

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Tuesday, January 29, 2019 at 12:01 p.m. in the City Commission Chambers at City Hall, 241 West South Street.

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

David Anderson*
Eric Cunningham

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

Commissioners
Excused

Commissioner Sykes, seconded by Commissioner Cooney, moved to excuse the absences of Commissioners Anderson and Cunningham. With a voice vote the motion passed.

Opening Ceremony

Mayor Hopewell opened the meeting with the Pledge of Allegiance.

2019-0013
Public Hearing re: an
Ordinance to Amend the
Residential District
Standards

At 12:03 p.m. Mayor Hopewell opened a public hearing to receive comments on a zoning ordinance to amend the Residential District Standards.

Toby Hannah-Davies, City resident, stated she served on the ISAAC Housing Task Force and expressed support for the proposed ordinance.

*Commissioner Anderson arrived at 12:04 p.m.

At 12:05 p.m. Mayor Hopewell closed the public hearing.

2019-0013
Ordinance 1978
Amending the
Residential District
Standards

Vice Mayor Knott, seconded by Commissioner Sykes, moved to adopt a zoning **ORDINANCE** to amend the Residential District Standards.

With a roll call vote this motion passed.

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

NAYS: None

Adoption of the
Agenda

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

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:

2019-0014

- approval of a professional service agreement with The Foster Group in the amount of \$140,000 for Water and Wastewater Utility Financial Plan preparation, Service Agreement assistance, True-Up and Rate Studies, and general consulting services.

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|---|-------------------------------|
| - approval of a sole source purchase with Ferguson Waterworks to provide Neptune Smart Water Meters, in the amount of \$400,000. | 2019-0015 |
| - first reading of an ordinance to amend certain sections of chapter 38 of the Kalamazoo code to change the rates charged for water service. The proposed ordinance would increase water system revenues, effective February 14, 2019. | 2019-0016 |
| - first reading of an ordinance to amend certain sections of chapter 28 of the Kalamazoo City Code to change the rates charged for wastewater service. The proposed ordinance would increase wastewater service system revenues, effective February 14, 2019. | 2019-0017 |
| - adoption of a RESOLUTION from the Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission, recommending approval of an application from Kalamazoo Valley Community College for a Brewpub license to be located at 418 E. Walnut Street in the City of Kalamazoo. | 2019-0018
Resolution 19-03 |
| - approval of the Third Amendment to the Urban Cooperation Agreement to establish a Public Art Commission. | 2019-0019 |
| - acceptance of a Wellhead Protection Grant from the Michigan Department of Environmental Quality in the amount of \$70,000. | 2019-0020 |
| - approval of an Easement for Electric Facilities with Consumers Energy Company to permit Consumers to run electric transmission facilities over City-owned property on Penway Street. | 2019-0021 |
| - approval of the following appointments and re-appointments to boards and commissions: | 2019-0022 |
| - the reappointment of Michael Anderson to the Board of Review for Assessments for a term expiring January 31, 2022. | |
| - the reappointment of Glenda Campbell to the Board of Review for Assessments for a term expiring January 31, 2022. | |
| - the reappointment of William Gladstone III to the Board of Review for Assessments for a term expiring January 31, 2022. | |
| - the reappointment of H Charles Kiplinger to the Board of Review for Assessments for a term expiring January 31, 2022. | |
| - the reappointment of Terry Nelson to the Board of Review for Assessments for a term expiring January 31, 2022. | |
| - the reappointment of Linda Servis to the Board of Review for Assessments for a three-year term expiring January 31, 2022. | |
| - the appointment of Tiffany Bell to the Water System Advisory Council for a term expiring on December 31, 2020. | |

2019-0023

- the appointment of **Stephen Walsh** to the Water System Advisory Council for a term expiring on December 31, 2019.

2019-0024

- approval of a recommendation to the Kalamazoo County Board of Commissioners that Greg Rosine be reappointed as one of the three City representatives on the Central County Transportation Authority Board of Directors.

2019-0025

- approval of the minutes from the City Commission meeting on January 7, 2019.
- approval of a recommendation to hold until February 4, 2019 consideration of the sale of a City-owned vacant lot located at 318 Stockbridge to HML Real Estate, LLL for \$32,500.

Commissioner Urban, 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

Regular Agenda items were considered next.

