ASYLUM LAKE POLICY AND MANAGEMENT COUNCIL  
Minutes  
November 9, 2023

Members Present: Sharon Dever, Vice Chair (Acting Chair); Mark Frever; Duane Hampton; Lynne Heasley; Steve Kienle; John Kreuzer; David Lemberg; Paul Scott; Mark Weiss  
Members Excused: Pete Strazdas, Chair; Kay Chase, Council Secretary; Tom Sauber, Natural Areas Manager; Tyler Bassett; Lauri Holmes; Keith Pung; Silvia Roederer; Tiffany Schriever; Cybelle Shattuck  
Guests: Mark Kieser, Kieser & Associates; Judy Huxmann

I. CALL TO ORDER AND ZOOM ROLL CALL.
   • Ms. Dever called the meeting to order at 7:03 p.m.

II. EDITING AND ADOPTION OF AGENDA FOR NOVEMBER 9, 2023.
   • Under New Business, add a discussion regarding the water levels at Asylum Lake. The amended agenda was approved unanimously.

III. EDITING AND APPROVAL OF MINUTES FROM OCTOBER 12, 2023.
   • There were no changes to the Minutes, which were approved by unanimous voice vote.

IV. FINANCIAL REPORT.
   • Mr. Frever received an invoice from Wildtype. They are continuing their work in the Preserve. Tom Sauber has been in contact with Bill Schneider from Wildtype and advised that they have made a lot of progress.
   • The landscape daily operational costs increased due to fallen trees. The WMU Arborist was consulted about the trees and the path was cleared. The wood will remain in the Preserve.
   • Mr. Kreuzer inquired if there is any other additional outlay from WMU for maintenance at Asylum Lake Preserve. Mr. Frever stated that Mr. Sauber would have to estimate the time he has spent working in the Preserve. He is salaried and does not punch a timeclock.

V. OLD BUSINESS.
a. Project Updates and Project Finances.
i. Storm Water and Research Project.
   • Mr. Kieser provided the following updates:
   • The contractor is a week behind on the stormwater project. The mechanical stormwater treatment devices (barracudas) are in place. It will take about a week to put in a concrete pad and connect the treatment system to the current storm sewer system.
   • Representatives from Kieser & Associates have been visiting the site a couple of times per day. They are trying to determine how much additional fencing will be needed.
   • The site is tight; construction is near the north property line. Final connections should be completed before Thanksgiving, but they will need to do a couple of additional connections and work on site restoration.
   • The equalization pond has been completed. There is some vegetative growth, but it is slow due to the November weather. There are erosion control mats in place.
   • The contractor has been responsive to any immediate needs. There have been no changes so far related to the engineering or site conditions.
   • Ms. Huxmann referred to the small parking lot where heavy equipment has been parked. There is another large concrete structure in that location. Mr. Kieser advised that structure will be installed east of Drake Road. It will connect the current storm sewer system to the barracuda traps. It diverts 80 to 90 percent of the stormwater into the treatment system but it also has an overflow.
   • If there is a large rain event, the stormwater will be directed to the lake in the current piping. Eighty to ninety percent of the pollutant load is in the first flush (rain). If there is enough rain falling on hard surfaces, there would be a sheet flow. That is the wash-off event that causes the first flush. As the water flow decreases, so does the pollutant concentration. The new stormwater treatment system will treat about 95% of the runoff.
Kiesen & Associates staff members have been checking in with the contractor to make sure the elevations are correct. The stormwater system uses gravity to move water through the system. The piping in the trench is the correct elevation. The piping extends for several hundred feet.

The contractor didn’t need to install 100 feet of the infiltration trench as originally planned. There were two massive Oak trees at the end of the infiltration trench, and they didn’t want to disrupt the roots. There will still be plenty of infiltration. John Jacobson is working with the contractor to determine how the funds will be used; there is a cost savings because not all of the trench was installed.

Ms. Heasley inquired if the contractors have mentioned any inquiries from the public now that the filtration devices are visible. Mr. Kieser was not aware of any inquiries. He commented that the graffiti on the outhouse was more visible than the structures that were installed.

