

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, March 20, 2023 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 Pastor James Harris, Sr., Trenches Community Church, was followed by the Pledge of Allegiance.

Introduction of Guests

Mayor Anderson recognized representatives from Delta Sigma Theta sorority and members of the Phoenix High School basketball team, with Phoenix Principal Mark Hill.

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**2013-13-01**

Anquanette Wilbon, Executive Director of New Genesis, Inc., described the Parent and Adult Support Services (PASS) project and thanked the City Commission for approving funding for the project. Ms. Wilbon referenced an informational sheet that had been provided to Commissioners, a copy of which was filed with the papers for this meeting.

Jim Hess, City resident, introduced Mark Hill, Principal of Phoenix High School.

Mark Hill, Principal of Phoenix High School, introduced the Phoenix High School basketball team and Head Coach Quay Wilson, who were regional champions and would be playing in the state quarterfinals on March 21st.

Tom Holmer, City resident, questioned the need for a Cannabis Chamber of Commerce and whether it was the best use for cannabis tax revenue, considering the industry's moneyed interests and lobbyists. Mr. Holmer questioned the message a Cannabis Chamber would send to other industries and the long-term consequences of having a Cannabis Chamber.

Venessa Collins-Smith, City resident, stated she was involved in an accident because a person was driving in a bike lane in the area where Westnedge Avenue split into Westnedge and Park Street. Ms. Collins-Smith asked that the City do something to keep vehicles out of designated bike lanes.

Tracy Morten, President of the Kalamazoo Chapter of Delta Theta Sigma Sorority, acknowledged the City's work and stated Delta Theta Sigma was ready to partner with the City to address challenges in Kalamazoo. Ms. Morten stated Delta Theta Sigma was committed to equity in the community.

Public Comments
(cont'd)

Gwendolyn Hooker, City resident, spoke about the Youth Connect 6 event on March 29th and distributed information cards to Commissioners. A copy of the information card was filed with the papers for this meeting.

2013-13-02

Call-In Comments

Audrey asked questions about the air quality sensors at the Allied Paper Site, and she inquired about how oversight, monitoring, reporting and notifications would work.

Tina McClinton, City resident, asked the City to address flooding and fix the storm sewers in the Crosstown Parkway corridor.

Consent Agenda items were presented as follows with a recommendation to approve the items and authorize the City Manager to sign all related documents on behalf of the city:

Consent Agenda

- approval of a contract with Lopez Concrete Construction for the 2023 Sidewalk Improvement Program in the amount of \$511,760.
- approval of a contract with Peters Construction for 2023 Sidewalk Improvement Program – Infill Construction - in the amount of \$524,752.81.
- approval of a contract supplemental to the 2023 gasoline and diesel fuel contract with Kalamazoo Oil, Inc. in the amount of \$350,000.
- approval of a contract with Rieth-Riley Construction Company for the resurfacing of Duke Street from Kilgore Road to Denway Drive in the amount of \$249,310.50.
- adoption of a **RESOLUTION** requesting that the Michigan Department of Transportation include the structure on Crosstown Parkway in the Local Bridge Program for 2026 funding.
- adoption of a **RESOLUTION** requesting that the Michigan Department of Transportation include the bridges on Reed Street and Stockbridge Avenue over Portage Creek in the Local Bridge Program for 2026 funding.
- adoption of a **RESOLUTION** requesting that the Michigan Department of Transportation include the bridges on Alcott Street, Dutton Street, Portage Street, and Vine Street over Portage Creek in the Local Bridge Program for 2026 funding.
- adoption of a **RESOLUTION** setting forth the salaries of the City Commission appointees (City Manager, City Clerk, and the Internal Auditor), effective March 20, 2023.

2023-13-03

2023-13-04

2023-13-05

2023-13-06

2023-13-07
Resolution 23-13

2023-13-08
Resolution 23-14

2023-13-09
Resolution 23-15

2023-13-10
Resolution 23-16

2023-13-11
Resolution 23-17

- adoption of a **RESOLUTION** authorizing the City Manager to submit an application to the State of Michigan Department of Natural Resources for a grant in the amount of \$300,000 to support the restoration of Portage Creek within the boundaries of Milham Park.

