

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, October 18, 2021 at 7:00 p.m. This meeting was held as an electronic meeting under the authority of the Michigan Open Meetings Act (PA 267 of 1976) as amended by PA 254 of 2020.

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

All members present indicated they were physically located in the City of Kalamazoo.

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

Invocation

The invocation was given by Father Antony Rejesh, St. Joseph Catholic Church.

Proclamations
2021-00

Mayor Anderson read a proclamation *Honoring Dr. Vernie Merze Tate, October 8, 2021*. Sonya Hollins, Founder and Executive Director of the Merze Tate Explorers, and Drs. Edwin Martini and Deveta R. Gardner, Dean and Associate Dean at Western Michigan University, received the proclamation.

2021-00

Commissioner Cunningham proclaimed October 28, 2021 *Lights on Afterschool Day – Kalamazoo*. Meg Blinkiewicz, Executive Director of the Kalamazoo Youth Development Network (KYDNet) received the proclamation.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda with the following changes:

City Manager Ritsema requested that Item G-10, a Payment in Lieu of Taxes for The Kalamazoo Creamery at 1101 Portage Street, be removed from the agenda; and that Item G-12, a resolution authorizing collective bargaining with the Public Safety unions, be moved to the Regular Agenda.

Commissioner Praedel, on behalf of a member of the public, asked that Item G-17, approval of meeting minutes, be moved to the Regular Agenda.

2021-00
FY 2022 FFE Budget
Presentation

Foundation for Excellence Manager Steve Brown delivered a presentation entitled *The Kalamazoo Foundation for Excellence: 2022 Draft City FFE Budget, October 18, 2021*. A copy of the slides from this presentation was filed with the papers for the meeting.

An opportunity was given for Commissioner questions, but no questions or comments were offered.

At 7:33 p.m. Mayor Anderson opened a public hearing to receive comments on a resolution approving the 2020 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$16.018.

An opportunity was given for public comments, but no comments were offered.

At 7:34 p.m. Mayor Anderson closed the public hearing.

Commissioner Hess, seconded by Commissioner Cunningham, moved to adopt **RESOLUTION #4**, for the purpose of approving the 2020 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$16.018.

Prior to a vote on the motion, and in response to a question from Commissioner Hess, Public Services Director James Baker explained the date was 2020 because the assessment was based on actual costs from 2020 and billed retroactively.

With a roll call vote this motion passed unanimously.

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

NAYS: None

When an opportunity was given for public comments, the following people addressed the City Commission:

The following speakers expressed opposition to the City's treatment of unhoused people and the clearing of homeless encampments, and they asked the City to drop criminal charges against protesters who were demonstrating when the Kalamazoo Department of Public Safety (KDPS) removed unhoused people from the encampments. A copy of the talking points use by many of the speakers was filed with the papers for this meeting.

Lindsey Ray, City resident
 Dorothy Appleyard, City resident
 Carly Walter, City resident
 Leander Rabe, non-resident
 Matthew Carl, non-resident
 Tanisha Smith, City resident
 Tim Sheldon, City resident
 An anonymous speaker
 Darien, City resident
 Mabel, City resident
 Victoria, City resident
 Joe Byers, City resident
 Marie
 Melissa
 Andrew Argo, City resident
 An anonymous City resident
 Graham Strazinski, City resident
 Jonson Nelson, City resident
 Murray, City resident
 Christina, City resident
 JoAnna, City resident

2021-00

Public Hearing re: the 2020 Mall Maintenance Assessment

2021-00

Resolution 21-55
 Approving the 2020 Mall Maintenance Assessment

Public Comments

2021-00

Public Comments
(cont'd)

