

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Tuesday, September 6, 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
Chris Praedel

COMMISSIONERS ABSENT:

Esteven Juarez*

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

Commissioners Excused

Commissioner Praedel, seconded by Commissioner Hoffman, moved to excuse the absence of Commissioner Juarez. With a voice vote this motion passed.

Invocation

The invocation, given by Pastor Daniel Cunningham, was followed by the Pledge of Allegiance.

Adoption of the Agenda

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

- Commissioner Decker requested that a discussion of vacant houses be added to the agenda under New Business.
- Commissioner Hoffman requested that Item G-4, a resolution setting a public hearing for the creation of an Obsolete Property Rehabilitation District at 215 E. Michigan Ave, be moved from the Consent Agenda to the Regular Agenda.

2022-0290

Presentation re: FFE
Funded Youth
Development Programs

Parks and Recreation Deputy Director Ashton Anthony, Program Coordinator Pete Aerts, Recreation Manager Chad Wendt, and Paige Daniels from the Kalamazoo Regional Education Service Agency (KRESA) delivered a presentation entitled, *Youth Development*. A copy of the slides from this presentation was filed with the papers for this meeting.

In response to questions and comments from City Commissioners, the presenters provided the following information:

- a lack of staffing kept the summer youth programs from accepting more kids. Only 30 of 52 staff positions were filled. Low salaries were a barrier to attracting more staff.
- the MyCITY youth employment program served everyone who applied, but there were 40 applicants who chose not to participate because of low wages.
- the summer programs were promoted online, through connections with churches and schools, through El Concilio, and by word of mouth.
- the Kalamazoo Youth Advisory Council provided input on the summer programs and facilitated connections with other youth. Participant input was also gathered through surveys and feedback forms.

- program participants were exposed to nature through field trips to a blueberry farm, a dairy farm, and Mount Randall/Warren Dunes. Some participants worked with local colleges on animal and plant research at the Kalamazoo Nature Center.

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

In-Person Comments

Larry Bell, City resident, expressed concern that Kalamazoo Avenue was a designated truck route in the two-way street conversion plan, and he spoke about the detrimental impact of the unhoused on downtown business and property owners. Photographs submitted by Mr. Bell were filed with the papers for this meeting.

Wendy Fields, City resident and President of the Kalamazoo Metropolitan Branch of the NAACP, offered remarks on systemic racism in Kalamazoo and expressed opposition to the City Manager's exoneration of the Public Safety Officers involved with the case of Monica Padula. Ms. Fields stated the power of the City Manager needed to be looked at. Ms. Fields spoke about the termination of former Public Safety Chief Karianne Thomas and compared the City Manager's handling of that situation with his handling of the current investigation of Chief Vernon Coakley. Ms. Fields questioned whether any former Chiefs, Deputy Chiefs, or Assistant Chiefs had ever been suspended.

Cathy Phason, non-resident, spoke about her son being racially harassed in the City of Portage, and she offered an example of the ways Public Safety Officers treated Black/Indigenous/People of Color (BIPOC) and white people differently during police contacts. Ms. Phason noted individuals from BIPOC communities were arrested at a higher rate than white people.

Ashante Collins, City resident, spoke about the mission of the Campaign for Criminal Justice Transparency (CCJT) and referred to an email she had sent on September 2nd regarding an upcoming forum on criminal justice transparency.

John Paul, City resident, spoke about the impact of the unhoused on the downtown area and suggested the City turn on the water in the fountains and provide public bathrooms.

An anonymous speaker commented on the eviction of homeless people from the Ampersee site and asked the City to address what was happening with the recommendations from the OIR Group Report. The speaker stated the Public Safety Department was the same and had not changed.

Charlae Davis, City resident and the Executive Director of the Interfaith Strategy for Action and Advocacy in the Community (ISAAC), spoke about the hard work of being anti-racist and called the City to look at its policies and practices and hold people accountable.

Ed Genesis, City resident, spoke about the need for accountability and the need to come together as a community.

2022-0290

Presentation re: Youth Development Programs (cont'd)

Public Comments

2022-0291

Public Comments
(cont'd)

Shardae Chambers, City resident, expressed opposition to the proposed utility rate increases. Ms. Chambers stated the City needed to work on transparency, and City Commissioners needed to be more accessible and available to the public.

Samantha Cree, City resident, expressed opposition to the proposed utility rate increases and suggested the City use some of the federal grants it had received to fund projects rather than raising rates.

Patricia Hirsch, City resident and downtown business owner, asked the City to make water and bathroom facilities available downtown and suggested the City put a dog park in the downtown area.

Ryan Tovey, Director of Hospitality at Bell's Brewing, spoke about the need to address homelessness.

