Members Present: Sharon Dever, Vice Chair/Acting Chair; Kay Chase, Council Secretary; Tyler Bassett; Duane Hampton; Lauri Holmes; Steve Kienle; John Kreuzer; David Lemberg; Silvia Roederer; Paul Scott

Members Excused: Pete Strazdas, Chair; Tom Sauber, Natural Areas Manager; Mark Frever, Lynne Heasley; Tiffany Schriever; Cybelle Shattuck; Mark Weiss

Guests: Mark Kieser, Kieser & Associates

I. CALL TO ORDER AND ZOOM ROLL CALL.
   • Ms. Dever called the meeting to order at 7 p.m.

II. EDITING AND ADOPTION OF AGENDA FOR JULY 13, 2023.
   • There were no changes to the Agenda, which was approved by unanimous voice vote.

III. EDITING AND APPROVAL OF MINUTES FROM JUNE 8, 2023.
   • Some of the Council members did not receive the updated Minutes. Ms. Chase stated all of the changes that were made, and the Minutes were approved by unanimous voice vote.

IV. FINANCIAL REPORT.
      • No report.
      • No report

V. OLD BUSINESS.
   a. Project Updates and Project Finances.
      i. Stormwater and Research Project.
         • Mr. Kieser provided the following update.
         • The bid for the stormwater project was $29,000 over the target. The Council authorized Kieser & Associates to have a meeting with Hoffman Bros. Inc., the contractor who submitted the bid on the stormwater project. Representatives from Kieser & Associates, the WMU Purchasing Department and Mark Frever met with the bidder to discuss potential value engineering to reduce costs.
         • John Jacobson, Senior Engineer, from Kieser & Associates was also at the meeting. He was responsible for the design of the stormwater project.
         • Kieser & Associates can’t make recommendations for cost reductions, but they can inquire if the bidder has any suggestions. The bid was more than $100,000 over the maximum estimate of $425,000 for the construction costs. The original estimate for the stormwater project was $500,000. The grant request to the State of Michigan, including an additional $50,000 to cover what was already spent, for a total of $550,000.
         • Kieser & Associates has $24,000 worth of expenses so far on the stormwater project. There are $16,000 in pending expenses from Kieser & Associates. There was an additional estimated cost of $37,000 from Kieser & Associates to monitor the stormwater. The revised bid from Hoffman Bros. Inc. is $468,961. If the monitoring costs are subtracted, the bid is within budget. $526,961 is the new estimated total for construction of the stormwater project.
WMU representatives expressed a desire to have Kieser & Associates be very meticulous about the erosion controls and oversight of the construction process. Keith Pung from WMU has been in charge of getting the necessary permits for construction of the stormwater project.

The monitoring would determine what contaminants are going into and out of the stormwater system before and after construction. The original proposal also included some monitoring of water quality in Asylum Lake.

Kieser & Associates reviewed the revised bid and talked with representatives from the WMU Purchasing Department. The revised bid is $486,961.00. The decrease was possible because of a reduction in the cost of materials. $527,000 is the gross estimate for construction of the stormwater project.

Hoffman Bros. Inc suggested alternative piping, which lowered the cost of the project. The contractor advised that the newly recommended piping will meet the necessary requirements. Kieser & Associates recommend approval of this revised bid to the Purchasing Department, and they are bringing it to the Council for approval.

There can be a discussion about monitoring the stormwater at some point in the future. There is a 60-day window for review and approval of the revised bid. Kieser & Associates thinks that the revised bid is reasonable and recommends that the Council approve it. Hoffman Bros. Inc. has been excellent to work with.

The alternative piping is the same size (12”) that was originally proposed. The proposed change in piping represents a savings of about $35,000. Hoffman Bros. Inc. checked with the pipe manufacturer regarding the availability of the proposed pipe, and they were advised there is a satisfactory supply.

Ms. Dever inquired if Mr. Kieser could specify what pipe was recommended. She stated that she is in materials and has to be specific about what is required. Mr. Kieser stated that he can provide the details from Hoffman Bros. Inc. The pipe material was confirmed as ADS N12 smooth-walled interior pipe with watertight joints. The reduction in the base bid was due solely to the change in pipe material.

Mr. Kreuzer inquired if the sedimentation plan is based on state requirements. Mr. Kieser confirmed that it is. He stated that phase one of the construction is by Asylum Lake. Phase two is by the road. Hoffman Bros. Inc. needs to construct phase one of the stormwater project by Asylum Lake first before they excavate by the road for phase two. The proposed erosion control goes beyond the minimum erosion control requirements.

Mr. Kreuzer inquired about maintenance costs and disturbed areas of vegetation during the construction process. Mr. Kieser stated that the contractor would take care of those issues. Mr. Sauber could provide the bid documents to the Council. Mr. Kreuzer would like to review the bid documents.