Taylor, City resident
Allegra Kistler-Ellis
Antonia Kistler-Ellis
An anonymous speaker
Allie, City resident
Adrien Solitro, City resident
Kaitlin, City resident
Lisa Kistler, City resident
Iris Potter, City resident
Amy Jeffries, City resident
Heather Benac, City resident
Laura, Kalamazoo resident
Sofia Peters, City resident
Jim, Kalamazoo resident
An anonymous speaker
Rachel Mazzone, City resident
Joel Klein, Kalamazoo resident
Olivia
Jonathan Suha, City resident
Evan
Lisa, City resident
Matt, City resident
Noelle Massey, City resident
Steve Deladis, City resident
An anonymous City resident
Conner Miller, City resident
Larkin G., City resident
Suzie, City resident
Suzanne Bennett, City resident
Fantasia Pratt
An anonymous Kalamazoo resident
Kaylynn Dexter, City resident
An anonymous speaker
Hilary Hunt, City resident
Timothy Lee, City resident
Kevin, City resident
Henry, Kalamazoo resident
A City resident (sang a song)
Ruth Hensley, City resident
Hunter Willard, City resident
Audrey Gerrard, City resident
Amber Adams-Fall, non-resident
Elizabeth, City resident
Andrew, Kalamazoo resident
Lauren Ellis, non-resident
Emily, non-resident
An anonymous speaker
Rebecca McCleary, City resident
Neal Shaw, non-resident
Julie Merrill, non-resident
An anonymous speaker
An anonymous non-resident
Elyra, non-resident
An anonymous speaker

The following speakers described unsafe and unsanitary living conditions at 1412 E. Alcott Street and asked the City to do something about the situation:

Amy Albertson, City resident
Kathy Wall, City resident
Nina Siagkris, non-resident
Carol Oakes, City resident

The following speakers expressed opposition to extending the tax abatement for Graphic Packaging:

Audrey Seilheimer, City resident
Joe Byers, City resident
Shardae Chambers, City resident
Taylor, City resident
Brandi Crawford-Johnson, non-resident
Iris Potter, City resident
Heather Benac, City resident
Timothy Lee, City resident
An anonymous speaker
An anonymous speaker
Neal Shaw, non-resident
An anonymous speaker

The following people expressed opposition to the lease of golf carts for Milham Park Golf Course:

David Benac, City resident
Taylor, City resident
Iris Potter, City resident
Matt, a City resident

Audrey Seilheimer, City resident, expressed opposition to the County redistricting plan and asked the City to not dig into and landscape the Bronson Park Mound.

David Benac, City resident, requested that Items G-1, G-2, G-3, G-5, and G-12 be moved from the Consent Agenda to the Regular Agenda. Mr. Benac questioned why the City was spending almost \$1 million on golf carts and almost \$4 million to address odors created by Graphic Packaging.

Shardae Chambers, City resident, thanked members of the City Commission for their service, especially the members whose terms were ending.

Brandi Crawford-Johnson, non-resident, expressed opposition to Item G-3, the purchase of odor suppressant chemicals from Solterra Group.

John Wilson, City resident, stated the City needed to rethink the budget allocation for KDPS.

Sam, a City resident, stated KDPS needed to be reformed and asked that Item G-12, a resolution authorizing collective bargaining with the Public Safety unions, be moved from the Consent Agenda to the Regular Agenda.

Public Comments
(cont'd)