Becket Jones, a candidate for Circuit Court judge, stated moments of discomfort were moments of growth, and he encouraged people to engage after the meeting and not retreat.

*Commissioner Juarez arrived at 8:32 p.m.

An anonymous speaker expressed support for decriminalizing bodily functions and asked that the City put more bathrooms downtown.

Wendy Flora, City resident, thanked the City for its work on youth development but expressed concern about low wages for staff.

Call-In Comments

Joe Byers, City resident, expressed opposition to the proposed utility rates.

Audrey, a City resident, requested an update on the air quality study for the area around the Graphic Packaging plant.

Brandi Crawford-Johnson, non-resident, offered remarks about environmental racism and Graphic Packaging International.

Shona Espinoza, City resident, spoke about the low wages for employees of Kalamazoo Public Schools (KPS), and she asked the City to address this issue with the KPS Board.

Tina McClinton, City resident, asked the City to address flooding in the Southtown neighborhood.

Martin Clem, City resident, expressed opposition to the proposed utility rate increases and asked the City to promise that commercial utility customers would have rate increases too.

Consent Agenda

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:

- | | |
|--|--|
| - approval of a professional services agreement with Jones and Henry Engineers, Ltd for the design of the John Street sanitary sewer siphon improvements in the amount of \$140,000. | 2022-0292 |
| - approval of a professional service agreement with Stantec Consulting Services, Inc. for water rate consultant services for the Kalamazoo drinking water utility in the amount of \$149,575. | 2022-0293 |
| - approval of a three-year contract with Hausch & Company, Inc. for claims adjusting services in the amount of \$210,000. | 2022-0294 |
| - adoption of a RESOLUTION recommending approval of a Social District and Commons Area permit for Junglebird Ventures LLC, located at 155 W Michigan Avenue, Ste 104. | 2022-0295
Resolution 22-45 |
| - adoption of two RESOLUTIONS granting a Payment in Lieu of Taxes to Kalrecovery II Limited Dividend Housing Association Limited Partnership for the proposed Kal-Recovery Housing project located on the City block which consists of a 1.35-acre lot consisting of six contiguous parcels along the West side of Portage Street between Crosstown Parkway and Dutton Street and a portion of the 6.64 acre lot bounded by Reed Street, Belford Street, Bryant Street, and the Portage Creek, for the proposed 4% and 9% Low Income Housing Tax Credit projects. | 2022-0296
Resolution 22-46
Resolution 22-47 |
| - approval of an Intergovernmental Fire Protection Hazardous Materials Incident Response Agreement and formally take on the role as fiduciary from the County of Kalamazoo through a memorandum of agreement. | 2022-0297 |
| - approval of a memorandum of agreement with Kalamazoo Public Schools for the Kalamazoo Department of Public Safety to provide School Resource Officer Services for the 2022-2023 school year. | 2022-0298 |
| - approval of a grant contract between the Brownfield Redevelopment Authority and Michigan Department of Environment, Great Lakes, and Energy for \$1,000,000 to support the Rivers Edge Brownfield Redevelopment Project. | 2022-0299 |
| - approval of the reappointment of Dr. Randy Eberts to the Employees Retirement System Board of Trustees for a term expiring on March 31, 2024; and approval of a waiver of City Commission Rules 12e and 12k regarding term limits and dual board memberships. | 2022-0300 |
| - approval of the minutes from the City Commission meetings on August 15, 2022. | 2022-0301 |

Commissioner Praedel, 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

Regular Agenda

2022-0302

First Reading of an
Ordinance to Change
Water Rates

Regular Agenda items were considered next.

Public Services Director James Baker delivered a presentation entitled *FY 2023 Proposed Utility Rates*. A copy of the slides from this presentation was filed with the papers for this meeting.

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

- the average cost for water was \$30-36/month for low users and \$48-56/month for high users. The proposed rate increases would impact all customers.
- the current utility rates were paying for work done in the past. Grants and low-interest or forgivable loans the City was applying for would help with future rate increases.
- all water systems would experience global inflationary trends, although not all systems faced the same challenges. The investments the City was making were for the future.
- a monthly payment option was being considered with the affordability program, but the options were limited because of the need for meter reading. Expanding the use of smart meters would help.
- currently, City staff were not able to help people apply for payment assistance, but in the future that would be possible.
- chemicals, fuel, and sludge hauling were examples of goods and services experiencing inflationary price increases. The cost for sludge hauling had doubled from \$4.5 million/year to \$9 million/year. The cost for phosphate had increased 73%.
- staff were working on long term solutions to reduce costs, but cost savings were difficult to qualify. System reliability, resiliency, and redundancy were the keys.
- if the rate increases were not approved, the system would be challenged, and there would be service impacts.

