

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, August 16, 2021 at 7:00 p.m. This meeting was held as an electronic meeting under the authority of the Michigan Open Meetings Act (PA 267 of 1976) as amended by PA 254 of 2020.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Patrese Griffin
Eric Cunningham
Jeanne Hess
Erin Knott
Chris Praedel
Jack Urban

COMMISSIONERS ABSENT:

None

All members present indicated they were physically located in the City of Kalamazoo.

Also present were City Manager Jim Ritsema, Deputy City Manager Jeff Chamberlain, Assistant City Attorney Marcia Jones, and City Clerk Scott Borling.

Invocation

A moment of silence was observed for Kalamazoo County Sheriff's Deputy Ryan Proxmire, who was killed in the line of duty.

The invocation was given by Sister Betsy Meager from the Congregation of St. Joseph.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

2021-00

Public Hearing re:
Ordinances to Amend the
Zoning Code and Zoning
Map Regarding the
Natural Features
Protection Overlay

At 7:09 p.m. Mayor Anderson opened a public hearing to receive comments on an ordinance amending the text of Chapter 50, Article 6 of the Zoning Code regarding the Natural Features Protection Overlay and an ordinance amending the Zoning Map regarding the Natural Features Protection Overlay.

Sustainable Development Coordinator Jamie McCarthy delivered a presentation entitled *Natural Features Protection: Phase 2*. A copy of the slides from the presentation was filed with the papers for this meeting.

In response to questions from Commissioner Praedel, Ms. McCarthy stated Friendship Village had expressed concerns that the proposed ordinance would prohibit stewardship activities in an NFP area. Ms. McCarthy explained that staff did not interpret the ordinance this way, but the proposed modification to the definition of "disturbance" would clarify that stewardship activities were allowed. Ms. McCarthy reported the NFP Review Board had driven the selection of data sources that were used to develop the NFP map. Ms. McCarthy explained how publicly available data was used to identify natural features, and then the City's parcel map was placed over the natural features map, resulting in the association of those features with individual parcels. Ms. McCarthy indicated property owners were given a chance to report errors on the map, but the map proved to be pretty accurate. Ms. McCarthy stated property owners would be able to use the variance process with the Planning Commission if they thought there were errors on the NFP map moving forward.

When an opportunity was given for public comments on the proposed NFP ordinances the following people addressed the City Commission and expressed support for the ordinances:

Wendy Denning, City resident
Tracy Lynn, non-resident
Matthew Carpenter, City resident
Joe Gesmundo, non-resident
Judy Huxmann, City resident
Bonnie Alkema, City resident
Richard Stewart, City resident
Tina McClinton, City resident
Lauri Holmes, City resident
Hilary Hunt, City resident
Donna Keller, City resident
Mitch Lettow, City resident and Chair of the NFP Review Board
Diana Morton-Thompson, City resident, on behalf of the Oakland-Winchell Neighborhood Association Board
Pamela Green, City resident
Diana Morton-Thompson, City resident
Constance Hubbell, City resident

At 7:43 p.m. Mayor Anderson closed the public hearing.

Mayor Anderson stated the recommended action for Item E-1, the zoning text amendment ordinance, was a motion to adopt the ordinance, but he noted staff had made a recommendation to amend the ordinance to modify the definition of the word “disturbance.”

Commissioner Cunningham, seconded by Commissioner Hess, moved to amend and adopt clarifying language to the definition of the term “Disturbance” at Section 50-1.3 to add the following phrase to the end of the definition: “except when any of these activities are done in order to maintain or improve ecosystem health, mitigate or prevent erosion and sedimentation, or mitigate harm, such as by removal of invasive or diseased vegetation, to the natural feature.”

With a roll call vote this motion to amend passed unanimously.

AYES: Commissioners Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin Mayor Anderson

NAYS: None

Commissioner Hess, seconded by Commissioner Urban, moved to adopt an **ORDINANCE** amending the text of Chapter 50, Article 6 of the Zoning Code regarding the Natural Features Protection Overlay, as amended.

Prior to a vote on the motion, Commissioner Hess thanked staff and the members of the NFP Review Board for their work. Commissioner Hess read a letter of support from the City’s Environmental Concerns Committee. A copy of the letter was included with the papers for this meeting.

2021-00

Public Hearing re:
Ordinances to Amend the
Zoning Code and Zoning
Map Regarding the
Natural Features
Protection Overlay
(cont’d)

2021-00

Ordinance 2037
Amending Chapter 50,
Article 6 re: the Natural
Features Protection
Overlay

2021-00

Ordinance 2037
Amending Chapter 50,
Article 6 re: the Natural
Features Protection
Overlay (cont'd)

Mayor Anderson remarked that the City Commission action on this ordinance would be the culmination of a lot of work done and time spent by the City's volunteer boards, including the NFP Review Board, the Planning Commission, and the Environmental Concerns Committee.

