

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, July 1, 2024 at 7:00 p.m. in the City Commission Chambers at City Hall.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Jeanne Hess
Don Cooney
Stephanie Hoffman
Chris Praedel
Alonzo Wilson

COMMISSIONERS ABSENT:

Qianna Decker

Also present were Chief Operating Officer Laura Lam, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Hoffman, seconded by Commissioner Praedel, moved to excuse the absence of Commissioner Decker. With a voice vote the motion passed.

Invocation

The invocation, given by Pradip Sagdeo, was followed by the Pledge of Allegiance.

Adoption of the Agenda

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

Communications

Chief Operating Officer Lam made the following announcements:

- the first Summer Cinema event was on June 28th; the next event is scheduled for July 26th.
- the next Styrofoam collection event will take place on July 13th at Mayors' Riverfront Park.

Chief Operating Officer Lam acknowledged the busy construction season and the difficulties residents and travelers were experiencing because of the many construction projects around the City. Chief Operating Officer Lam thanked City crews and the communications team for their work on these projects, and she noted the homepage of the City's website featured a link to construction project updates.

Public Comments

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

An anonymous City resident spoke about the need for public restrooms and asked the City for an update on the installation of more public restrooms in the downtown area. The speaker asked the City to ignore the recent Supreme Court decision and not escalate enforcement actions against the homeless.

Ryan Smith, City resident, asked for an update on the downtown public restroom project. Mr. Smith thanked Commissioners for attending a recent question and answer session with the unhoused and formerly unhoused.

K, a City resident, spoke about the impact of deforestation on flooding and the effects of developing the green space at 209 East Stockbridge Avenue.

Angelique Camfield, a candidate for 9th Circuit Court Judge, spoke about her qualifications and asked Commissioners to support her candidacy. Campaign materials provided by Ms. Camfield were filed with the papers for this meeting.

Public Comments
(cont'd)

2024-27-01

Tina McClinton, City resident, thanked Director Baker for his presentation on flooding at the Committee of the Whole meeting. Ms. McClinton asked the City to give resources to solving flooding issues in the Southtown area before spending resources on a downtown arena. Ms. McClinton asked the City to not develop the green space on Lake Street.

Scott Keeling, Director of Remediation Services for Georgia Pacific, read a letter of appreciation for the City's cooperation on a recent project to remove PCB's from the Kalamazoo River. A copy of the letter was filed with the papers for this meeting.

2024-27-02

Ann Martinez, City resident, expressed concerns about the redevelopment of a commercial building at 1135 Conant Street, which was next door to her residence. Ms. Martinez stated City staff were not inspecting the site and enforcing building codes.

Kelly Doyle, City resident, thanked Chief Operating Office Lam for acknowledging the challenges related to construction projects. Ms. Doyle expressed concerns about downtown businesses and their long-term viability during the multi-year duration of construction downtown. Ms. Doyle spoke about the need for the City to be creative with regard to parking issues and bringing people downtown in the near term.

Jeff Messer, City resident, requested an update on the City's plans for installing more public restrooms downtown. Mr. Messer advised advocates they could also direct their concerns about downtown to the Downtown Development Authority. Mr. Messer encouraged people to utilize the recycling event on July 13th at Mayors' Riverfront Park.

Roger Dean, City resident, expressed concerns about building code violations related to the redevelopment of a commercial structure at 1135 Conant Street.

Consent Agenda items were presented as follows with a recommendation to approve the items and authorize the City Manager to sign all related documents on behalf of the city:

Consent Agenda

- approval of a sole source purchase of a DS950 high speed ballot scanner from Election Systems & Software in the amount of \$140,575.
- approval of a professional service agreement with GHD for environmental consulting services at the Cork Street landfill in the amount of \$145,775.
- approval of a contract extension with Rathco Safety Supply, Inc for the care, maintenance, replacement, and installation of regulatory, warning, and informational signage and related items in the amount of \$182,275.
- approval of a professional service agreement with Prein & Newhof for the Knollwood pipe lining project funded through the Drinking Water State Revolving Fund in the amount of \$204,000.