2019-0026

Acceptance of a DOJ
Grant for the Bridging
Opportunities Initiative

City Manager Ritsema remarked on concerns about the terms and conditions for grants from the U.S. Department of Justice (DOJ) that required City cooperation with Immigration and Customs Enforcement (ICE) agents. City Manager Ritsema explained the Bridging Opportunities funding was a grant through the Michigan State Police, and he reported City staff had met with representatives from the Immigrant Rights Council, El Concilio, and ISAAC to better understand the requirements of DOJ grants and how the City could receive the grants and still adhere to its policy of not assisting ICE.

City Attorney Robinson explained the Bridging Opportunities Grant was a 2017 grant, the City, through the US Conference of Mayors, had joined a lawsuit that resulted in the courts striking down the conditions of 2017 DOJ grants. City Attorney Robinson noted the lawsuit only covered DOJ grants from 2017, as the terms and conditions for other grant years were different and not part of the lawsuit.

Assistant Public Safety Chief David Boysen delivered a presentation entitled *Bridging Opportunities*. Copies of the PowerPoint slides from this presentation were filed with the papers for this meeting.

Mattie Jordan-Woods, Executive Director of the Northside Association for Community Development, expressed support for the Bridging Opportunities Initiative but noted the City needed to prioritize the safety of immigrants. Ms. Jordan-Woods stated the City should never accept funds that compromised immigrant safety, and she expressed trust in the opinion of the City Attorney regarding the Bridging Opportunities grant. Ms. Jordan-Woods remarked the Bridging Opportunities Initiative needed to be a year-round program.

An opportunity was given for citizens to comment on the acceptance of grant funding in the amount of \$75,000 from the Michigan State Police as awarded by the U.S. Department of Justice to support the Bridging Opportunities Initiative, but no comments were offered.

Commissioner Cooney, seconded by Commissioner Urban, moved to accept grant funding in the amount of \$75,000 from the Michigan State Police as awarded by the U.S. Department of Justice to support the Bridging Opportunities Initiative, and authorize the City Manager and City Attorney to sign the associated award documents.

Prior to a vote on the motion, Commissioner Sykes explained the City was a subrecipient of the Bridging Opportunities grant, which was a different type of grant compared with the Justice Assistance Grant (JAG) the City Commission turned down in November, including different terms and conditions. Commissioner Sykes stated the City could accept this grant without putting immigrants at risk, and she stated the City Attorney was committed to fighting this in court if the terms and conditions language became an issue.

With a roll call vote this motion passed.

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

NAYS: None

City Manager Ritsema thanked staff for their work on the Fiscal Year (FY) 2019 Budget and stated the proposed budget was approximately \$182 million, of which \$65 million was the General Fund budget. City Manager Ritsema noted the only change that had been made since the December 10th budget work session involved \$9,000 in the Foundation for Excellence budget.

An opportunity was given for citizens to comment on the Proposed FY2019 Budget, including component unit budgets and fee schedules, but no comments were offered.

Commissioner Anderson, seconded by Vice Mayor Knott, moved to adopt the FY 2019 budget resolution, component unit budgets, and fee schedules as follows:

- adoption of a **RESOLUTION** approving and adopting the annual appropriation for the year 2019, setting forth the number of mills to be levied, approving an interim appropriation for the year 2020, and establishing policies for the administration of the budget.
- approval of the proposed FY 2019 Brownfield Redevelopment Authority (BRA) budget as submitted by the BRA Board.
- approval of the proposed FY 2019 Economic Development Corporation (EDC) budget as submitted by the EDC Board.
- approval of the proposed FY 2019 Downtown Development Authority (DDA) Operating Budget, and the existing two-mill DDA Tax Levy.

2019-0026

Acceptance of a DOJ Grant for the Bridging Opportunities Initiative (cont'd)

2019-0027

Adoption of the FY2019 Budget

Resolution 19-04

Resolution 19-05

- approval of the proposed FY 2019 Downtown Economic Growth Authority operating budget.
- adoption of a **RESOLUTION** approving the 2019 fees for various permits, hearings, etc. within the Community Planning & Economic Development Department.

Resolution 19-06

- adoption of a **RESOLUTION** to establish the Department of Parks and Recreation fees and charges for 2019.
- approval of the proposed 2019 fee schedule for the Kalamazoo Municipal Golf Association.

