

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, December 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 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.

Invocation

The invocation was given by Pastor James Harris, Sr. of Trenches Community Church.

Proclamations
2021-00

Commissioner Praedel read a proclamation *Celebrating 21 Years of Service of Tammy Taylor*. Ms. Taylor was present and received the proclamation.

2021-00

Commissioner Hess read a proclamation *Celebrating Kalamazoo County Ready 4's 10th Anniversary*. Kristyn Buhl-Lepisto, Executive Director of KC Ready 4's, received the proclamation.

2021-00

Mayor Anderson read a proclamation *Commemorating Mary Brown*.

Adoption of the Agenda

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

Communications

City Manager Ritsema announced the City Commission would hold a work session on Monday, December 13th at 6:00 p.m. to discuss the 2022 Proposed Budget. City Manager Ritsema indicated the meeting would be held virtually via Zoom.

Presentation re: the Draft
Sustainability Strategy

Redevelopment Project Manager Jamie McCarthy and Community Planner Nolan Bergstrom delivered a presentation on the draft sustainability plan. A copy of the slides from this presentation was filed with the papers for this meeting.

Vice Mayor Cooney suggested having a goal of solar panels on every house.

In response to Vice Mayor Cooney, Ms. McCarthy stated the sustainability plan would be able to support goals like having solar panels on every house, but there were legislative roadblocks to this suggestion. Ms. McCarthy indicated the City might be able to partner with utilities to pilot solar power on a small scale.

Commissioner Decker expressed agreement with Vice Mayor Cooney's suggestion.

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

Public Comments

The following people expressed concerns about the emergency housing ordinance in general and/or opposition to the location of an emergency housing site on Stockbridge Avenue specifically; and requested the City solicit more input from neighborhood residents:

Dorothy Appleyard, City resident
 Raymond Gant, Kalamazoo resident
 Mattie Jordan-Woods, City resident
 Rashan Hilgal, City resident
 Tina McClinton, City resident
 Mario McDonald, City resident
 Richard Stewart, City resident

The following people expressed support for the emergency housing ordinance:

Chris Glasser, City resident and a member of the Edison Neighborhood Association (ENA) Board
 Ray Sweeney, City resident
 Cathy Bastien, non-resident
 Tobi Hanna-Davies, City resident, on behalf of ISAAC and the Truth Racial Healing and Transformation (TRHT) Housing Task Force
 Pat Vinge, City resident and member of the ISAAC Housing Task Force
 Michelle Davis, Executive Director of Housing Resources Incorporated

Chris Glasser, City resident and a member of the Edison Neighborhood Association (ENA) Board expressed support for ENA grant agenda item.

Jeff Weisman, City resident, spoke about the lack of parking and code enforcement on the City's northside. Mr. Weisman stated the perimeter lights around the Kalamazoo Transportation Center were not working, and he urged the City to take action rather than expecting residents to report outages.

An anonymous caller spoke about Section 7-18 of the Kalamazoo City Code and questioned why only licensed media were allowed at Public Safety press conferences.

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:

Consent Agenda

- approval of a one-year contract with Alexander Chemical Corporation for the purchase of 12.5% sodium hypochlorite, by volume, in the amount of \$162,662.50.
- approval of a supplemental change order to the code enforcement cleanup contract with Student Haulers for ongoing trash cleanup activities in the amount of \$160,000, bringing the total contract amount to \$280,000.
- approval of a professional service agreement with Hurley & Stewart, LLC for construction engineering services for the Parkview Avenue - Oakland

