

Roll Call

The Kalamazoo City Commission met as a Committee of the Whole on Monday, November 15, 2021 at 5:00 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 Don Cooney
Qianna Decker
Jeanne Hess
Stephanie Hoffman
Esteven Juarez
Chris Praedel

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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Public Comments

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

Alfonso Harris, City resident, expressed condolences to the family of Ryan Proxmire, a Kalamazoo County Sheriff's Deputy who was killed in the line of duty. Mr. Harris noted he was pro-police but not pro-police brutality.

Review of Business Meeting Agenda

Deputy City Manager Chamberlain reviewed items on the agenda for the 7:00 business meeting. Deputy City Manager Chamberlain stated the draft budget for 2022 would be delivered to the City Commission by December 1st, and he announced a budget work session was being planned for December 13th.

2021-00
Presentation re: an
Emergency Temporary
Housing Ordinance

Deputy City Manager Chamberlain offered remarks on the challenges of addressing homelessness and the need for a variety of housing solutions. Community Planning and Economic Development (CPED) Director Rebekah Kik delivered a presentation entitled *Emergency Housing Ordinance*. A copy of the slides from this presentation was filed with the papers for this meeting.

City Attorney Robinson explained the difference between zoning powers and police powers and noted the process for making zoning changes took longer. City Attorney Robinson explained the process around emergency ordinances and noted the adoption of the proposed ordinance as an emergency measure would allow it to take effect quickly and be implemented before the depths of winter.

In response to questions from Commissioners, City Attorney Robinson, Director Kik, and Deputy City Manager Chamberlain provided the following information:

- not all emergency ordinances had end dates. The proposed emergency ordinance could be repealed if the City Commission approved a permanent ordinance prior to September of 2022. Likewise, the Commission could extend the emergency ordinance if a permanent solution was not in place by that time.

- the Planning Commission would be involved with the community engagement process for a permanent zoning ordinance.
- the proposed temporary housing sites were intended for unhoused people for whom shelters were not a good option.
- property owners would need to partner with a service agency to run a temporary housing site; the model in the ordinance specifically envisioned the City not being the operator of the temporary housing sites.
- the proposed ordinance was an attempt to avoid having people stay in unregulated encampments. The required Memoranda of Understanding (MOU) would set behavioral expectations for those staying in the temporary facilities.
- the proposed ordinance did not prescribe who could establish an emergency shelter.
- the number of units allowed on a site and the number of persons allowed in each unit would be worked out on a case-by-case basis during the project review meetings with the property owner and service provider. Building and Fire Code requirements would be enforced, and parking and accessibility needs would be taken into consideration. The City would ask the property owner to do outreach with their neighbors.
- several organizations had reached out to the City with an interest in being service providers.
- the ideal temporary structures would have walls, heat, and electricity and would be able to bear a snow-load. There were many different types of structures that met these qualifications, and there were organizations willing to invest resources in these types of shelters.
- the City would do deep outreach with service organizations if the emergency ordinance was adopted.
- for safety reasons, tents, cars, and recreational vehicles would not be allowed as temporary housing structures.
- the temporary structures could not be attached to the ground, but they could be connected to electricity and water on a temporary basis.
- the Building Official would need to address specific questions about structure design and safety features. When considering safety measures like smoke detectors, fire extinguishers, and egress windows, there would need to be a balance between safety and cost. The housing units would not be congregate facilities. They would be for 1-2 people each and might not require warning devices.
- the City had significant amounts of HOME and Community Development Block Grant (CDBG) COVID funds that could be used to pay service providers, but the U.S. Department of Housing and Urban Development (HUD) would want to see long-term commitments.

