

## Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, March 7, 2022 at 7:00 p.m. in the City Commission Chambers at City Hall.

## COMMISSIONERS PRESENT:

Mayor David Anderson  
Vice Mayor Don Cooney  
Qianna Decker  
Jeanne Hess  
Stephanie Hoffman  
Esteven Juarez  
Chris Praedel

## COMMISSIONERS ABSENT:

None

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

## Invocation

The invocation, given by Pastor Mark Holeman from Northeastern Baptist Church, was followed by the Pledge of Allegiance.

## Adoption of the Agenda

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

City Manager Ritsema requested that Item G-8, a Payment in Lieu of Taxes for the Kalamazoo Creamery at 1101 Portage Street, be removed from the agenda as it was included on the agenda in error.

## Public Comments

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

In Person Comments

Nehemiah Scudder, City resident, asked the City to help support the homeless.

An anonymous speaker stated he had been trespassed from City Hall and indicated he would be meeting with the prosecutor and state police the next day. The speaker requested that items G-6 through G-9, and any other items involving Mayor Anderson, be moved from the Consent Agenda to the Regular Agenda. The speaker offered remarks on Mayor Anderson, his problems with accessing information about public meetings, and various issues he had with the City.

Steve Glista, City resident, thanked the City for the infrastructure projects on Stadium Drive and Parkview Avenue.

Call-In Comments

None

## Question of Order

Mayor Anderson questioned whether public requests to move items from the Consent Agenda to the Regular Agenda were required to be made during the adoption of the agenda. In the absence of a definitive answer, Mayor Anderson allowed Items G-6 through G-9 to be moved to the Regular Agenda as requested.

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 contract with NTH Consultants for consulting services related to the Allied Paper Landfill site in the amount of \$225,000.                                                                                                                                                                                                                                           | 2022-00                     |
| - approval of a contract supplemental and change order with DLZ Michigan, Inc. in the amount of \$439,700 for construction administration and LEED certification for Public Safety Station 2.                                                                                                                                                                                         | 2022-00                     |
| - approval of a contract and purchase order with Allied Mechanical Services, Inc. for the Station 11 Filter Upgrades Project, in the amount of \$627,400.                                                                                                                                                                                                                             | 2022-00                     |
| - approval of a contract extension with Earth Works Lawn and Landscape for 2022 property maintenance services in the amount of \$116,350.                                                                                                                                                                                                                                             | 2022-00                     |
| - approval of an agreement with Wightman & Associates for construction engineering services for the Stadium Drive Project in the amount of \$361,500.                                                                                                                                                                                                                                 | 2022-00                     |
| - adoption of a <b>RESOLUTION</b> recommending approval of an application from Crawlspace Theatre Productions, L3C for a Redevelopment Liquor License at 315 West Michigan Avenue.                                                                                                                                                                                                    | 2022-00<br>Resolution 22-11 |
| - adoption of a <b>RESOLUTION</b> authorizing the submission of an application for a Michigan Department of Natural Resources Trust Fund Grant in the amount of \$299,400 for the development of a playground and supporting trail amenities at the Kalamazoo Farmer's Market, with a local match commitment of \$300,000 supported by a grant from the Irving S. Gilmore foundation. | 2022-00<br>Resolution 22-12 |
| - approval of a Substantial Amendment to the 2017, 2019, and 2020 Action Plans for the HOME Investment Partnership grant to award funding to the affordable housing projects located at 530 South Rose Street and 1211 South Westnedge Avenue.                                                                                                                                        | 2022-00                     |
| - approval of grant agreements with Kalamazoo Neighborhood Housing Services to provide a total of \$750,000 for the Kalamazoo Attainable Homes/Pathways Home Homeownership Initiative.                                                                                                                                                                                                | 2022-00                     |
| - authorization for the execution of two Releases of Claims between the City and Gary Apps, the owner of 1523 Washington Avenue, and between the City and Andrea Young, the tenant of the property, for damages sustained due to a public safety incident on November 11, 2021.                                                                                                       | 2022-00                     |
| - approval of a request from ffp effects, Inc. to publicly display fireworks indoors at the Wings Event Center, 3600 Vanrick Drive, on March 9-10, 2022.                                                                                                                                                                                                                              | 2022-00                     |
| - approval of the appointment and assignment of City Commissioners to various committees, boards, and commissions.                                                                                                                                                                                                                                                                    | 2022-00                     |
| - approval of amendments to the City Commission minutes from January 4, 2021 to comply with regulations from the US Department of Housing and Urban Development.                                                                                                                                                                                                                      | 2022-00                     |

Consent Agenda  
(cont'd)

Commissioner Hess, seconded by Commissioner Decker, 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 Decker, Hess, Hoffman, Juarez, Praedel\*, Vice Mayor Cooney, Mayor Anderson\*\*

NAYS: None

\* At the time of the vote, Commissioner Praedel abstained from voting on Item G-10, a resolution recommending approval of a liquor license for Crawlspace Theatre, because he was a close friend of the applicant.

