

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Tuesday, July 6, 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, except Commissioner Hess who indicated she was joining the meeting from the City of South Haven, Michigan.

Also present were City Manager James Ritsema, City Attorney Clyde Robinson, and Deputy City Clerk Shelby Moss.

Invocation

Mayor Anderson called for a moment of silence to honor and remember the victims of gun violence.

Proclamations
2021-00

Commissioner Urban read a proclamation entitled *July as Parks and Recreation Month*. Parks and Recreation Director Sean Fletcher received the proclamation.

2021-00

Commissioner Hess read a proclamation entitled *Summer Learning Day, July 15, 2021*. Meg Blinkiewicz, Executive Director from Kyd Network received the proclamation.

Adoption of the
Agenda

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

2021-00

Public Hearing re:
an Ordinance to
Rezone Properties in
the Northside
Neighborhood

At 7:16 p.m. Mayor Anderson opened a public hearing to receive comments on an ordinance to rezone properties generally located south of Paterson Street, east of Edwards Street, north of North Street, west of Verburg Park/Walbridge Street.

In response to questions from Commissioner Praedel, City Planner Christina Anderson stated the project included the rezoning of approximately 75 parcels from Manufacturing zoning districts to the Live Work 1 & 2 zoning districts. City Planner Anderson stated the challenge with the current Manufacturing zoning designation was the described area of the City was no longer being used as manufacturing, and about a third of the parcels within the described area were residential structures. City Planner Anderson explained residential structures were not a permitted use under the manufacturing zoning designation, which meant new residential structures were not allowed, and existing residential structures could not be expanded. City Planner Anderson stated the described area consisted of small lots, and the current zoning did not support the needs of residents as laid out in the Northside Neighborhood Plan. City Planner Anderson stated the Live Work zoning designation better accommodated the smaller lot sizes and street sizes in the described area for the rezoning.

Abby Ryan, City resident, expressed concerns regarding anti-LGBT comments made by Attorney Daniel Veen during adoption hearings.

Shardae Chambers, City resident, expressed support for the proposed rezoning and the positive changes it would make for homeowners and small businesses.

Remy Harrington, City resident, expressed support for the proposed rezoning and suggested federal stimulus funding be spent supporting businesses in the northside neighborhood.

Tobi Hanna-Davies, City resident, expressed support for the proposed rezoning as it would support housing and the northside neighborhood plan.

At 7:27 p.m. Mayor Anderson closed the public hearing.

Commissioner Urban, seconded by Commissioner Hess, moved to adopt and **ORDINANCE** to rezone properties generally located south of Paterson Street, east of Edwards Street, north of North Street, west of Verburg Park/Walbridge Street from Limited Manufacturing (M1) to live Work 1 (LW1) and Live Work 2 (LW2) and from Residential Mixed Use (RMU) with Riverfront Overlay District 1 and Natural Features Protection Overlay to limited Manufacturing (M1) with Natural Features Protection Overlay District.

Prior to the vote, Mayor Anderson stated he was a member of the Northside Cultural Business District Authority, and the board was in favor of the proposed rezoning.

With a roll call vote this motion passed unanimously.

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

NAYS: None

At 7:29 p.m. Mayor Anderson opened a public hearing to receive comments on an ordinance to rezone 203, 207, and 211 Wall Street.

In response to questions from Commissioner Praedel, City Planner Anderson stated the Commercial Office zoning designation did not allow for residential living on the ground floor, but the Live Work designation allowed for a mix of residential and commercial units and provided more flexibility in building-to-green-space coverage ratios depending on lot size.

When an opportunity was given for public comments on this item, the following people addressed the City Commission:

An anonymous speaker expressed concerns regarding the School Resource Officer program at Loy Norrix High School.

Tobi Hanna-Davies, City resident, expressed support for the proposed rezoning as the proposed zoning supported infill housing with renewable home energy options.

At 7:36 p.m. Mayor Anderson closed the public hearing.

2021-00

Public Hearing re:
an Ordinance to
Rezone Properties in
the Northside
Neighborhood
(cont'd)

2021-00

Ordinance 2032
Rezoning Properties
in the Northside
Neighborhood

2021-00

Public Hearing re:
an Ordinance to
Rezone 203, 207,
and 211 Wall Street

2021-00

Ordinance 2033 to
Rezone 203, 207,
and 211 Wall Street

Commissioner Hess, seconded by Commissioner Cunningham, moved to adopt an **ORDINANCE** to rezone 203, 207, 211 Wall Street from Commercial Office (CO) to Live Work 1 (LW1).

Prior to the vote Commissioner Praedel thanked City Planner Anderson and staff for their time and community outreach, including the work with KNHS to revise the development plan to save a large Bur Oak tree.