With a roll call vote the motion to adopt passed unanimously.

AYES: Commissioners Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin Mayor Anderson

NAYS: None

2021-00

Ordinance 2038
Amending the Zoning
Map re: the Natural
Features Protection
Overlay

Commissioner Urban, seconded by Commissioner Cunningham, moved to adopt an **ORDINANCE** amending the Zoning Map regarding the Natural Features Protection Overlay.

Prior to a vote on the motion, Commissioner Praedel noted Phase I of the NFP Overlay included 376 parcels, and with the addition of Phase II the Overlay would include over 1,500 parcels. Commissioner Praedel stated these ordinances were a great precursor to the sustainability and climate action plans being developed. Commissioner Praedel observed that natural features could not be restored once they were taken away. Commissioner Praedel thanked everyone involved with the development of these ordinances and expressed gratitude that the process was a thoughtful process.

Mayor Anderson commented on the uniqueness of Mr. Gesmundo's support for the NFP ordinances, given that his development company owned a large parcel of land that would be impacted by the NFP regulations.

With a roll call vote the motion passed unanimously.

AYES: Commissioners Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin Mayor Anderson

NAYS: None

Public Comments

Next, when an opportunity was given for general public comments, the following people addressed the City Commission:

Chris Glasser, City resident, questioned why minutes from recent City Commission meetings were not available on the City's website, and he asked for an explanation and timeframe for when minutes would be posted.

Wendy Fields, City resident, expressed concerns about speeding traffic and exhibition driving on her street and requested the installation of speed humps. Ms. Fields asked for a follow-up call.

Casey Coker, City resident, urged the City to listen to community voices as it prioritized the use of federal stimulus funds. Ms. Coker asked that the City include homelessness, equity, and health equity among the priorities to be funded. Ms. Coker stated people were wondering about the mayoral campaign.

Consent Agenda items were presented as follows with a recommendation to approve the items and authorize the City Manager to sign all documents on behalf of the city:

- approval of the purchase of a Ford F-550 Hydro Stop Truck from Gorno Ford through the MIDEAL cooperative purchasing program in the amount of \$128,560.
- approval of the purchase of a Ford F-550 service/repair truck from Gorno Ford through the MIDEAL cooperative purchasing program in the amount of \$141,098.
- approval of the purchase of a Ford F-550 Hydrant Service/Repair Truck from Gorno Ford through the MIDEAL cooperative purchase program in the amount of \$153,788.
- approval of a one-year contract extension with Republic Services for the transportation and disposal of plant screenings from the Kalamazoo Water Reclamation Plant in the amount of \$166,005.
- approval of a contract with Balkema Excavating, Inc. for the Schippers Leaf Compost Site Public Utility Improvements project in the amount of \$615,635; and approval of amendments to the FY2021 budgets for the Solid Waste Fund in the amount of \$260,300 and the Wastewater Capital Improvement Fund in the amount of \$206,000.
- adoption of a **RESOLUTION** designating the polling facility location for Precinct 17 to be used during the election on November 2, 2021 and at each election thereafter.
- approval of a memorandum of understanding with the Kalamazoo Regional Education Service Agency, Youth Opportunities Unlimited (YOU), for YOU to administer the Summer Youth Employment Program in the amount of \$825,000.
- authorization for the City Manager to grant a Bilateral Permit to 123.Net, Inc., pursuant to the Metropolitan Extension Telecommunications Right of Way Oversight (METRO) Act.

Commissioner Cunningham, 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 unanimously.

AYES: Commissioners Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

Regular Agenda items were considered next.

Consent Agenda

2021-00

2021-00

2021-00

2021-00

2021-00

2021-00
Resolution 21-46

2021-00

2021-00

Regular Agenda

2021-00

Purchase of 322 E.
Stockbridge Avenue

City Manager Ritsema indicated there would not be a staff presentation on the proposed purchase of 322 E. Stockbridge Avenue, but Community Planning and Economic Development Director Rebekah Kik was available to answer questions. City Manager Ritsema referenced comments made by a member of the public at the Committee of the Whole meeting and clarified the purchase of this property was not related to the development of a property on Alcott Street.

In response to a question from Commissioner Praedel, Director Kik indicated the estimated carrying costs for the Stockbridge property were approximately \$30,000 per year, and the City would be responsible for those costs.

Commissioner Urban observed the City would be losing tax revenue on the property.