\*\*At the time of the vote, Mayor Anderson abstained from voting on Item G-12, approval of a Substantial Amendment to the 2017, 2019, and 2020 Action Plans for HOME funding for projects at 530 South Rose Street and 1211 South Westnedge Avenue.

Regular Agenda

Regular Agenda items were considered next.

**2022-00**  
Ordinance 2047  
Amending Chapter 30,  
Soil Erosion and  
Sediment Control

When an opportunity was given for public comments on an ordinance amending Chapter 30 of the Kalamazoo City Code, Soil Erosion and Sediment Control, to comply with state law, the following people addressed the City Commission:

An anonymous speaker questioned how the City was not in compliance with state law.

Vice Mayor Cooney, seconded by Commissioner Hoffman, moved to adopt an **ORDINANCE** amending Chapter 30 of the Kalamazoo City Code, Soil Erosion and Sediment Control, to comply with state law.

Prior to the vote on the motion, Commissioner Praedel explained the purpose of the ordinance was to align the City Code with the current name of the state's environmental department, going from the Michigan Department of Environmental Quality to the Michigan Department of Environment, Great Lakes, and Energy.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Decker, Hess, Hoffman, Juarez, Praedel, Vice Mayor Cooney, Mayor Anderson

NAYS: None

**2022-00**  
Resolution 22-13  
Removing the Face  
Mask Requirements for  
Public Meetings

When an opportunity was given for public comments on a resolution amending the face mask rules previously adopted on December 21, 2021 to make wearing face masks optional at public meetings of the City, the following people addressed the City Commission:

An anonymous speaker thanked the Commission for changing their rules and spoke about the roles of the people and the government. The speaker offered remarks on Pfizer and their vaccines.

Jeff Messer, City resident, thanked City staff for changing the mask rules but noted the resolution only covered masks and not other restrictions, like social distancing. Mr. Messer also noted the resolution did not change the restrictions at City Hall during business hours, and he asked the City Manager to address those issues. Mr. Messer questioned whether the rules of conduct for City Hall and other City facilities were on the City's website and suggested they be posted where the public could access them.

Commissioner Hess, seconded by Commissioner Decker, moved to adopt a **RESOLUTION** amending the face mask rules previously adopted on December 21, 2021 to make wearing face masks optional at public meetings of the City.

Prior to a vote on the motion, Commissioner Praedel indicated he would vote "no." Commissioner Praedel stated young children could not be vaccinated against COVID-19 and he had two young children. Commissioner Praedel stated he had heard from older people who would not come to City Hall because of the virus.

Commissioner Cooney noted people were able to wear masks if they wanted to wear them, and Western Michigan University was still requiring masks to be worn in class.

Commissioner Juarez stated he almost died of COVID, and his father-in-law died of COVID. Commissioner Juarez spoke about the need to be safe but also to respect peoples' individual decisions about wearing masks.

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

AYES: Commissioners Decker, Hess, Hoffman, Juarez, Vice Mayor Cooney, Mayor Anderson

NAYS: Commissioner Praedel

City Attorney Robinson reported the City Commission Rules allowed members of the public to request that items be moved to the Regular Agenda but did not limit when those requests could be made, so Mayor Anderson's decision was correct. City Attorney Robinson pointed out the City Commission Rules did not require public comments on agenda items setting public hearings, and he advised the Commission to not receive public comments on Item G-7, a resolution scheduling a public hearing.

When an opportunity was given for public comments on the release of the draft Program Year (PY) 2022 Action Plan for a 30-day public comment period to begin on March 14, 2022, and end on April 13, 2022, as required by the City's Citizen Participation Plan and the U.S. Department of Housing and Urban Development (HUD), the following people addressed the City Commission:

An anonymous speaker remarked the City offices on Rose Street were not open for the public to leave comments. The speaker asked the City to make it easier for the public to communicate.

Jeff Messer, City resident, noted three members of the Commission worked in the housing sector at a time when housing was one of the City's priorities. Mr. Messer requested an amendment to the City Commission Rules that would

**2022-00**

Resolution 22-13  
Removing the Face  
Mask Requirements for  
Public Meetings (cont'd)

Answer to Question of  
Order

**2022-00**

Release of the Draft  
PY2022 Action Plan for  
Public Comment

**2022-00**

Release of the Draft  
PY2022 Action Plan for  
Public Comment (cont'd)

require agenda items be placed on the Regular Agenda if there were conflicts of interest.