Mr. Kieser mentioned that WMUK did a great article about the new stormwater system, which is treating stormwater from surrounding areas, including businesses on Stadium Drive and Drake Rd. That article went national within a few days regarding the chloride research.

The Water Environment Federation, which is one of the premier wastewater and stormwater organizations, included a similar story in their magazine. Consultant colleagues from all over the country have been contacting Kieser & Associates regarding the stormwater project. Extracting road salt from stormwater is something no one else has achieved.

The state of Minnesota has passed water quality standards for chloride (road salt) in surface waters. Minnesota’s standards are not as stringent as what Michigan has proposed. There are concerns as to how municipalities will comply with these standards. There has been some interest about what Kieser & Associates are doing with road salt removal on the Asylum Lake site. Mr. Kieser will send the WMUK link to Sharon Dever to forward to the Council.

The Council provided approval for Kieser & Associates to pursue funding for additional stormwater treatment. They targeted a 319 grant. Western Michigan University has had a number of successful 319 grant projects for stormwater.

The EPA (Environmental Protection Agency) indicated that they would like to fund smaller, on-site projects such as rain gardens and parking lot infiltration systems, rather than larger, regional treatment projects.

The current stormwater project at Asylum Lake Preserve is phase 1. The phase 2 stormwater project will target runoff coming directly from U.S. 131. That runoff was partially treated in ponds near the highway. Ninety-five percent of the chloride coming into Asylum Lake is coming from U.S. 131. Additional funding is needed to address that issue. The ponds are filling in and they won’t always provide a buffer for sediment and phosphorus.

Kieser & Associates submitted a Notice of Intent to the Michigan Department of EGLE (Environment Great Lakes and Energy), which was approved and assigned a Tier 1 priority. The proposal is due next Wednesday. Representatives from the Department of EGLE advised they are not sure that the proposal would meet EGLE state criteria for fundable projects. They also were not sure if the EPA would approve the project.

Dr. Reeves expressed concern to the EGLE representatives that they waited so long to provide feedback. At this point, the university doesn’t have time to process this grant administratively. It is still unclear if the Department of EGLE or the EPA would have funded phase 2 of the stormwater project.

Representatives from Kieser & Associates had a conversation with two of the engineers at the non-point-source unit in Lansing and a local contact, Janelle Hohm, Senior Environmental Analyst for the State of Michigan. They also spoke with Bob Sweet, the grant specialist at the Department of EGLE in Lansing. The grant for phase 2 of the stormwater project will not be submitted this year.

The representatives from the Department of EGLE agreed to work with Kieser & Associates on the chloride removal portion of the stormwater project. Representatives from Kieser & Associates will meet with engineers from the State of Michigan on site. They need time to determine if the stormwater project would or would not meet the state grant criteria.

The state criteria to determine qualified projects is convoluted and very difficult to interpret. Kieser & Associates and representatives from the Department of EGLE agreed to work with the EPA to figure out if the stormwater project qualifies for grant funding. If it does qualify for grant funding, Kieser & Associates will resubmit the grant application next year.

Pete Strazdas and Mark Kieser will talk with Jeff Breneman at WMU about other possible funding sources from the State of Michigan. Matt Reeves and Mark Kieser are still pursuing other funding possibilities. The state is interested now that they’ve had more detailed discussions, but the grant opportunity is off the table for this year.
ii. **Ecological Maintenance – Continue Discussion on Part-Time Consultant.**
- No report. Tom Sauber, Tyler Bassett and Mark Frever were listed as individuals who would be working on this agenda item. Mr. Sauber and Mr. Bassett were working on the application process.
- Concern was expressed that the process for finding a consultant has been delayed. Mr. Frever inquired if there is a clear scope of what the Council is looking for. Ms. Dever recalled that the applicants were supposed to explain how they would go about accomplishing the work that needed to be done in the Preserve.