Mr. Hampton referred to the $37,000 of monitoring costs that were deleted from the updated bid and requested more details. Mr. Kieser stated that the previous proposal included quarterly monitoring of Asylum Lake water quality, including chlorides. The stormwater would also be monitored before and after the system is installed. There would be automated samplers and manual sampling to determine what’s coming into the system and what’s being discharged. Sodium Aluminate can be added to the stormwater to reduce the chloride.

At this time, the Council needs to provide a recommendation to move ahead with the bid. The Michigan Department of Environment, Great Lakes and Energy (EGLE) is also planning to do monitoring at Asylum Lake. John Jacobson was talking to Derek Harrison, who writes the permits for the State of Michigan. The State is proposing to have drones in Asylum Lake for water quality monitoring.

If the Council decides to have the stormwater system built, Kieser & Associates can discuss monitoring and present ideas later.

Mr. Hampton moved approval of the revised base bid of $486,961.00 with the condition that, before construction, a stormwater monitoring system will be installed to provide data on the effectiveness of the stormwater system.
Mr. Bassett inquired if the proposed changes in the piping material will cause the stormwater system to decrease in effectiveness or affect the longevity of the system. Mr. Kieser stated that the function and the longevity of the stormwater system are not changing, just the materials.

When Kieser & Associates originally laid out the plans for the stormwater system, they didn’t know the State of Michigan was pushing a huge initiative on road salt reduction and monitoring of water quality at Asylum Lake. Portage Creek is a test site for monitoring.

Mr. Kienle inquired as to what testing EGLE will be doing that the Council won’t have to replicate. The Council needs to provide a timely response to the bid from Hoffman Bros. Inc. The bid is reasonable, and the issue of monitoring can be revisited at a later date.

Mr. Kieser stated that the plan is for Hoffman Bros. Inc. to start construction on the stormwater system in the fall of 2023 and have it completed before snow fall. Mr. Kreuzer inquired if anything would be germinating at that point and if there would be temporary erosion controls like straw blankets. Mr. Kieser stated that there might be germination at that point, but it would be up to the contractor to deal with that.

Mr. Lemberg inquired if State Representative Julie Rogers’ office has been informed about the cost savings. Maybe the Council could get additional funds for future monitoring. Mr. Kieser suggested the possibility of having another discussion with Jeff Breneman, Vice President for Government Relations, WMU, with additional questions. Maybe Mr. Strazdas could talk with Mr. Brenneman.

Mr. Kieser advised that EGLE doesn’t use the automated monitoring system that Kieser & Associates has. Monitoring on the stormwater system would probably not be done by EGLE. Their work plan is several months old, and they don’t have a permit to get on the lake yet.

It was suggested that wording about the water quality monitoring could be removed from the motion.

Mr. Hampton, supported by Ms. Roederer, moved approval of the revised bid of $486,961 to complete the proposed stormwater system for Asylum Lake. This does not include monitoring of water quality, which can be discussed at a later date. The motion was approved with eight votes in favor.

Mr. Bassett requested additional discussion about the removal of monitoring from the motion. Mr. Kieser stated that there are different elements to the monitoring. The first step in the stormwater treatment process is capturing the phosphorous, and the second step is capturing the chloride.

Chloride would be monitored in the winter when road salt (chloride) is applied to the roads for snow and ice control. The phosphorus would be monitored in the spring when fertilizer (phosphorus) is used on lawns and crops.

There would be physical collection of water quality samples to determine how the stormwater system is performing during wet weather events. There would also be probes to determine if the stormwater is clean enough when it is flowing.

There are questions about flow regulation and how to make it easy to collect flow samples, which would probably be done over a year. If the stormwater system is working for sediment, phosphorus and chloride removal, a determination would be made as to whether or not monitoring would continue in the future. If the stormwater system captures chloride as hoped, there might be interest in continuing to monitor the stormwater system over time.

Mr. Scott commented that $487,000 is the construction budget with a possible $40,000 addition to cover the cost of monitoring the water quality, for a total cost of $527,000 total. He inquired if that amount is within the Council’s budget. Mr. Kieser stated that $499,000 is the remainder of the state budget. It would be the purview of the Council to determine if there is a budget for monitoring costs, which are separate from that amount.

Mr. Kieser stated that the WMU Purchasing Department could now proceed with the bid process and engage Hoffman Bros. Inc. to begin work on the stormwater system. He suggested that John Jacobson from Kieser & Associates could answer any remaining technical questions about the stormwater system. Monitoring of the stormwater system can be discussed at a later date.
• Mr. Kieser will communicate with Tom Sauber that the Council would like to review the bid documents for the stormwater system.