Public Comments (cont'd)	Jill Bland of Southwest Michigan First expressed support for extending the tax abatement for Graphic Packaging. Bill, a City resident, spoke about recent crimes against Western Michigan University students in the area around Greenwood Avenue and asked that the City do something to make the area safe, like additional police patrols. Chris Wahmhoff, City resident, spoke about how he had to kick a heroin addict out of his house and how she was now homeless. Doug Jackson, Kalamazoo resident, expressed concern about the lack of police presence in the area around The Bronco Club. Steve Ellis, City resident, suggested the City set aside a large tract of land for the homeless to use, like they had done in Denver, Colorado.
Recess	The meeting recessed at 10:11 p.m. The meeting resumed at 10:22 p.m.
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:
2021-00	- approval of a contract with Hoffman Brothers, Inc. for improvements to Mountain Home Cemetery in the amount of \$598,136.10.
2021-00	- approval of a change order to the contract with Carrier & Gable in the amount of \$150,000 for traffic signal maintenance supplies to be provided through December 31, 2021, bringing the new contract total to \$230,000.
2021-00 Resolution 21-56	- adoption of a RESOLUTION from the Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission recommending approval of an On-Premises Tasting Room Permit for Brewery Outré, LLC to be located at 567 East Ransom Street.
2021-00 Resolution 21-57	- adoption of a RESOLUTION from the Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission, recommending approval of an Off-Premises Tasting Room License for Distilled Kalamazoo, LLC at 1030 Portage Street.
2021-00 Resolution 21-58	- adoption of a RESOLUTION from the Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission, recommending approval of a Redevelopment Liquor License for Dabney & Co/Public Skool, LLC at 344 North Rose Street.
2021-00 Resolution 21-59	- adoption of a RESOLUTION granting a Payment in Lieu of Taxes for the properties located at 508 Harrison Street (Parcel No. 06-15-295-101), and 660 Gull Road (Parcel No. 06-15-287-030), for the proposed 4% Low Income Housing Tax Credit project.
2021-00	- approval of an exchange agreement for innerduct utilities between the City of Kalamazoo and Zayo Group, LLC.

- approval of an amendment to the Kalamazoo Small Business Loan Fund Services Agreement with the United Way.
- acceptance of a \$100,000 grant from the Michigan Economic Development Corporation for architecture and engineering costs related to the 140 South Edwards Street mixed use project.
- acceptance of a grant from the Irving S Gilmore Foundation for the construction of updated playground amenities at Milham Park in the amount of \$286,574.

2021-00

2021-00

2021-00

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

NAYS: None

*At the time of the vote, Vice Mayor Griffin abstained from voting on Item G-11, a Payment in Lieu of Taxes for properties at 508 Harrison Street and 660 Gull Road.

Regular Agenda items were considered next.

Regular Agenda

City Manager Ritsema explained the lease for golf carts would be funded by DM Golf, the management company behind the City's golf courses, using cart rental fees to cover the lease payments.

2021-00

Lease Agreement for Golf Carts

In response to a question from Commissioner Urban, City Manager Ritsema confirmed the decision before the Commission was whether to allow the golf course to spend its own money on golf carts.

Commissioner Hess, seconded by Commissioner Cunningham, moved to approve an Equipment Lease Purchase Agreement with De Lage Landen Public Finance for Milham Park Golf Course golf carts in the amount of \$875,254.84.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Director Baker reviewed details of agenda items G-2 (1-year extension of the lease with Envirosuite Corp. for odor monitoring, weather monitoring, maintenance, and modelling software), G3 (a contract with Solterra Group, LLC to purchase odor suppressant chemicals), and G-5 (a contract with Xylem Vue Inc. for the sanitary sewer real-time level, flow and rain monitoring decision support system).

Discussion of Odor Remediation Agenda Items

Discussion of Odor
Remediation Agenda
Items (cont'd)

In response to a question from Commissioner Praedel, Director Baker confirmed the odor suppressing chemicals were applied to materials that were sent to a landfill and away from the wastewater treatment plant.

In response to a question from Vice Mayor Griffin, Director Baker stated the ingredients in the odor suppressing chemical included lemon grass oil, methol, and methanol alcohol. Director Baker stated there were no large studies of the impact of this chemical on a community, and he noted the primary safety concerns were related to ingestion or undiluted, direct contact with the skin.

2021-00

Lease of Odor and
Weather Monitoring
Software and Sensors

Commissioner Urban, seconded by Commissioner Cunningham, moved to approve a 1-year extension of the lease with Envirosuite Corp. for odor monitoring, weather monitoring, maintenance, and modelling software in the amount of \$113,338.