Commissioner Urban gave a brief history lesson of the Bur Oak tree in the Vine Neighborhood and thanked City Staff for saving the tree.

With a roll call vote this motion passed unanimously.

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

NAYS: None

2021-00

Public Hearing re:
an Ordinance
Establishing First
Baptist Church as a
Single Resource
Historic District

At 7:41 p.m. Mayor Anderson opened a public hearing to receive comments on an ordinance to establish First Baptist Church at 315 West Michigan Avenue as a historic district.

Historic Preservation Coordinator Sharon Ferraro gave a brief overview of the ten-step process to establish a historic district and stated the historic district was requested by the First Baptist Church congregation and the Kalamazoo Non-Profit Advocacy Coalition (KNAC).

Pastor David Nichols stated the Church congregation was supportive of the transfer of ownership to KNAC, and they were supportive of the request to establish a historic district.

Nelson Nave, City resident and architect for KNAC, expressed support for the historic district and stated use of the building will further the City's 2025 Imagine Kalamazoo plan by providing entertainment opportunities and space for small-non-profits to thrive.

At 7:46 p.m. Mayor Anderson closed the public hearing.

2021-00

Ordinance 2034
Establishing First
Baptist Church as a
Single Resource
Historic District

Commissioner Hess, seconded by Commissioner Knott, moved to adopt an **ORDINANCE** to establish First Baptist Church at 315 West Michigan Avenue as a single resource local historic district.

Prior to the vote, Commissioner Praedel thanked Pam O'Conner for drafting the *Kalamazoo Local Historic District Study Committee Report* for this building.

With a roll call vote this motion passed unanimously.

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

NAYS: None

When an opportunity was given for general citizen comments, the following people addressed the City Commission:

Citizen Comments

Princess, a City resident, thanked the Commission for their questions and Dr. Raichoudhuri for her presentation during the Committee of the Whole meeting and she stated data was available from across the nation regarding the negative impacts of School Resource Officers on black and brown youth.

Matt Porco, non-resident and a teacher at Loy Norrix High School, expressed support for a School Resource Officer at the high school, and he stated it was safer to have a School Resource Officer that students knew, in case an active shooter situation were to occur.

Chris Aguinaga, non-resident and the Principal of Loy Norrix High School, expressed support for the *Memorandum of Agreement with Kalamazoo Public Schools for Kalamazoo Department of Public Safety to provide a School Resource Officer*, and he stated there was an immeasurable benefit from having a highly trained officer that built positive relationships with students and staff.

Casey Coker, City resident, expressed support for the current virtual meeting format as it allowed for more public participation, and she urged the Commission to adopt a hybrid meeting model once they returned to in-person meetings.

Jessica Flinn, City resident, expressed support for the current virtual meeting format as it allowed for more community input in a COVID-safe environment, and she expressed support for a hybrid meeting format once it was safe for everyone to return to in-person meetings.

Tina Tabulog, City resident and a Loy Norrix High School parent, expressed support for School Resource Officers, as they provided safety to both students and staff.

Shona Espinoza, City resident, invited the City Commission to help feed those in need at Martin Luther King Park on Saturdays at 3:00 p.m.

Diana Morton-Thompson, City resident, expressed support for a hybrid meeting model where residents could provide comments both in-person and electronically.

Consent Agenda items were presented as follows with a recommendation to approve the items with authorization for the City Manager to sign on behalf of the city:

Consent Agenda

- approval of a sole source purchase with Dean Boiler, Inc. for retubing one of the three hot water boilers for the Downtown Snowmelt System in the amount of \$176,100.
- approval of a contract with Peters Construction Co. for Sidewalk Improvement Project #2 in the amount of \$709,232.11.
- approval of a professional service agreement for traffic technical services with Traffic Technical Services, LLC at the rate of \$48 per hour, not to

