

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, July 18, 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, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Invocation

The invocation, given by Elder Howard Robinson of Faith Temple Church of God, was followed by the Pledge of Allegiance.

Proclamation
2022-00

Commissioner Hess proclaimed July 14, 2022 *National Summer Learning 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 as presented.

Public Comments

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

In Person Comments

Melissa Ray stated she was a victim of human trafficking. Ms. Ray spoke about Kalamazoo being a hub for human trafficking between Detroit and Chicago and discussed the importance of medical professionals being aware of the signs of trafficking.

An anonymous speaker described a motorcycle accident on Fairview Avenue that was caused by a pothole and asked that the City fix this street.

Monteze Morales, City resident, stated her niece had been injured recently in a car/pedestrian accident downtown and expressed support for the Safe Street Initiative for downtown streets.

Becky Bil, non-resident and owner of Pop City Popcorn, expressed frustration with aggressive panhandlers on the Kalamazoo Mall and asked for help. Ms. Ville expressed support for the conversion of downtown streets to two-way traffic.

Call-In Comments

None

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:

- approval of a one-year contract extension with Big Truck Rental for the rental of packer trucks in the amount of \$111,562.50.	2022-00
- approval of a one-year contract with Kent Communications for utility billing and miscellaneous printing and mailing services in the amount of \$159,716.40.	2022-00
- approval of a one-year contract extension with GHD for environmental consulting services at the Cork St. Landfill in the amount of \$173,575.	2022-00
- approval of a one-year contract extension with Olameter Corporation for water meter reading services in the amount of \$285,902.25.	2022-00
- approval of a supplemental change order to the contract with Feyen-Zylstra for the electrical switchgear upgrade project at the Water Reclamation Plant in the amount of \$442,832.	2022-00
- approval of a contract and purchase order with Lounsbury Excavating for the 33rd Street Transmission Main Project, in the amount of \$5,876,791.50.	2022-00
- adoption of a RESOLUTION approving the Tax Increment Financing & Development Plan for the Northside Cultural Business District Authority, a Corridor Improvement Authority formed pursuant to Act 57 of 2018.	2022-00 Resolution 22-36
- adoption of a RESOLUTION granting a Payment in Lieu of Taxes for Kalamazoo Creamery Limited Dividend Housing Association Limited Partnership at 1101 Portage Street, pursuant to Section 35-4 of the Kalamazoo City Code.	2022-00 Resolution 22-37
- adoption of a RESOLUTION recognizing West Michigan Air Care, Inc. as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.	2022-00 Resolution 22-38
- approval of the allocation of one full-time equivalent (FTE) staff position in the Community Planning and Economic Development Department for a Business and Special Projects Coordinator, with a focus on the cannabis industry.	2022-00
- approval of a request to transfer PY2018 HOME funds from Kalamazoo Valley Habitat for Humanity to Kalamazoo Neighborhood Housing Services (KNHS) and authorize the payment of grant funds to KNHS for the construction of new affordable housing.	2022-00
- approval of a grant of \$200,000 to Milestone Senior Services from the Coronavirus State and Local Fiscal Recovery funds received under the American Recovery Plan Act for critical and minor home repairs for the elderly.	2022-00
- approval of a Housing Development Fund grant in the amount of \$156,000 to Community Homeworks for their Critical and Code Enforcement Repair Program.	2022-00

2022-00

- acceptance of a FY2022 Watershed Council Support Grant in the amount of \$29,500 from the State of Michigan Department of Environment, Great Lakes, and Energy.

2022-00

- approval and acceptance of easements from CD-1909, LLC for emergency vehicle access as part of the access to storage buildings at 1609 Whites Road.

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

With a roll call vote this motion passed unanimously.

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-13, a Housing Development Fund grant for Community Homeworks, as Community Homeworks was his employer.

Regular Agenda

Regular Agenda items were considered next.

2022-00

Ordinance 2051
Amending Chapter 22 –
General Crimes and
Offenses

City Attorney Robinson spoke about proposed amendments to Chapter 33 of the Kalamazoo City Code – General Crimes and Offenses and stated the changes fell into three categories: 1) some offenses were eliminated because they were rarely enforced; 2) some offenses were eliminated because they were unconstitutional or there were state laws that covered the offenses; and 3) some violations were being changed from criminal offenses to civil infractions.

In response to a question from Vice Mayor Cooney, City Attorney Robinson clarified that the City was not legitimizing offenses by making them civil infractions; violators would be required to pay a fine rather than face criminal penalties.

In response to a question from Commissioner Hess, City Attorney Robinson explained that the fines for littering were scaled to the volume of trash that was dumped.