In response to a question from Mayor Anderson, Director Kik stated the Phase I environmental analysis for the property was complete, and the Phase II and Baseline Environmental Analysis would be completed within the next 30 days.

Commissioner Urban, seconded by Commissioner Knott, moved to approve the purchase of 322 East Stockbridge Avenue, 216 East Emerson Street, and 218 East Emerson Street from Louis J. Eyde Family Trust in the amount of \$2,000,000; and approve an amendment to the 2021 Foundation for Excellence Aspirational Fund Budget in the amount of \$2,000,000, with the intent to facilitate the development of permanent housing units, wetland restoration, and small commercial development consistent with Imagine Kalamazoo Master Plan and Edison Neighborhood Plan.

With a roll call vote the motion passed unanimously.

AYES: Commissioners Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

City Manager's Report

City Manager Ritsema reported the Kalamazoo Department of Public Safety (KDPS) had provided and not withheld the information requested by the OIR Group, and he stated the OIR Group would be issuing a supplemental report to clarify the exchange of information with KDPS. City Manager Ritsema stated KDPS and the City Administration were already working on steps to implement the recommendations in the OIR Group Report, and at the September 7th Committee of the Whole meeting he would be presenting the next steps and timeline for moving forward with the recommendations.

Commissioner
Comments

Finally, an opportunity was given for miscellaneous comments from City Commissioners.

Commissioner Urban thanked City Manager Ritsema for his statement and remarked that the detail in the OIR group report was there to provide justification for their recommendations, not to place blame. Commissioner Urban noted law enforcement agencies around the country had much to learn about handling the complexities of first amendment assemblies and civil disturbances. Commissioner Urban stated he expected KDPS to be a learning organization, and he expressed support for Public Safety Chief Vernon Coakley's effort to lead the organization in that direction. Commissioner Urban urged people to not cross police lines.

Commissioner Cunningham offered his prayers to people who were affected by gun violence.

Commissioner Knott reported public health officials were estimating the current COVID-19 surge would peak in late September or the beginning of October. Commissioner Knott urged people to get vaccinated, get booster shots when available, and wear masks.

Commissioner Praedel remarked on the importance of City Commission meeting minutes being available soon after a meeting, both for the public and for Commissioners, and he encouraged the City Clerk to inform the public about the target timeline for having minutes published. Commissioner Praedel urged people to report speeding traffic as the reports would create data to help KDPS identify problem areas and hot spots, which could lead to monitoring of those areas. Commissioner Praedel encouraged people to watch the Committee of the Whole meeting, at which staff presented five priority areas for the investment of federal stimulus funds. Commissioner Praedel remarked that the priority areas were the correct ones and noted there were 1,500 respondents to the community survey. Commissioner Praedel stated the most important priority area to him was "Youth," and he spoke about the game changing impact the stimulus funds could have for all the priority areas. Commissioner Praedel noted the passage of the NFP ordinances was a big deal, and he thanked City staff and members of the NFP Review Committee and Planning Commission for their hard work.

Commissioner Hess thanked Mayor Anderson for honoring Deputy Proxmire and Sister Meager for her invocation. Commissioner Hess described three events she attended on August 5th and commented that the events impressed on her the interconnectedness of things. Commissioner Hess expressed appreciation to Commissioner Urban for his remarks on the OIR Group Report being a learning opportunity, and she urged the community to give grace while everyone learned together. Commissioner Hess encouraged people to attend the Lunchtime Live events on Fridays and thanked the Parks and Recreation Department for hosting this opportunity for the community to come together. Commissioner Hess recognized the good work of Paul Bierenga, who was a street sweeper operator for the City.

Vice Mayor Griffin thanked everyone for their patience, as she had been experiencing technology issues during the meeting. Vice Mayor Griffin indicated she would follow up with everyone via email.

Mayor Anderson asked Chief Coakley and Public Services Director James Baker to follow up with the resident who had offered comments on speeding traffic and speed humps. Mayor Anderson urged people to drive carefully with the upcoming return of students to school. Mayor Anderson stated he was glad to see the United States at the top of the Summer Olympics medal count. Mayor Anderson noted U.S. women had won a majority of the U.S. medals, and he commended athletes for making choices in favor of their mental health. Mayor Anderson remarked on the situation in Afghanistan, where the Taliban was reasserting itself upon the withdraw of the U.S. military, and he expressed hope that there would be grace, help, and support for the Afghan people. Mayor Anderson thanked City staff for their work.

The meeting adjourned at 8:33 p.m.

Commissioner
Comments (cont'd)

Adjournment

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on September 7, 2021

Approved by: _____
David F. Anderson, Mayor
Dated: September 7, 2021

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