2021-00

2021-00

2021-00

Consent Agenda (cont'd)	to Tamsin Water Main Replacement and Street Improvements Project in the amount of \$262,000.
2021-00	- first reading of an ordinance to rezone 1011, 1017, 1029 Denner Street/1405 Alamo Avenue from Residential – Single Dwelling District (RS-5) to Residential Duplex District (RD-19); and schedule a public hearing for December 20, 2021.
2021-00	- first reading of an ordinance amending Chapter 2, Article V of the Kalamazoo City Code regarding the duties of the Historic Preservation Commission.
2021-00 Resolution 21-65	- adoption of a RESOLUTION granting a Payment in Lieu of Taxes (PILOT) to the Trinity Village Nonprofit Housing Corporation for the housing development located at 701 N. Pitcher Street, now known as Ashley Square Townhomes (Parcel No. 06-15-184-400), pursuant to Section 35-4 of the Kalamazoo City Code.
2021-00	- approval of an amended grant agreement with the Kalamazoo Eastside Neighborhood Association for \$275,000 to be used to purchase and rehabilitate a previously vacant and blighted property that will further the goals of the neighborhood listed in the Imagine Eastside Neighborhood Plan.
2021-00	- approval of an agreement for access to Verburg Park by the United States Environmental Protection Agency and Michigan Department of Environment, Great Lakes and Energy to conduct and monitor remedial activities on the Kalamazoo River from March 1, 2022 to May 31, 2023.
2021-00	- approval of an amendment to the 2003 HOME Investment Partnerships Program Subrecipient Grant Agreement for Trinity Village Non-Profit Housing Corp.
2021-00	- acceptance of a Wellhead Protection Grant in the amount of \$70,000 from the Michigan Department of Environment, Great Lakes, and Energy.
2021-00	- acceptance of a grant from the Irving S Gilmore Foundation in the amount of \$1,000,000 to support the second phase of the Kalamazoo Farmer's Market Redevelopment.
2021-00	- authorization for the City Manager to sign a Consent of Easement Holders form as part of a private restrictive covenant on 4717 West KL Avenue, a property associated with the release of petroleum from a former Mobile gasoline station.
2021-00	- approval of the purchase of 830 N. Rose, 826 N. Rose, 822 N. Rose, 812 N. Rose (pending title work), 110 W. Frank, 801 N. Burdick, 809 N. Burdick, 819 N. Burdick, 901 N. Burdick, 903 N. Burdick, and 907 N. Burdick Streets for the creation of housing as it relates to the homeownership new construction infill strategy, for a sales price not to exceed \$164,500.
2021-00	- approval of the purchase of 912 N. Rose, 908 N. Rose, 122 Darden Ct., 119 Darden Ct., 818 N. Rose, 814 N. Rose, 811 N. Burdick Streets to be

utilized for the creation of housing as it relates to the homeownership new construction infill strategy, for a sales price not to exceed \$5,000.	Consent Agenda (cont'd)
- approval of the Mayor's appointments and reappointments to the following boards and commissions:	2021-00
the reappointment of Jeff Breneman to the <u>Downtown Development Authority Board</u> for a term expiring on March 31, 2022.	
the reappointment of Carl Brown to the <u>Downtown Economic Growth Authority Board</u> for a term expiring on March 31, 2022.	
the reappointment of Grant Fletcher to the <u>Downtown Economic Growth Authority and Downtown Development Authority Boards</u> for a term expiring on March 31, 2024.	
reappointment of Stephanie Hinman to the <u>Downtown Economic Growth Authority and Downtown Development Authority Boards</u> for a term expiring on March 31, 2025.	
the reappointment of Susan Lindemann to the <u>Downtown Economic Growth Authority and Downtown Development Authority Boards</u> for a term expiring on March 31, 2025.	
the reappointment of Patti Owens to the <u>Downtown Economic Growth Authority and Downtown Development Authority Boards</u> for a term expiring on March 31, 2024.	
the appointment of Laura Worline to the <u>Downtown Economic Growth Authority and Downtown Development Authority Boards</u> for a term expiring on March 31, 2024.	
the appointment of Nick Boyd to the <u>Local Officers Compensation Commission</u> for a term expiring on March 31, 2028.	
the reappointment of Creed Stegall to the <u>Local Officers Compensation Commission</u> for a term expiring on March 31, 2028.	
the reappointment of Shirley Weathers to the <u>Local Officers Compensation Commission</u> for a term expiring on March 31, 2027.	
the reappointment of Robert Glasser to the <u>Natural Features Protection Review Board</u> for a term expiring on March 31, 2024.	
the reappointment of Paul MacNellis to the <u>Natural Features Protection Review Board</u> for a term expiring on March 31, 2024.	
- approval of the minutes from the City Commission meetings on November 15, 2021.	2021-00
- postpone until December 20, 2021 consideration of a purchase agreement for the sale of 440 South Burdick Street to Burdick@Cedar, LLC for the sale price of \$100,000.	2021-00

2021-00

- postpone until December 20, 2021 consideration of a purchase agreement for the sale of 478 Reed Street to John and Brook Green for \$250.

Vice Mayor Cooney, seconded by Commissioner Hess, 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 Decker*, Hess, Hoffman, Juarez, Praedel**, Vice Mayor Cooney, Mayor Anderson

NAYS: None

* At the time of the vote, Commissioner Decker abstained from voting on Items G-7, G-13, and G-14 due to conflicts of interest.

**At the time of the vote, Commissioner Praedel abstained from voting on Item G-5.

Regular Agenda

Regular Agenda items were considered next.

2021-00Ordinance 2040 re:
Emergency Housing

Community Planning and Economic Development Director Rebekah Kik and City Planner Christina Anderson delivered a presentation entitled *Emergency Housing Ordinance*. A copy of the slides from the presentation was filed with the papers for this meeting.

