

	A regular meeting of the Kalamazoo City Commission was held on Tuesday, September 6, 2016 at 7:00 p.m. in the City Commission Chambers at City Hall.
Roll Call	COMMISSIONERS PRESENT: Mayor Bobby J. Hopewell Vice Mayor Don Cooney Erin Knott Shannon Sykes Jack Urban COMMISSIONERS ABSENT: David Anderson Matt Milcarek Also present were City Manager James Ritsema, City Attorney Clyde Robinson, and City Clerk Scott Borling.
Commissioner Excused	Commissioner Urban, seconded by Commissioner Knott, moved to excuse the absences of Commissioners Anderson and Milcarek. With a voice vote the motion passed.
Invocation	The invocation, given by Chaplain Mike Kemple, Lighthouse on Eleventh, was followed by the Pledge of Allegiance.
Update from the Central County Transportation Authority	Linda Teeter, Chair of the Central County Transportation Authority, and Garrylee McCormick, Chair of the Kalamazoo Transit Authority Board, announced the beginning of late-night and expanded services, including Sunday service beginning on September 12th. Ms. Teeter distributed buttons and flyers advertising the expanded services.
Report on the LaCrone Park Playground Program	Park and Recreation Program Coordinator Peter Aerts and Cynthia Moore, Assistant Program Supervisor, provided a report on the successful LaCrone Park Supervised Playground Program. Children who participated were present and described what they liked about the program.
Proclamation	Commissioner Sykes read a proclamation commemorating the <i>Kalamazoo Drop-In Child Care Center 25th Anniversary, September 6, 2016</i>. Executive Director Kathy McNinch accepted the proclamation.
Adoption of the Agenda	By unanimous consent the City Commission adopted its meeting agenda as presented.
Communications	City Manager Ritsema reported the Memorandum of Understanding (MOU) for the Foundation for Excellence (FFE) was being reviewed by the donors. City Manager Ritsema stated the MOU might not be ready for presentation to the City Commission on September 19th, in which case it would be on business meeting agenda for October 3rd. City Manager Ritsema also reported a citizen survey had been conducted, and 80% of residents supported the FFE. City Manager Ritsema indicated the survey results would be available on the City's website that week.
Consent Agenda	Consent Agenda items were presented as follows with a recommendation to approve the items with authorization for the City Manager to sign on behalf of the city:

- approval of a one-year contract extension with Alexander Chemical Corporation for the purchase of sodium hypochlorite in the amount of \$176,800.	Consent Agenda (cont'd)
- adoption of a RESOLUTION designating James J. Baker, PE, as the Street Administrator for the City of Kalamazoo.	Resolution 16-28
- adoption of RESOLUTIONS #1, 2, and 3 for the purpose of approving the 2015 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$15.848. The adoption of Resolution 3 schedules a public hearing for October 17, 2016.	Resolutions 16-29, 16-30, and 16-31
- adoption of a RESOLUTION recognizing Heritage Community of Kalamazoo as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.	Resolution 16-32
- adoption of a RESOLUTION recognizing Kalamazoo Friends of Recreation as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.	Resolution 16-33
- adoption of a RESOLUTION recognizing the Corporal Christopher Kelly Willis Foundation as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.	Resolution 16-34
- approval of a two-year agreement with the Central County Transportation Authority for the City to provide dedicated Public Safety services at the Kalamazoo Transportation Center.	
- authorization for the City Manager execute a lease with the Central County Transportation Authority for four (4) parcels of land currently used by the City for Metro Transit operations. This lease has been drafted under the terms of the Comprehensive Transition Agreement to facilitate the transfer of Metro Transit operations to the Authority.	
- authorization for the City Manager to sign a "Uniform Video Service Local Franchise Agreement" with Comcast of Michigan I, LLC, d/b/a Comcast.	
- adoption of amendments to the FY2016 Budget.	
- approval of an Ingress and Egress Easement Agreement with Youth for Christ of the Kalamazoo Area at 122 West Crosstown Parkway.	
- approval of the minutes from the City Commission meetings on July 28, August 1, and August 15, 2016.	
- approval of a special permit for a miniature pig to be kept at 517 Walnut Court, subject to compliance with applicable statutes, ordinances and health codes.	

Consent Agenda
(cont'd)

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 Knott, Sykes, Urban, Vice Mayor Cooney, Mayor Hopewell

NAYS: None

Regular Agenda

Regular Agenda Items were considered next.