2024-27-03

2024-27-04

2024-27-05

2024-27-06

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| 2024-27-07 | - approval of a professional services agreement with Prein & Newhof for the Edison non-copper service replacement project funded through the Drinking Water State Revolving Fund in the amount of \$528,000. |
| 2024-27-08 | - approval of a contract supplemental/change order with Xylem Vue Inc for both the next phase and expansion of the existing phase of the City sanitary collections decision support and monitoring system in the amount of \$536,978.46. |
| 2024-27-09 | - approval of a contract with Consumers Concrete for ready-mix concrete in the amount of \$558,050. |
| 2024-27-10 | - approval of a professional services agreement with Tetra Tech, Inc. for the Central Water Treatment Plant upgrades project in the amount of \$858,000. |
| 2024-27-11
Resolution 24-40 | - adoption of a RESOLUTION to approve a State Trunkline Maintenance Contract with the Michigan Department of Transportation and to designate James J. Baker, PE, as the State Trunkline Maintenance Contract Administrator for the City of Kalamazoo. |
| 2024-27-12
Resolution 24-41 | - adoption of a Michigan Liquor Control Commission RESOLUTION to correct Resolution 24-22 and recommend approval of an application from the Board of Trustees of Western Michigan University for a Class C Liquor License to be located at 1070 Arcadia Loop with a Banquet Permit to be located at 1341 Theatre Drive. |
| 2024-27-13
Resolution 24-42 | - adoption of a RESOLUTION recognizing Red Arrow Riders Motorcycle Association as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license. |
| 2024-27-14
Resolution 24-43 | - adoption of a RESOLUTION requesting a State Disaster Contingency Fund Grant for the City's response to the severe weather and tornado on May 7, 2024; and naming Brandi Janes as the City's authorized representative to sign documents and provide information related to the grant. |
| 2024-27-15 | - approval of an easement within the North Pitcher Street right-of-way for an electrical duct bank to Graphic Packaging International. |
| 2024-27-16 | - approval of a housing development grant in the amount of \$100,000 for gap financing to support the rehabilitation of affordable housing at 2203 South Burdick Street. |
| 2024-27-17 | - approval of a recommendation to hold until July 15, 2024 consideration of a purchase agreement with Douglas Alexander Nabors for the purchase of 731 Pioneer Street and 737 Pioneer Street. |

Commissioner Cooney, seconded by Commissioner Hoffman, moved to approve the consent agenda requests and authorize the City Manager to sign all related documents on behalf of the City.

With a roll call vote this motion passed 6-0.

AYES: Commissioners Cooney, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Regular Agenda items were considered next.

An opportunity was given for Commissioner questions and public comments about a contract with Fer-Pal Construction USA, LLC for the Knollwood pipe lining project funded through the Drinking Water State Revolving Fund, but no questions or comments were offered.

Vice Mayor Hess, seconded by Commissioner Wilson, moved to approve a contract with Fer-Pal Construction USA, LLC for the Knollwood pipe lining project funded through the Drinking Water State Revolving Fund in the amount of \$3,272,899.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Cooney, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

An opportunity was given for Commissioner questions and public comments about a contract with SWT Excavating, Inc for the Edison non-copper service line replacement project funded through the Drinking Water State Revolving Fund, but no questions or comments were offered.

Commissioner Hoffman, seconded by Commissioner Praedel, moved to approve a contract with SWT Excavating, Inc for the Edison non-copper service line replacement project funded through the Drinking Water State Revolving Fund in the amount of \$14,250,097.01.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Cooney, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Public Services Director James Baker provided an overview of proposed ordinance changes regarding new Flood Insurance Rate Maps (FIRM). Director Baker indicated the new and old floodplains maps, as well as aerials photos of the major flood event in 2018, were available as layers in the City's public-facing GIS tool.

