and encourage site progress. The National Network will support Kalamazoo in participating in the following collaborative learning methods:

- **Peer exchanges:** The National Network will support a number of "lateral" peer exchanges between Kalamazoo and other National Network sites. These peer exchanges expose sites to different methods, encourage innovations, and help build a national pool of experts in GVI and complementary strategies and investments.
- **Working sessions:** The National Network convenes regular conferences of experienced peers and expert advisors to focus on innovative practice within the three core elements of the strategy. These conferences have included topics such as developing strategic law enforcements methods, mobilizing community moral voices, and special tailoring social services for those at highest risk of violence.
- **Subject matter experts:** The National Network has access to numerous subject matter experts, including law enforcement officers, service providers, and community leaders who have deep firsthand experience in implementing GVI and troubleshooting challenges. The National Network will deploy these expert advisers as necessary to work with Kalamazoo staff on discrete topics such as implementing custom notifications, building police legitimacy, developing an effective support and outreach structure.

For example, during the period of the proposal Kalamazoo may expect the National Network to facilitate their leadership visiting seasoned GVI sites to observe a call-in, workshop methods for delivering custom notifications, or to witness the process of an enforcement action. The National Network may facilitate a visit from an expert adviser to develop strategies for collaboration between police and members of the target community. Kalamazoo may be invited to a working session to share its partnership's experience with enhancing the community moral voice.

7. **Provide the comprehensive review of GVI related prosecutions.** The National Network will work directly with the Kalamazoo County Prosecutor to effectively track, monitor and assess GVI related prosecutions. Additionally, the National Network staff will provide support, specific strategy and current best practices related to the prosecution of GVI cases.

8. **Conduct regular site visits to Kalamazoo.** The National Network will provide onsite support on a regular basis to assess implementation progress, meet with stakeholders, and guide partners through implementation challenges on the ground.

Summary of Technical Assistance Project Deliverables

Under the National Network partnership with Kalamazoo, an experienced team of National Network staff will work directly with local stakeholders to achieve the goals outlined in this proposal. The National Network requests a fee of **\$316,753.75** to provide the scope of services. The price will secure the National Network's service for a period of 24 months, to begin on April 1, 2016 to March 31, 2018.

For the Kalamazoo launch, an experience team of National Network staff will work directly with local stakeholders to design and implement the intervention over the course of two years. The National Network technical assistance team will include the following personnel and work tasks:

- **Technical Assistance.** National Network staff, under the direction of David Kennedy, will work directly with Kalamazoo officials and community leaders through onsite and distance technical assistance to introduce the violence reduction strategy, assemble an effective working group, and design and implement the strategy.

This will include the following tasks:

- Introducing the framework to local leaders;
- Facilitating trainings and workshops to launch the strategy and thereafter, as needed;
- Providing operational guidance to the Kalamazoo team on theory and direct expert advice on strategy design and launch;
- Assisting with performance management and infrastructure;
- Addressing particular violence dynamics; community organizing and engagement;
- Convening conferences and peer exchange trips for the Kalamazoo team;
- Encouraging enhancements to the standard model;
- Assisting with media relations, local policy implications and other areas; and
- Providing administrative and logistical support including correspondence, record keeping, travel arrangements, meeting logistics, communications.

A total of \$213,483 has been budgeted for National Network staff salary to support the implementation. These costs include a total of \$5,000 for David Kennedy's effort billed out a course release time. This also includes all fringe benefits for National Network staff.