Resolution 16-35 re: a
Complete Streets
Policy

City Planner Rebekah Kik reviewed *A Resolution Supporting the Creation of a Complete Streets Policy* and indicated City staff would submit a policy to the City Commission for consideration by April, 2017. Ms. Kik stated the City would continue to work through the Imagine Kalamazoo 2025 process to gather community input on Complete Streets, and staff would be creating a street construction manual that incorporated Complete Streets principles.

When an opportunity was given for citizens to comment on a resolution supporting the creation of a Complete Streets Policy by April 2017, the following people addressed the City Commission:

Paul Selden, non-resident, expressed support for the resolution and stated he was confident City staff would follow Complete Streets principles and continue to gather community input. Written remarks submitted by Mr. Selden were filed with the papers for this meeting.

Commissioner Knott, seconded by Commissioner Sykes, moved to adopt a **RESOLUTION** supporting the creation of a Complete Streets Policy by April 2017.

Commissioner Urban distributed and reviewed a document that contained amendments to the text of the proposed resolution. A copy of the document was filed with the papers for this meeting.

Motion to Amend the
Resolution

Commissioner Urban, seconded by Commissioner Sykes, moved to amend the proposed resolution as indicated in the document entitled *Resolution on Complete Streets Policy to be taken up at Sept. 6 Meeting*.

An opportunity was given for citizens to comment on the motion to amend, but no comments were offered.

With a roll call vote the motion to amend passed.

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

NAYS: None

With a roll call vote the motion to adopt the amended resolution passed.

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

NAYS: None

When an opportunity was given for citizens to comment on an ORDINANCE to amend Sections 36-99 and 36-100 of the Kalamazoo City Code to provide that motorists provide a minimum 3-foot distance when overtaking and passing a bicyclist, the following people addressed the City Commission:

Bonnetta Packard, City resident, expressed opposition to the proposed ordinance and stated bicyclists needed to follow the rules of the road just like motorists.

Doug Kirk, City resident, asked the City Commission to amend the proposed ordinance to require that vehicles grant a 5-foot minimum passing distance when passing bicycles.

David Jones, City resident and Treasurer for the League of Michigan Bicyclists, indicated both the League of American Bicyclists and the League of Michigan Bicyclists supported a 5-foot passing zone.

Paul Selden, non-resident and Director of Road Safety for the Kalamazoo Bicycle Club, stated it was not fair to judge an entire class of people for the actions of a few, and he noted some states required motorists to grant bicyclists an entire lane when passing.

Zach Lassiter, City resident, stated a 5-foot passing distance did not allow enough room for two cars to pass on narrow streets with parked cars.

Vice Mayor Cooney, seconded by Commissioner Urban, moved to adopt an ORDINANCE to amend Sections 36-99 and 36-100 of the Kalamazoo City Code to provide that motorists provide a minimum 3-foot distance when overtaking and passing a bicyclist.

Prior to a vote on the motion, discussion took place about changing the minimum passing distance to 5 feet.

Commissioner Urban, seconded by Commissioner Knott, moved to amend the proposed ordinance to require a minimum 5-foot distance when overtaking and passing a bicyclist.

Commissioner Sykes stated the opposition to a 5-foot passing distance seemed to come from a sense of inconvenience, and she asked for additional explanations of the hesitancy to approve a 5-foot distance.

Commissioner Knott expressed support for the amendment and noted it would benefit people who rode bicycles to be "green" or because they could not afford cars, and not just sport cyclists.

Resolution 16-35 re: a
Complete Streets
Policy (cont'd)

Ordinance re: Minimum
Distance for Vehicles
Passing Bicycles

Motion to Amend the
Ordinance

Motion to Amend the Ordinance (cont'd)

In response to questions from Mayor Hopewell, Public Safety Chief Jeff Hadley stated it was illegal to walk in the street if a sidewalk was provided, and Public Safety Officers would enforce traffic laws with motor vehicles before they would enforce them with bicycles.

In response to a question from Mayor Hopewell, City Attorney Robinson indicated the Kalamazoo City Code allowed people to ride bicycles on City sidewalks. City Attorney Robinson advised against reliance on the state legislature to adopt a statewide minimum passing distance, and he reported that only three states had a minimum passing distance greater than 3 feet. City Attorney Robinson also noted the law allowed cyclists to ride two-abreast.

In response to a question from Commissioner Urban, City Attorney Robinson stated the motion to amend could be reconsidered, but the motion would need to be made by a Commissioner who was absent or who voted with the "winning" side on the original vote.

With a roll call vote the motion to amend the ordinance passed 4-1.

