

ASYLUM LAKE POLICY AND MANAGEMENT COUNCIL

Minutes

February 21, 2019

Kalamazoo College Fieldhouse, Hornet Suite
1600 West Michigan Ave.

Present: Duane Hampton, Bonnie Alkema; Tyler Bassett; Kay Chase; Mark Frever, Lauri Holmes; Steve Kohler; Paul Manstrom; Paul Scott; Pete Strazdas, Marnie Twynham

Absent: Sarah Larson, David Lemberg; James Penner

Guests: Judy Huxmann; John Kreuzer; Paul MacNellis; Phil Micklin; Donna Tellham

I. CALL TO ORDER.

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

II. ADOPTION OF FEBRUARY 21, 2019 AGENDA.

- There were no changes to the agenda.
- **Mr. Strazdas, supported by Ms. Holmes, moved approval of the agenda as submitted. With a voice vote, the motion carried unanimously.**

III. EDITING AND APPROVAL OF JANUARY 10, 2019 MEETING MINUTES.

- The following changes were requested: Page 2, under "c", 1st bullet point, should be legal "counsel"; 4th bullet point, change Physical Plant to Facilities Management. Page 2, under "e", 2nd bullet point, insert "Natural Features Protection" before "Overlay"; third bullet point, change "Ms" to "Mr." before MacNellis. Page 4, under "b", first bullet point, change "Snyder" to "Schneider". Page 4, under C, 1st bullet point, change "Mr." to "Ms." before Holmes.
- **Mr. Bassett, supported by Mr. Manstrom, moved approval of the Minutes as amended. With a voice vote, the motion carried unanimously.**

IV. OLD BUSINESS

a. Memorial for Arthur Falk.

- It was suggested that a Swamp White Oak, or other resilient tree, could be planted near the big boulder by the plaque in the Preserve (near the Parkview entrance) to honor Mr. Falk. Mr. MacNellis offered to fill out the tree request. Ms. Telham suggested having Mrs. Falk present when the tree is planted.
- The use of plaques in the Preserve has been discouraged. Discussion followed regarding the best way to show that the tree was planted in Mr. Falk's honor. Mr. Strazdas suggested selecting/planting a tree and then continuing to discuss the sign.
- The rules state that the cost for a tree donation/planting is \$500 for Kleinstuck Preserve or Asylum Lake Preserve. No plaques or signs are allowed. Only a native tree can be planted and it must be chosen from an approved list. Mr. Frever suggested posting the PDF file with those rules on the ALPMC website.
- **Mr. Scott, supported by Mr. Hampton, moved to have Mr. MacNellis select a tree and a location to have it planted. The Council will approve up to \$500 dollars for the tree. Mr. Keto will arrange for the tree to be planted. With a voice vote, the motion carried unanimously.**

b. Planned, one-acre burn, is it permitted yet?

- A letter was sent to the fire Fire Marshall regarding the burn permit requested for the Preserve. The Fire Marshall wanted the request on WMU letterhead. The letter was resent on letterhead with the same content/request as in the original letter and now the permit has been approved.
- Mr. Frever will forward a copy of that letter to Ms. Alkema. She suggested that the Parkview Hills Neighborhood could use similar wording for their burn request.
- Mr. Borneman is responsible for getting the permit but the Parkview Hills Neighborhood Association will need to supply the information. Mr. MacNellis will provide Mr. Borneman's contact information to Ms. Alkema.
- Mr. Borneman will determine if he needs to request access through Mr. Tehrani's property to bring in equipment for the burn.

- Steve Keto will be the point person for WMU; Mr. Hampton will be the point person from the Council to assist Mr. Borneman with the burn.

c. Discussion of two edited governing documents.