Prior to a vote on the motion, Commissioner Praedel stated he liked seeing items moved to the Regular Agenda, as it provided an opportunity for educating both Commissioners and the public. Commissioner Praedel noted the odor monitoring system provided transparency and accountability, and he expressed support for the motion.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2021-00

Purchase of Odor
Suppressant Chemicals

Commissioner Hess, seconded by Commissioner Urban, moved to approve a contract with Solterra Group, LLC to purchase odor suppressant chemicals in the amount of \$109,200.

Prior to a vote on the motion, and in response to a question from Commissioner Hess, Director Baker indicated this expense was included in the Public Services Department budget.

With a roll call vote the motion passed 6-1.

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

NAYS: Vice Mayor Griffin

2021-00

Contract for a Sanitary
Sewer Real-Time
Decision Support System

Commissioner Knott, seconded by Commissioner Urban, moved to approve a contract with Xylem Vue Inc. for the Sanitary Sewer Real-Time Level, Flow and Rain Monitoring Decision Support System in the amount of \$3,593,556.29.

Prior to a vote on the motion, Commissioner Praedel remarked on the connection between the purchase of this system and the City's efforts to address flooding and sewer backups. Commissioner Praedel expressed support for the motion.

With a roll call vote the motion passed unanimously.

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

NAYS: None

City Manager Ritsema read the following resolution into the record:

RECITALS

- A. President Obama's Task Force on 21st Century Policing (Task Force) recognized that trust between local law enforcement agencies and the people they protect and serve is essential to the stability of our community, the integrity of the criminal justice system, and the safe and effective delivery of unbiased police services.
- B. However, recent events, both nationally and locally have exposed divisions in the relationship between law enforcement and segments of the community they serve.
- C. Building trust on both sides of the police/resident divide is foundational to the development of a trusting relationship between those who enforce the law and those who are served by it.
- D. As noted by the Task Force, to achieve these goals law enforcement must embrace a guardian rather than a warrior mindset, to build trust and legitimacy both within a law enforcement agency itself and with the public.
- E. This is accomplished in part by law enforcement having a culture of transparency and accountability, collaborating with those neighborhoods disproportionately affected by crime, by improving relationships, increasing community engagement, and fostering cooperation in an effort to reduce crime.
- F. Additionally, law enforcement must have clear, consistent and comprehensive policies on the use of force, be proactively transparent with the community, and ensure that complaints against officers are addressed timely, consistently, fairly, and transparently.
- G. It is recognized by the City Commission that the collective bargaining agreements between the City and the unions representing law enforcement personnel should, to the extent possible, reflect the recommendations of the President's Task Force on 21st Century Policing, and should incorporate best practices in law enforcement from around the country and peer communities.

NOW, THEREFORE, IT IS RESOLVED as follows:

The City Commission affirms and embraces the sentiments set forth in the Task Force on 21st Century Policing Report as reflected in the Recitals and instructs and authorizes the City Manager and his designees to use these values and observations as guiding principles while engaged in the upcoming collective bargaining process with members of the Kalamazoo Public Safety

2021-00

Resolution 21-60
Authorizing Collective
Bargaining with the
Public Safety Unions

2021-00

Resolution 21-60
Authorizing Collective
Bargaining with the
Public Safety Unions
(cont'd)

Officers' Association and Kalamazoo Public Supervisor's Association whose agreements with the City expire December 31, 2021.

Commissioner Urban, seconded by Commissioner Cunningham, moved to adopt a **RESOLUTION** setting forth the values to guide the City Manager and his designees and authorize them to engage in collective bargaining negotiations with the unions representing Public Safety Department sworn personnel whose contracts expire after December 31, 2021.

Prior to a vote on the motion, Commissioner Urban stated the closed session meetings had been helpful by showing Commissioners the uses of collective bargaining agreements for encouraging accountability.

Vice Mayor Griffin spoke about the importance of Commissioners being educated on ways to improve the community, and she stated there had not been a deep exploration of collective bargaining agreements before the recent closed session meetings.

Commissioner Praedel expressed a high level of confidence that the City Administration had heard Commissioners and their expectations for the collective bargaining process.