Commissioner Juarez stated he was pleading with the City to support the work that was needed to ensure clean water was available to the community. Commissioner Juarez stated he would rather make sure his children had clean water to drink and figure out how to pay the bills rather than get behind on the maintaining the water system.

Commissioner Hoffman stated she was torn about the rate increases because \$20-30/month was a lot for someone with low income, and there was no dignity if people continually needed to ask for help.

Commissioner Praedel noted the final vote on the proposed utility rate ordinances was scheduled for September 19th. Commissioner Praedel clarified that the proposed rate increases were an early implementation of the increases planned for 2023; if the proposed increases were approved there would be no more increases

until 2024. Commissioner Praedel noted the Utility Policy Committee supported the proposed rate increases.

Commissioner Decker remarked the cost increases were for a purpose, and there was a lot of work being done. Commissioner Decker spoke about the need to make the City better for the future.

An opportunity was given for public comments on the first reading of an ordinance to amend Chapter 38 to change the rates charged for drinking water, but no comments were offered.

Commissioner Hess, seconded by Vice Mayor Cooney, moved to offer for first reading an ordinance to amend certain sections of chapter 38 of the Kalamazoo City Code to change the rates charged for drinking water. The ordinance amends Chapter 38 of the Kalamazoo Code of Ordinances to increase water system revenues, effective January 1, 2023.

Prior to a vote on the motion, Commissioner Praedel read several headlines about recent water system failures and their impacts, and he commented on the importance of making decisions with the future in mind.

Commissioner Hess stated her attendance at a recent meeting of the Kalamazoo River Watershed Council reminded her of the importance of water.

Commissioner Juarez urged City staff to explore all options and find solutions that would allow for system improvements without rate increases in 2024.

Commissioners Hoffman and Decker questioned whether the capital plan could be adjusted and extended to spread the cost over a longer time.

Commissioner Praedel expressed concern about extending the timeline for the plan and noted the City spent only \$3 million per year on capital for decades.

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

- the proposed rate increases were part of a package that would fund all planned improvements. If the rate increases were spread out, some projects would not get done. Moreover, the Wastewater Fund was in a negative position and needed help. Changes to the proposed rates would result in impacts to projects currently underway.
- the rate increases were being driven by inflation and the capital investments that were not identified 10 years ago but were now considered vital, like lead service line replacement. Users of the system must bear those costs.
- the City was working with an engineering firm to benchmark contract costs on a regional basis.

Vice Mayor Cooney stated water and wastewater service were important, and he expressed support for the proposed rate increases. Vice Mayor Cooney questioned why people did not have money to pay their bills, and he suggested considering reparations.

2022-0302

First Reading of an
Ordinance to Change
Water Rates (cont'd)

2022-0302

First Reading of an
Ordinance to Change
Water Rates (cont'd)

Commissioner Hess remarked that Consumers Energy raised their rates every year, and she suggested that people be more aware of their water usage.

Mayor Anderson observed that water was a crisis issue in many parts of the country. Mayor Anderson stated the City had water and needed to make sure the system was maintained. Mayor Anderson agreed that the City needed to consider how to help people with their utility costs, but he questioned whether people had taken water for granted and asked what could be done for water conservation.

With a roll call vote this motion passed unanimously.

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

NAYS: None

2022-0303

First Reading of an
Ordinance to Change
Wastewater Rates

An opportunity was given for Commissioner questions and public comments regarding an ordinance to amend certain sections of chapter 28 of the Kalamazoo City Code to change the rates charged for wastewater service, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Decker, moved to offer for first reading an ordinance to amend certain sections of chapter 28 of the Kalamazoo City Code to change the rates charged for wastewater service. The ordinance amends Chapter 28 of the Kalamazoo Code of Ordinances to increase wastewater system revenues, effective October 1, 2022.

With a roll call vote this motion passed unanimously.

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

NAYS: None

2022-0304

Resolution 22-48
Setting a Public
Hearing for an OPRD
at 215 E. Michigan
Avenue

In response to questions and comments from City Commissioners regarding the creation of an Obsolete Property Rehabilitation District at 215 E. Michigan Ave, Assistant City Manager Rebekah Kik and Community Planning and Economic Development Director Antonio Mitchell provided the following information:

- one of the priorities for downtown was business recruitment. Obsolete Property Rehabilitation Districts (OPRD's) were one of the few tools the City had to incentivize the reuse of older buildings.
- OPRD's were intended for buildings that were not financially feasible to redevelop because they were so obsolete.
- OPRD's were like tax abatements for commercial buildings, where the taxable value of a building was frozen at the value prior to renovation, resulting in no taxes on the value of the improvements.
- staff would be creating a policy to limit use of this tool to restaurant and entertainment uses in the downtown area.

