

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, July 6, 2020 at 7:00 p.m. This meeting was held as an electronic meeting under the authority of Executive Order 2020-129 (COVID19) issued by Governor Gretchen Whitmer.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Patrese Griffin
Eric Cunningham
Jeanne Hess
Chris Praedel
Jack Urban

COMMISSIONERS ABSENT:

Erin Knott

Also present were Deputy City Manager Patsy Moore, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioner
Excused

Commissioner Cunningham, seconded by Commissioner Hess, moved to excuse the absence of Commissioner Knott. With a voice vote the motion passed.

Invocation

The invocation was given by Michelle Scheidt of the Fetzer Institute.

Adoption of the Agenda

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

2020-0183

Public Hearing re: an
Emergency Ordinance to
Temporarily Remove
Minimum Off-Street
Parking Requirements

At 7:08 p.m. Mayor Anderson opened a public hearing to receive comments on an ordinance to temporarily remove the required minimum off-street parking requirements of Section 507.2 *Required Vehicular Off-Street Parking Spaces* through November 1, 2020 to allow existing parking areas to be used for outdoor sales, dining, and gathering in the wake of COVID19.

Jeff Messer, City resident, expressed support for the proposed ordinance and asked if there were limits to the number of parking spaces that could be used for outdoor sales, dining, and gathering.

At 7:12 p.m. Mayor Anderson closed the public hearing.

2020-0183

Ordinance 2009 re: the
Temporary Removal of
Minimum Off-Street
Parking Requirements

Commissioner Urban, seconded by Commissioner Hess, moved to adopt an **ORDINANCE** to temporarily remove the required minimum off-street parking requirements of Section 507.2 *Required Vehicular Off-Street Parking Spaces* through November 1, 2020 to allow existing parking areas to be used for outdoor sales, dining, and gathering in the wake of COVID19.

Prior to a vote on the motion, City Planner Christina Anderson described the communication and outreach efforts by the City and Downtown Kalamazoo Partnership to downtown businesses and businesses outside the Central Business District. A communication will go out to businesses tomorrow, and CPED has set up a streamlined application process for businesses that wanted to take advantage of the new ordinance. City Planner Anderson indicated there was no anticipated problem with reduced parking capacity.

In response to a question from Commissioner Praedel, City Planner Anderson stated the proposed ordinance did not allow alcohol sales or service in these areas.

City Attorney Robinson reported the Michigan Liquor Control Commission had loosened its regulations and created a free special license that allowed businesses to serve alcohol in their own adjacent parking lots. City Attorney Robinson explained a license allowing alcohol service in the public right-of-way (ROW) had limits, and approval would be needed from the City, or the state if the ROW is a trunkline.

In response to a question from Commissioner Praedel, City Planner Anderson confirmed the ordinance applied to the whole City, not just the downtown area. City Planner Anderson stated the proposed ordinance would probably have a greater impact outside the Central Business District because those businesses had private parking lots.

In response to a question from Commissioner Hess, City Planner Anderson stated a plan was in place to close the Kalamazoo Mall starting on Friday evening through the weekend.

In response to a question from Commissioner Cunningham, City Planner Anderson stated the downtown one-way street conversion project was in its last stages. City Planner Anderson reported the last public meeting on this topic took place on March 4th or 5th, and a preferred conversion option had been identified. City Planner Anderson stated the consultant was doing a technical review of the preferred option.

Commissioner Cunningham spoke about the positive effects of converting one-way streets to two-way streets.

In response to Mayor Anderson, City Planner Anderson stated businesses would need to apply for a ROW encroachment if they wanted to use sidewalks and on-street parking for dining or seating areas.

City Attorney Robinson noted the proposed ordinance was an emergency measure, which required five affirmative votes to adopt.

With a roll call vote the motion passed.

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

NAYS: None

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

William Hoffman, non-resident, explained why landlords needed criteria for selecting tenants and asked that landlords be part of the conversation about the Fair Chance Ordinance.

Nathaniel, a City resident, asked the City Commission to adopt a resolution submitted by the Greater Kalamazoo Renters Union (GKRU).

Emily, a City resident, asked that the City Commission adopt the GKRU resolution.

2020-0183

Ordinance 2009 re: the Temporary Removal of Minimum Off-Street Parking Requirements

Public Comments

Public Comments
(cont'd)

Laura Sprague, City resident, spoke about her Freedom of Information request that was partially denied and asked about the retention of police videos and the process for designating videos as “evidence.”

Katie Johnson, City resident, expressed support for the GKRU resolution.

Sarah Joshi, non-resident, presented herself as a candidate for Kalamazoo County Clerk/Register of Deeds.

Jackie Hoffman, non-resident, expressed concern about some of the provisions of the proposed Fair Chance Ordinance. Ms. Hoffman asked that landlords be consulted before the proposed changes were enacted and that consideration of ordinance be put off until after COVID19 passed.

Parker James, expressed support for the Fair Chance Ordinance and GKRU resolution.

2020-0184

Andrew Argo, City resident, asked the City Commission to adopt the GKRU resolution (the “Ithaca Resolution”) and use Foundation for Excellence (FFE) funds to keep Kalamazoo renters from being evicted. Mr. Argo indicated a copy of the resolution and an information packet had been sent to Commissioners.