With a roll call vote the motion passed 6-1.

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

NAYS: Vice Mayor Griffin

2021-00

Approval of City
Commission Minutes

City Clerk Borling acknowledged he had fallen behind on writing the City Commission minutes over the summer, and he was working to catch up. City Clerk Borling stated the approval of the minutes at hand would help address that effort, and he expressed understanding that timely completion of the minutes was important for citizens to be able to follow the actions of the Commission and participate in their local government.

City Attorney Robinson reviewed the requirements of the Open Meetings Act and Robert's Rules of Order regarding the content and publication of meeting minutes. City Attorney Robinson indicated Clerk Borling was not required to include comments and discussion in the minutes, but he worked hard to summarize comments and produce complete minutes.

Commissioner Hess, seconded by Commissioner Cunningham moved to approve the minutes from the City Commission business meetings on July 6, July 19, September 7, September 20, and October 4, 2021; and the Committee of the Whole meetings on June 7, July 6, and September 27, 2021.

Prior to a vote on the motion, Commissioner Hess thanked Clerk Borling for drafting comprehensive minutes, and she thanked City Attorney Robinson for the information he provided.

With a roll call vote the motion passed unanimously.

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

NAYS: None

City Manager Ritsema provided the following statement regarding the City's recent actions related to homeless encampments:

City Manager's Report

The Decision to Close the Ampersee Encampment

The Ampersee encampment – and homelessness in general – is a challenging, complex and emotional situation for all parties involved. The decision to close the Ampersee encampment was made by the City Manager's Office and myself. This decision came after numerous conversations with our partners – including the County, the Continuum of Care (CoC) and others – where we all agreed that the conditions at the Ampersee encampment were unsafe. Conditions at the Ampersee encampment presented significant risk to the health and safety of those living at the encampment, those who visit the site to provide support and services, as well as those living and working nearby. Additionally, KDPS calls for service doubled between June and August. On Sept. 15 the City posted notices and issued a release indicating our intent to close the encampment on Sept. 29. The closure was postponed to allow for more outreach activities to occur in an effort to connect people with services and shelter.

Why Now?

The safety of everyone living in our community is our top priority. The conditions at the Ampersee encampment were growing increasingly more unsafe. The encampment was located in a brownfield site, which by definition is unsafe and unhealthy for human habitation due to hazardous substances in the ground. The encampment grew significantly in recent months, with many inhabitants coming from outside of Kalamazoo. The increasing dangers at the encampment were not in alignment with the guidelines for safe camping. The CoC participated in a "supported closure" and worked to connect people to shelters and services available in our community prior to enforcement.

Outreach Conducted Prior to Closure

Immediately Before Closure

We paused closure efforts to allow the CoC and service providers to conduct a final, comprehensive, and coordinated outreach effort. On October 4, 12 agencies participated in the outreach event to offer support with housing, shelter, recovery services, and food. Results of the outreach event include: 13 people opted for shelter (Kalamazoo Gospel Mission and Oakland House); 50 people received cell phones to remain connected to services; and two families were provided transportation to be reunited with their families living outside of the area. When we announced the closure, the CoC estimated there were approximately 100 people at the encampment. At the conclusion of the 10/4 event, CoC estimated that about 50 people remained.

City Manager's Report
(cont'd)

Leading Up to the Closure Announcement

Organizations had designated staff to help coordinate housing for encampment residents. Per guidelines from HUD, the first priority is to try to link all individuals with available shelter beds in our community. Kalamazoo has had, and continues to have, ample shelter capacity to accommodate those living in the encampments. If individuals could not access shelter due to a medical condition or extenuating circumstances – alternative options were explored based on eligibility for current programs. This process is established for everyone experiencing homelessness in our community, not just for those in the encampment. We know that some people experiencing homelessness are more visible than others and we have to find ways to support all of our community in need. Other options being pursued, such as exploring master leasing units as they become available. The CoC partners, which provided casework and other support daily since the encampment formed last spring—and prior to that at the Mills Street encampment—launched an “exit strategy” to help inhabitants find safer options:

- outreach coordination focused on connecting people to available support services.
- partners include Integrated Services of Kalamazoo (one-on-one outreach), Housing Resources Inc. (coordinated entry assistance, including available shelter, rapid rehousing and rental aid), HOPE Thru Navigation (one-on-one outreach), and Urban Alliance (one-on-one outreach); shelter services, which currently has the capacity to serve all who are at the encampment. Offering shelter space is Kalamazoo Gospel Ministries (men, women and families), Oakland Houses (shelter with addiction services), Open Doors (men), Next Door (women), YWCA (domestic violence shelter), The Ark for Youth (youth), Keystone (veterans), and Ministry with Community (day shelter and support services).
- addiction services, helping those struggling with substance use disorder. Providing these supports are Integrated Services of Kalamazoo, Recovery Institute and Southwest Behavioral Health.
- food assistance, making sure individuals have enough to eat. Partners include Ministry with Community (provide two meals daily at their location), Kalamazoo Gospel Ministries (two meals daily at their location) and Kalamazoo Loaves & Fishes (onsite delivery of food and water, and grocery pantry).

What's Next

The City is working closely with the CoC, Kalamazoo County, and community partners to explore numerous housing solutions ranging from temporary to permanent. Staff was recently at a conference in Portland, OR in which they were able to see firsthand some of the creative designs that exist for people working to transition out of homelessness. We are actively evaluating sites and funding sources to bring a pilot to Kalamazoo before the end of the year – recognizing that solutions need to focus even more on providing wrap-around supports than on the physical infrastructure.

Options for the Unhoused**KGM**

CoC, City staff, partners recently toured the facility and talked through who can access shelter and supports at KGM. There are only a handful of individuals that are not currently able to utilize KGM due to violence committed against other residents or staff. Beyond that - the message is that they want to be available to support our community in need. Currently the mission has capacity in all areas and estimate they can easily accommodate more than 100 people. When expansion project is finished likely in December, they will add almost 200 beds. So no longer will people have to sleep on mats on the floor, but there will be a bed for each person that stays at the Gospel Mission.

Continuum of Care

The CoC is working on a countywide plan to reduce homelessness that recognizes the need for a variety of housing options.

City Manager Ritsema indicated the City took seriously complaints against the Kalamazoo Department of Public Safety, and he provided the website address where people could submit complaints.

In response to questions from Mayor Anderson, City Clerk Borling noted the November 2nd election was quickly approaching, and he reported the Clerk's Office had issued approximately 6,000 absentee ballots, with 3,000 having been returned to date. City Clerk Borling stated qualified voters could still register to vote and be eligible to vote in the November 2nd election, but they would need to go to the Clerk's Office in person and bring proof of registration. City Clerk Borling announced the Clerk's Office at City Hall would be open on Saturday, October 30th from 8 a.m. to 4 p.m. for people to register to vote and receive/return absentee ballots.

Commissioner Hess remarked that information on the candidates could be found at vote411.org.

In response to a question from Commissioner Praedel, City Clerk Borling stated the polling locations for several precincts had changed, and he encouraged voters to visit mi.gov/vote and confirm their voter registration status and polling location information before election day. City Clerk Borling indicated there would be signage at the old polling locations directing people to their new polling locations.

Community Investment Manager Antonio Mitchell reviewed the history of the request from Graphic Packaging for an Industrial Facilities Tax Exemption Certificate (IFTEC) in 2020 and their request for a certificate extension in 2021.