An opportunity was given for Commissioner questions and public comments about an ordinance to amend the Kalamazoo City Code, Chapter 29-5 Floodplain Management, but no questions or comments were offered.

Commissioner Wilson, seconded by Vice Mayor Hess, moved to offer for first reading an ordinance to amend the Kalamazoo City Code, Chapter 29-5 Floodplain Management.

Consent Agenda
(cont'd)

Regular Agenda

2024-27-18
Contract for Knollwood
Pipe Lining Project

2024-27-19
Contract for the Edison
Non-Copper Service
Line Replacement
Project

2024-27-20
First Reading of an
Ordinance to Amend
Section 29-5 re:
Floodplain Management

2024-27-20

First Reading of an Ordinance to Amend Section 29-5 re: Floodplain Management (cont'd)

Prior to a vote on the motion, Commissioner Praedel explained the meaning of the acronyms FEMA (Federal Emergency Management Agency), FIRM (Flood Insurance Rate Maps), and GIS (Geographic Information System).

With a roll call vote the motion passed 6-0.

AYES: Commissioners Cooney, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

2024-27-21

First Reading of an Ordinance to Amend the Traffic Code re: the Parking System

Community Planning and Economic Development Deputy Director Christina Anderson delivered a presentation entitled *Chapter 36 Traffic Code: Updates to Support the Downtown Parking System, July 1, 2024*. A copy of the slides from this presentation was filed with the papers for this meeting.

In response to questions and comments from City Commissioners, Deputy Director Anderson provided the following information:

- some neighborhoods have requested overnight parking permits. An overnight parking system could be expanded from the downtown to the neighborhoods, and variables like times and prices could be adjusted as appropriate. The City would need to figure out the enforcement component, as downtown parking enforcement was handled by the parking system, but neighborhood parking enforcement was handled by the Kalamazoo Department of Public Safety (KDPS).
- the City needs to think strategically about parking: 1) a parking system should always have available parking, and an effective parking system will regulate for availability; 2) a parking system needed to consider the types of businesses being served and their need for parking space turnover; 3) the availability of on-street parking needed to be balanced with other parking options, such as ramps and surface lots; and 4) a parking system needed to recognize that parking spaces have value, and the value of a parking space needed to be taken into consideration.
- in the parking system plan, “on-demand pricing” did not mean continually variable pricing based on in-the-moment demand; it meant looking at the entire system and setting parking rates based on the demand for parking in a given area.
- regarding marketing and communication, several things will happen over the next few months: staff will continue to meet with downtown businesses about meters on the Kalamazoo Mall; staff will present the parking system changes at the Southwest Michigan First Downtown Townhall on July 9th; Good Marketing has been helping with media releases; staff will be working on education materials and an information campaign, including in-person visits to businesses; signage will be placed near the new kiosks to explain them and make motorists aware of their parking options; and staff would reach out to downtown residential management companies to let them know about the overnight parking opportunity.
- staff can look into creating marked parking spaces on the Kalamazoo Mall, although the kiosk parking meters did not require lined spaces.

- the parking plan supported parking spaces designated for pick-up customers. Staff would continue to consider the thoughtful and appropriate placement of these spaces and accessible parking spaces in the downtown area.
- information on planned upgrades to the parking ramps can be provided at the next meeting.
- Park Kalamazoo and Mission North monitor the parking system and will be able to provide data on parking space turnover.

Commissioner Hoffman suggested that free parking on weekends was a community benefit, especially for the neighborhoods in close proximity to downtown. Commissioner Hoffman requested that staff reconsider the elimination of this benefit and that they engage the neighborhoods and low- to moderate-income individuals who live near downtown.

Commissioner Praedel stated he was surprised at business support for parking meters on the Kalamazoo Mall, but he understood. Commissioner Praedel stated overnight parking permits were a tool that could get people to stay downtown and could deter people from driving under the influence.