Stephanie Hoffman, City resident, expressed support for the Housing Equity Ordinance and urged the City Commission to take action.

Kathy Mason, City resident, expressed support for the Housing Equity Ordinance and urged the City Commission to take action soon.

Tobi Hannah-Davies, City resident, asked the City Commission to adopt the Housing Equity Ordinance as soon as possible.

Charlae Davis, City resident and Executive Director of ISAAC, spoke about the collaboration between community partners that developed the proposed Housing Equity Ordinance, and she urged the City Commission to adopt the ordinance soon.

Lillian Slack, City resident, asked the City Commission to adopt the resolution proposed by the GKRU.

Andrew Argo, City resident, spoke about the events in Kalamazoo between May 30th and June 4th and offered remarks on racial equity and police brutality.

Ed Genesis, City resident, spoke about pop-up events being organized by community leaders.

Tiffany White, non-resident, expressed support for the Housing Equity Ordinance.

Jacob Johnson, City resident, requested a conversation with City Manager Ritsema and Mayor Anderson regarding a reparations agenda, affordable housing, and rental properties.

Rebecca McCleary, City resident, expressed support for the Housing Equity Ordinance. Michelle Davis, Executive Director of Housing Resources, Inc., expressed support for the Housing Equity Ordinance and asked the City Commission to adopt it as soon as possible. Jeff Messer, City resident, spoke about the problem of illegal parking in residential areas that had resulted from the suspension of neighborhood parking enforcement.	Public Comments (cont'd)
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:	Consent Agenda
- approval of a professional service agreement with Prein & Newhof for construction engineering services for the Richland Township Water Main Loops – Contract 3 in the amount of \$136,300.	2020-0185
- approval of a one-year contract extension with GHD for environmental consulting services for the Cork St. Landfill in the amount of \$146,425.	2020-0186
- approval of a professional service agreement with Prein & Newhof for the Cooper Township Water Main and Service Installations and Glendale Boulevard Water Main Replacement – Contract 2 in the amount of \$273,000.	2020-0187
- approval of a professional service agreement with Prein & Newhof for construction engineering services for the Cooper Township Water Main and Service Installations – Contract 1 in the amount of \$364,000.	2020-0188
- approval of a professional service agreement with Prein & Newhof for engineering services for the 2020 Eastside Non-Copper Replacement Project in the amount of \$441,500.	2020-0189
- approval a contract with Payjay Excavating Inc. for the Richland Township Water Main Loops – Contract 3, in the amount of \$1,674,825.	2020-0190
- approval a contract with USA Earthworks, LLC for the Cooper Township Water Main and Services Installation and Glendale Boulevard Water Main Replacement – Contract 2, in the amount of \$3,390,105.	2020-0191
- approval of a contract with Lounsbury Excavating for the Cooper Township Water Main and Services Installation – Contract 1 in the amount of \$4,599,651.	2020-0192
- approval of a contract with CB&I Storage Tank Solutions, LLC for the construction of the Super High-Pressure District Elevated Water Storage Tank in the amount of \$4,899,500.	2020-0193
- approval of a contract with SWT Excavating, Inc. for the Eastside Non-Copper Water Service Replacement Project in the amount of \$8,606,594.30.	2020-0194

2020-0195
Resolution 20-37

- adoption of a **RESOLUTION** from the Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission recommending approval of an On-Premises Tasting Room License for The Roche' Collection, LLC at 1311 Portage Street, Unit 1327.

2020-0196
Resolution 20-38

- adoption of a **RESOLUTION** designating the polling facility location for Precinct 6 to be used during the election on August 4, 2020 and at each election thereafter.

2020-0197

- approval of a request from the Kalamazoo Growlers to publicly display fireworks at Homer Stryker Field on July 24 and 31, and August 7, 15, and 28, 2020.

2020-0198

- approval of the Mayor's appointments to the following boards and commissions:
 - the appointment of **Jamauri Bogan** to the Economic Development Corporation and Brownfield Redevelopment Authority Boards of Directors for a term expiring on March 31, 2026.
 - the appointment of **Lucas Middleton** to the Economic Development Corporation and Brownfield Redevelopment Authority Boards of Directors for a term expiring on March 31, 2026.
 - the appointment of **Karla Ragainis** to the Historic District Commission for a term expiring on January 1, 2023.
 - the appointment of **Eric Stucky** to the Historic District Commission for a term expiring on January 1, 2023.
 - the appointment of **Fred Edison** to the Historic Preservation Commission for a term expiring on March 31, 2023.
 - the appointment of **Katherine White** to the Historic Preservation Commission for a term expiring on March 31, 2023.

2020-0199

- approval and acceptance of a public utility easement agreement with Richard N. Schmitt for property at 3127 Lovers Lane (Parcel #0626373008) in the amount of \$830.

Commissioner Hess, seconded by Commissioner Urban, 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 Cunningham, Hess, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

Regular Agenda

Regular Agenda Items were considered next.

