

	A regular meeting of the Kalamazoo City Commission was held on Monday, October 1, 2018 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 West South Street.
Roll Call	COMMISSIONERS PRESENT: Mayor Bobby J. Hopewell Vice Mayor Erin Knott David Anderson Don Cooney Eric Cunningham Shannon Sykes Jack Urban COMMISSIONERS ABSENT: None Also present were City Manager Jim Ritsema, City Attorney Clyde Robinson, and City Clerk Scott Borling.
Invocation	The invocation, given by Reverend Nathan Dannison, First Congregational Church, was followed by the Pledge of Allegiance.
Adoption of the Agenda	By unanimous consent the City Commission adopted its meeting agenda with the following change: Commissioner Sykes requested that Item F-4, the sale of 3120 and 3122 Oakland Drive to Consumers Credit Union, be moved to the Regular Agenda.
Public Hearing re: the 2017 Kalamazoo Mall Sidewalk Maintenance Assessment	At 7:03 p.m. Mayor Hopewell opened a public hearing to receive comments on a resolution approving the 2017 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$14.322. Mark Prichard, City resident, stated the sidewalks could be completed if tax dollars were used to help the homeless find homes. At 7:04 p.m. Mayor Hopewell closed the public hearing.
Resolution 18-63 Approving the 2017 Kalamazoo Mall Sidewalk Maintenance Assessment	Commissioner Cooney, seconded by Commissioner Anderson, moved to adopt a RESOLUTION approving the 2017 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$14.322. With a roll call vote this motion passed unanimously. AYES: Commissioners Anderson, Cooney, Cunningham, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell NAYS: None
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:

- adoption of a **RESOLUTION** indicating the City has met the requirement to receive federal transportation alternative program funding in support of the Portage Street Improvement Project. Resolution 18-64
- adoption of a **RESOLUTION** approving a Brownfield Plan Redevelopment and Purchase Agreement with Harbor Farms Real Estate, LLC regarding the approximate northerly 7 acre portion of Davis Creek Business Park for purposes of operating a medical marihuana facility to cultivate and process medical marihuana; and authorizing the City Manager, or his designee, to sign all documents to complete the sale. Resolution 18-65
- adoption of a **RESOLUTION** adopting and approving the Fifth Amendment to Revised Brownfield Plan Implemented by the City of Kalamazoo Brownfield Redevelopment Authority. The proposed amendment adds 615 West Kalamazoo Avenue (Chapter 52) and 4200 and 4233 Davis Creek Court (Chapter 53) to the Plan; and amends Chapter 25 regarding 1101 Portage Street. Resolution 18-66

Commissioner Urban, seconded by Commissioner Cunningham, 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 Anderson, Cooney, Cunningham, Sykes, Urban, Vice Mayor Knott, Mayor Hopewell

NAYS: None

Regular Agenda items were considered next.

Commissioner Sykes stated the proposed sale of 3120 and 3122 Oakland Drive was another example of the City selling property without a Community Benefit Agreement. Commissioner Sykes announced she would be voting "no" on this item.

When an opportunity was given for citizens to comment on the sale of the City-owned lots at 3120 and 3122 Oakland Drive to Consumers Credit Union for \$15,000, the following people addressed the City Commission:

Carl Wiseman, City resident, expressed support for Commissioner Sykes' comments and stated the homeless could use this vacant lot.

Mark Prichard, non-resident, stated the price for the property was too low, and he suggested funds be raised to get a vacant lot for the homeless.

Fred Lawrence, City resident, stated the City could not afford to give breaks and discounts to corporations.

Christopher Bovid, City resident and President of the Woods Lake Association, stated the Association was never consulted about the sale of this property as indicated in the agenda report. Mr. Bovid

Regular Agenda

Sale of 3120 and 3122 to Consumers Credit Union

Sale of 3120 and
3122 to Consumers
Credit Union

expressed concerns about the environmental impact of the proposed development and stated there needed to be more discussion.

Cheryl Lord, City resident and Executive Director of the Oakwood Neighborhood Association, stated the developer did not engage or consult with the Association regarding the proposed site plan. Ms. Lord indicated she had many of the same concerns as Mr. Bovid.

Zach Lassiter, City resident, pointed out that the City was being accused of lying by both people who had means and people who did not.

Michael Mair, non-resident and a representative of Consumers Credit Union, spoke in favor of the proposed sale. Mr. Mair stated Consumers Credit Union had been working with the Community Planning and Economic Development (CPED) Department on the development of this property, and he explained the credit union needed the City property in order for the development to follow the vision of Imagine Kalamazoo 2025 (IK2025). Mr. Mair noted the City parcels were impaired with telephone poles, transformers, and a Consumers Energy easement. Mr. Mair stated the City and the credit union had commissioned an independent appraisal, and the proposed sale price was the same as the per-square-foot value of the D&W property across the street.