Prior to a vote on the motion, Commissioner Anderson noted the annual budget was the primary way the City turned its principles into reality. Commissioner Anderson remarked that the budget included funds for both mundane activities and special, aspirational, initiatives. Commissioner Anderson thanked everyone for their work on the budget.

With a roll call vote this motion passed.

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

NAYS: None

2019-0028

City Manager's Report

City Manager Ritsema provided the following reports and updates:

- Departmental Reports and Project Updates
- 2018 Annual Grants Report
- December 2018 Purchases

City Manager Ritsema, Public Services Director James Baker, and Assistant City Manager Laura Lam provided updates on the extreme weather conditions, the work of City snow removal crews, and community efforts to relocate homeless people to warming centers at First Congregational Church and First Baptist Church. City Manager Ritsema announced the Kalamazoo Department of Public Safety (KDPS) was working with Kalamazoo County Emergency Management and the Red Cross to open another emergency shelter.

Commissioner Sykes expressed pride in the City for its response in this emergency and thanked staff for their work.

In response to a question from Vice Mayor Knott, Commissioner Anderson explained the U.S. Department of Housing and Urban Development (HUD) had designated January 30th as the day for communities to conduct the required annual Point-In-Time Survey of people without housing or shelter. Commissioner Anderson reported Kalamazoo Community Mental Health had received an exception from HUD to conduct the survey on a different date due to the bitter cold. Commissioner Anderson stated the new survey date was February 20th.

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

Emily Demorest, City resident, spoke about the lack of a plan for the warming shelters and the lack of support from the City for the volunteers working at the shelters.

Lillian Slack, City resident, spoke about the lack of organization and planning for the warming shelters.

Angel Johnston, City resident, stated she was appalled at the condition of people at the warming centers and commented on the need for a better plan to address the needs of homeless people in the winter.

Rebecca DeGraw, non-resident, recommended the City think broadly about the relationship between climate change, emergency response, and disaster relief. Ms. DeGraw noted citizens were the ones doing the hard work during the current crisis. Ms. DeGraw asked about Assistant City Manager Lam's reference to funds being available to pay for staffing at the shelters.

Melissa Reyes, non-resident, spoke about the effect of homelessness on women and the connection between the City's reaction to the summer encampment in Bronson Park and the current cold weather crisis.

Chris Wahmhoff, City resident, remarked that the community had lost people to extreme weather, and he requested details on the City's plans for addressing homelessness.

Reverend Sarah Schmidt-Lee, City resident and a pastor at First Congregational Church, spoke about the lack of a plan and information for the churches that were serving as warming shelters. Reverend Schmidt-Lee described the hurdles people faced to get into subsidized, affordable housing.

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

Commissioner Sykes stated the City was doing everything it was able to do regarding the extreme weather and those who were homeless, but it could do better. Commissioner Sykes indicated she was glad to see the City's response to this situation because it was different than the response to the homeless encampment in 2018, but she noted that some partners were not being looped-in. Commissioner Sykes stated institutions needed to communicate and share resources, but under Late Stage Capitalism it was the people who needed to do the work. Commissioner Sykes acknowledged volunteers were the ones getting the work done. Commissioner Sykes stated the City had improved and would continue to improve.

Commissioner Cooney thanked City Manager Ritsema and everyone involved in responding to the extreme weather emergency. Commissioner Cooney remarked on the need for better long-term solutions and emergency planning. Commissioner Cooney noted the larger question involved the causes of homelessness, and he stated the lack of resources from the federal government was the missing link.

Citizen Comments

City Commissioner
Comments

City Commissioner
Comments (cont'd)

Commissioner Urban recommended that the City Commission direct staff to develop a plan for addressing homelessness, including a price tag and funding plan, which could then be put forward to voters.

In response to a question from Vice Mayor Knott, Assistant Public Safety Chief Jeff VanderWiere reported the Red Cross was sending 30 beds to the Douglas Community Center, which would open as an emergency shelter staffed by off-duty KDPS officers.

Mayor Hopewell noted it was good that Kalamazoo County was engaged in the effort to open warming centers.

Adjournment

The meeting adjourned at 1:27 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on March 4, 2019

Approved by: _____
Bobby J. Hopewell, Mayor
Dated: March 4, 2019

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