

**ASYLUM LAKE POLICY
AND MANAGEMENT COUNCIL
Draft Minutes
February 8, 2018**

Kalamazoo College Fieldhouse, Hornet Suite
1600 West Michigan Ave.

Present: Duane Hampton, Chair; Tyler Bassett; Kay Chase; Jay Emerson; Arthur Falk; Lauri Holmes; Steve Keto; Steve Kohler; Sarah Larson; Paul Manstrom; Paul Scott; Peter Strazdas;

Excused: Mark Frever

Guests: Phil Micklin

I. CALL TO ORDER.

- Mr. Hampton called the meeting to order at 7:00 p.m.

II. ROLL CALL.

- Mr. Hampton completed roll call and determined that the aforementioned members were present.

III. ADOPTION OF FEBRUARY 8, 2018 AGENDA.

- **Mr. Strazdas, supported by Mr. Emerson, moved approval of the February 8, 2018 ALPMC Agenda. With a voice vote, the motion carried unanimously.**

IV. APPROVAL OF THE JANUARY 11, 2018 MEETING MINUTES.

- Add Ms. Chase's name to members present. Correct spelling of "Kato" to "Keto."
- **Mr. Falk, supported by Mr. Manstrom, moved approval of the January 11, 2018 ALPMC Minutes as amended. With a voice vote, the motion carried by a majority vote. Ms. Larson and Mr. Emerson were absent from the January meeting and abstained from voting.**

V. OLD BUSINESS.

a. Trails Report.

- Mr. Strazdas reported that Prein and Newhof is now officially on a contract with WMU for the ALPMC.
- Mr. Hampton advised that the Council has \$5,000 in the purchasing contract. The contractor needs to review the plan with regard to its suitability for access. There is agreement on three potential trails.
- A meeting has been scheduled with Prein and Newhoff on February 14th from 10 a.m. to noon to discuss the details of the plan.

VI. NEW BUSINESS.

a. Proposed Signs for Preserve regarding Leash Laws/Rules.

- Ms. Andress provided Ms. Holmes with the proposed signs for the Preserve. Ms. Holmes requested that a discussion regarding the signs be added to the agenda.
- There are existing signs in the Preserve stating that dogs must be on a leash but they haven't been effective. It might be helpful if the signs have stronger wording.
- Ms. Andress submitted two prototypes of signs for consideration by the Council. One suggested wording is, "Please help us control the number of loose dogs. Call Animal Control to report violations." The other suggested working is, "Please, no unleashed pets. Loose dogs are a risk to people, wildlife and other pets. Call Animal Control to report violations."
- Animal Control, WMU Public Safety and City of Kalamazoo Public Safety are possible phone numbers to put on the signs. The Council has a sign committee to further discuss the details.
- Mr. Strazdas suggested asking WMU Police Chief Scott which number should be used on the signs. Someone from the Council will invite him to a future meeting to address concerns.
- Mr. Keto suggested making the signs 8 ½" x 11" so they will be easier to reproduce and less expensive. They could be laminated, mounted on a board and screwed into a pole. It might be helpful to have a few of the signs on the trailways as well as the entrances. There are three entrances to the Preserve.

- **Ms. Holmes, supported by Mr. Strazdas, moved to have seven signs created for the Preserve, one for each of the entrances and four for the trailways, containing information regarding leash rules for the Preserve and phone numbers to call regarding violations. With a voice vote, the motion carried unanimously.**

b. February 2nd meeting with Duane, Pete and Jan.