Commissioner Urban, seconded by Commissioner Anderson, moved to approve the sale of the City-owned lots at 3120 and 3122 Oakland Drive (Parcel nos. 06-29-474-012 and 06-29-474-011) to Consumers Credit Union for \$15,000.

Prior to a vote on the motion, Commissioner Cooney noted these parcels had been vacant for a long time but stated he was uncomfortable with the fact that the neighborhood associations were not consulted.

Sale of 3120 and
3122 to Consumers
Credit Union – Motion
to Postpone

Commissioner Cooney, seconded by Vice Mayor Knott moved to postpone action on this item until October 15, 2018.

Prior to a vote, Commissioner Sykes expressed support for the motion and stated she was troubled to hear that the neighborhood associations were not engaged on this item. Commissioner Sykes noted that her support of the postponement did not necessarily mean she would support the item when it was considered on October 15th.

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

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

NAYS: None

City Manager's Report

City Manager Ritsema provided the following reports and updates:

Homelessness Work Group Update

- all four subgroups would be meeting this week.

- the City was in the process of creating a webpage to track the progress of the work group.

City Manager's Report
(cont'd)

Update on the Allied Paper Superfund Site and Panelyte Property

Bruce Merchant, environmental law consultant, provided an update on the Allied Paper Super Fund Site and Panelyte property. A copy of Mr. Merchant's PowerPoint slides was filed with the papers for this meeting. Mr. Merchant reported the City might have an opportunity to purchase the Panelyte property, which would be beneficial as it would keep the City directly involved in the Allied Paper Site remediation. Mr. Merchant stated the City Attorney was working with the state and US Environmental Protection Agency (EPA) on a purchase agreement that would shield the City from liability for the Panelyte property.

In response to a question from Mayor Hopewell, Mr. Merchant stated the Panelyte site was contaminated, but the Michigan Department of Environmental Quality had spent considerable money to clean it up. Mr. Merchant stated the site should meet industrial development site standards.

In response to a question from Commissioner Cooney, Mr. Merchant stated the EPA was studying the Allied Site to determine how it would proceed.

In response to questions and concerns from Commissioner Anderson, Mr. Merchant stated Phase I and Phase II environmental evaluations had been conducted on the Panelyte property, and City Attorney Robinson stated the purchase agreement with the state and EPA would utilize all protections currently available in the law to immunize the City from liability. Mr. Merchant noted the state supported the City's purchase of the property, and the purchase price would be less than \$100.

In response to questions from Commissioner Sykes, City Manager Ritsema stated his understanding of the City's role with the work groups was that of convening the groups, facilitating solutions, and supporting work on the demands by working through them. City Manager Ritsema asked Commissioner Sykes what she thought the City's role should be.

In response to City Manager Ritsema, Commissioner Sykes noted that at the previous City Commission meeting he had said the City was not responsible for demands 3-5. Commissioner Sykes asked why the City was still involved in discussions about those demands.

In response to Commissioner Sykes, City Manager Ritsema stated the City would be involved in discussions of the demands to the extent it could be involved. For example, to the extent the City could implement a housing first policy it could be involved in that discussion.

Commissioner Sykes stated she did not understand the City Manager's meaning. Commissioner Sykes stated the work group meetings would be more difficult now that residents of the Bronson Park encampment were dispersed and were not receiving notice of the meetings. Commissioner Sykes indicated the conversations with the City were repetitious with no

City Manager's Report
(cont'd)

substance behind them. Commissioner Sykes stated she wanted to see concrete steps before the snow flew.

City Manager Ritsema stated he would make sure the homeless community representatives were being notified of the work group meetings.

Commissioner Urban stated the City Commission could give the City Manager more clarity on this issue, and he suggested the City Commission pass a motion to change the City Charter to say the City was a direct service provider for the homeless.

In response to a question from Commissioner Urban, City Manager Ritsema stated he would need more time to respond to the idea of amending the City Charter.

Citizen Comments

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

Jeff Messer, City resident, spoke about campaign signs in the City's rights-of-way and the rules for signs.

Alan Loveridge, non-resident, presented a plan for monthly payment of property taxes and suggested the City have homeless people do daycare work in return for housing. Mr. Loveridge's written remarks were filed with the papers for this meeting.

Linda Cypret-Kilbourne, non-resident, spoke about the lack of fencing around the burial mound in Bronson Park.