- **Quantitative and qualitative analysis of street violence dynamics:** The National Network research team will perform a comprehensive quantitative and qualitative analysis of serious violence dynamics in Kalamazoo. This will include a group audit and a violent incident review. The group audit will use social network analysis to document all known relationships among violent group in Kalamazoo. The violent incident review will include an analysis of recent violence to determine the specific nature of Kalamazoo's violence problem and the role of groups, as well as individuals, in the violence. Lastly, National Network staff will create geographic depictions of the violence overlaid with identified group territory.
- **On-Site Technical Assistance Travel:** National Network staff expects to travel to Kalamazoo approximately eight times during the course of the contract in order to provide onsite support and advising. Funds are included for approximately eight person trips at \$1,100 each to support travel to Kalamazoo for David Kennedy, Deputy Director Amy Crawford, and other National Network subject matter experts over the 24 month effort, for a total of \$17,600.
- **Peer exchange and subject matter expert travel:** National Network staff will facilitate limited specialist exchanges between Kalamazoo and other National Network sites, focused on design and launch, to support this effort. This has proven invaluable in spreading good practice and local innovations between cities and providing cities access to special training and techniques based on their needs. Funds are included for eight person trips for this purpose, for a total of \$17,600.
- **National Network Working Sessions Specialized workshops:** As implementation proceeds, National Network staff will convene functional teams across partner sites with experienced peers and specialist advisors to focus on the three core elements in the strategy: deploying strategic law enforcement, mobilizing community moral voices, and specially tailoring social services for those at highest risk of violence. Funds are included for six person trips for this purpose, for a total of \$13,200.
- **Operational Supplies:** A total of \$750.00 per year has been set aside to cover all generic office expenses including paper, mailing, copying, ink, software, hardware and miscellaneous office needs to support the overall administration of the cooperative agreement. This also may include purchase of computers, laptops, and other computer related supplies. Funds will cover the costs associated with the printing and reproduction to support specialized workshops and training, web-based cooperative learning opportunities to promote peer learning, deliver cross-site trainings, and encourage site progress. It is estimated that a total of \$1,500 is needed for various operation supplies.

- **Indirect Costs.** As per the requirements of the Research Foundation of CUNY, the fiscal entity for National Network for Safe Communities, Center for Crime Prevention and Control at John Jay College of Criminal Justice, the project funds must include the federally approved off-campus indirect costs of 25% of total personnel cost to cover grant and contract administration, fiscal management and other overhead costs. Indirect costs total \$58,483

Total Funding Request: \$316,753.00

REDUCING VIOLENCE IN KALAMAZOO, MICHIGAN			
Research Foundation of CUNY on behalf of John Jay College of Criminal Justice, National Network for Safe Communities			
National Network PERSONNEL	Year 1	Year 2	Total
David Kennedy (one summer course release time \$5,000 per course)	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00
National Network Operational Staff (core operational and support staff for the National Network, provides research and technical assistance, consultant and peer support coordination and contracting, etc.)	\$ 80,000.00	\$ 65,000.00	\$ 145,000.00
Personal Salary Sub-Total:	\$ 85,000.00	\$ 70,000.00	\$ 155,000.00
Fringe Benefits			
• 28.9% Summer Salary Release Time	\$ 1,445.00	\$ 1,445.00	\$ 2,890.00
• 38.34% of Full-Time Salaries	\$ 30,672.00	\$ 24,921.00	\$ 55,593.00
Personal Fringe Sub-Total:	\$ 32,117.00	\$ 26,366.00	\$ 58,483.00
PERSONNEL TOTAL	\$ 117,117.00	\$ 96,366.00	\$ 213,483.00
Cooperative Problem Solving and Peer Learning			
Travel to Kalamazoo representatives to participate in National Network Working Sessions 6 person trips; \$1,100/participant per year)	\$ 6,600.00	\$ 6,600.00	\$ 13,200.00
Travel for Kalamazoo representatives to participate in National Network Peer Exchange (8 person trips; \$1,100/participant per year)	\$ 8,800.00	\$ 8,800.00	\$ 17,600.00
Travel for NNSC Operational Staff (8 person trips at \$1,100/person per year)	\$ 8,800.00	\$ 8,800.00	\$ 17,600.00
TRAVEL TOTAL	\$ 24,200.00	\$ 24,200.00	\$ 48,400.00
Other Than Personal Services			
Operational Supplies (includes laptops, computer related supplies, pens, etc.)	\$ 750.00	\$ 750.00	\$ 1,500.00
OTPS TOTAL	\$ 750.00	\$ 750.00	\$ 1,500.00
National Network SUBTOTAL	\$ 142,067.00	\$ 121,316.00	\$ 263,383.00
INDIRECT (off-campus rate of 25% of total personnel costs)	\$ 29,279.25	\$ 24,091.50	\$ 53,370.75
TOTAL COST	\$ 171,346.25	\$ 145,407.50	\$ 316,753.75



Commission Agenda Report

City of Kalamazoo

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

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

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

DATE: 4/1/2016

SUBJECT: Repealing the Friends of Recreation Board Ordinance

RECOMMENDATION

It is recommended that the City Commission offer for first reading an ordinance repealing Chapter 23, Article II of the Code of Ordinances regarding the Friends of Recreation Board. With the incorporation of the nonprofit Kalamazoo Friends of Recreation as a 501(c)(3) tax-exempt entity, the need for the Friends of Recreation Board as organized pursuant to City ordinances no longer exists.