When an opportunity was given for public comments on an ordinance to amend Chapter 22 of the Kalamazoo City Code – General Crimes and Offenses, the following people addressed the City Commission:

Cherri Emery, owner of Cherri's Choccol'art on the Kalamazoo Mall, expressed opposition to lowering the penalties for offenses like public urination and littering, which were presenting challenges to businesses on The Mall.

Commissioner Juarez, seconded by Commissioner Decker, moved to adopt an **ORDINANCE** to amend Chapter 22 of the Kalamazoo City Code – General Crimes and Offenses.

Prior to a vote on the motion, Commissioner Praedel stated he supported the ordinance because it provided accountability. Commissioner Praedel noted a

criminal misdemeanor stayed on a person's record for life. Commissioner Praedel commented on the need to support people who were doing things like urinating and littering on The Mall and stated the City needed to develop strategies to address these situations while creating an equitable community.

Commissioner Hoffman stated people should not think in terms of us-versus-them and noted that situations like what was happening on The Mall were happening all over the country. Commissioner Hoffman remarked that these behaviors were the result of systemic inequities in areas such as housing and healthcare.

Mayor Anderson stated strong criminal penalties had not done anything to improve the situation on The Kalamazoo Mall in recent years, and he noted people were not going to be jailed for public urination or littering. Mayor Anderson expressed hope that by not having to spend a lot of time trying to book these violators at the jail, officers would be able to engage them and get them the help they needed. Mayor Anderson explained the Commission had asked staff to decriminalize the City's code of ordinances to help the Public Safety Department police the community the way the Commission wanted.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Mayor Anderson gave Commissioners an opportunity to ask questions about a proposed ordinance to revise Chapter 20B of the Kalamazoo City Code, which licensed and regulated medical and adult-use marijuana businesses, but no questions were asked. Mayor Anderson noted there had been a staff presentation and Commissioner discussion about this ordinance at the Committee of the Whole meeting two weeks ago.

An opportunity was given for public comments on an ordinance to revise Chapter 20B of the Kalamazoo City Code, which licensed and regulated medical and adult-use marijuana businesses licensed by the State and permitted to operate in the City, but no comments were offered.

Vice Mayor Cooney, seconded by Commissioner Hess, moved to offer for first reading an ordinance to revise Chapter 20B of the Kalamazoo City Code, which licensed and regulated medical and adult-use marijuana businesses licensed by the State and permitted to operate in the City.

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

Ordinance 2051
Amending Chapter 22 –
General Crimes and
Offenses (cont'd)

2022-00

First Reading of an
Ordinance Amending
Chapter 20B – Marihuana
Commercial Businesses

Commissioner
Comments

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

Commissioner Decker expressed support for the Kalamazoo Department of Public Safety and stated she enjoyed working with her fellow Commissioners.

Commissioner Praedel reminded residents they could report potholes and a variety of other issues through the City's website or by calling the 311 Customer Service Center. Commissioner Praedel spoke about the benefits of converting downtown streets from one-way to two-way traffic, and he stated there would be opportunities for public input on this project. Commissioner Praedel expressed confidence and support in the City Clerk's Office and their work to administer elections and stated he had faith in integrity of the process.

Commissioner Hess urged people to use and enjoy the Children's Natural Playscape at First Congregational Church near Bronson Park. Commissioner Hess expressed support for Public Safety Officer Tom Maher and wishes for a full recovery following a motorcycle accident.

Vice Mayor Cooney offered remarks on the many summer programs for young people in the community.

Commissioner Hoffman highlighted the mental health services offered by The Black and Brown Therapy Collective. Commissioner Hoffman stated there were antiquated systems that kept the City from moving forward, and she addressed the need for permanent, supportive housing for people. Commissioner Hoffman remarked that she was working with an organization to create mid-term housing solutions and noted there were 50 pods in storage that could house adults, particularly when cold weather arrived.

Commissioner Juarez spoke about the challenges and barriers facing the Hispanic community. Commissioner Juarez noted there were only three Hispanic vendors at the Kalamazoo Farmers' Market, and he and stated he would be advocating for Hispanic vendors to have a special day to use the Market. Commissioner Juarez stated Hispanics were ostracized but resilient, and he would be fighting and championing for his people to have resources and opportunities.

Mayor Anderson stated the community was the story, not the City Commission. Mayor Anderson remarked that the role of the Commission was to set the tone for how the community would coexist. Mayor Anderson noted Commissioners would not always agree with each other, but they expressed a shared value of hope and their belief in a common humanity. Mayor Anderson urged everyone in the community to be a part of that work.

Adjournment

The meeting adjourned at 8:04 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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