In response to comments and questions from Commissioners, City staff provided the following information:

- the proposed ordinance would allow short-term opportunities to create housing for unhoused individuals, which would give the City time to work on long term strategies for homelessness.
- the temporary housing site permits would not be approved by the City Commission; the work and approval would be done by staff. The standards in the ordinance would guide staff in their review of permit applications, which would take place during existing project review meetings. Discussions about a permanent housing ordinance would start at the end of winter/beginning of spring.
- the City could share its efforts to address homelessness with other jurisdictions, but that was as far as the outreach efforts could go.
- in their review of permit applications, staff would take into account issues like flooding when considering specific sites.
- permit applicants would not necessarily be locked into a site until the end of 2023, but it was hoped these projects would be stable and not leave people hanging. The details would be worked out in the Memoranda of Understanding (MOU's).
- permit applicants would need to provide information on staffing levels and security, and site plans would need to allow for emergency access.

- City staff had been working on a temporary housing ordinance since early in 2021 when, during the polar vortex, community members came to the City with ideas for temporary housing structures like Conestoga huts and tiny houses on wheels.
- permit applicants would need to have a security plan; 24-hour staffing was one possible option, but it was not required.
- there were factors for staff to consider when determining occupancy limits. The goal was for these sites to be successful.
- the permit application online was a draft application, for review with the ordinance.
- applicants needed to do community outreach before any approvals were given, but applicants would need to have their plans together before doing outreach so they could answer questions.
- over the past several years, multiple advocates and housing and service providers had contacted the City about developing emergency housing. Most developers did not understand the City does not have a housing authority and does not build housing. The City's role was to set the table for housing development; builders and service providers needed to provide the meal.
- it was not possible to accurately say when the first temporary housing units would be occupied. It would take applicants at least three weeks to get through the City's permit approval process.
- service providers should talk with the City about available funding. The City had Housing for All funds; CARES and COVID funds from the US Department of Housing and Urban Development (HUD); and Foundation for Excellence funds.

Commissioner Praedel suggested City staff coach the service providers on doing community outreach.

Commissioner Juarez expressed concern about having too many occupants on a site. Commissioner Juarez thanked staff for their work and stated he did not like how it was getting twisted by people who had differing opinions. Commissioner Juarez questioned whether the ordinance should set a hard occupancy limit for the sites and noted the physical ability of a site to hold a certain number of units did not mean that number of units should be there.

Commissioner Hoffman credited Tianna Williams for the housing pod idea. Commissioner Hoffman stated poverty should not be concentrated in one area of the City, and the faith-based community needed to be involved with City's efforts to address homelessness. Commissioner Hoffman expressed support for the ordinance. Commissioner Hoffman indicated families with children were the largest population to be served, and she asked whether some of the temporary housing units could be for families. Commissioner Hoffman stated City staff should urge the service agencies to do community outreach.

Vice Mayor Cooney stated homelessness in Kalamazoo was an emergency, and he expressed support for the proposed emergency ordinance. Vice Mayor Cooney

2021-00

Ordinance 2040 re:
Emergency Housing
(cont'd)

2021-00

Ordinance 2040 re:
Emergency Housing
(cont'd)

remarked on the need to address concerns about the ordinance and get neighborhood input beyond the 300-foot public notice area. Vice Mayor Cooney agreed the City needed to avoid concentrating poverty.

Commissioner Hess observed that the creation of temporary housing sites would not eliminate the need for warming centers.

Mayor Anderson stated there had been a misrepresentation of the action the City Commission might take, and he noted the Commission was not approving a temporary housing site or the details for a site. Mayor Anderson stated the proposed ordinance would allow the City to take some action related to temporary housing sites, but the Commission would be entrusting City staff with the work. Mayor Anderson indicated a proposal for using City-owned property as a housing site would likely need approval from the City Commission. Mayor Anderson spoke about the problem of homelessness in Kalamazoo County and the number of shelters and shelter beds available in the City of Kalamazoo. Mayor Anderson remarked on the outreach requirements in the proposed ordinance, and he expressed concern about concentrating temporary housing in high-poverty neighborhoods. Mayor Anderson discussed best practice recommendations from other communities but noted the creation of structure and expectations at the housing sites would cause some people to drop out. Mayor Anderson stated the City would need to have the same urgency and attention when addressing homelessness among families, which accounted for more of the homeless population than those in encampments. Mayor Anderson urged staff to take care when evaluating applications and remarked the community would not support future attempts at creative housing options if this effort challenged the community. Mayor Anderson thanked Director Kik and City Planner Anderson for their thoughtful consideration of this issue.

City Attorney Robinson stated he would need to consult the property transaction policy resolution to see whether Commission approval would be required for City property to be used as a temporary housing site.

City Manager Ritsema remarked it would be more effective for Commissioners to reach out to elected officials in other jurisdictions regarding countywide housing policies, rather than leaving these conversations to staff.

