A regular meeting of the Kalamazoo City Commission was held on Monday, March 16, 2020 at 7:00 p.m. in the City Commission Chambers at City Hall, 241 West South Street.

Roll Call

COMMISSIONERS PRESENT:	Mayor David Anderson Vice Mayor Patrese Griffin Eric Cunningham Jeanne Hess Erin Knott Chris Praedel Jack Urban
COMMISSIONERS ABSENT:	None

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

Opening Ceremony

The invocation, given by Commissioner Hess, was followed by the Pledge of Allegiance.

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 and authorize the City Manager to sign all documents on behalf of the city:

2020-0076

- approval of the purchase of a truck mounted Etnyre Centennial 1000 Gallon Tack Sprayer from AIS Construction Equipment through the MiDeal Cooperative Purchasing Program in the amount of $102,916.

2020-0077

- approval of a one-year contract with Total Property Management Group for mowing of Parks and Green Spaces in the amount of $110,135.10.

2020-0078

- approval of a contract with Premier Lawn and Snow for the 2020 Property Maintenance of Riverside and Mountain Home Cemeteries in the amount of $219,450.

2020-0079

- approval of a one-year contract extension with Safebuilt Michigan, LLC to provide plumbing and mechanical inspection services for a not-to-exceed amount of $242,000.

2020-0080

- approval of a contract with Blu Cleaning in the amount of $252,699 to fulfil the remaining 13 months of the custodial services contract from April 6, 2020 through April 30, 2021.

2020-0081

- approval of a contract and purchase order with SWT Excavating, Inc. for the Foresman Avenue Water Main Replacement Project in the amount of $265,657.70.

2020-0082

- approval of the purchase of two (2) International HV613 SBA truck chassis from West Michigan International through the Sourcewell cooperative purchasing program in the amount of $268,096.94.

-	approval of a professional service agreement with Miller Davis Company to provide construction management services for the Farmers' Market project in the amount of $288,600.	**2020-0083**
-	approval of the purchase of twelve (12) Public Safety fleet vehicles from Gorno Ford through the MiDeal Cooperative Purchasing Program in the amount of $411,050.	**2020-0084**
-	approval of the purchase of Public Safety radios from Motorola Solutions/Roe Communications through the MiDeal Extended Purchasing Program in the amount of $$1,802,900.30; and approval of a 2020 budget amendment in the amount of $642,228.22; and approval of a short term financing agreement in the amount of $599,018.29.	**2020-0085**
-	first reading of an ordinance to approve text amendments to Chapter 50, The Zoning Ordinance; and set a public hearing for April 6, 2020.	**2020-0086**
-	adoption of a **RESOLUTION** authorizing the City Manager to sign a Michigan Department of Natural Resources Trust Fund Agreement Amendment for Bronson Park.	**2020-0087** Resolution 20-13
-	adoption of a **RESOLUTION** approving a Payment in Lieu of Taxes (PILOT) for 530 S. Rose Street.	**2020-0088** Resolution 20-14
-	adoption of a **RESOLUTION** granting a Payment in Lieu of Taxes to Harrison Circle Limited Dividend Housing Association Limited Partnership for a proposed Harrison Circle development located at 617 Harrison Street (06-15-285-103) and 525 E. Ransom Street (06-15-269-352), pursuant to Section 35-4 of the Kalamazoo City Code.	**2020-0089** Resolution 20-15
-	adoption of a **RESOLUTION** updating the street vacation policy.	**2020-0090**
-	adoption of a **RESOLUTION** recognizing United Campus Ministry as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license.	**2020-0091** Resolution 20-17
-	adoption of a **RESOLUTION** recognizing Wellspring Cori Terry and Dancers as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license.	**2020-0092** Resolution 20-18
-	authorization for a fulltime position allocation in the Parks and Recreation Department for a second Special Event Coordinator.	**2020-0093**
-	acceptance of grant from the Consumer's Energy Foundation in the amount of $100,000 for the Farmers' Market Improvement Project.	**2020-0094**
-	acceptance of an additional $29,489 from the Mayors' Riverfront Park Endowment Fund; and approval of an increase the General Fund appropriation by the same amount to fund: 1) a feasibility study for Mayors' Riverfront Park and property adjacent to Red Arrow Golf Course; 2) asphalt repair under the right field grandstands; and 3) adding additional foul territory fencing to prevent injuries to fans.	**2020-0095**

2020-0096

- adoption of the following actuarial assumptions for the City of Kalamazoo Pension and Other Post Employment Benefit Plan (OPEB) plans: 1) Investment Return: 7.25%; 2) Administrative Expenses: 0.75% of payroll; 3) Wage Inflation: 3.50%; 4) Price Inflation: 2.25%; 5) Update proposed demographic assumption changes including Mortality Experience: Update to Pub-2010 Table from Society of Actuaries; and 6) Amortization Period: No Change.