Director Baker presented highlights of the *Odor Task Force Quarterly Report, 2021-Q3*. Director Baker shared links to webpages for viewing the entire report and supporting documents. Director Baker also shared links to webpages for viewing reports and other resources from the Michigan Department of Environment, Great Lakes, and Energy regarding Graphic Packaging. Director Baker offered remarks on an air quality study being performed by the Michigan Department of Health and Human Services. Director Baker stated a recent update

City Manager's Report
(cont'd)

City Clerk's Report

2021-00

Resolution 2021-61
Approving the
Extension of a Tax
Abatement for Graphic
Packaging International

2021-00

Resolution 2021-61
Approving the
Extension of a Tax
Abatement for Graphic
Packaging International
(cont'd)

from the department indicated the results to-date were inconclusive, but the study was on-going. The slides from this presentation were filed with the papers for the meeting.

City Attorney Robinson stated the proposed resolution to extend Graphic Packaging's tax abatement included the following elements: a five-year extension period; approval of an addendum to the existing local agreement; and a new paragraph (paragraph 5) that required the creation of a task force to develop a community benefits agreement (CBA) between the City and Graphic Packaging by April of 2022. City Attorney Robinson stated the CBA would need to correspond to the development project and would run concurrently with the abatement and any extensions.

Commissioner Urban, seconded by Commissioner Hess, moved to adopt a **RESOLUTION** to provide a 5-year extension to the Industrial Facilities Tax Exemption granted to Graphic Packaging International, LLC in 2020 and to approve an amendment to the Exemption Certificate Agreement between the City and Graphic Packaging International.

Prior to a vote on the motion, Commissioner Cunningham spoke about City's ability to invest in odor mitigation solutions and noted he had discussed the community's health concerns with Director Baker. Commissioner Cunningham stated these issues should have been dealt with in the past, and everyone at the table was having to deal with situations they did not create. Commissioner Cunningham expressed support for a five-year extension of the abatement.

Commissioner Knott questioned whether the City Commission could approve an abatement term for less than 5 years, and she remarked on the absence of support from the Northside, Eastside, and Edison Neighborhoods. Commissioner Knott stated she would like to see the results of the CBA process before approving a longer abatement period.

Commissioner Praedel remarked that tax abatements were usually not given to support the status quo. Commissioner Praedel noted there had been a lot of good collaboration between the City and Graphic Packaging on the odor issue since the abatement was initially approved in September of 2020. Commissioner Praedel questioned whether there would be an incentive for Graphic Packaging to continue this collaboration if the City ended the tax abatement. Commissioner Praedel stated the issue at hand was not whether Graphic Packaging would expand; the expansion was happening and would be finished by the end of the year.

Commissioner Urban questioned why the City would grant a tax abatement to Graphic Packaging when their expansion was almost complete. Commissioner stated the rationale for granting the abatement was to maintain a good relationship with Graphic Packaging and not send a bad message to other companies in Michigan who might want to invest in Kalamazoo.

Commissioner Knott commented that Graphic Packaging's continued collaboration with the City in the absence of a tax abatement would demonstrate they cared about the community.

Commissioner Hess remarked that these types of issues were not discussed very often, and she expressed support for the motion.

Vice Mayor Griffin stated she supported the tax abatement in 2020 to force this conversation. Vice Mayor Griffin observed there needed to be incentives along the way to keep people engaged. Vice Mayor Griffin expressed support for a CBA but not for a five-year abatement period.

Commissioner Cunningham, seconded by Commissioner Praedel, moved to amend paragraph 3 of the resolution to approve a two-year extension, expiring on December 30, 2023.

In response to a question from Commissioner Praedel, Director Baker indicated the City's odor mitigation efforts would come on-line fully in 2023 and 2024.

In response to comments and questions from Commissioner Urban, City Attorney Robinson explained the City Commission's options were as follows: 1) say "no" to extending the tax abatement; or 2) approve an extension of the tax abatement for period ranging from 1 to 11 years.

Commissioner Knott expressed support for a one-year extension, tied to a CBA.

Commissioner Cunningham, seconded by Commissioner Urban, moved to amend the proposed amendment to the resolution so that paragraph 3 would approve a one-year extension, expiring on December 30, 2022.