BACKGROUND

The process to create a tax exempt 501(c)(3) began several years ago with the goal of accessing more donations to support parks & recreation programs, facilities and services. The effort was restarted in recent years under the current Friends of Recreation Board. The process culminated with the creation of the new Kalamazoo Friends of Recreation.

The new nonprofit, Kalamazoo Friends of Recreation, is a Michigan nonprofit board which is independent from the City. It is organized on a directorship basis. The initial articles were filed and an incorporator's statement was signed which adopted the initial set of bylaws and appointed the first Board of Directors.

COMMUNITY RESOURCES CONSULTED

The Friends of Recreation Board worked collaboratively to create the new board.

The Parks and Recreation Advisory Board was consulted and is in agreement with this new direction.

FISCAL IMPACT

The goal is that the new non-profit entity will have an increased ability to generate more donations to support parks & recreation programs, facilities, and services to offset City of Kalamazoo funding.

ALTERNATIVES

The alternative is to not repeal the ordinance. This alternative is not recommended as the need for the Friends of Recreation Board as organized no longer exists.

ATTACHMENTS:

	Type	Description
▣	Ordinances	Proposed Ordinance

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE REPEALING ARTICLE II, FRIENDS OF RECREATION BOARD, BEING SECTIONS 23-15 TO 23-21 OF CHAPTER 23, PARKS & RECREATION OF THE KALAMAZOO CITY CODE OF ORDINANCES

THE CITY OF KALAMAZOO ORDAINS:

Section 1. With the incorporation of the nonprofit Kalamazoo Friends of Recreation as a 501(c)(3) tax-exempt entity, the need for the Friends of Recreation Board as organized pursuant to City ordinances no longer exists.

Section 2. Sections 23-15 to 23-21 comprising Article II, Friends of Recreation Board, of Chapter 27, Parks and Recreation are repealed.

Section 3. The existing Friends of Recreation Board is dissolved and the appointments and terms of all persons currently serving as members of the Board shall expire on the effective date of this ordinance.

Section 4. Repealer.

All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance, including but not necessarily limited to, Ordinance #1770, creating the Friends of recreation Board, are repealed.

Section 5. Severability.

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

Section 6. Effective Date.

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

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____, 2016. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the City Charter.

Bobby J. Hopewell, Mayor

Scott Borling, City Clerk

K:\Attydocs\ORDINANCES\Friends of Recreation
12/09/15



Commission Agenda Report

City of Kalamazoo

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

FROM: Clyde J. Robinson, City Attorney

PREPARED BY: Marcia K. Jones, Asst. City Attorney

DATE: 4/11/2016

SUBJECT: Amendments to Section 36-185 of the Code of Ordinances Related to Parking
Fines

RECOMMENDATION

It is recommended that the City Commission approve amendments to Section 36-185 of the Kalamazoo Code of Ordinances to raise the fines and late fees for parking violations within the City of Kalamazoo. The effective date of the increases would be July 1, 2016.

BACKGROUND

The amendments to the parking fee schedule were considered by the DDA Board at its March 2016 meeting with a request to forward them to the City Commission for action. The proposed changes as endorsed by the DDA are now presented to you for your consideration.

In 2003, the City Commission approved an increase in the fines for meter and overtime violations from \$8.00 to \$10.00. No other significant increases were made at that time. In 2008, the City Commission increased the remaining parking violations. Adjustments were made for late charges. There have been no other significant changes to the fee schedule since 2008.

The proposed increases will not affect 90 minute parking or a violator's option to pay an expired meter notice voided within an hour of issuance. The effective date of the fine increases would be July 1, 2016.

POLICY CONSIDERATIONS

None

COMMUNITY RESOURCES CONSULTED

The proposed changes have been endorsed by the DKI Parking Committee and the DDA Board.