Commissioner Hess, seconded by Vice Mayor Cooney, moved to approve the release of the draft Program Year (PY) 2022 Action Plan for a 30-day public comment period to begin on March 14, 2022, and end on April 13, 2022, as required by the City's Citizen Participation Plan and the U.S. Department of Housing and Urban Development (HUD).

Prior to a vote on the motion, Commissioner Decker stated the draft Action Plan included a lot of good information, and she expressed support for the 30-day comment period. Commissioner Decker encouraged people to call with comments and fill out the available surveys.

Mayor Anderson stated he was involved in housing in Kalamazoo as an unpaid volunteer. Mayor Anderson stated he was a volunteer member of the LIFT Foundation Board, not the head of the LIFT Foundation, and he was an appointed member of the Public Housing Commission, not its head. Mayor Anderson remarked there was nothing specific about those entities in the current agenda item.

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

AYES: Commissioners Decker, Hess, Hoffman, Juarez, Vice Mayor Cooney, Mayor Anderson

NAYS: None

ABSTAIN: Commissioner Praedel\*

\*At the time of the vote, Commissioner Praedel indicated he was abstaining because his employer was Community Homeworks, which had received CDBG funding over a number of years.

**2022-00**

Resolution 22-14  
Scheduling a Public  
Hearing for the NCBDA  
Development and TIF  
Plan

Commissioner Hoffman, seconded by Vice Mayor Cooney, moved to adopt a **RESOLUTION** scheduling a public hearing on May 16, 2022 regarding the approval of a Development Plan and Tax Increment Financing Plan for the City of Kalamazoo Northside Cultural Business District Authority.

Prior to a vote on the motion, Commissioner Decker requested that an explanation of Tax Increment Financing (TIF) be included on the agenda for an upcoming Committee of the Whole meeting, for the benefit of the public.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Decker, Hess, Hoffman, Juarez, Praedel, Vice Mayor Cooney, Mayor Anderson

NAYS: None

**2022-00**

Resolution 22-15 re: a  
PILOT for the Rose St.  
Senior Project at 530  
South Rose Street

In response to a question from Commissioner Praedel, Housing Development Project Coordinator Sharilyn Parsons reported 530 South Rose had received a reservation and Low Income Tax Credits from the Michigan State Housing Development Authority (MSHDA) for a 64-unit senior housing development project, with 51 units for very low income households, and 13 market-rate units.

When an opportunity was given for public comments on a resolution approving a Payment in Lieu of Taxes for 530 Rose St. Limited Dividend Housing Association Limited Partnership for Rose St. Senior located at 530 S. Rose Street, the following people addressed the City Commission:

An unnamed speaker quoted the City's website as saying Mayor Anderson was Chair of the LIFT Foundation and Executive Director of the Kalamazoo County Public Housing Commission. The speaker stated he wanted the politics to stop. The speaker also spoke about the City giving him incorrect information about public meetings and not allowing him to access the sources of correct information such as City Hall and the 311 Call Center.

Jeff Messer, City resident, pointed out Mayor Anderson had spoken on behalf of the LIFT Foundation when its projects were being considered by the Planning Commission and Zoning Board of Appeals.

Commissioner Decker, seconded by Commissioner Hess, moved to adopt a **RESOLUTION** approving a Payment in Lieu of Taxes for 530 Rose St. Limited Dividend Housing Association Limited Partnership for Rose St. Senior located at 530 S. Rose Street (Parcel No. 06-22-119-026), pursuant to Section 35-4 of the Kalamazoo City Code.

Prior to a vote on the motion, Commissioner Hoffman stated it was good to see a committed developer creating quality, affordable housing for seniors in the City.

Commissioner Juarez stated he was annoyed at the comments made about Mayor Anderson and offered appreciation for the Mayor's service to the community. Commissioner Juarez encouraged people to change the way they think about others.

Commissioner Cooney expressed appreciation for Mayor Anderson, the LIFT Foundation and the millions of dollars they had invested in the community for affordable housing.