2021-00

2021-00

2021-00

Consent Agenda (cont'd)	exceed \$50,000 for a period of twenty-four-months. Traffic Technical Services, LLC is owned and operated by a City of Kalamazoo retiree, Brian Burlingham.
2021-00	- approval of a contract extension with GHD for environmental consulting services at the Cork Street Landfill in the amount of \$182,775.
2021-00	- approval of a contract with CHOP for 2021 Neighborhood Tree Maintenance in the amount of \$115,270.
2021-00	- first reading of an ordinance permitting the use of consumer fireworks in commemoration of the Juneteenth National Independence Holiday.
2021-00	- first reading of an ordinance amending the Kalamazoo City Code to clarify the operation of Off-Road Vehicles and All-Terrain Vehicles on public streets.
2021-00 Resolution 21-37	- adoption of a RESOLUTION approving the Revised Second Amendment to the Act 381 Brownfield Plan for Scattered Site Infill Housing in Kalamazoo.
2021-00 Resolution 21-38	- adoption of a RESOLUTION approving the sale of 510 Phelps Avenue to Sheath Berry for \$1,000.
2021-00	- approval of a Memorandum of Understanding between the Kalamazoo County Treasurer and the City of Kalamazoo regarding an owner-occupied tax foreclosure prevention assistance partnership.
2021-00	- approval of a request from the Kalamazoo Growlers to publicly display fireworks at Homer Stryker Field on July 17, 2021.
	Commissioner Cunningham, seconded by Commissioner Praedel, 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
City Manager's Report	During the City Manager's Report, Public Services Director James Baker presented information regarding storm water infrastructure. Director Baker stated the City's storm water system and sanitary sewer system were two separate systems. Director Baker noted the sanitary sewer system received annual maintenance to seal cracks and joints and remove the buildup of waste. Director Baker highlighted the City's new smart sewer system where conventional iron manhole covers were being replaced with "smart" manhole covers that monitored sewer and odor levels to alert Public Services to potential back-ups. Director Baker offered comments on the recent flooding on the east side of the state on I-94. Director Baker stated the City's current system had capacity limitations, and the City needed to continue to seek sustainable funding to provide green infrastructure, additional storm water storage, and buffering zones. Director Baker

highlighted the City's work with the Environmental Protection Agency to create 7 acres of additional wetlands at the Allied Paper Site.

In response to questions from Mayor Anderson, Director Baker stated City sewer customers could call 311 or 337-8000 to get more information about the installation of a backflow preventors and sanitary sewer cleanout services.

Items of Unfinished Business were considered next.

Vice Mayor Griffin requested the Kalamazoo Department of Public Safety (KDPS) provide an annual report to Commissioners and the public regarding the Student Resource Officer (SRO) Program, and that the report be available on the KDPS transparency webpage.

Chief Vernon Coakley stated the SRO's job was to provide mentorship, build bridges between students and officers, provide information, and, as a last resort, provide enforcement in collaboration with school administrators. Chief Coakley stated data was collected on the number of arrests made, but additional information could be gathered from the SRO's daily activity reports and provided in a summary report.

Vice Mayor Griffin welcomed a future conversation to help guide the content of an annual SRO report. Vice Mayor Griffin stated many factors played into the "school to prison pipeline", but she wanted to be clear on where KDPS was receiving information when making future decisions involving youth.

Commissioner Hess, seconded by Commissioner Urban, moved to approve a Memorandum of Agreement with Kalamazoo Public Schools for the Kalamazoo Department of Public Safety to provide School Resource Officer services for the 2021-2022 school year.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Policy Items were considered next.

Deputy City Manager Jeff Chamberlain gave a presentation on hybrid public meetings, including best practices, resources that were considered, and feedback from community partners.

In response to questions from Mayor Anderson, Deputy City Manager Chamberlain stated board members would be encouraged to attend meetings in-person, but City Attorney Robinson would cover virtual board member participation in meetings.

Attorney Robinson delivered a brief history of the Governor's Executive Orders and the Open Meetings Act, and the impact on the Commission. City Attorney Robinson described the permitted reasons for remote meeting participation by members. City Attorney Robinson noted the only exception for remote participation after December 31, 2021 was military service. City Attorney

City Manager's Report
(cont'd)

Unfinished Business

2021-00

Memorandum of
Agreement for Student
Resource Officer
Services

Policy Items

2021-00

A Resolution to Take
Various Actions to
Return to In-Person
Public Meetings

2021-00

A Resolution to Take
Various Actions to
Return to In-Person
Public Meetings (cont'd)

Robinson noted there were scrivener's errors on the proposed resolution and offered the following corrections: first page, second paragraph, "thereby providing a path to ~~and~~ end the pandemic;" and page two, paragraph 2B "on the first and 3rd third Monday's of the month."

In response to questions from Commissioners, Deputy City Manager Chamberlain described the proposed hybrid meeting model, which included live-streaming meetings and call-in comments. Deputy City Manager Chamberlain indicated the hybrid meeting model would be considered a permanent change moving forward and stated the associated technology upgrade costs were nominal.

In response to questions from Commissioners, City Attorney Robinson spoke about the City's ability to censor callers for profanity and require safety measures like masks and social distancing. City Attorney Robinson clarified the City Commission would need to extend their state of emergency past August 31st to continue to meet virtually, and he noted the medical exemption for remote participation and the City Commission rule allowing Committee of the Whole meetings were the only items that would expire at the end of the year. City Attorney Robinson stated if a public official claimed the medical condition exemption they would be taken at their word and would be allowed to participate in a meeting remotely with no proof of the medical condition.

