

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, May 7, 2018 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 West South Street.

COMMISSIONERS PRESENT:

Mayor Bobby J. Hopewell
Vice Mayor Erin Knott
David Anderson
Don Cooney
Shannon Sykes
Jack Urban

COMMISSIONERS ABSENT:

Eric Cunningham

Also present were City Manager Jim Ritsema, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioner Urban, seconded by Commissioner Anderson, moved to excuse the absence of Commissioner Cunningham. With a voice vote this motion passed.

Invocation

The invocation, given by Bishop Daniel S. Cunningham, Greater Faith Empowerment Center, was followed by the Pledge of Allegiance.

Presentation on the Urban Growth Initiative

Rebekah Kik, Community Planning and Economic Development Director, and Andrew Haan, Executive Director of Downtown Kalamazoo, Inc., distributed and reviewed a document entitled *Urban Growth Initiative for Greater Downtown Kalamazoo: Priorities for Success*.

In response to a question from Commissioner Cooney, Director Kik stated the City would seek grant funding for the conversion of one-way streets to two-way streets.

In response to questions from Commissioner Cooney, Director Hann indicated the Democracy Collaborative in Cleveland was being considered as a model for building community wealth, and the idea of “buying local” would be considered.

In response to a question from Commissioner Anderson, Director Haan stated the downtown organizations needed to engage more people in the work of developing the downtown, and he envisioned the use of a tool similar to the Image Kalamazoo 2025 website to track and report progress on the various projects.

In response to a question from Commissioner Urban, Director Haan explained “public markets” were usually indoors and open year-round, as compared to farmers markets, which were usually outdoors and seasonal.

In response to a question from Commissioner Sykes, Director Haan acknowledged the City had challenges related to economic and racial justice, and he stated the current people involved with developing the downtown were not necessarily representative of the community. Director Haan stated he was envisioning a “citizen coalition” that would work on the topics of people, places, goals, and vision.

Commissioner Urban proclaimed May 14-19, 2018 *Rotary is for Reading Week*. Ann Rohrbaugh and Kevin Brozovich of the Rotary Club of Kalamazoo accepted the proclamation.

By unanimous consent the City Commission adopted its meeting agenda with the following change:

City Attorney Robinson stated the Bronson Park lease agreement (Item F-15 on the Consent Agenda) was a three-year agreement and not a one-year agreement as indicated on the agenda.

At 7:39 p.m. Mayor Hopewell opened a public hearing to receive comments on the proposed Park - Cedar - Burdick - Lovell Area Neighborhood Enterprise Zone.

City Planner Christina Anderson delivered a PowerPoint presentation entitled *NEZ: What – Where – Why*. A copy of this presentation was filed with the papers for the meeting.

In response to questions from Commissioner Anderson, City Planner Anderson provided the following information regarding NEZ's:

- new construction NEZ's must cover at least 10 platted lots.
- the number of projects in the proposed NEZ will be limited, so it will be fairly clear when the NEZ tool has served its purpose.
- the City owned several parcels in the proposed NEZ, so the City was in a good position to choose the most appropriate economic development tools to use in conjunction with the NEZ.
- the new construction NEZ allowed for mixed-use developments that included rental units and commercial or retail space.

In response to questions from Commissioner Urban, City Planner Anderson reported representatives from AT&T and St. Lukes Episcopal Church did not attend the meeting for property owners, and the owners of Douglas and Sons Paint were supportive of the NEZ.

Commissioner Urban expressed concerns about how AT&T and St. Luke's would behave once redevelopment started in the NEZ, and he expressed concern that the City Commission would get "cold feet" once changes started to happen in this area. Commissioner Urban suggested the proposed NEZ be developed by a consortium of developers working together.

In response to a question from Commissioner Sykes, City Planner Anderson explained that affordable housing units would be required if a developer used state or federal funds.

City Attorney Robinson clarified that the Commission could not amend or repeal the NEZ for three years following its creation, and such changes would not take effect until six months after Commission approval. City Attorney Robinson stated repealing or amending an NEZ would not affect existing certificate holders in the NEZ.

Proclamation

Adoption of the
Agenda

Public Hearing re: the
Park-Cedar-Burdick-
Lovell Neighborhood
Enterprise Zone

Public Hearing re: the
Park-Cedar-Burdick-
Lovell Neighborhood
Enterprise Zone
(cont'd)

Mayor Hopewell encouraged the City Commission and City Administration to develop policies for when City-owned properties were sold for development or redevelopment. Mayor Hopewell acknowledged that developers needed to make money, but he stated they also needed to provide additional benefits to the community when City property was involved. Mayor Hopewell indicated the City needed to ensure developers kept their commitments to the community.