Commissioner Cunningham, seconded by Commissioner Praedel, moved to adopt an **ORDINANCE** authorizing Water Supply System Revenue Bonds, Series 2020B in an amount not to exceed \$23,500,000.

Prior to a vote on the motion, and in response to a question from Commissioner Praedel, City Attorney Robinson explained that bonding was done through outside counsel and there was a process that needed to be followed in order to issue bonds.

Mayor Anderson noted these were Water Revenue Bonds, which were paid for by the users of water system.

With a roll call vote this motion passed.

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

NAYS: None

Commissioner Urban, seconded by Commissioner Cunningham, moved to adopt a RESOLUTION for the issuance of General Obligation Limited Tax Bonds in an amount not to exceed \$14.5 million (\$11,750,000 for the Project and \$2,750,000 for the refunding), for the purpose of financing FY 2020 capital projects and refunding the City's 2010 Capital Improvement Bonds and 2011 Building Authority Refunding Bonds.

With a roll call vote this motion passed.

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

NAYS: None

Deputy City Manager Jeff Chamberlain provided an update on the Public Safety Action Plan presented on June 15. Deputy City Manager Chamberlain displayed a preview of a webpage that would go live in a week that would consolidate information and documents on various topics related to the Kalamazoo Department of Public Safety.

City Clerk Borling reported absentee ballots were available for the August 4th Primary election, and he reviewed the various ways voters were able to request absentee ballots.

In response to a question from Commissioner Praedel, City Clerk Borling highlighted the fact that the polling location for Precinct 6 was being moved from Friendship Village to KRESA's West Campus facility.

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

Commissioner Cunningham spoke about the need for affordable housing and the flood of evictions that might happen when the statewide eviction moratorium expired. Commissioner Cunningham stated he wanted to see comprehensive change at the Kalamazoo Department of Public Safety (KDPS) in the areas of

2020-0200

Ordinance 2010 re: the Issuance of Water Revenue Bonds

2020-0201

Resolution 20-39 re: the Issuance of CIP Bonds

2020-0202

City Manager's Report

City Commissioner Comments

City Commissioner
Comments (cont'd)

communications, accountability, and standards. Commissioner Cunningham indicated the City Commission needed to be leaders in this. Commissioner Cunningham stated he was honored to be part of a team that was bringing the brothers of George Floyd to Kalamazoo for a march and rally in Bronson Park on Saturday, and he noted this would bring Kalamazoo national attention.

Commissioner Hess encouraged people to wear masks and to have open hearts and spirits. Commissioner Hess stated there needed to be a sea change on the current Commission's watch. Commissioner Hess reported she would be going on a ride-along with KDPS to get their perspective but noted the Commission would be looking at ways to hold KDPS accountable. Commissioner Hess expressed sympathy for those who had lost loved ones to COVID. Commissioner Hess asked people to check on friends, neighbors and family during the intense heat. Commissioner Hess thanked people who were working to make the City a better place to live, and she thanked the people who had called and made comments.

Commissioner Praedel conveyed residents' concerns about speeding and reckless driving and encouraged people to report incidents to KDPS. Commissioner Praedel urged people to wear masks. Commissioner Praedel asked people to give feedback regarding the Public Safety dashboard on the City's website. Commissioner Praedel reminded people the new ordinance about parking spaces applied citywide. Commissioner Praedel stated it had been 42 days since death of George Floyd, and he thanked people for taking action and maintaining focus on this issue.

Commissioner Urban spoke about income inequality. Commissioner Urban expressed concerns about the cultural competence of new KDPS recruits and stated he wanted to see evidence the City was not hiring the same type of people who were being hired 30 years ago.

Vice Mayor Griffin thanked people who offered comments and expressed excitement about the GKRU resolution. Vice Mayor Griffin stated the Housing Equity Ordinance was about discrimination, and people were either for discrimination or not – there was no in-between. Vice Mayor Griffin stated it was possible to be a landlord, not discriminate, and still make money. Vice Mayor Griffin spoke about the issues of racism and gun violence and noted people could be opposed to both at the same time. Vice Mayor Griffin announced there would be a pop-up event at Daysha's to talk about registering to vote, voting, and holding people accountable after the election. Vice Mayor Griffin thanked Shared Prosperity Kalamazoo (SPK) Coordinator Kevin Ford for leading the City to a radical social transformation that was systemic and not just programmatic. Vice Mayor Griffin expressed support for the KDPS dashboard, but she indicated the City needed to improve their communications. Vice Mayor Griffin noted she had not received answers to specific questions she had asked on June 15th, when she had requested a response within 48 hours. Vice Mayor Griffin indicated speeding was a problem on the Northside, and residents were setting up their own barricades.

Mayor Anderson apologized for falling behind on email responses and stated he read all of his messages but did not always get to respond. Mayor Anderson encouraged people to call 311 for needs that could be addressed by City staff, such as filling potholes. Mayor Anderson noted the 30th anniversary of the Americans with Disabilities Act was coming up. Mayor Anderson expressed appreciation for City staff and their hard work.

The meeting adjourned at 9:06 p.m.

Adj

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on November 16, 2020

Approved by: _____
David F. Anderson, Mayor
Dated: November 16, 2020