FISCAL IMPACT

The increased fines should have a modest financial impact. That Impact is dependent upon the amount of tickets written and the timeliness with which they are paid.

ALTERNATIVES

The City Commission can reject the proposed changes, either entirely or in part. Neither alternative is recommended.

ATTACHMENTS:

Type	Description
▣ Fee Schedule	2016 Parking Violation Fine Increases
▣ Ordinances	
▣ - Redline Version	Ordinance 36-185 Showing Revisions
▣ Ordinances	Ordinance 36-185 Clean Version

PARKING FINE SCHEDULE EFFECTIVE 7-1-2016

CODE	DESCRIPTION	STATUTE	PENALTY			
			INITIAL FINE	AFTER 7 DAYS	AFTER 14 DAYS	AFTER 30 DAYS
1	EXPIRED METER	36-175(B)	15.00	30.00	40.00	50.00
2	OVERTIME	36-175(C)	15.00	30.00	40.00	50.00
3	LOADING ZONE	36-178(B)	20.00	40.00	50.00	60.00
4	15 FT OF A HYDRANT	36-163(A4)	30.00	60.00	70.00	80.00
5	PARKED IN ALLEY	36-172	20.00	40.00	50.00	60.00
6	CURB LAWN	36-173	20.00	40.00	50.00	60.00
7	OVER 1 FT FROM CURB	36-166(A)	20.00	40.00	50.00	60.00
8	PARKED AGAINST TRAFFIC	36-166(A22)	20.00	40.00	50.00	60.00
9	NO PARKING 11PM - 6AM	36-170	15.00	30.00	40.00	50.00
10	NO ADVANCED PAYMENT	36-175(H)	15.00	30.00	40.00	50.00
11	NO PARKING HERE TO CORNER	36-163(A6)	20.00	40.00	50.00	60.00
12	NO PARKING ANYTIME	36-163(A14)	20.00	40.00	50.00	60.00
13	PARKING BETWEEN DRIVES	36-163(A2)	20.00	40.00	50.00	60.00
14	NO PARKING 2AM - 6AM	36-170(A)	15.00	30.00	40.00	50.00
15	NO STOPPING OR STANDING	36-163(A14)	20.00	40.00	50.00	60.00
16	BUS STOP	36-180(180B)	20.00	40.00	50.00	60.00
17	TAXI ZONE	36-163(B)	20.00	40.00	50.00	60.00
18	DOUBLE PARKING	36-163(A12)	30.00	60.00	70.00	80.00
19	PARKED ON SIDEWALK	36-163(A1)	20.00	40.00	50.00	60.00
20	NO PERMIT CITY LOT	36-164(H)	15.00	30.00	40.00	50.00
21	BLOCKING DRIVE	36-163(A2)	20.00	40.00	50.00	60.00
22	OBSTRUCTING TRAFFIC	36-168	30.00	60.00	70.00	80.00
23	KEYS IN IGNITION	36-165	20.00	40.00	50.00	60.00
24	NOT PARKED WITHIN SPACE	36-175(G)	20.00	40.00	50.00	60.00
25	NO PARKING BETWEEN SIGNS	36-163(A14)	20.00	40.00	50.00	60.00
27	OBEDIENCE TO ANGLE	36-175	20.00	40.00	50.00	60.00
28	PARKED IN INTERSECTION	36-163(A3)	30.00	60.00	70.00	80.00
30	NO PARKING ____TO____	36-170	15.00	30.00	40.00	50.00
31	FIRE LANE	36-163(A14)	30.00	60.00	70.00	80.00
32	SIDE YARD	36-163(A23)	20.00	40.00	50.00	60.00
34	BLOCKING EMERGENCY EXIT	36-163(A17)	30.00	60.00	70.00	80.00
35	BLOCKING FIRE ESCAPE	36-163(A18)	30.00	60.00	70.00	80.00
39	TAKING TWO SPACES	36-175(G)	20.00	40.00	50.00	60.00
42	30 FT OF STOP SIGN	36-163(A7)	20.00	40.00	50.00	60.00
43	WITHIN 20 FT CROSSWALK	36-163(A6)	20.00	40.00	50.00	60.00
44	15FT OF INTERSECTION	36-163(A6)	20.00	40.00	50.00	60.00
45	ALTERNATE SIDE OF STREET	36-163(C)	15.00	30.00	40.00	50.00
47	CITY VEHICLES ONLY	36-163	20.00	40.00	50.00	60.00
48	RENTED METER BAG	36-175(E)	20.00	40.00	50.00	60.00
49	NO PARKING EXCEPT SUNDAY	36-170	20.00	40.00	50.00	60.00
50	FRONT YARD	36-186(A)	20.00	40.00	50.00	60.00
52	OTHER AS DESCRIBED	36-163	15.00	30.00	40.00	50.00
53	HANDICAPPED VEHICLES	36-163(A19)	75.00	100.00	125.00	150.00
54	PRKG TRAILERS, HOUSE CARS, ETC	36-174	20.00	40.00	50.00	60.00
99	OTHER AS DESCRIBED	163	15.00	30.00	40.00	50.00