2023-13-12

- approval of a grant agreement with the Michigan Department of Environment Great Lakes and Energy for drinking water asset management in the amount of \$387,027, and authorize project manager James J. Baker, PE to sign all documents.

2023-13-13

- approval of an agreement for the sale of 60 West Crosstown Parkway to Crosstown Ventures LLC for the sale price of \$1,000.

2023-13-14

- approval of a quit claim deed for 418 Hilbert Street.

2023-13-15

- nomination of the following four Sector Representatives for appointment to the Foundation for Excellence Board of Directors:
 - the re-appointment of Alisa Carrel as Arts Stakeholder Director for a three-year term ending in 2026.
 - the re-appointment of Ida Salas as Business/Banking Stakeholder Director for a three-year term ending in 2026.
 - the re-appointment of Alice Taylor as Neighborhood Stakeholder Director (Northside) for a three-year term ending in 2026.
 - the appointment of Jonathan Yarbrough as Affinity Organization Stakeholder Director for a three-year term ending in 2026.

2023-13-16

- approval of the Mayor's reappointments to the following boards and commissions:
 - the reappointment of Eric Stucky to the Historic District Commission for a term expiring on January 1, 2026.
 - the reappointment of Mattie Jordan-Woods to the Northside Cultural Business District Authority Board for a term expiring on March 31, 2027.
 - the reappointment of Marilyn Pulley to the Northside Cultural Business District Authority Board for a term expiring on March 31, 2027.
 - the reappointment of Brian Pittlekow to the Planning Commission for a term expiring on March 31, 2026.
 - the reappointment of Jennifer Swan to the Planning Commission for a term expiring on March 31, 2026.

Commissioner Hess, seconded by Vice Mayor Cooney, 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

Regular Agenda items were considered next.

An opportunity was given for public comments on an ordinance authorizing Wastewater Supply System Revenue Bonds, in an amount not to exceed \$7,445,000, but no comments were offered.

Commissioner Decker, seconded by Commissioner Juarez, moved to adopt an **ORDINANCE** Authorizing Wastewater Supply System Revenue Bonds, Series 2023A in an amount not to exceed \$7,445,000.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Parks and Recreation Director Patrick McVerry introduced Meg Blinkiewicz, Executive Director of the Kalamazoo Youth Development Network (KYDNet) and Jaron White, OST Development Coach at KYDNet, who delivered a presentation entitled, *ARPA Summer 2022 Program: March 20, 2023*. A copy of the slides from this presentation was filed with the papers for this meeting.

In response to Commissioners' questions, Ms. Blinkiewicz and Mr. White provided the following information:

- many organizations that received funding in 2022 struggled with the financial reporting requirements for federal funds. Kalamazoo One Place came alongside and provided support as did other partners. This type of support would continue to be important and necessary.
- KYDNet would be engaging the services of an accountant/compliance specialist on a contractual basis to provide training and support. There would be a webinar for applicants regarding the process, as well as ongoing training and support for funding recipients.
- regarding the 2023 application process, both the City and KYDNet would use multiple channels to communicate with potential applicants about the funding opportunity and process. If the City Commission approved the agreement, the Notice of Funds Available would be released tomorrow, and applications would be due on April 7th.
- KYDNet was cultivating a "transformational partnership" with Kalamazoo Public Schools and would be working with other community organizations and youth affinity groups to recruit participants for the summer programs.
- some of the innovative programs in 2022 included organizations that focused on literacy and mental health.

Regular Agenda

2023-13-17

Ordinance 2063 re:
Wastewater Supply
System Revenue Bonds

2023-13-18

Contract with KYDNet
for the 2023 Summer
Youth Program (ARPA)

2023-13-18

Contract with KYDNet
for the 2023 Summer
Youth Program (ARPA)
(cont'd)

- investing in young people was the City's business; young people were the City's future leaders.
- KYDNet provided data from the 2022 programs to the Michigan After School Partnership, which enabled them to advocate for more state funding for everyone. There was a need to address systems issues in the Out of School Programming sector, such as technology, transportation, and staff compensation.
- organizations that did not receive funding through the City in 2022 were encouraged to apply for funding through the Michigan After School Partnership, but there were issues with organizations having the capacity to apply and qualify for state funding.