Prior to a vote on the motion and in response to a question from Vice Mayor Griffin, City Attorney Robinson explained the resolution required the creation of a CBA task force by December 1st and the presentation of a CBA to the City Commission by April 1, 2022. City Attorney Robinson explained the CBA would expire on the same date as the tax abatement certificate and any extensions, as the City could not extract a benefit from Graphic Packaging if there was not a corresponding incentive.

Commissioner Urban remarked on the likelihood of success with this approach.

With a roll call vote, the motion to amend the proposed amendment passed unanimously.

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

NAYS: None

In response to a question from Commissioner Hess, City Attorney Robinson clarified the expiration date for the one-year extension would be December 30, 2022.

With a roll call vote, the motion to adopt the resolution, as amended, passed unanimously.

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

NAYS: None

2021-00

Resolution 2021-61
Approving the
Extension of a Tax
Abatement for Graphic
Packaging International
(cont'd)

Vote to Amend the
Resolution

Vote on the Amended
Resolution

Commissioner
Comments

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

Commissioner Cunningham offered gratitude to Graphic Packaging for their partnership, KDPS for sending him a condolence card, and City staff for working with Dabney & Co. on their liquor license request. Commissioner Cunningham offered condolences to the family of Geneva Morrow. Commissioner Cunningham noted this was his last City Commission meeting and stated the current Commission had been the best Commission to work with. Commissioner Cunningham stated he would remain in the area and would impart his wisdom to the new City Commissioners.

Commissioner Knott remarked on LGBTQ+ people who were arrested on August 8th and stated Equality Michigan was aware of the situation and would support those who were arrested.

Commissioner Cunningham stated he had watched video of the closing of the Ampersee encampment, both from KDPS body cameras and observers who were there, and he remarked on the different perspectives offered by these video sources.

Commissioner Praedel acknowledged the death of Preston Taverna, a Parks Supervisor for the City. Commissioner Praedel commented on the virtual meeting format and stated the facial expressions of Commissioners during the meeting did not indicate a lack of engagement. Commissioner Praedel spoke about the commitment of the Commissioners whose terms were expiring and stated the current City Commission had done great work in the middle of multiple crises.

Commissioner Hess thanked the speakers who had worked with homeless people at the encampment. Commissioner Hess expressed condolences to the family of Preston Taverna. Commissioner Hess reported the evaluation tool for City Commission appointees had been revised for 2021, and she stated use of the tool would be explained to new Commissioners during their on-boarding process. Commissioner Hess congratulated Kalamazoo College on the opening of their new natatorium. Commissioner Hess offered personal remarks to the members of the Commission whose terms were ending.

Vice Mayor Griffin thanked Diversity, Equity, and Inclusion (DEI) Director Dorla Boner for the DEI assessment and expressed agreement with the idea that the City organization could not be protected if the goals of DEI were to be realized. Vice Mayor Griffin urged the City to communicate transparency and accountability to the community and to be clear in its communications. Vice Mayor Griffin characterized the housing situation in Kalamazoo County as a “failure” and stated all jurisdictions needed to be aligned in their approach to housing. Vice Mayor Griffin stated housing vouchers only worked if landlords accepted them, and she pointed out the City of Kalamazoo was the only jurisdiction in the County that required landlords to accept vouchers. Vice Mayor Griffin indicated she had not seen KDPS video of the encampment clearing, as she thought it was going to be released publicly.

Mayor Anderson spoke about the current housing situation and the federal government’s abandonment of affordable housing 35 years ago. Mayor Anderson remarked that people sleeping outside raised public awareness about homelessness, but the demographics of the encampment residents (white, adult, male) did not match the demographics of the homeless population in general

(black, children, female). Mayor Anderson commented on profound, uplifting events he had participated in over the past week. Mayor Anderson announced the oath of office ceremony for the City Commission would take place in person in the City Commission Chambers.

The meeting adjourned at 12:56 a.m. on October 19, 2021

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on November 8, 2021

Approved by: _____
David F. Anderson, Mayor
Dated: November 8, 2021

Adjournment