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTION 36-185 OF THE
KALAMAZOO CITY CODE OF ORDINANCES
RELATING TO PARKING FINES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 36-185 of the Kalamazoo City Code is hereby amended to read as follows:

“Sec. 36-185 Schedule of fines and late parking violations.

The schedule of fines and late fees for parking violations shall be as follows, unless otherwise provided by ordinance:

	Initial Fine	Penalty After 7 days	Penalty 14 days	Penalty After After 30 days
Expired Meter *	10.00 15.00	20.00 30.00	30.00 40.00	40.00 50.00
Overtime	10.00 15.00	20.00 30.00	30.00 40.00	40.00 50.00
Loading Zone	10.00 20.00	20.00 40.00	30.00 50.00	40.00 60.00
15 Feet of Fire Hydrant	20.00 30.00	30.00 60.00	40.00 70.00	50.00 80.00
Parked in alley	10.00 20.00	20.00 40.00	30.00 50.00	40.00 60.00
Curb lawn	10.00 20.00	20.00 40.00	30.00 50.00	40.00 60.00
Over 1 foot from curb	10.00 20.00	20.00 40.00	30.00 50.00	40.00 60.00
Parking against traffic	10.00 20.00	20.00 40.00	30.00 50.00	40.00 60.00
No parking here to corner	10.00 20.00	20.00 40.00	30.00 50.00	40.00 60.00
No parking anytime	10.00 20.00	20.00 40.00	30.00 50.00	40.00 60.00
No parking between drives	10.00 20.00	20.00 40.00	30.00 50.00	40.00 60.00
No parking 11 pm to 6 am	10.00 15.00	20.00 30.00	30.00 40.00	40.00 50.00
No stopping or standing	10.00 20.00	20.00 40.00	30.00 50.00	40.00 60.00

Bus stop	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
Taxi zone	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
Double parking	20.00	30.00	30.00	60.00	40.00	70.00	50.00	80.00
Parked on sidewalk	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
No permit city lot	10.00	15.00	20.00	30.00	30.00	40.00	40.00	50.00
Blocking drive	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
Obstructing traffic	20.00	30.00	30.00	60.00	40.00	70.00	50.00	80.00
Keys in ignition	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
Not parked within space provided		10.00	20.00	20.00	40.00	30.00	50.00	40.00
	60.00							
No parking between signs	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
Obedience to angle parking signs	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
Parking within inter- section	20.00	30.00	30.00	60.00	40.00	70.00	50.00	80.00
No parking ___ to ___	10.00	15.00	20.00	30.00	30.00	40.00	40.00	50.00
Fire lane	10.00	30.00	20.00	60.00	30.00	70.00	40.00	80.00
Side yard	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
Blocking emergency exit	10.00	30.00	20.00	60.00	30.00	70.00	40.00	80.00
Blocking fire escape	10.00	30.00	20.00	60.00	30.00	70.00	40.00	80.00
Taking two spaces	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
30 feet of stop sign	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
Within 20 feet of crosswalk	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00
Within 15 feet of intersection	10.00	20.00	20.00	40.00	30.00	50.00	40.00	60.00