iii. **Sign Committee.**
- Ms. Huxmann stated that Lynne Heasley agreed to work with her to create signage for the Preserve. They have verbiage and pictures that might be a creative sign for the end of the north trail before the end of the water filtration system. The sign would explain the water filtration system so people don’t have to go beyond that point. That might require a barrier stating that point is the end of the trail. The following details were discussed:
  - Should the sign be permanent, like the welcome sign but on a smaller scale, or would it be a temporary sign? It would be helpful to have some direction so examples can be provided to the Council.
  - The sign could be a combination of “do not enter” plus the educational component on the sign. Should the information be on one sign or two?
  - It is important to educate people about the filtration system. Lots of people in the community are wondering what is going on in the Preserve. One of the Council’s objectives is to provide education. Mr. Kreuzer offered to help with the creation of the sign.
  - It might be helpful if the sign included schematics of how the stormwater system works. Maybe the Council should consult with Mark Kieser on how much they want the public to know, based on requirements for intellectual property. A suggestion was made to have Mark Kieser come up with descriptions of the stormwater system and verbiage he would like to use.
  - Mr. Frever needs a PDF of the proposed sign to share with the marketing group for approval. The sign needs to have the correct WMU logo. Ms. Heasley and Ms. Huxmann will be in touch with Mr. Kieser about the proposed signage.
  - Ms. Dever inquired if the construction sign in the Preserve is sharable on social media. Mr. Frever confirmed that it is. He will resend information about that sign.
  - Mr. Kreuzer inquired if this would this be a billable event for Mark Kieser or if the sign subcommittee could create it without billing Kieser & Associates. Mr. Frever advised that Mark Kieser’s time would be billable if he is consulted about the sign project.
  - It was suggested that the money saved from ending the infiltration trench short of the Oak trees could be put toward the $30,000 that Kieser & Associates needs for monitoring the stormwater system.
  - Discussion followed about the possibility of basing the new sign for the north trail on a revised version of the current construction sign in the Preserve. Some of the logos could be removed and that would provide room for the text that was discussed.

iv. **Trails Management Committee.**
- Mr. Scott stated that the Trails Management Subcommittee has not met recently; they have no money. They will try to have an update by the January meeting so the budget can be discussed at that point. He has not observed overcrowding at Parkview lot recently so maybe it would be appropriate to do a different project.
- Discussion followed regarding the spillway and the culvert under the spillway, which needs work. The stones are exposed by the bench and the soil underneath is wearing away. The bench is tipping.
- Mr. Hampton mentioned that the trail from the Drake Road parking lot to the dam is badly rutted coming down the hill from Cherry lane and also by the port o potty by the lake. Mr. Scott will call a meeting of the Trails Subcommittee.

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

VI. **NEW BUSINESS.**

a. **Application for Preserve Use.**
- Dr. Lemberg has not received any applications for use of the Preserve.

- John Kreuzer, Lynne Heasley, Steve Kienle and Sharon Dever have been working on a draft letter for the Council to send to the City of Kalamazoo regarding the proposed rezoning of the former Vermeulen property adjacent to the preserve.
- Discussion followed about a special committee that intended to meet with Mayor Anderson and other individuals. The committee was thinking they might offer a compromise to Hadji Tehrani, owner of the former Vermeulen property. Enough people were not in favor of the meeting, and it didn’t take place. The City is concerned about possible repercussions because the current zoning won’t allow Mr. Tehrani to build a car wash on the property.
- Ms. Dever provided the proposed letter from the subcommittee for the Council to review. The letter encourages the Planning Commission to reject the proposed change to Community Commercial zoning, which would allow a car wash to be built on the property adjacent to the preserve.
- Ms. Heasley mentioned there was an impressive number of young people at the public meetings who spoke about the environmental justice issue of having urban open space and natural areas as an amenity that cities are looking to provide. Maybe it would be helpful to add something to the letter stating that Asylum Lake Preserve is the largest urban open space in Kalamazoo. Also, maybe something could be added to the letter regarding the importance of environmental justice and keeping the natural integrity of the area.
- Discussion followed regarding the timing of the letter and that it should be approved by WMU and the Council and submitted before the December 7th Planning Commission meeting. It is possible that the rezoning request will be delayed until 2024 but, if not, the Council would need to make a decision about the letter before December 7th.
- It was suggested that the letter should have a reference to the green zoning ordinance and acknowledge the community support for that type of ordinance.
- It was also suggested that the letter should mention concerns about light pollution that a car wash could create next to the Preserve. The development across the street from the preserve appears to be brighter than it needs to be. The Council needs to look into that, if they are going to be criticizing other people for potential light pollution.
- Mr. Kreuzer mentioned that Consumers Energy owns most of the street lighting. The Council has talked about mitigating lighting along the streets by the Preserve. Dark Skies focuses on light pollution. M-live did an article on Dark Skies and mitigating light pollution. Light pollution is not just impacting Asylum Lake.
- Dr. Lemberg commented that streetlights are slowly being replaced with LED lights that can be programmed to tone down light wave lengths to decrease the intensity. He suggested talking to adjacent property owners about not having lights on at midnight in the Business Technology and Research (BTR) park across from the Preserve. It might be possible to drop the lights the from white to yellow or to blue or red.
- Mr. Hampton stated that the letter should mention the impact of car wash lighting on adjacent areas. Maybe it would be a good idea to form a lighting committee. Dr. Lemberg and Mr. Kreuzer expressed interest in serving on the lighting subcommittee.
- Ms. Heasley, supported by Mr. Scott, moved to accept the nearly finished draft letter stating the Council’s position on the proposed rezoning of the former Vermeulen property north of the Preserve. The subcommittee working on the letter will take input from the Council with a deadline to have the letter sent before the December 7th Planning Commission meeting. The motion carried unanimously.