- Mr. Hampton was called to a meeting with Vice President Van Der Kley. The meeting was called primarily to discuss the governing documents. There was also a discussion regarding crime at the Preserve and a suggestion about having Police Chief Scott attend an ALPMC meeting. The Vermeullen Property was also discussed.

c. Vermeullen Property

- The address of 2321 Drake Rd. is one of three addresses for the Vermeullen property, which is 17.3 acres. The Vermeullen house is located at this address, which is sometimes referred to as the McMartin Homestead. The two other addresses associated with that property are 4301 and 4305 Stadium Drive. The 2.5 million dollars offered from the Indiana buyer exceeded the appraisals on the property.
- Mr. Hampton inquired if the Council could use funds from the endowment to purchase part of the Vermeullen property next to the Preserve to serve as a buffer between the lake and rest of the property. Vice President Van Der Kley advised that is not an option but suggested the Council could play a role.
- They are focused on retaining water on the site but there is concern that it will contain road salt that will adversely affect Asylum Lake. It is unclear at this point as to how much the newly formed overlay committee can help with that issue. The overlay committee is scheduled to meet at 415 Stockbridge on February 14th from 1-3 p.m.
- Mr. Falk mentioned that the developer will be at the February 14th meeting with his attorney. There is a dip in the Vermeullen property and Mr. Falk suggested asking how they intend to fill the property and how close the bull dozer will be to Asylum Lake. The property needs to be raised about 15 feet to make it level with the street. It would be less expensive to push the soil near the lake into the low spot to level the property.
- Mr. Emerson mentioned that MDOT (Michigan Department of Transportation) held a meeting regarding the US 131 and Drake Road intersection. Mrs. Vermeullen attended the meeting and suggested having a dedicated right turn lane at that intersection so traffic wouldn't accumulate in front of her house. He suggested that the buyer has plans for the property other than a car wash to justify the \$2.5 million dollar purchase price.
- Representatives from MDOT advised that a dedicated right turn lane would not be allowed due to the historic status of the Vermeullen property. Mark Hoffman wrote a history of the property and it was suggested that he might know if it is on a historic register.
- Mr. Strazdas commented that the role of the Council is to protect Asylum Lake. There has been a series of changes in the ordinance such as the directive to retain storm water on site. The developer needs to know what language is in the ordinance to help protect the lake and that needs to be put on the record.
- Ms. Holmes inquired if the Vermeullen property is zoned commercial. Mr. Manstrom stated that it is currently zoned residential but the City's Master Plan recommended commercial zoning for future land use and that plan was approved. That doesn't change the current zoning but it opens the door for commercial development.
- Mr. Scott advised that the February 14th meeting appears to be an invitation-only meeting (not open to the public). Development plans for the property will need to be approved by the Planning Commission. Planning Commission meetings are open to the public.
- Mr. Bassett stated that the purpose of the February 14th meeting is to discuss the natural features overlay in the plan rather than how to develop the property. It is not clear what the overlay means and how to put that into action. There is language in the Master Plan about the overlay.
- Mr. Scott mentioned that before the Master Plan was finalized, the City realized that about 2/3's of the Vermeullen Property was designated as open space. Then they made the future plan commercial for that property. There are other areas along Stadium Dr. that are an issue and the compromise was the natural features overlay. The overlay was put in place a couple of weeks before the Master Plan was approved so there was not much deliberation about the overlay.
- There will be a Winchell Neighborhood meeting at the Winchell School to request public input on the development of the Winchell Neighborhood Plan. The neighborhood plan can override the Master Plan. The meeting is scheduled for Wednesday, February 21st at 7 p.m. and it is open to the public. Mr. Scott will be at the environmental table during the neighborhood meeting.

- The natural features overlay has been put on properties along Stadium Dr. due to the nearby creek that runs into Arcadia Creek. The Vermeullen property is in the Winchell Neighborhood.
- Mr. Falk stated that the neighborhood plan is created to be incorporated into the City's Master Plan and it would be presented to the City Commission for a vote. The neighborhood plan only overrides the City's Master plan if the City says it does.
- Mr. Keto inquired as to what the map means and if the committee is going to define what it means. Mr. Scott responded in the affirmative and advised that this is a test case. It might not be defined for the entire city but just this property.
- Mr. Hampton inquired if there are any attorneys on the new committee other than owners. Mr. Scott was not certain about the composition of the new committee. He suggested inviting City Planner, Christina Anderson, to an ALPMC meeting.

d. Crime at the Preserve.