When an opportunity was given for public comments on an agreement with the Kalamazoo Youth Development Network to be the subrecipient under the State and Local Fiscal Recovery Funds (ARPA) in the amount of \$1,000,000, the following people addressed the City Commission:

Gwendolyn Hooker, City resident, asked if the ARPA gun violence grant was the funding source for this program. Ms. Hooker stated the application process in 2022 was not equitable, and she spoke about the need to be intentional about building equity into processes. Ms. Hooker stated she wanted to see funding go to more organizations led by black and brown people, and she asked how the application process would be communicated to these groups.

Commissioner Juarez stated the funding for this program was not coming from the gun violence funds. Commissioner Juarez noted Commissioners had asked Ms. Blinkiewicz questions about improving the application process.

Commissioner Decker, seconded by Commissioner Hess, moved to approve an agreement with the Kalamazoo Youth Development Network to be the subrecipient under the State and Local Fiscal Recovery Funds (ARPA) in the amount of \$1,000,000.

Prior to a vote on the motion, Commissioner Hoffman noted it was difficult to select applicants when funding requests greatly exceeded the available resources.

Commissioner Juarez spoke about the need to be creative and leverage the City's resources with dollars from community foundations. Commissioner Juarez stated there was no greater litmus test for the well-being of a community than the well-being of the children in the community.

Commissioner Hess offered comments on the need to de-silo and collaborate and stated the City needed to be a convener and partner to address community issues. Commissioner Hess thanked KYDNet for doing this work.

Commissioner Praedel remarked that the 2022 process was rushed, but the program was in a better place now. Commissioner Praedel highlighted the Bridging Opportunities program as an example of how a small investment was able to make a big difference for both individuals and the community.

Commissioner Juarez stated the City needed to do a better job at creating a collective effort, bringing people to the table, and honoring past efforts.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Public Services Director James Baker delivered a presentation entitled, *Wastewater Residual Biosolids: Monday, March 20, 2023*. A copy of the slides from this presentation was filed with the papers for this meeting.

In response to questions from City Commissioners, Director Baker provided the following information:

- the City did not have the ability to bring the biosolids disposal process in-house, as it did not own a landfill. The cost factors were not a matter of who was driving the trucks; diesel fuel costs continued to be high, and landfill costs had increased because of PFAS regulations the state had put in place over the past few years.
- there were many unknowns regarding the use of biosolids for agricultural purposes, which made assessing the risks difficult.
- there were no utility rate increases planned for 2023. The utility rate plan presented in the fall of 2022 was still in place, and the next rate increase was scheduled for the first quarter of 2024. While the three-year contract cost averaged approximately \$13 million per year, the first-year cost would be \$9 million, with escalations in years two and three. Setting utility rates was a complex process involving many factors, which made it difficult to predict how one cost factor would impact rates. However, cost increases would continue, which was creating an environment that would drive innovation.
- the City was wanting a three-year contract to allow for more precise budgeting and planning. It was unlikely that any new technology would be in place in three years. Staff would be coming back to the City Commission in three years with another contract for biosolids hauling and disposal.
- other utilities were also facing the same issues related to cost containment and survival.

When an opportunity was given for public comments on the proposed three-year contract with Waste Management Inc. for loading, hauling, stabilizing, and disposal of wastewater residual biosolids, the following people addressed the City Commission:

Lenzy Bell, City resident, spoke about the impact of odors from the wastewater treatment plant on the surrounding neighborhood, which was a black and brown community.

Commissioner Juarez, seconded by Commissioner Praedel, moved to approve a three-year contract with Waste Management Inc. for loading, hauling, stabilizing, and disposal of wastewater residual biosolids for a three-year total cost of \$39,652,000.

2023-13-18

Contract with KYDNet for the 2023 Summer Youth Program (ARPA) (cont'd)

2023-13-19

Three-Year Contract for Hauling and Disposal of Residual Biosolids

2023-13-19

Three-Year Contract for
Hauling and Disposal of
Residual Biosolids
(cont'd)

Prior to a vote on the motion, Commissioner Praedel stated the rapid increase in the cost for biosolids disposal was the result of market conditions, and he commended Director Baker and his staff for pursuing innovative technology that would reduce these costs in the future.