Commissioner Hoffman, seconded by Commissioner Praedel, moved to adopt an **ORDINANCE** to amend Chapter 9, "Building and Building Regulations" to add Article VIII, "Emergency Housing", an emergency measure to allow for temporary housing facilities in Kalamazoo.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Decker, Hess, Hoffman, Juarez, Praedel, Vice Mayor Cooney, Mayor Anderson

NAYS: None

2021-00

City Manager's Report

City Manager Ritsema offered the following reports and updates:

Deputy Public Safety Chief David Boysen provided the following update on the response of the Public Safety Department to the 40 recommendations from the OIR Group:

- 30 of the recommendations had been completed; 7 of the 10 remaining recommendations were basically complete, but the work needed to be vetted by a focus group, which was being formed.
- Three recommendations were still in process: mutual aid agreements with partner agencies; completion of complaint investigations from 2020; and communication of the investigation findings with complainants.
- Improvements had been made to Policy 430, First Amendment Assemblies, in the areas of communication, understanding crowd dynamics, intervention techniques (tear gas would be authorized only when active aggression and destruction of property was in progress), and dispersal scripts.
- Mutual aid agreements had been developed and were being reviewed by partners; completion was expected within 90-days.
- There were nine open complaint investigations related to the events of 2020. The Captain over the Office of Internal Affairs would be returning from military duty on Monday and would be tasked with completing these investigations.

City Clerk Borling presented to the City Commission a petition submitted by Carol Mullen, House Director of Chi Omega Sorority, requesting safety changes for Fraternity Village Drive.

City Attorney Robinson provided an overview of the proposed changes to the City Commission Rules regarding in-person and Committee of the Whole meetings. City Attorney Robinson noted the rules did not specify a date for returning to in-person meetings, and he asked for Commissioner input on that question.

Commissioner Praedel stated he was struggling to envision the enforcement of masking and social distancing rules, especially when there was a topic that attracted a lot of people to a Commission meeting.

In response to Commissioner Praedel, City Attorney Robinson recommended that the City Commission not attempt to legislate for the extreme situations. City Attorney Robinson noted the Fire Marshal's room capacity had probably been exceeded at various times. City Attorney Robinson suggested the opening of overflow areas if a large turnout was expected for a particular meeting.

Deputy City Manager Chamberlain stated the Community Room and Third Floor Conference Room would be used for overflow areas. Deputy City Manager Chamberlain described safety measures that were in place in both the Commission Chambers and Community Room.

Discussion followed regarding a date for returning to in-person meetings.

By consensus the City Commission decided to return to in-person meetings in 2022, beginning with the regular business meeting on January 3rd.

City Attorney Robinson recommended the City Commission postpone action on the proposed resolution until December 20th.

2021-00

City Manager's Report
(cont'd)

2021-00

City Clerk's Report

2021-00

Changes to the City
Commission Rules re:
In-Person Meetings

2021-00

Changes to the City
Commission Rules re:
In-Person Meetings

In response to a question from Commissioner Praedel, City Attorney Robinson stated a special meeting could be called to adopt the resolution if the December 20th meeting was cancelled due to inclement weather. City Attorney Robinson stated he wanted to change some of the language, now that the City Commission's disposition was known.

City Manager Ritsema noted the December 20th meeting would be a virtual meeting.

Commissioner
Comments

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

Commissioner Juarez expressed excitement and spoke about the need for the City Commission and residents to work together.

Commissioner Decker stated the agenda items on which she abstained would help with the Complete Neighborhoods strategic goal. Commissioner Decker remarked on the need for timely communication with the community regarding actions that impacted them.

Commissioner Hess noted it was the last night of Hanukah, and she urged people to be light for each other in challenging times. Commissioner Hess remarked on Consent Agenda items and the proclamation recipients, and she thanked Director Baker and Pastor Harris.

Commissioner Praedel encouraged people to look at the proposed budget online and attend the work session on December 13th. Commissioner Praedel remarked on the Verberg Park improvements. Commissioner Praedel asked that someone reach out to the petitioner for safety improvements on Fraternity Village Drive. Commissioner Praedel requested improvements to the audio speakers in the City Commission Chambers.

Vice Mayor Cooney thanked his colleagues for their eloquence and dialogue. Vice Mayor Cooney spoke about gun violence in major cities and stated Kalamazoo's problems were manageable compared to other cities. Vice Mayor Cooney stated he would fight to make Kalamazoo a national model for addressing gun violence.

Mayor Anderson asked staff to follow up with Mr. Weisman regarding streetlights. Mayor Anderson highlighted the importance of various items approved on the Consent Agenda.

Adjournment

The meeting adjourned at 10:18 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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