The following people offered remarks on the Bronson Park encampment and issues related to homelessness:

Angel Johnston, City resident
 Donna, City resident
 Fred Lawrence, City resident
 Dennis Tillman, City resident
 Andrew Argo, City resident
 Kenneth Fuller, City resident
 Ryan Nehring, City resident
 Michael Rizor, City resident
 Denise Miller, City resident
 Faith Vlietstra, City resident
 Meagan Roche, City resident
 Victoria Marcetti, City resident
 Barb Hymel, City resident
 Birletta Bean Hardiman, City resident
 Carrie Ann Stewart, City resident
 Carl Wiseman, City resident
 Shari Weber, non-resident
 Reverend Ruth Moerdyk, City resident
 Issa Smith, City resident
 Roger, City resident
 Mendez Mendez, City resident

Angela Harrington, City resident
 Amy, City resident
 Paula Hill, non-resident
 Lee, a representative of the organizations Seven and
 People Most in Need (PMI)
 Corey Makovich, City resident
 Reverend William Stine, City resident
 Linda Cypret-Kilbourne, non-resident
 Nellie Fuentes, non-resident
 Mamie Butler, City resident
 Chad, City resident
 Zach Lassiter, City resident
 Matthew Craig, City resident
 Cody Dekker, non-resident
 Nehemiah Scudder, City resident
 Mara, City resident

Citizen Comments
 (cont'd)

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

City Commissioner
 Comments

Commissioner Sykes stated the words “frustrated, disappointed, disgusted” were not strong enough to describe how she felt about the removal of the Bronson Park Freedom Encampment, and she indicated the City Commission allowed this to happen. Commissioner Sykes remarked that she had never seen or experienced anything like what she had been experiencing. Commissioner Sykes stated she was left out of being arrested for camping in the park because the police zone did not apply to City Commissioners, so she ended up being arrested for resisting and obstructing, a misdemeanor. Commissioner Sykes reported Public Safety Officers were not letting people from the encampment stay in places they had been staying, and officers had engaged her husband and people from the encampment who were trying to relocate. Commissioner Sykes described how people from the encampment had experienced harassment and difficulty finding places to stay, and how people had withdrawn their offers of private property for the encampment due to threats and concerns about the reported conditions in Bronson Park. Commissioner Sykes reported people from the encampment were scattered now, and it was difficult to get them organized. Commissioner Sykes reported she had opened her own home, and the encampment group had met with Angela Davis. Commissioner Sykes stated the encampment group was determined to have their rights honored, and they had become a loving community. Commissioner Sykes stated activists for various civil rights causes – LGBT, Indigenous, Black, Latino – were united in solidarity on this issue. Commissioner Sykes stated homelessness was the City’s problem, and the City needed to solve it. Commissioner Sykes stated the City needed to get people into emergency housing.

Commissioner Anderson stated Jim Ritsema was an exemplary human being and a great City Manager. Commissioner Anderson stated vilification of the City Manager was misdirected, and everyone involved needed to work together.

City Commissioner
Comments (cont'd)

Commissioner Cooney expressed agreement with Commissioner Anderson. Commissioner Cooney stated it was a tragedy when people did not have what was necessary to live a wholly human life. Commissioner Cooney noted there were four meetings coming up to talk about the focus areas of the homelessness work group. Commissioner Cooney stated the problems at hand were beyond the City. Commissioner Cooney indicated the City needed to do more, but the City also needed to advocate for change at the national level.

Commissioner Urban stated the determination and patience of the encampment residents had an effect on the entire community. Commissioner Urban suggested the following actions and expressed hope that Commissioners would consider one of these options: formulate a Housing First Policy with money attached to it; set limits on how much the City will spend on housing; and amend the City Charter to say it was the duty of the City was to provide emergency shelter. Commissioner Urban noted a charter amendment would be an opportunity to get the support of residents.

Commissioner Cunningham requested the City Manager investigate the report that a staff member used derogatory language towards a homeless person. Commissioner Cunningham spoke about PMI, which was able to assist individuals who were trying to get resources from the state system. Commissioner Cunningham discussed the Alice Threshold, which was the income level where a person was still on public assistance even though they worked 40 hours per week.

Vice Mayor Knott stated the City needed to work with other jurisdictions in order to fix the system, and she suggested people ask their County Commissioners to adopt a countywide Housing First policy. Vice Mayor Knott indicated there had been a County-operated secular shelter at one time, but people would need to put considerable pressure on County Commissioners in order for that to happen again.

Mayor Hopewell noted some policies did not require money. Mayor Hopewell stated the City had areas it needed to work on, but the County and Community Action Agency needed to be involved too.

Adjournment

The meeting adjourned at 10:32 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on November 5, 2018

Approved by: _____

Bobby J. Hopewell, Mayor
Dated: November 5, 2018

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