When an opportunity was given for public comments on an ordinance to amend the sections within Kalamazoo City Code, Chapter 36, the Traffic Code, related to overnight parking, meter rates, and operational hours of meters, the following people addressed the City Commission:

Jeff Messer, City resident, discouraged the City from relying on license plate readers for parking enforcement and toll gates, and he described a situation in another state where people used fake license plates to avoid parking fees and fines.

Commissioner Hoffman, seconded by Vice Mayor Hess, moved to offer for first reading an ordinance to amend the sections within Kalamazoo City Code, Chapter 36, the Traffic Code, related to overnight parking, meter rates, and operational hours of meters.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Cooney, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

Chief Operating Officer Lam provided the following reports and updates:

- the City was in the process of going out to bid for the installation of a Portland Loo at the intersection of St. John's Place and Lovell Street. A downtown location for the second Portland Loo had not been identified.
- the City of Kalamazoo was the only city in the country to be awarded both a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant and a Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) Grant.

2024-27-21

First Reading of an Ordinance to Amend the Traffic Code re: the Parking System (cont'd)

City Manager's Report

City Manager's
Report (cont'd)

- as the result of significant storm damage on June 16th, the City made an emergency purchase in the amount of \$84,000 for tree trimming and removal services at Milham Park golf course.

Commissioner
Comments

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

Commissioner Praedel requested an update on the status of the public bathroom project. Commissioner Praedel noted the Social District and Commons Area ordinance would expire in August of 2024, and he asked staff to look at removing the sunset language from this ordinance. Commissioner Praedel commended staff in the Parks and Recreation Department for the great renovations at Southside Park. Commissioner Praedel remarked that the Edison Neighborhood held a successful bike parade at the park on Saturday.

Vice Mayor Hess encouraged people to utilize the Styrofoam collection event on July 13th. Vice Mayor Hess urged people to support their friends, neighbors, and area businesses that were affected by the construction in town. Vice Mayor Hess pointed people to the City's website for information on how to navigate to businesses in construction areas. Vice Mayor Hess remarked on the recent newsletter from the Public Safety Department.

Mayor Anderson encouraged people to patronize Dessert First, new business on Rose Street, and he remarked on returnable take-out containers at Sarkozy's Bakery. Mayor Anderson expressed concern about downtown businesses and asked if there was anything else the City could do to support them during the planned construction projects. Mayor Anderson asked people to support community-based businesses. Mayor Anderson stated the City was receiving a great return on investment from the two grant writers, and he thanked the City Manager's Office and the grant writing team.

Closed Session

Commissioner Hoffman, seconded by Vice Mayor Hess, moved that the City Commission go into closed session to discuss pending litigation and an attorney-client privileged communication.

Prior to a vote on the motion, Mayor Anderson announced the City Commission would return to open session following the closed session.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Cooney, Hoffman, Praedel, Wilson, Vice Mayor Hess, Mayor Anderson

NAYS: None

The City Commission went into closed session at 8:48 p.m.

The City Commission returned to open session at 10:03 p.m.

Approval of Settlement
Agreement in Lakisha
McMillon v City of
Kalamazoo

Commissioner Praedel, seconded by Vice Mayor Hess, moved to approve a settlement agreement in the amount of \$306,763.76 in the *Lakisha McMillon v City of Kalamazoo* lawsuit, and additionally authorize the City Attorney to sign the settlement agreement on behalf of the City of Kalamazoo.

With a roll call vote the motion passed 6-0.

AYES: Commissioners Cooney, Hoffman, Praedel, Wilson, Vice Mayor
Hess, Mayor Anderson

NAYS: None

The meeting adjourned at 10:05 p.m.



Scott A. Borling
City Clerk

Approved by the City Commission on: _____

Approval of Settlement
Agreement in Lakisha
McMillon v City of
Kalamazoo (cont'd)

Adjournment