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(cont'd)

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(cont'd)

- the service providers needed to let staff know how the City could help them serve various groups, such as families, through the design of the ordinance. The City wanted to enable rather than putting up barriers.
- the proposed temporary housing sites were designed to be an emergency option when there were no other options.
- the Mayor and Director Kik were working on a housing strategy with Kalamazoo County and the City of Portage. Former Vice Mayor Griffin continued to talk with the townships about a fair housing ordinance.
- the biggest barriers to housing options in the townships were zoning regulations and the types of structures that were allowed.
- the City did not have an estimate of the number of people who might seek shelter at the emergency housing sites.
- the point of the proposed ordinance was to provide alternate housing options, realizing people experienced homelessness in different ways.
- the City was looking to be more proactive with service providers to give them flexibility in developing housing options.
- good sites for the temporary shelters would have the following characteristics: not located in a flood plain; have a prepared surface for the housing units, not dirt; and be close to transportation and social services. The City needed property owners to come forward with proposed sites so they could be evaluated.
- the City was specifically trying to avoid the problems experienced at the encampments. The property owner and service provider would be required to enter into an MOU, which would address the security of residents.
- regarding the need for future actions after adoption of the ordinance, the MOU's would not need to be approved by City Commission, and funding for the service providers may or may not need Commission approval, depending on the dollar amount and funding source.

Commissioner Juarez expressed support for the proposed ordinance.

In response to a question from Vice Mayor Cooney, Commissioner Hoffman stated Open Doors had both shelter and residential programs.

In response to a question from Vice Mayor Cooney, Mayor Anderson provided the following list of shelters in Kalamazoo: Kalamazoo Gospel Ministries; the YWCA; Open Doors; The Ark; Bethany House; Keystone Shelter for Veterans; The Step Up family shelter; Oakland House Shelter for singles; and a new shelter opening through OutFront Kalamazoo for the LGBTQ community.

Commissioner Praedel remarked on fires at the homeless encampments and urged the City to be proactive about safety at the proposed temporary housing sites. Commissioner Hoffman noted 60% of the homeless population were black and brown women and children.

Commissioner Juarez stated there was a lot of unseen homelessness, and he expressed hope that the City could make the temporary shelter sites available to the homeless who were unseen.

Vice Mayor Cooney stated the proposed ordinance was important but did not solve the problem of homelessness. Vice Mayor Cooney remarked on the need for more information, including information on the nature of the problem, the number of people involved, what was needed to solve the problem, and best practices.

Mayor Anderson questioned how a neighborhood or individual property owner could raise concerns or express opposition to specific temporary housing sites if the City Commission was not involved in their approval.

In response to Mayor Anderson, City Attorney Robinson questioned where the unhoused would go if property owners were able to raise "Not in My Backyard" (NIMBY) arguments. City Attorney Robinson stated the location of the temporary sites was important for access to public transportation, social services, and parking. City Attorney Robinson noted the proposed ordinance was a temporary, emergency ordinance, and there would be public engagement regarding the permanent ordinances. City Attorney Robinson expressed hope that the good performance of the temporary sites under the emergency ordinance would head off the concerns of property owners or neighborhoods when the permanent ordinances were considered. City Attorney Robinson stated the City was asking residents to understand there was a need the City was trying to meet.

Mayor Anderson expressed concerns about families moving into 200 ft² pods. Mayor Anderson stated homelessness was a problem across the country, and he spoke about Safe Spot Communities in Eugene, Oregon. Mayor Anderson expressed support for Kalamazoo implementing aspects of the Eugene model, which had very structured best practices, but he noted the people who stayed in encampments were the most resistant to structure and rules.

Commissioner Juarez noted the City Commission would be setting a precedent, and he commented on the need for the City to not take actions that seemed to value certain homeless people more than others.

Next an opportunity was given for comments from City Commissioners.

Commissioner Praedel stated it was impressive that five of the seven City Commissioners had full time jobs that involved housing.

Commissioner Decker spoke about the approach to addressing homelessness in Eugene Oregon and expressed support for this model.

The meeting adjourned at 6:29 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

2021-00

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(cont'd)

Commissioner
Comments

Adjournment