Alternate side of street parking	10.00	15.00	20.00	30.00	30.00	40.00	40.00
	50.00						
City vehicles only	10.00	20.00	20.00	40.00	30.00	50.00	40.00 60.00
Rented meter (bags)	10.00	20.00	20.00	40.00	30.00	50.00	40.00 60.00
No parking except Sunday	10.00	20.00	20.00	40.00	30.00	50.00	40.00 60.00
Front Yard	10.00	20.00	20.00	40.00	30.00	50.00	10.00 60.00
Other, as described	10.00	15.00	20.00	30.00	30.00	40.00	40.00 50.00
Handicapped vehicles only	50.00	75.00	75.00	100.00	100.00		
	125.00	110.00	150.00				
Prkg trailers, mobile homes, etc.	10.00	20.00	20.00	40.00	30.00	50.00	40.00 60.00
Hotel and center vehicles only	10.00		20.00		30.00		40.00

*Expired Meter violations shall be voided upon request if the vehicle in question has not received an expired meter violation notice in the preceding 6 months.”

Section 2. Repealer.

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

Section 3. Severability.

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

Section 4. Effective Date.

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

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____, 2016. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott Borling, City Clerk

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4/13/16

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTION 36-185 OF THE
KALAMAZOO CITY CODE OF ORDINANCES
RELATING TO PARKING FINES**

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Section 36-185 of the Kalamazoo City Code is hereby amended to read as follows:

“Sec. 36-185 Schedule of fines and late parking violations.

As of July 1, 2016, the schedule of fines and late fees for parking violations shall be as follows, unless otherwise provided by ordinance:

	Initial Fine	Penalty After 7 days	Penalty After 14 days	Penalty After 30 days
Expired Meter *	15.00	30.00	40.00	50.00
Overtime	15.00	30.00	40.00	50.00
Loading Zone	20.00	40.00	50.00	60.00
15 Feet of Fire Hydrant	30.00	60.00	70.00	80.00
Parked in alley	20.00	40.00	50.00	60.00
Curb lawn	20.00	40.00	50.00	60.00
Over 1 foot from curb	20.00	40.00	50.00	60.00
Parking against traffic	20.00	40.00	50.00	60.00
No parking here to corner	20.00	40.00	50.00	60.00
No parking anytime	20.00	40.00	50.00	60.00
No parking between drives	20.00	40.00	50.00	60.00
No parking 11 pm to 6 am	15.00	30.00	40.00	50.00
No stopping or standing	20.00	40.00	50.00	60.00

Bus stop	20.00	40.00	50.00	60.00
Taxi zone	20.00	40.00	50.00	60.00
Double parking	30.00	60.00	70.00	80.00
Parked on sidewalk	20.00	40.00	50.00	60.00
No permit city lot	15.00	30.00	40.00	50.00
Blocking drive	20.00	40.00	50.00	60.00
Obstructing traffic	30.00	60.00	70.00	80.00
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Blocking fire escape	30.00	60.00	70.00	80.00
Taking two spaces	20.00	40.00	50.00	60.00
30 feet of stop sign	20.00	40.00	50.00	60.00
Within 20 feet of crosswalk	20.00	40.00	50.00	60.00
Within 15 feet of intersection	20.00	40.00	50.00	60.00

Alternate side of street parking	15.00	30.00	40.00	50.00
City vehicles only	20.00	40.00	50.00	60.00
Rented meter (bags)	20.00	40.00	50.00	60.00
No parking except Sunday	20.00	40.00	50.00	60.00
Front Yard	20.00	40.00	50.00	60.00
Other, as described	15.00	30.00	40.00	50.00
Handicapped vehicles only	75.00	100.00	125.00	150.00
Prkg trailers, mobile homes, etc.	20.00	40.00	50.00	60.00
Hotel and center vehicles only	10.00	20.00	30.00	40.00

*Expired Meter violations shall be voided upon request if the vehicle in question has not received an expired meter violation notice in the preceding 6 months.”

Section 2. Repealer.

All former ordinances or parts of ordinances, including Ordinance 1841, conflicting or inconsistent with the provisions of this ordinance are hereby repealed as of July 1, 2016.

Section 3. Severability.

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

Section 4. Effective Date.

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

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____, 2016. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Bobby J. Hopewell, Mayor

Scott Borling, City Clerk

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4/18/16