AYES: Commissioners Knott, Sykes, Urban, Mayor Hopewell

NAYS: Vice Mayor Cooney

Mayor Hopewell announced the passing distance ordinance, as amended, would be considered for final adoption at the next regular City Commission business meeting.

City Manager's Report

Community Planning and Development Director Laura Lam delivered a PowerPoint presentation entitled *Imagine Kalamazoo 2025 Progress Report – September 6, 2016*. A copy of the presentation was filed with the papers for this meeting.

Policy Items

Next, policy items were considered.

Resolution 16-36 re: Enbridge Pipelines in the Straights of Mackinaw

When an opportunity was given for citizens to comment on a resolution supporting legislative efforts calling for the Governor and Attorney General to shut down the twin Enbridge pipelines that run beneath the Straits of Mackinaw, the following people addressed the City Commission and expressed support for the resolution:

Frank Warren, City resident
Chris Wahmhoff, City resident
Tammy Hibner, City resident
Kaitlyn Martin, City resident

Commissioner Knott, seconded by Commissioner Sykes, moved to adopt a **RESOLUTION** supporting legislative efforts calling for the Governor and Attorney General to shut down the twin Enbridge pipelines that run beneath the Straits of Mackinaw.

Prior to a vote on the motion, Commissioners Sykes, Urban, and Vice Mayor Cooney expressed support for the resolution.

Commissioner Urban stated he did not think the Enbridge pipelines would fail due to corrosion, but he expressed concerns about them being a terrorist target and being damaged by ship anchors.

With a roll call vote this motion passed.

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

NAYS: None

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

Frank Warren, City resident, spoke about panhandlers in the City and vandalism at Riverside Cemetery.

Laura Livingstone McNellis and Mary Lee McNellis, City residents, thanked City leaders for being forward thinking and stated she was grateful to live in a caring community.

The following residents of the Bella Vista Condominiums spoke about the dangers of using Betsy Ann Place in the winter, and they asked the City to open and certify the road through Crane Park as a seasonal road from November through March to provide a safer ingress/egress:

Doug Campbell, City resident
David Antoniotti, City resident
Pedro Griswold, City resident
Virginia Antoniotti, City resident
Blanca Ortiz-Skelding and Christopher Skelding, City residents

Jeff Messer, City resident, called political signs "street spam" and noted it was illegal to put signs in the public rights of way.

Nathan Dannison, City resident, expressed support for the Foundation for Excellence and spoke about the death of James Dunigan.

Corey Smith, City resident, expressed concern about the "X-Train" problem in the Northside Neighborhood on Friday and Saturday nights. Mr. Smith remarked on the litter surrounding The Polar Bear convenience store on North Westnedge Avenue.

Mattie Jordan-Woods, City resident, expressed support for the Foundation for Excellence. Ms. Jordan-Woods offered remarks on the roundabout planned for Harrison and North Streets, a fence that had been torn down in Verberg Park, and the need for Public Safety Officers take enforcement action early in the formation of the X-Train.

Resolution 16-36 re:
Enbridge Pipelines in
the Straights of
Mackinaw (cont'd)

Citizen Comments

City Commissioner
Comments

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

Commissioner Urban reported he had been receiving requests for a citizen comment time at the beginning of Commission meetings, and he suggested implementing a 20-minute period of shorter citizen comments at the beginning of business meetings.

Commissioner Sykes thanked Commissioner Urban for his leadership. Commissioner Sykes offered condolences to the families of Marsavious Frazier and Daquarion Hunter who were shot and killed on September 5th. Commissioner Sykes stated the in-custody death of James Dunigan and the City's response were failures. Commissioner Sykes thanked the community for helping her family during a recent crisis.

Vice Mayor Cooney remarked on the lives and deaths of Marsavious Frazier and Daquarion Hunter and offered condolences to their families.

Mayor Hopewell explained the City Commission had eliminated a time for citizen comments at the beginning of meetings so the Commission could address its scheduled business first before allowing citizens to bring forward new business. Mayor Hopewell also stated he liked the idea of people sitting through meetings to see the business that was conducted. Mayor Hopewell spoke about the need to end youth violence.

Closed Session

Vice Mayor Cooney, seconded by Commissioner Urban, moved that the City Commission go into closed session to discuss material exempt from discussion or disclosure by state or federal statute.

Prior to a vote on the motion, Mayor Hopewell announced the City Commission would not return to open session.

With a roll call vote this motion passed.

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

NAYS: None

Adjournment

The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on November 7, 2016

Approved by: _____
Bobby J. Hopewell, Mayor
Dated: November 7, 2016

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