- The process to update the governing documents started three or four years ago at a retreat at the Oaklands. The changes were discussed by multiple committees and then Jay Emerson took over. Ms. Chase and Mr. Bassett took over from there.
- Once the Council agrees to the updated documents, they will be submitted to Attorney Stankowicz for review/changes and then returned to the Council for approval. Once they are approved by the Council, they will be submitted to Jan Van Der Kley and then the Board of trustees. After the Board of Trustees approves the changes, the Council will be indemnified from liability regarding the Preserve.
- Final adoption of the governing documents requires a $\frac{3}{4}$ vote by the Council. A majority vote by the Council is required to forward the governing documents to counsel for review. Mr. Hampton referred to the top of page 6 in the Management Framework, under vii, administrative support, a sentence was added and the wording is as follow, "The WMU Facilities Management shall provide administrative and logistical support to the Policy and Management Council and its committees and shall serve as a communications channel between the Council and the WMU administration. Such support shall include financial record keeping and reporting, secretarial help and maintenance of the website."
- Mr. Bassett suggested that the Council should have a chance to review the changes in case there are questions. There are two, six-page documents. Discussion regarding the governing documents was tabled until the next meeting.
- The current ALPMC Bylaws were not approved by the Board of Trustees but Vice President Van Der Kley wants the Board to review/approve the updated Bylaws. The current Declaration of Conservation Restrictions and the Management Framework were approved by the Board of Trustees; the changes would also have to be approved by the Board of Trustees.

d. BTR2 update.

- The bid documents are out for contactors to start bidding on. It would be helpful for the Council to know who the project manager is.
- Mr. MacNellis is on the advisory board for BTR2. He provided a copy of the design and maintenance standards for review. Most of what the advisory board discussed is in the standards, which he shared with the NFP Overlay Committee. He offered to send a copy of the 60-page document to anyone on the Council who requests it.
- Mr. Strazdas stated that BTR2 is working toward a national designation for LEED buildings. The designation might be higher than the designation for BTR1. BTR1 did not have ongoing maintenance standards but BTR2 does.

E. Former Vermeulen property discussion.

- Mr. Bassett advised that the Natural Features Overlay Committee came up with draft standards. The standards are on the Imagine Kalamazoo website and they are open for public comment.
- A series of public meetings regarding the NFP overlay started yesterday with the ECC meeting. The Planning Commission meeting is scheduled for April 3rd. The NFP overlay is scheduled to be on the City Commission agenda in May.
- Ms. Alkema felt that Ms. Anderson and Ms. McCarthy heard some things at the ECC meeting that needed to be in the Overlay regarding trees, woodlands, slopes, etc. Someone suggested that a Preserve should be treated differently than other properties. People can contact City staff to make suggestions.
- Mr. Hampton advised that the NFP overlay won't protect the Preserve from much. As an example, the storm water regulations are weak and not enforced. Under the current regulations, the best we can expect is that the developers will volunteer to be environmentally responsible.
- Ms. Alkema suggested the possibility of someone else buying the Vermeulen property from the current owner to prevent the proposed development adjacent to the Preserve. If the developer is discouraged, someone might have an opportunity to purchase the land.
- The developer has agreed to take water from Stadium Drive through the railroad trestle overpass and they agreed to intercept and deal with that water.

- The current storm water codes for the City of Kalamazoo require planning for a two-year flood event. The NFP overlay requires planning for a 10-year event. The WMU minimum is for a 25-year event. The lawyers will review the language in the NFP overlay and try figure out what the City Commission might approve.
- WMU put a bid on the Vermeulen property when it was for sale. Ms. Alkema contacted two environmentalists about the possibility of purchasing the Vermeulen Property and making it part of the Preserve. She offered to help with spearheading and funding that initiative.
- Mr. Hampton suggested waiting until the next ALPMC meeting to find out if Ms. Alkema receives a response regarding her suggestion to buy the Vermeulen property. He also suggested reading the Natural Features Protection Overlay to make sure there are no loopholes.
- Ms. Holmes urged the Council to think about having special restrictions in the Overlay regarding the Preserve. There are numerous waterways that are not covered on the map Ms. Anderson presented. Kleinstuck Preserve was added to the map after Ms. Anderson heard from numerous people. Ms. Holmes and Ms. Alkema urged the Council to make a statement about the NFP Overlay.
- When the Planning Commission reviews the rezoning request, that will provide a chance for everybody to comment on the request. There would be another opportunity for public input at the City Commission meeting. The Vermeulen property would have to be donated to WMU to be part of the Preserve.
- Ms. Holmes stated that the Asylum Lake Preserve should be considered a special area needing the maximum protection available for such an area. Ms. Alkema commented that the Preserve is different, it is not just a wetland, it is for public use.
- Mr. Strazdas suggested that the statement needs to focus on the Council's role to protect Asylum Lake. The Council needs to advise WMU administration what should be done to protect the Preserve property.
- **Mr. Hampton, supported by Mr. Strazdas, moved to appoint a committee of five people to wordsmith comments from the Council regarding the Natural Features Protection Overlay process and the suggestion of having special status for the Preserve.**
- Ms. Alkema, Ms. Holmes, Mr. Strazdas, Mr. Kreuzer and Ms. Huxmann volunteered to be on the subcommittee, Ms. Alkema will be the lead. It was suggested they report back to the Council within one week.
- The subcommittee will send a statement to the Council and there will be an on-line vote regarding the draft statement from the subcommittee. Ms. Alkema will set up a time after the ALPMC meeting for the subcommittee to meet.
- The statement from the subcommittee will be provided to Christina Anderson, City Planner, and Jamie McCarthy, Development Project Coordinator, for the City of Kalamazoo.