- A friend of Ms. Holmes had her purse taken after her car window was smashed while it was parked at the Preserve.
- Vice President Van Der Kley suggested the possibility of removing valuables from vehicles and leaving them unlocked as this might be a safer course of action.
- Ms. Holmes advised that her friend put the purse where it couldn't be seen. She was only gone for 15 minutes, which indicates that someone was watching.

e. Governing document revisions.

- Mr. Hampton advised that Vice President Van Der Kley was willing to update the ALPMC Bylaws, the Management Framework and the Deed of Conservation Restrictions. She thought the Council should move this forward to consensus a couple weeks before the next ALPMC meeting.
- It was suggested that Mr. Hampton and Mr. Strazdas put together a summary of what was discussed at the meeting with Vice President Van Der Kley. Her attorney, Steve Stankewicz, had suggested stating that a majority of the members should be from WMU. Mr. Hampton suggested that wording was not necessary and the Vice President agreed.
- The Deed of Conservation Restrictions states that no paved paths or parking lots shall be placed or erected on the property. Since this was enacted, two paved parking lots have been added, there was already a paved road across from the Gibbs house.
- Vice President Van Der Kley suggested keeping that phrase and adding, "unless the improvements are recommended by the Council and approved by the Vice President of Business to respect and enhance the property for conservation purposes." The reason must be tied to a greater purpose. The Council and the Vice President would have to approve the proposed changes.
- The ALPMC Framework refers to a two-year term renewable for two additional terms but this has not been followed. It was suggested that there should be some limit but not as restrictive. Maybe two years renewable for four additional terms, if approved by the Vice President for Business and ALPMC, if a replacement can't be found.
- Ms. Holmes commented that the community representatives to the Council shift but WMU representatives to the Council are assigned by department. Ms. Chase mentioned that Mr. Hampton is an appointed member of the board.
- Mr. Hampton stated that the Framework refers to administrative support. The Environmental Institute was supposed to provide support to the ALPMC, but that institute no longer exists. Vice President Van Der Kley suggested that instead of the Environmental Institute providing administrative support, the wording should be changed to state that Physical Facilities should provide administrative support to ALPMC and its committees. That support would include logistics, financial, web posting, and secretarial, as well as hiring the natural areas manager. For example, Ms. Larsen is from Facilities Management and has been assigned to assist the Council with finances.
- Mr. Hampton mentioned that the current documents refer to university members and community members. Under university members, there are six categories: Campus Planning and Finance (currently not represented on the Council), the Environmental Institute (defunct); Environmental Studies (renamed); Physical plant (represented by Mr. Keto); Vice President for Business and Finance (represented by Mr. Frever); and three at-large members (university members). The community members consist of representatives from the Environmental Concerns Committee (City of Kalamazoo Committee); Asylum Lake Preservation Association; the Kalamazoo Environmental

Council; the Oakland Winchell Neighborhood Association; the Parkview Neighborhood Association and the Parkwyn Village Neighborhood Association.