2020-0097

- appointment of Jeanne Hess as a City Commission Director to the Foundation for Excellence Board of Directors according to Section 4.02 of the FFE Bylaws and further establish the terms per section 4.04 of the FFE Bylaws as beginning on April 27, 2019, and not exceeding her current term of office as Commissioner.

2020-0098

- nomination of the following Sector Representatives for the Foundation for Excellence Board of Directors:

  - the appointment of Stephanie Hoffman as the Housing Sector Representative for a two-year term ending in 2022;

  - the reappointment of Charlene Taylor as Affinity Director for a three-year term ending in 2023;

  - the reappointment of Alisa Carrel as Arts Director for a three-year term ending in 2023;

  - the reappointment of Adam McFarlin as Business Director for a three-year term ending in 2023; and

  - the reappointment of Alice Taylor as Neighborhood Director, Northside Neighborhood, for a three-year term ending in 2023.

2020-0099

- acceptance of 11 tax-foreclosed properties from the Kalamazoo County Treasurer.

Commissioner Knott, seconded by Commissioner Urban, moved to approve the consent agenda request and authorize the City Manager to sign all documents on behalf of the City.

With a roll call vote this motion passed.

AYES: Commissioners Cunningham*, Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson**

NAYS: None

*At the time of the vote, Commissioner Cunningham abstained from voting on Item F-20, acceptance of funding from the Mayors' Riverfront Park Endowment Fund.

**At the time of the vote, Mayor Anderson abstained from voting on Item F-17, recognition of Wellspring – Cori Terry and Dancers as a non-profit organization, due to a conflict of interest.

Addition of an Item to the Regular Agenda

Mayor Anderson advised Commissioners of an oversight during the adoption of the formal agenda, as there was a new item the City Administration wanted the City Commission to consider. Mayor Anderson stated the proposed addition was "A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO SUPPORT THE DISASTER RELIEF FUND," copies of which were provided to Commissioners at the dais prior to the meeting.

Commissioner Praedel, seconded by Commissioner Cunningham, moved to add A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO SUPPORT THE DISASTER RELIEF FUND to the meeting agenda as Item G-3 under the Regular Agenda. With a voice vote the motion passed.

Regular Agenda

Regular Agenda items were considered next.

2020-0100
Resolution 20-19 Approving an MDNR Trust Fund Grant Application for Milham Park Phase I

An opportunity was given for public comments on a resolution approving an application for a Michigan Natural Resources Trust Fund grant, administered by the Michigan Department of Natural Resources, in the amount of $299,254 for development of Phase I of Milham Park, and a local match of $248,000, but no comments were offered.

Commissioner Knott, seconded by Commissioner Hess, moved to adopt a **RESOLUTION** approving an application for a Michigan Natural Resources Trust Fund grant, administered by the Michigan Department of Natural Resources, in the amount of $299,254 for development of Phase I of Milham Park; approve a match of $248,000, but in any case no less than 25% of the project's total cost; and authorize the City Manager to sign all related documents.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

2020-0101
Resolution 20-20 Suspending the Purchasing Policy and Authorizing the City Manager to Approve Purchases up to $5 Million

City Manager Ritsema reviewed a proposed resolution that would suspend the City's purchasing policy and authorize him to approve purchases over $100,000 in the event the City Commission was not able to meet because of the Coronavirus outbreak. City Manager Ritsema explained the approval limit was $5 million because there were some significant capital improvement projects coming up with contracts approaching that dollar amount.

In response to a question from Commissioner Cunningham, City Manager Ritsema stated the resolution, as proposed, required him to notify Commissioners within 24 hours after approving purchases/contracts. City Manager Ritsema stated he was willing to change the notification requirement to 24 hours prior to the approvals happening.

In response to Commissioner Cunningham and to questions from Commissioner Praedel, City Attorney Robinson clarified that he had drafted the resolution purposefully to say the City Commission would be notified *after* the City Manager had acted. City Attorney Robinson explained he was trying to avoid a situation where Commissioners responded to pre-action notification in a way that would violate the Open Meetings Act. City Attorney Robinson acknowledged requiring 24 hours prior notice could create a problem for an emergency expenditure, but

2020-0101
Resolution 20-20 Suspending the Purchasing Policy and Authorizing the City Manager to Approve Purchases up to $5 Million (cont'd)

such a situation was unlikely as the resolution permitted City Manager approval only for expenditures that had been approved in the 2020 budget.