f. Monthly budget statement for ALP.

- There is a balance of \$62,555 in the ALPMC budget. Snow removal for last February was 2 hours. For February 2019 there has been 6.5 hours of snow removal. Trash and litter removal for February 2019 is 13.5 hours so far. Last month, there was a total of 41.5 hours for trash and litter removal.

g. We have \$65,000 left this fiscal year in the Asylum Lake fund.

- Mr. Hampton proposed allocating \$45,000 of the \$65,000 available in the Kalamazoo Community Foundation fund, to be used for work to be done by Wildtype and Mr. Borneman and to have someone collect and compile water quality data from the Preserve.
- Mr. Strazdas stated that this work would need to be bid out through the University. The point people will bring updates to the Council.
- Mr. Bassett suggested reviving the Ecological Subcommittee and asking for volunteers to work on that subcommittee.
- It was suggested that water quality data from the Preserve should be collected before the proposed development on the adjacent Vermeulen property.

h. Wildtype proposed winter makeup work emergency \$20,000?

- Concerns have been expressed regarding invasive plants in the Preserve. The proposed burn to deal with those invasives has not been funded yet.
- Mr. Hampton called Bill Schneider from Wildtype. His proposal was dated October 2, 2018. The cost of re-spraying the 59 acres they have already treated was not to exceed \$1,600, average per acre. Thirty-nine acres still need to be treated. The proposed work in the Preserve has not happened yet but needs to proceed.

- He said come up with a number and he will review the acreage that needs to be done. He will re-spray areas that were already treated to prevent the invasives from coming back. It is too late now to cut, stump and drill. He will work with WMU to figure out how to do some of the 39 acres, area 2 on the map.
- The areas marked in red (39 acres) on the map are not done; areas marked in green (59 acres) are done. Brush would have to be chipped but he will deal with that separately.
- **Mr. Hampton, supported by Mr. Scott, moved to allocate funding, not to exceed \$20,000, for Mr. Borneman/Wildtype to get started on spraying and clean-up in the Preserve. Mr. Keto and Mr. Bassett will have latitude with the contractor to make decisions in the field. With a voice vote, the motion carried unanimously.**
- It will cost approximately \$62,000 to treat the 39 acres, which is the area on the map designated in red. The communication from October 2nd states that the contractor will start on areas 2 & 3. They won't do any chipping in those areas. They will proceed to areas 8 and 10 if the budget allows.
- They will spray as close as necessary to the water; there are specific chemicals the contractor uses for the areas that are near water.
- Steve Keto will be the point person for Mr. Frever; Mr. Bassett will be the point person for the Council.
- Mr. Schneider will also focus on spraying other areas, while there is an opportunity, to prevent invasives from coming back.

V. PROJECT/SPECIAL COMMITTEE REPORTS:

a. Research and Education Subcommittee

- The Research and Education Subcommittee received one proposal, the annual proposal from the Department of Geosciences for the hydrogeology field camp. They hold several, one-week courses at the Preserve. The proposal was approved unanimously by the subcommittee.

b. Trails Committee - Prein and Newhof

- Tom Wheat from Prein and Newhof will update the trail submissions and include an alternative with stone dust to accommodate vehicles on the 4-foot-wide path in the middle.
- Mr. MacNellis, Mr. Micklin, Ms. Holmes and Mr. Scott will determine the next meeting date for the Trails Subcommittee. They will request funding from the Budget Committee.

c. Signs at Asylum Lake about whom the public can contact for help.