c. Water level at Asylum Lake/Beaver Deceiver.

- Mr. Hampton was contacted by Lauri Holmes, who advised that the high water level at Asylum Lake is a concern. Tom Holmes has been trying to remediate that issue. He has also been wrapping wire around some of the trees to prevent the beavers from damaging them.
- The water level is higher than Mr. Hampton has seen it over the last 33 years. There is a cement pad on the south shore of Asylum Lake; the pad is completely submerged and no longer visible. The water is near the top of the wall that is south of the beaver lodge.
- The beaver deceiver pipe was extended out into deeper water. It appears that either the beavers or something else, maybe silt from the BTR park, has plugged that pipe. Mr. Hampton sent an e-mail to Tom Sauber and Mark Frever to inquire if something could be done about the water level. It would not be good to let the water level get up so high it compromises construction on the stormwater treatment system.
Tom Sauber advised that he went out and unclogged the beaver deceiver; he was going out again to check on it. Tom Holmes removed material from around the beaver deceiver. That doesn’t seem like a long term fix.

There was graffiti on the port o potty by the entrance to the preserve referring to the beavers and also referring to the proposed car wash adjacent to the preserve. Mr. Kreuzer suggested that might correlate to the need for a part-time manager for the preserve. It is a non-documented expense the university has. That could be part of that person’s objectives.

Ms. Dever questioned if it was silt or the beavers causing the issues. Mr. Sauber was not present to provide details. He told Mr. Frever that he removed debris at the end of the beaver deceiver.

Mr. Hampton was looking at the intake end of the beaver deceiver. He could see water trickling in, but it didn’t seem like much water was coming through the pipe. He will send an e-mail to Tom Sauber and Mark Frever and ask for more information to be shared about what Mr. Sauber found and what his recommendations are.

Ms. Heasley inquired if the Landscape Services Department is eligible for work study students. Mr. Frever confirmed that they are. Ms. Heasley suggested that maybe a student could help maintain the regular issues that are occurring with the beaver deceiver. Mr. Frever questioned if there was anything a student could do to help with the pond, it is not routine maintenance. He suggested the possibility of having a pond maintenance company help with maintenance of the beaver deceiver.

Discussion followed about a catalog called, “The Pond Guy” which sells products to people who have ponds. Mr. Kreuzer stated that The Pond Guy is a private contractor from Paw Paw. He mostly works on residential and commercial pond installations. It was unclear if that contractor had experience dealing with situations like the beaver deceiver issue.

### VII. NEXT ONLINE MEETING.

- The next Council meeting is scheduled for December 14, 2023. The meeting might be cancelled if there is no need to meet in December.

### VIII. COUNCIL/STAFF COMMENTS.

- Mr. Hampton mentioned that the Council has important work to be done. It would be helpful if Council members attend the next meeting. Ms. Dever will contact Council members to let them know that their input is needed.

### IX. PUBLIC COMMENTS.

- None

### X. ADJOURNMENT.

- The meeting adjourned at 8:36 p.m.