Mayor Anderson repeated that he was a volunteer on the LIFT Board and that he received no benefit for this service. Mayor Anderson stated he tried to avoid being the face of LIFT at public meetings but acknowledged it was a worthy point that he should not be that public face, given his position as Mayor. Mayor Anderson noted it was likely that people who served on the City Commission would also be serving on other boards related to their interests.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Decker, Hess, Hoffman, Juarez, Praedel, Vice Mayor Cooney, Mayor Anderson

NAYS: None

Commissioner Praedel provided a brief history of the failed dam spillway gate replacement at Morrow Lake, including the subsequent release of sediment downstream and its harmful impacts, and described subsequent actions by the Michigan Department of the Environment, Great Lakes, and Energy (EGLE). Commissioner Praedel spoke about the need for the Michigan Legislature to enact House Bill 5661 and Senate Bill 813, which would help EGLE hold companies

**2022-00**

Resolution 22-15 re: a PILOT for the Rose St. Senior Project at 530 South Rose Street (cont'd)

**2022-00**

Authorization for the Mayor to Sign Letters of Support for HB 5661 and SB 813 re: Morrow Dam

**2022-00**

Authorization for the Mayor to Sign Letters of Support for HB 5661 and SB 813 re: Morrow Dam (cont'd)

accountable for damage to waterways. Commissioner Praedel recommended that the City Commission authorize Mayor Anderson to sign the letters of support included in the agenda packet and direct the City Clerk to send the signed letters to the committees considering the legislation.

Commissioner Cooney thanked Commissioner Praedel for his work on this issue and expressed support for the recommendation.

Commissioner Praedel suggested the City Commission work with other elected officials in Kalamazoo County and encourage them to take similar action.

Commissioner Praedel, seconded by Commissioner Hoffman, moved to authorize the Mayor to sign letters to state legislators on behalf of the City Commission regarding Morrow Dam legislation; and to direct the City Clerk to send the letters to the respective committee chairpersons.

Prior to a vote on the motion, Commissioner Hess expressed support for the action on behalf of the Environmental Concerns Committee.

With a roll call vote this motion passed unanimously.

AYES: Commissioners Decker, Hess, Hoffman, Juarez, Praedel, Vice Mayor Cooney, Mayor Anderson

NAYS: None

Commissioner  
Comments

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

Commissioner Decker spoke about face masks and stated people needed to learn how to live with the ongoing presence of COVID-19. Commissioner Decker expressed support for Mayor Anderson and spoke about the demeaning remarks that had been made about him.

Commissioner Hoffman stated she was excited about the support she was receiving from her fellow Commissioners.

Vice Mayor Cooney noted there had been seven shootings over the weekend and remarked that stopping gun violence was the work of the whole City, not just the Public Safety Department. Vice Mayor Cooney announced that he and Commissioner Hoffman would be hosting a listening session at the Northside Association for Community Development on March 18<sup>th</sup> at 6:00 p.m.

Commissioner Juarez stated a lot of good work was happening in Kalamazoo, even if it was behind the scenes, like the meetings about gun violence. Commissioner Juarez expressed concern about peoples' inclination to focus on their differences with others rather than similarities. Commissioner Juarez spoke about the need for people to come together to find cures for community issues.

Commissioner Praedel observed the City of Kalamazoo was the first governing body to vote on the Morrow Dam issue, and he thanked Commissioners. Commissioner Praedel remarked on the anniversary of the COVID-19 shutdown and expressed gratitude for having the opportunity to serve with the 53<sup>rd</sup> and 54<sup>th</sup> City Commissions and City staff during this time. Commissioner Praedel reviewed

the actions the City had taken to help the community deal with the pandemic and its impacts.

Commissioner Hess expressed gratitude for the community and for the City Hall security guards Charles and Antonio. Commissioner Hess remarked on the Stadium Drive and Parkview Avenue improvement projects and encouraged people to be patient during the construction. Commissioner Hess spoke about the need for traffic calming and asked people to slow down. Commissioner Hess stated there had been a rally for voting rights on Sunday and stated voting by all should be guaranteed. Commissioner Hess thanked City Clerk Borling and his staff for their work in election administration. Commissioner Hess recalled that Mayor Anderson had asked for kindness from everyone at the first meeting of the 54<sup>th</sup> City Commission. Commissioner Hess stated she had known nothing but kindness and integrity from Mayor Anderson.

Mayor Anderson stated some of the community's problems stemmed from the tumult of the COVID-19 pandemic, and he thanked Commissioners for their work on the issue of gun violence. Mayor Anderson commented on affordable housing, Low Income Tax Credits, and how the Payment In Lieu of Taxes (PILOT) was an active step the City could take to support affordable housing projects seeking those tax credits. Mayor Anderson spoke about the need to ensure everyone could participate in democracy, and he offered remarks on the war in Ukraine.

The meeting adjourned at 8:25 p.m.



Scott A. Borling  
City Clerk

Approved by the City Commission on: \_\_\_\_\_

Commissioner  
Comments (cont'd)

Adjournment