- It was suggested that a plaque could be added under the existing signs at the Preserve with phone numbers and information about how to contact broncofixit and enter a web request.
- **Mr. Strazdas, supported by Mr. Scott, moved to allocate up to \$500 to be spent on signs for the Preserve with information about who to contact if there are issues at the Preserve. Trent Hines is the point person who will collaborate with Mr. Scott to determine where the signs should go, what the exact verbiage will be and how the signs will be installed. With a voice vote, the motion carried unanimously.**

d. Budget Subcommittee

- There are five people on the Budget Subcommittee (Tyler Bassett, Paul MacNellis, Pete Strazdas, Sarah Larson, Arthur Falk). New members are needed to replace Sarah Larson and Arthur Falk. Ms. Holmes and Mr. Manstrom volunteered to be on the Subcommittee.

VI. NEW BUSINESS

a. Asylum Lake water quality data measurements.

- Baseline data from the lake is needed before the proposed car wash is constructed adjacent to the Preserve. Mr. Kohler's class has been taking data from the lake. Mr. Kohler suggested more intensive sampling this year and next year depending on when construction starts.
- Dr. Koretski's lab has also collected data, particularly regarding salt in the lake. Mr. Kohler is proposing to collect data four times this year, before, during and after turnover in the lake. He offered to make a presentation to the ALPMC in the fall with data that was collected.
- He is also suggesting a survey of plants in the lake but that would take more time. Fall class would be too late to start that project. It would probably cost less than \$5,000 to complete the proposed work.

- It is a big challenge to get on Asylum Lake. You can't leave a boat down there; one of the canoes was stolen. It would be helpful to have a structure for storing canoes, paddles and life vests, etc. A horizontal sampler would get samples at the bottom and that would be nice to have.
- **Mr. Hampton, supported by Ms. Holmes, moved to empower Mr. Kohler to take samples from Asylum Lake, not to exceed \$4,000, to be spent on establishing a baseline prior to development of the adjacent Vermeulen property. With a voice vote, the motion carried unanimously.**
- The \$4,000 will be spent on equipment and services for this project. Ms. Larson will assist with processing the payments. She will need a quote and tax information, etc. Mr. Kohler will provide the current data from Asylum Lake to the Council.

b. New burn of the prairie.

- Mr. MacNellis provided photos and a map to Mr. Borneman with information about the 18 acres in the Preserve that were burned last year.
- Mr. Bassett stated that the difference between burning 15 acres and 30 acres is just the time; it makes sense to do the bigger burn. It would not be advisable to burn the entire area, there needs to be a refuge for birds etc.
- **Mr. Hampton, supported by Mr. Bassett, moved to allocate \$20,000 and seek two bids, one for a small burn and one for a big burn, from each of two contractors to determine if it is within the budget and if the contractors are able to do the proposed work.**
- Mr. MacNellis suggested getting a bid from Dave Mindell, who does burns for the Southwest Michigan Land Conservancy. Mr. MacNellis will contact the two burn bosses to solicit bids and bring that information back to the Council. He will include Mr. Frever and Mr. Keto in that communication.

c. <https://wmich.edu/asylumlake> - Need to update Asylum Lake website.

- Postponed to next meeting.

d. Discuss opportunities and threats document.

- Postponed to next meeting.

e. Next meeting

- The next ALPMC meeting is scheduled for Thursday, March 14th, the week after spring break. Mr. Manstrom will inquire if the Hornets' Suite is available for that meeting.

VII. PUBLIC COMMENTS.

- Mr. Micklin attended the NFP overlay meeting. The overlay is not intended to prevent development. He would like to see a provision added for special circumstances, such as the Vermeulen property, to recommend against development located next to the Preserve.
- The City of Kalamazoo Master Plan shows the Vermeulen property with commercial zoning on the Future Land Use map but that property is critical to the adjoining Preserve property. The Preserve is the most unique property in the Kalamazoo City limits that is not protected.

VIII. COUNCIL/STAFF COMMENTS.

- None

IX. ADJOURNMENT.

- The meeting adjourned at 9 p.m.