The following people addressed the City Commission regarding the proposed NEZ:

Zach Lassiter, City resident, spoke about the need for affordable housing in the City.

At 8:08 p.m. Mayor Hopewell closed the public hearing.

Consent Agenda

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:

- approval of a one-year contract extension with Elite Pipeline Services for routine sanitary sewer cleaning and inspection in the amount of \$178,600.
- approval of a contract with Jones & Henry Engineers for professional services related to the Station 22 Elevated Water Storage Facility, Booster Station and Water Main in the amount of \$147,970.
- approval of the purchase of an 80,000 pound capacity Rotary VREX Drive On Lift from Rotary Lift in the amount of \$121,407.94.
- approval of a contract with Hubbell, Roth & Clark, Inc. for Construction Engineering Services for the W. Michigan/Howard Traffic Signal Upgrades & Howard Street Repaving (Stadium to Oakland) Projects in the amount of \$132,900.
- approval of a 5-year lease for a 2018 Kalamazoo Department of Public Safety Laboratory and Forensic Services Vehicle through Enterprise Fleet Management in the amount of \$104,249.
- approval of the purchase of a Broderson IC803J industrial carry all crane from Cloverdale Equipment Company in the amount of \$148,900.
- approval of a contract with M-K Construction Company, Inc. for the Pratt Road Culvert Replacement Project, in the amount of \$195,405.88.
- first reading of an ordinance to rezone 713 Simpson Street from Zone M-1 (Manufacturing, Limited District) to Zone RM-15 (Residential, Multi-Dwelling District); and schedule a public hearing for May 21, 2018.

- first reading of an ordinance repealing Chapter 6 of the Kalamazoo City Code of Ordinances, which requires the licensure of "Amusements".
- adoption of a **RESOLUTION** granting the City Manager the authority to commit the City of Kalamazoo to honor the Kalamazoo County-issued photo identification card.
- Approval of amendments and adjustments to the Adopted FY 2018 Budget to carry forward expenditures of \$779,300 that were included in the FY 2017 Budget but not completed, and also to increase the Adopted FY 2018 Budget for additional appropriations in the amount of \$1,813,991.
- approval of the use of \$425,000 of working capital to fund Major Street projects and create contingency capacity for additional project funding issues.
- acceptance of a Michigan Department of Environmental Quality Pilot Drinking Water Community Water Supply Grant in the amount of \$1,000,000.
- approval of proposed amendments to the employment agreement with City Manager James Ritsema.
- authorization for the Mayor and City Manager to execute a three-year lease for Bronson Park with Kalamazoo County.
- approval of the appointment of Public Safety Chief Karianne Thomas as the Mayor's alternate on the Kalamazoo County Consolidated Dispatch Authority Governing Board of Directors; and the appointment of Captain Christopher Franks as Chief Thomas's alternate on the Kalamazoo County Consolidated Dispatch Technical Advisory Committee. These appointments will expire on December 31, 2018.
- approval of the minutes from the City Commission meetings on April 16, 2018.

Vice Mayor Knott, seconded by Commissioner Anderson, 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.

AYES: Commissioners Anderson, Cooney, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

Regular Agenda items were considered next.

Consent Agenda
(cont'd)

Resolution 18-31

Resolution 18-32

Regular Agenda

Ordinance 1963 re:
Vesting Period for
Exempt Members of
the Retirement System

An opportunity was given for citizens to comment on an ordinance to amend Section 2-224 of the City Retirement System Ordinance to permit all exempt member (nonunion employees) to retire at age 62 with 5 years of service, but no comments were offered.

Vice Mayor Knott, seconded by Commissioner Sykes, moved to adopt an **ORDINANCE** to amend Section 2-224 of the City Retirement System Ordinance to permit all exempt members (nonunion employees) to retire at age 62 with 5 years of service.

With a roll call vote this motion passed.

AYES: Commissioners Anderson, Cooney, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

Ordinance 1964 re:
Amendments to
Chapter 2, Chapter, 23,
and Chapter 33 of the
Code of Ordinances

When an opportunity was given for citizens to comment an ordinance mending Chapter 33 - Streets and Other Public Grounds, Chapter 2 - Administration, and Chapter 23 - Parks and Recreation, of the Kalamazoo City Code of Ordinances the following people addressed the City Commission:

Zach Lassiter, City resident, stated he was excited to see changes to the enforcement process for property owners who did not clear snow from their sidewalks. Mr. Lassiter requested that the City require property owners to remove snow from around bus stops.

Nehemiah Scudder, City resident, expressed concern that the agenda language did not describe the proposed ordinance amendments.