When an opportunity was given for public comments on a resolution authorizing the City Manager to act to approve purchases and contracts which may exceed $100,000 should the City Commission suspends its public meetings due to the coronavirus outbreak, the following people addressed the City Commission:

> Andy Argo, City resident, asked whether the City Commission was prohibited from holding electronic/virtual meetings.

Commissioner Cunningham, seconded by Commissioner Knott, moved to adopt a **RESOLUTION** authorizing the City Manager to act to approve purchases and contracts which may exceed $100,000 should the City Commission suspends its public meetings due to the coronavirus outbreak.

Prior to a vote on the motion, Commissioner Praedel questioned whether there was any precedent for having the Mayor or Vice Mayor co-sign contracts and agreements.

Commissioner Knott stated she was not interested in debating this item, and she indicated she had asked about the possibility of virtual meetings.

Commissioner Cunningham stated he had asked about virtual meetings also.

City Attorney Robinson explained the Open Meeting Act required meetings to be in a public place and that the public needed to be able to interact with the public body. City Attorney Robinson noted the City Commission Rules permitted Commissioners to participate in meetings remotely as long as a quorum of the Commission was physically present at the noticed meeting location.

Commissioner Cunningham expressed trust and support for the City Manager and stated the notification requirement was a key part of the process.

Mayor Anderson stated he believed in the Open Meetings Act, but it was unclear how that worked in the current circumstances. Mayor Anderson noted the Michigan Municipal League had provided some information on the topic.

Vice Mayor Griffin questioned how the City Commission would move forward while maintaining transparency. Vice Mayor Griffin stated the lack of technology was a real issue with regard to people being able to participate in electronic meetings.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

2020-0102
Resolution 20-21 Authorizing an Expenditure to the United Way Disaster Relief Fund

Vice Mayor Griffin read into the record the following resolution:

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO SUPPORT THE DISASTER RELIEF FUND

WHEREAS, The United Way of the Battle Creek and Kalamazoo Region (UWBCKR) Disaster Relief Fund (DRF) was established in 2019 to ensure resources for proactive planning in times of stability and for immediate use when disaster strikes. The DRF will support response and recovery in instances of natural disaster and community crisis that affect Kalamazoo County; and

In the current Covid-19 pandemic, UWBCKR and the Kalamazoo Community Foundation (KZCF) have created a joint application to activate and create access to their respective community crises relief funds to address gaps that are surfacing in key services for those individuals and organizations most impacted in a critical and unpredictable crisis; and

The following three priorities have been identified for the Disaster Relief Fund:

1) to assist with immediate and anticipated direct service needs/gaps
2) to maintain or expand critical internal operations, capacity and infrastructure; and
3) to support costs associated with additional volunteer capacity needed in this time of crisis; and

WHEREAS, Shared Prosperity Kalamazoo (SPK) is an initiative that originated with the Kalamazoo City Commission's decision in 2014 to make poverty reduction a key priority for the City. Shared Prosperity Kalamazoo was established to:

1) increase access to good jobs;
2) ensure the healthy growth, development, and learning of all our youth; and
3) create strong families; and

In May 2019, the City Commission approved the SPK Organizing Committee's recommendation to allocate approximately $900,000 for five programs in support of the SPK Action Plan implementation. The remaining funds in the SPK High Impact fund are considered 2019 carryforward funds and are available for use.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

1. $250,000 from the Shared Prosperity Kalamazoo High Impact Fund be expended to support the United Way of the Battle Creek and Kalamazoo Region Disaster Relief Fund; and

2. The City Attorney is to negotiate terms of the funding agreement between the City and UWBCKR and the City Manager is authorized to sign all documents on behalf of the City related to the Disaster Relief Fund.

Deputy City Manager Laura Lam provided background information on the Disaster Relief Fund and described how funds would be distributed through community parters.

2020-0102
Resolution 20-21
Authorizing an
Expenditure to the
United Way Disaster
Relief Fund (cont'd)

In response to a question from Commissioner Cunningham, Deputy City Manager Lam stated there was a system in place that would allow the City's funds to be directed to City residents.

When an opportunity was given for public comments on a resolution authorizing the expenditure of $250,000 from the Shared Prosperity Kalamazoo High Impact Fund to support the United Way of the Battle Creek and Kalamazoo Region Disaster Relief Fund, the following people addressed the City Commission:

> Charles, a City resident, asked whether these funds would help people who were experiencing homelessness, people who had been incarcerated, and people who were out of work.

Commissioner Cunningham, seconded by Commissioner Knott, moved to adopt a **RESOLUTION** authorizing the expenditure of $250,000 from the Shared Prosperity Kalamazoo High Impact Fund to support the United Way of the Battle Creek and Kalamazoo Region Disaster Relief Fund.