**ii. Ecological Maintenance – Continue Discussion on Part-Time Consultant.**
• Mr. Bassett stated that the Ecological Management Subcommittee put together an RFP (Request for Proposals), based on the description document that was discussed at the last meeting. The RFP was forwarded to Mark Frever to put into a bid package. Mr. Bassett also provided Mr. Frever with a list of potential bidders, which included Bill Schneider (Wildtype), Justin Heslinga (Conservation Director of Land Conservancy of West Michigan), Dave Mindell (PlantWise, LLC), David Borneman (David Borneman, LLC) and Steve Allen, President (Geum Services, Inc.).
• Ms. Dever inquired if there is a public location where that information is posted. Mr. Bassett offered to provide the document that the subcommittee worked on to the Council.
• Ms. Holmes requested more information about what was sent to the potential contractors. Mr. Bassett stated that he didn’t send anything to the contractors. He sent the RFP to Mark Frever, which includes details on what the contractors would be asked to bid on. The contractor would be asked to implement the Ecological Management Plan over the next ten years and to oversee the implementation of the Plan over the first five years.
• Ms. Holmes expressed concern that the contractors who were mentioned are experts at specific things. Mr. Bassett stated that the people he listed have broad enough experience to do what is needed. The reason the Council hired them is that they have a broader ecological understanding. They are not just specialists in what the Council hired them to do.
• Ms. Holmes inquired if it would make sense to have a contractor who is not local manage the maintenance of the Preserve. Mr. Bassett welcomed suggestions on other contractors who would be qualified to manage the Preserve. There isn’t an on-site manager for the Preserve.
• Mr. Kienle commented that the Council is not asking for a bid to have someone do the entire plan. If there is a burn in the fall, they would ask someone else to do that. The contractor would line up the work and figure out how to achieve the goals stated in the Ecological Maintenance Plan. The Council is asking the contractor to implement the plan. The bids are not limited to just these vendors.
• Mr. Bassett is available to discuss the number of hours the contractor would be working. That is a hard thing to define but they have the Ecological Management Plan to look at for guidance. The bid documents ask the contractor to estimate how much the cost would be for each detail of the job they are bidding on.

**iii. Sign Committee.**
• No report.

**iv. Trails Management Committee.**
• No report.

**b. Council Discussion on Indigenous Peoples.**
• No report.

**VI. NEW BUSINESS.**
**a. Application for Preserve Use.**
• Mr. Lemberg reported that there are no new applications for use of the Preserve. There is one application still pending with Brian Montgomery. The research proposal and grant might be on hold.

**VII. NEXT ONLINE MEETING.**
**a. August 10, 2023 @ 7:00 p.m.**
• There will be further discussion on-line to determine if the Council will need to meet in August.

VIII. COUNCIL/STAFF COMMENTS.
• Ms. Holmes reported that Tom Sauber has worked on the beaver dam at the spillway four times and twice with Tom Holmes. They have succeeded in removing the barrier that was keeping the fence from letting the lake drain. The lake level has gone down. The trash can at the beach by Winchell is out of the water for the first time in months as well as the trees that were swamped with water.
• Tom Sauber has been in contact with the contractor who placed the pipe in the bay; the pipe sunk into the silt at the bottom of Asylum Lake and that is part of the reason the water is not draining properly.
• During the BTR2 (Business Technology and Research Park development across from the Preserve) washout a couple of years ago, particles of soil from that storm wound up at the end of Asylum Lake. The contractor needs to fix the issue with the pipe.
• Mr. Sauber and Mr. Holmes have been removing debris from around the spillway about every three days. The beavers are ingenious with rebuilding the dam.
• Pictures of this project were posted on the Asylum Lake Facebook page. It has attracted a lot of support from the public about how important the Preserve is to many people in the community.
• Mr. Hampton mentioned that people watch the live video broadcast of the Peregrine Falcons nesting on a building in downtown Kalamazoo. Maybe a camera could be installed by the beaver dam? The right broadcast partner would pay for the lights. (Animal Planet, Discovery, or National Geographic?)
• Ms. Holmes mentioned that there is a string of plastic flags on top of the beaver dam. Someone suggested on Facebook that the flags will discourage the beavers from rebuilding the dam. Mr. Sauber is also planning to put a motion light by the dam; it would be concealed in the branches.
• Mr. Scott mentioned there is $2,000 in the budget for spillway maintenance.
• Ms. Dever referred to the City of Kalamazoo zoning code updates. The comment period for the second round of updates is over. There will be a third round of updates and another comment period. There will not be a vote on the changes for at least another month.
• Ms. Dever referred to the dog poop issue in the Preserve. She has been taking bags on the trail even though she doesn’t have a dog. People have told her they didn’t pick up after their dogs because they didn’t have a bag, so she has been providing bags.
• Mr. Hampton mentioned that the Council met in July to deal with the bid on the stormwater project, but there might not be a need for the Council to meet in August, unless the City is working on the zoning regulations.
• Mr. Bassett stated that he would not be available to attend a Council meeting in August. Ms. Dever suggested sending an e-mail to determine if the Council will need to meet in August.

IX. PUBLIC COMMENTS.
• None

X. ADJOURNMENT.
• The meeting adjourned at 8:26 p.m.