In response to questions from Commissioner Praedel, City Manager Ritsema stated Kalamazoo County was meeting that evening to discuss next steps regarding a return to in-person meetings, and the City of Portage had already implemented a hybrid meeting model. City Manager Ritsema stated the staff recommendation was in line with neighboring jurisdictions. City Manager Ritsema stated a City staff member with a medical condition that prevented them from participating in an in-person meeting would be provided the same opportunity to participate electronically as board members. City Manager Ritsema stated staff could find an alternate site to hold City Commission meetings, if they knew a large group would be attending the meeting.

Commissioner Praedel requested a report from staff reading the changes neighboring jurisdictions had made to their meeting structures. Commissioner Praedel expressed concerns regarding an unsafe number of people attending a meeting at City Hall and the need to make sure the voices of all participants were heard by the Commission. Commissioner Praedel offered a suggestion of staff members being available to record residents if room capacity limits had been met so all voices could be heard. Commissioner Praedel stated he would prefer Committee of the Whole meetings be held in the City Commission Chambers when in-person meetings resumed due to the small size of the Community Room.

Commissioner Knott expressed concerns regarding the resolution and felt the timeline to return to in-person meetings was rushed. Commissioner Knott stated she sent a communication to the Mayor and City Manager Ritsema regarding her concerns, but she was unable to meet with either of them to discuss her concerns. Commissioner Knott stated she was not comfortable moving forward until the hybrid meeting model had been worked out that emphasize protections for the Commission, staff and other City board and commission members.

Vice Mayor Griffin expressed concerns regarding the potential limiting of community participation by returning to in-person meetings and the picking and choosing of boards to participate in a hybrid model. Vice Mayor Griffin stated all

boards and commissions needed to be accessible as they had been since the start of the pandemic.

Commissioner Knott expressed support for tabling the item to allow for more conversations with City staff.

City Manager Ritsema suggested the Commission discuss the return to in-person meetings and the hybrid meeting model at the July 19th Committee of the Whole meeting. City Manager Ritsema requested the discussion of physical safety for City Commissioners be added to the July 19th Committee of the Whole meeting agenda.

By consensus the City Commission agreed to discuss the return to in-person meetings and a hybrid meeting model at the next Committee of the Whole meeting.

Attorney Robinson stated he would bring back a resolution on July 19th for the continuation of Committee of the Whole meetings.

Next, an opportunity was given for miscellaneous comments and concerns of City Commissioners.

Commissioner Urban announced he would not be seeking reelection and stated he was leaving the Commission in good hands. Commissioner Urban reflected on his last 8 years of serving on the City Commission and shared his observations. Commissioner Urban urged interested residents to run for City Commission.

Commissioner Cunningham thanked Commissioner Urban for his years of service, Chief Coakley for being responsive to calls and the needs of the community, and Attorney Robinson for his work on adding Juneteenth to the Fireworks Ordinance.

Commissioner Knott explained the comments made by a previous caller regarding a local homosexual married couple who were fostering two children and in the process of adopting the children. Commissioner Knott explained a guardian attorney appointed to their case did not provide a recommendation to the courts on the adoption of the children citing the Bible and making comments about the women living a homosexual lifestyle. Commissioner Knott stated there was a mobilization effort by community members to call in to the County Commission meeting that night and express their concerns about guardian attorney.

Commissioner Praedel thanked Commissioner Cunningham, Knott, and Urban for their service to the City and City Commission. Commissioner Praedel expressed support for returning to in-person meetings but questioned how to keep everyone safe. Commissioner Praedel highlighted the recent announcement by Governor Gretchen Whitmer to allocate \$150 million in federal stimulus dollars to local parks and trails. Commissioner Praedel asked City staff to monitor the additional funding and opportunities available to spend those dollars in the Kalamazoo community. Commissioner Praedel reminded the community to keep submitting their ideas regarding ARP funding through the community survey that was available until July 18th. Commissioner Praedel suggested community members interested in the work of the City Commission consider running for election.

Commissioner Hess thanked her fellow Commissioners and City Staff for their wisdom, service, and dedication to the City of Kalamazoo.

2021-00

A Resolution to Take
Various Actions to
Return to In-Person
Public Meetings (cont'd)

City Commissioner
Comments

City Commissioner
Comments (cont'd)

Vice Mayor Griffin thanked Commissioner Urban for his kind words and thanked Remy Harrington for her comments during the rezoning items. Vice Mayor Griffin requested Ms. Espinoza to send an email with the details of her event. Vice Mayor Griffin congratulated Gwendolyn Hooker on her recent recognition from Governor Gretchen Whitmer for her organization's important work against bullying, racism, and violence in the community. Vice Mayor Griffin asked the community to submit their thoughts and feelings on the SRO program.

Mayor Anderson thanked Commissioners for their long hours of dedication and hard work.

Adjournment

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Shelby Moss
Deputy City Clerk

For City Commission approval on October 18, 2021

Approved by: _____

David F. Anderson, Mayor

Dated: October 18, 2021

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