Commissioner Cooney, seconded by Commissioner Anderson, moved to adopt an **ORDINANCE** amending Chapter 33 - Streets and Other Public Grounds, Chapter 2 - Administration, and Chapter 23 - Parks and Recreation, of the Kalamazoo City Code of Ordinances.

Prior to a vote on the motion City Attorney Robinson provided highlights of the proposed ordinance and indicated it was part of the larger ordinance decriminalization project. City Attorney Robinson thanked the City Commission for allowing him to have another staff position, which was allowing him to work on this project.

Commissioner Anderson noted the City Commission's values were being translated into action as the ordinance decriminalization project moved forward.

Mayor Hopewell requested information on the City's plan to remove snow from sidewalks adjacent to City-owned properties

In response to Mayor Hopewell, Public Services Director James Baker stated the City added staff in 2017 and had optimized its snow removal equipment, which enabled the deployment of staff to clear sidewalks at the same time as they were deployed to plow streets. Public Services

Director Baker indicated the City had a map of its sidewalk responsibilities, including sidewalks the City had committed to maintain as a result of street widening projects.

In response to a question from Commissioner Urban, City Attorney Robinson indicated the Central County Transportation Authority (CCTA) would be liable for injuries sustained by a person who slipped and fell at a bus stop.

Commissioner Urban asked that the City require the CCTA to remove snow from around bus stops.

City Manager Ritsema indicated he would reach out to the CCTA regarding this issue.

Mayor Hopewell requested that the City track and report data on snow removal from sidewalks as part of its performance metrics.

With a roll call vote this motion passed.

AYES: Commissioners Anderson, Cooney, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

City Clerk Borling invited voters to participate in the election on Tuesday, May 8th and encouraged people who had requested absentee ballots to return their voted ballots by 8:00 p.m. on Election Day.

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

Alan Loveridge, non-resident, suggested the City ticket vehicles that were parked illegally rather than towing them, and suggested the Fountain of the Pioneers be relocated to a property in southwest Kalamazoo County. A copy of Mr. Loveridge's written remarks was filed with the papers for this meeting.

Nehemiah Scudder, City resident, spoke about the disconnect between politics and the faith-based community. Mr. Scudder concluded that ministers did not feel welcome at City Hall because they did not stay for Commission meetings after giving the invocation.

Alfonso Harris, City resident, wished "Happy Mother's Day" to Vice Mayor Knott, Commissioner Sykes, and his ex-wife.

Michael Dwyer, City resident, stated he had been asked to leave both private and public property while attempting to collect petition signatures for ballot proposals, and he asked if Commissioners would support an ordinance that would allow the collection of petition signatures anywhere in the City, or at least on public property.

Ordinance 1964 re:
Amendments to
Chapter 2, Chapter, 23,
and Chapter 33 of the
Code of Ordinances
(cont'd)

City Clerk's Report

Citizen Comments

Citizen Comments
(cont'd)

Azad Saeed, non-resident, spoke in favor of people having the right to solicit petition signatures on public and private property.

Beth Lewis, City resident, spoke about the Exchange Building, the Fountain of the Pioneers, and the need for City inspectors to interact more with residents of the rental units they inspected.

Rick Sterken, City resident, expressed concern about the development project at 827 Westnedge Avenue and specifically the retention pond and parking at the corner of Osborne and Ranney Streets.

City Commissioner
Comments

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

Commissioner Sykes thanked people who were collecting petition signatures in the community and stated democracy should be allowed everywhere.

Commissioner Cooney stated the City should try to facilitate the gathering of petition signatures. Commissioner Cooney thanked Irving Gilmore for creating and sustaining the Gilmore International Keyboard Festival.

Commissioner Urban stated the descriptions of ordinances and other items on City Commission agendas needed more details for the benefit of people watching the meetings in person or on television. Commissioner Urban asked City Manager Ritsema to follow-up with the CCTA regarding snow removal from bus stops.

Vice Mayor Knott acknowledged that collecting petition signatures had become more difficult. Vice Mayor Knott expressed support for the type of ordinance Mr. Dwyer described, but she stated she would want to hear from the City Attorney on this issue.

Mayor Hopewell stated ministers and people of faith were welcome at City Hall. Mayor Hopewell stated people had a responsibility to engage with the City Commission meeting agendas and agenda packets. Mayor Hopewell indicated he did not get calls from people who were confused about actions the Commission had taken at previous meetings.

Adjournment

The meeting adjourned at 8:58 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on May 21, 2018

Approved by: _____
Bobby J. Hopewell, Mayor
Dated: May 21, 2018