- It was suggested that the language regarding the Physical Plant be updated to refer to the Natural Areas Preserve Manager, ex-officio (not subject to term limits).
- Ms. Chase expressed concern as to what would happen if that position is eliminated. Mr. Keto suggested that Mr. Strazdas, Mr. Frever and Ms. Larson could represent the interests of the Physical Plant and Business and Finance. However if there is no manager the Council will need to do the field work themselves, hire a contractor or Landscape staff to do what the current manager does.
- Attorney Stankewicz deleted about half of the Bylaws stating they were redundant with the Management Framework. The Vice President suggested adding duties of the term members and the Chair. The Attorney suggested eliminating the indemnification language; Mr. Strazdas is still involved in resolving that matter.
- Mr. Strazdas mentioned that the Council cannot indemnify someone. Only the Board of Trustees can indemnify someone.
- Mr. Hampton suggested turning this over to the sub-committee (Mr. Bassett, Ms. Chase, Mr. Emerson).
- The Council members added language to the Bylaws pertaining to changes in department names and term limits. The amended Bylaws should contain the clauses the Council agreed to. It was suggested that the Conservation Restrictions would not need to be significantly altered. Language regarding the five-term limit should be added to the Framework.
- A suggestion was made to strike the language pertaining to one-year term limits on committees since that isn't enforced. A clause was added to the Bylaws stating that there are two standing committees (Operations and Education and Research); their duties and powers are defined in the Framework. A clause could be added stating that the ad hoc committees can be designated by the Council.
- Mr. Strazdas mentioned that there hasn't been a Budget Committee in five years and this is the last year of the five-year budget. The Budget Committee would be ad hoc to the Operations group. He questioned if the Trails Committee would be ad hoc to Research and Education or Operations.
- Ms. Holmes commented that one of the purposes of the committees is to include people who are not Council members. There is a stipulation that the committees can engage non-voting advisors.
- Vice President Van Der Kley wanted to see the duties enumerated regarding the committees. For instance, which committee has the duty to come up with the Management Plan, on which a report is issued every five years to the Vice President of Business and Finance?
- Mr. Strazdas offered to provide the amended draft Bylaws from the subcommittee to Attorney Stankewicz and then provide it to the Council two weeks before the next meeting for review of the final draft. The next step would be to forward the final draft to the Trustees for review.
- Thereafter, the Council can proceed with review of the Management Plan and the budget. The Framework changes pertain to term limits, department changes, administrative support and ex-officio language.
- Ms. Chase mentioned the need for an Annual Report detailing what the Council has done. The Financial Report would come from Facilities Management.
- Ms. Larson reported that the check for \$55,900 was received and the funds are in the account. There were expenses totaling \$400.
- Mr. Falk mentioned a prior reference to a \$10,000 donation from the Foundation. Ms. Chase confirmed that the Council did not receive a donation from the Foundation.
- Mr. Hampton stated that WMU Police Chief Scott and City Planner, Christina Anderson, will be invited to attend the next ALPMC meeting. The Trail Committee will meet with Prein and Newhof. The March ALPMC meeting is cancelled due to spring break; the next meeting is scheduled for April 12th. Ms. Chase, Ms. Holmes and Mr. Strazdas will not be available to attend the April meeting.
- Mr. Hampton spoke with Carla Koretsky, the Dean of Arts and Sciences, and suggested a couple of people she might send as representative to the Council. The Council also needs a representative from Campus Planning and Finance. He suggested talking with the Faculty Senate and having them share the message that they need to send a representative to the Council.
- Ms. Larson will provide a report from the Kalamazoo Foundation at a future meeting.

VII. PROJECT/SPECIAL COMMITTEE REPORTS.

- Drs. Emerson and Maarten Vonhof are planning to try out the drone, and have used drones to find deer with a thermal camera. They received approvals from the FAA and the University drone group to fly the drone in the Preserve. They will experiment with altitude; the drone can only go up to 400 feet. He would eventually like to do a survey of the whole Preserve.
- Monday may be the earliest opportunity to fly the drone due to weather conditions. They will try to locate the deer at sunrise and sunset when the deer are coming back into the field.
- Ms. Chase inquired if signs will be posted to explain why the drones are being used in the Preserve. She is concerned that people will think they can fly drones in the Preserve.
- Mr. Keto suggested having signs stating that drones might be observed flying in the Preserve as part of a research project. He offered to laminate the signs and post them on the property.
- The Framework states there are to be no mechanized recreational toys in the Preserve. However, the Preserve is for education and research and the drone will be used as part of a research project.

VIII. PUBLIC COMMENTS.

None

IX. COUNCIL/STAFF COMMENTS.

None

X. ADJOURNMENT.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Amy Thomas, Recording Secretary