Prior to a vote on the motion, Commissioner Hess asked Deputy City Manager Lam to address the questions raised during public comments.

Deputy City Manager Lam stated the community partners would need to work with the funders to determine which services and programs would be funded.

Commissioner Cunningham remarked on the good work of staff and pointed out this contribution was possible because of the Foundation for Excellence.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

City Manager's Report

City Manager Ritsema distributed and reviewed a media release entitled *City of Kalamazoo Announces Additional Measures to Prevent Spread of COVID-19*.

Assistant Public Safety Chief Jeff VanderWiere reported on the state of the COVID-19 pandemic and described the actions the City was taking to keep employees and the public safe, including the development of various response and contingency plans, opening the Emergency Coordination Center, and closing City offices (except Public Safety Headquarters) to the public beginning on March 17th at 7:00 a.m.

In response to a question from Vice Mayor Griffin, City Manager Ritsema stated the June 1st target date for an adult use marihuana ordinance might need to be postponed, depending on the duration of the COVID-19 pandemic. Regarding the Chapter 18 ordinance amendments, City Manager Ritsema stated the upcoming public input meetings had been cancelled, and staff were directing people to provide input online and directly to Community Planning and Economic Development Director Rebekah Kik.

Vice Mayor Griffin thanked staff for continuing their community engagement efforts during these unique times. Vice Mayor Griffin noted there was a video on the City's website about the Chapter 18 amendments, which included instructions on how to provide feedback.

Public Comments

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

Jody Dozeman, City resident, spoke about being homeless and other topics.

2020-0103

Jessica Swartz, City resident, submitted a petition on behalf of Voters, Not Politicians entitled, *Petition to expand voting services by opening clerk's offices 22 extra hours ahead of Election Day and opening a satellite clerk's location on the Western Michigan University campus*. Ms. Swartz described the need for expanded voter access.

Samahd, a community organizer, announced the creation of the Kalamazoo Community Pandemic Response Coalition, whose goal was to consolidate resources and get them to communities in need; requested that the City publish public information in Arabic, Spanish, and French; and requested that the City send out daily text messages with updates on the Coronavirus.

Andy Argo, City resident, reported community organizers were working to help people with needs created by the pandemic. Mr. Argo stated he was glad for the disaster relief funding, but he indicated questions needed to be asked about how the funds would be used. Mr. Argo commented on the need to address unemployment and how it would affect peoples' ability to pay rent. Mr. Argo encouraged landlords to work with their tenants.

Ben Stanley, City resident, questioned why the parking lot at the dog park was plowed and salted but the gates remained locked, and he noted the gates were falling off and did not latch properly.

City Commissioner Comments

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

Commissioner Hess reported the "311" phone number was now active for the City's call center. Commissioner Hess thanked the Public Safety Department, Public Services Department, and City Clerk's Office for their work. Commissioner Hess talked about how Kalamazoo was a great arts community.

Commissioner Praedel remarked on positive things happening in the community and stated Kalamazoo would get through the pandemic together. Commissioner Praedel thanked City staff, community partners, the Public Safety Department, and healthcare providers.

Vice Mayor Griffin thanked the community for working together and thanked City staff for their work. Vice Mayor Griffin encouraged people to still engage in the economy, and she asked landlords to be patient during this time. Vice Mayor Griffin noted the COVID-19 pandemic was magnifying the needs that already existed and was creating new areas of need. Vice Mayor Griffin stated people needed to figure out how the various forms of assistance at the state and federal levels would interact with each other to address these needs.

City Commissioner Comments (cont'd)

In response to a question from Vice Mayor Griffin, City Clerk Borling reported City voters would have an election on May 5th, and he stated it was not clear yet how the election would be administered in an environment where election staff could not interact with voters. City Clerk Borling explained that much of the voting process was prescribed by state law, and it would take some type of action at the state level to change those processes. City Clerk Borling reported he was in communication with the Michigan Bureau of Elections and would be reacting to directives coming from the Bureau regarding the May 5th election.

Mayor Anderson spoke about counterbalances to the cynicism about government: a City Commission that cared; a Public Safety Department that cared; and a City Clerk's Office that wanted to make sure everyone possible was able to vote. Mayor Anderson suggested that people not wait until election day to register to vote, and he highlighted the availability of online voter registration at mi.gov/vote. Mayor Anderson offered remarks on ways people could help with the response to COVID-19, and he noted the community was being asked to be intentional in their actions to slow the spread of the virus. Mayor Anderson thanked the people who continued to go to work during the pandemic, and he urged everyone to practice social distancing to protect those workers.

Adjournment

The meeting adjourned at 8:24 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on August 3, 2020

Approved by: ______________________________
David F. Anderson, Mayor
Dated: August 3, 2020

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