- the second floor of the 215 E. Michigan project would be either an entertainment space or a banquet space.
- the financial impact information for state, local, and school taxes would be provided to the City Commission on September 19th. The first step in the process was to create the district.
- this project was not eligible for assistance from the Brownfield Redevelopment Authority.
- currently there were downtown banquet spaces at City Center and The Radisson hotel.

Mayor Anderson recommended that Commissioners send their questions to staff prior to the September 19th meeting.

Commissioner Decker stated she want to make sure the proposal was a good project for Kalamazoo.

An opportunity was given for public comments on a resolution setting a public hearing for the creation of an Obsolete Property Rehabilitation District at 215 E. Michigan Ave, but no comments were offered.

Commissioner Hess, seconded by Commissioner Hoffman, moved to adopt a **RESOLUTION** setting a public hearing for the creation of an Obsolete Property Rehabilitation District at 215 E. Michigan Ave, as requested by Treystar on behalf of 215 EM Partners.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager Ritsema reported the following position changes:

- Rebekah Kik was promoted to the position Assistant City Manager.
- Antonio Mitchell was promoted to the position of Director of Community Planning and Economic Development.
- Tanya Hewitt-Smith was promoted to the position of Director of Diversity, Equity, and Inclusion.
- Laura Lam was promoted to the position of Chief Operating Officer.
- Tinessa Patterson moved into the position of Executive Assistant in the City Manager's Office.

2022-0304

Resolution 22-48
Setting a Public
Hearing for an OPRD
at 215 E. Michigan
Avenue (cont'd)

City Manager's Report

2022-0305

Amendment to the
Employees' Retirement
System Investment
Policy Statement

City Manager Ritsema briefly explained a proposed change to the Retirement System Investment Policy Statement.

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

An opportunity was given for public comments regarding proposed amendments to the Retirement System Investment Policy Statement, but no comments were offered.

Commissioner Decker, seconded by Commissioner Juarez, moved to approve an amendment to Item 4 under the "Performance Measurement and Reviews - All Managers" section of the Employees' Retirement System Investment Policy Statement to read: "Members of the Employees' Retirement System will meet with each manager not less than one (1) time each year." and remove language referencing meeting once in Kalamazoo and once at the managers location.

With a roll call vote this motion passed unanimously.

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

NAYS: None

New Business

Next, an item of New Business was considered.

Commissioner Decker recommended the discussion about vacant houses be postponed and made an item on the September 19th agenda. There were no objections.

Commissioner
Comments

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

Commissioner Hoffman stated the DEI issue was not going away, and she asked for volunteers from the Commission to work with DEI staff. Commissioner Hoffman stated the pictures provided by Mr. Bell were shocking but not shocking, and she urged the City to make housing a priority. Commissioner Hoffman expressed appreciation for the report on youth development and stated the City needed to focus on improving the quality of life for the community.

Commissioner Decker suggested turning on the water in the fountains downtown. Commissioner Decker thanked City Manager Ritsema for creating a committee to address downtown issues and stated CPED would have a lot more work to do with taking on downtown development. Commissioner Decker stated the City needed to consider the needs of the unhoused as winter approached, and she contrasted the City's inability to get a building for the homeless with its ability to give grants for a restaurant. Commissioner Decker expressed support for the Downtown Ambassadors program.

Commissioner Hess congratulated staff who received promotions. Commissioner Hess requested an update on the Graphic Packaging situation, both in the Friday informational email and for the public. Commissioner Hess commented on youth events that had taken place in August, and she expressed appreciation to Parks and Recreation staff. Commissioner Hess spoke about the benefits of education.

Commissioner Praedel wished Commissioner Juarez "Happy Birthday." Commissioner Praedel remarked on public comments and noted staff was listening and would follow up. Commissioner Praedel expressed support for more Parks and Recreation programs.

Commissioner Juarez apologized for being late and explained he had obligations on Tuesday nights. Commissioner Juarez spoke about doing the work of healing and wholeness, and he remarked on the importance of mindset and perspective. Commissioner Juarez stated people should start doing this work by fixing themselves.

Vice Mayor Cooney requested summer program reports from Kalamazoo Youth Development Network (KYDNet) and the Police Athletic League. Vice Mayor Cooney stated the challenges presented during public comments were also opportunities, and he expressed confidence that the City could meet those challenges.

Mayor Anderson expressed appreciation for his colleagues on the Commission.

The meeting adjourned at 11:13 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

Commissioner
Comments (cont'd)

Adjournment