Mayor Anderson indicated that Director Baker was working on the odor issue at the wastewater treatment plant and could provide an update on the work of the Odor Task Force.

With a roll call vote the motion passed unanimously.

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

NAYS: None

City Manager's Report

City Manager Ritsema offered the following reports and updates:

- the City had received the 2023 Quality of Life Award from the American Public Works Association for the Farmers Market project.

City Manager Ritsema thanked City Commissioners for their work and their heart for the community.

2023-13-20

Scheduling of City
Attorney Candidate
Interviews

Mayor Anderson provided an update on the City Attorney search process and invited members of the City Attorney Recruitment Subcommittee to offer remarks.

Commissioner Praedel thanked people for being forward-focused with the search process, and he thanked Human Resources Director Shelly Dusek and Deputy City Manager Jeff Chamberlain for supporting the work of the Subcommittee.

Mayor Anderson thanked Commissioners for serving on the Subcommittee. Mayor Anderson stated it had not been a mistake to use the Michigan Municipal League for the first search process, as the Subcommittee was able to build on that work for the current search process.

An opportunity was given for public comments regarding the recommendation from the City Attorney Recruitment Subcommittee to schedule interviews and a public meet and greet session with three finalists for the City Attorney position, but no comments were offered.

Commissioner Hoffman, seconded by Commissioner Hess, moved to approve a recommendation from the City Attorney Recruitment Subcommittee to schedule interviews with three finalists for the City Attorney position: Aaron Leal, Lewis Smith, and Ivar Stein; and to schedule a public meet and greet session with the candidates on Wednesday, March 22, 2023 from 4:00pm to 6:00pm in the Community Room of City Hall; and to schedule a special City Commission meeting on Thursday, March 23, 2023 at 10:30am in the City Commission Chambers of City Hall for the purpose of conducting the interviews.

Prior to a vote on the motion, Commissioner Hess thanked the Subcommittee and Director Dusek for their work and City Attorney Robinson for being willing to extend his service with the City.

With a roll call vote the motion passed unanimously.

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

NAYS: None

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

Commissioner Decker expressed appreciation to the staff who delivered the retreat follow-up presentation at the Committee of the Whole meeting. Commissioner Decker thanked the Public Safety Department for their work with the Group Violence Intervention (GVI) program, KYDNet, and other community partners. Commissioner Decker congratulated City Attorney Robinson on his 15th anniversary with the City.

Commissioner Juarez noted it has been 16 days since an episode of gun violence, which indicated the work the community was doing to address gun violence was effective. Commissioner Juarez spoke about the need for people to see each other as fellow human beings and for every part of the community to work together to address challenges.

Vice Mayor Cooney stated the follow-up to the February 18th retreat was good and ambitious, and he was pleased with the work that was done on the City Commission's priorities. Vice Mayor Cooney noted three people had discussed air pollution and health issues in the community. Vice Mayor Cooney stated the City needed to prioritize this issue, define the problem and its impacts, and talk about fixing it.

Commissioner Hess expressed hope that the City would be able to address the odor issue. Commissioner Hess thanked Pastor Millard Southern from Allen Chapel AME Church for bringing The Baylor Project, a jazz group, to Kalamazoo for a master class and concert. Commissioner Hess stated Commissioners were not on site at City facilities on a daily basis; as a result, they trusted in the leadership and expertise of City staff and community partners to get the work done.

Mayor Anderson remarked on recent events in the community and reported the Downtown Economic Growth Authority (DEGA) Board had discussed support for downtown events at their meeting earlier that day. Mayor Anderson stated a non-profit called Helping Hands was in the process of renovating space for a health clinic downtown. Mayor Anderson noted the passing of Melvin Alford, the husband of former Kalamazoo County Commissioner Carolyn Alford. Mayor Anderson expressed well wishes to the Phoenix High School basketball team for their upcoming state quarterfinal game.

The meeting adjourned at 9:17 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

2023-13-20

Scheduling of City
Attorney Candidate
Interviews (cont'd)

Commissioner
Comments

Adjournment