

Roll Call

A special meeting of the Kalamazoo City Commission was held on Thursday, March 23, 2023 at 10:30 a.m. in the City Commission Chambers at City Hall. The purpose of the meeting was to interview candidates for the City Attorney position.

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.

Communications

Mayor Anderson reviewed the agenda and noted that each Commissioner had received a packet with cover letters and resumes, interview questions, and evaluation forms for each candidate.

Public Comments

Next, an opportunity was given for general public comments, but no comments were offered.

2023-14-01Interview of City
Attorney Candidates

By consensus the City Commission agreed to ask the interview questions in a round-robin format, starting with Commissioner Decker.

The City Commission interviewed candidates for the City Attorney position, with Commissioners asking the following questions in turn:

- Please give us a brief summary of your experience, particularly in regard to municipal law. Tell us why you applied to Kalamazoo and how you think your style and expertise will be the right fit for us.
- I would like to know a little bit more about you as an individual. What occupies your time outside of work?
- From your resume, it appears you have a career filled with accomplishments. Tell us about two you are most proud of.
- If offered the position in Kalamazoo, what do you intend to do to be sure you are a part of the community?
- When we call on the individuals who have worked with you over the years, what will they tell us about you?
- What do your first three months look like in Kalamazoo?
- What do you see in Kalamazoo that sets us apart from other places you have worked? What particular skills, talents, or experience do you have that will make your tenure here successful?

- From what you have learned about us, what do you think our two biggest challenges will be in the next three years? How would you tackle them and what processes will you follow?
- As an attorney, has there ever been a time when you made a recommendation that you wish you could have changed? Tell us about how you handled it and what you would do differently now, if anything?
- What do you believe is the most important skill a City Attorney can have when it comes to City Attorney/Commission relationship success? Tell us about a time you had to rely on that talent to build or improve relationships.
- What is the most important role the Commission plays in the success of a community's future, and what will you do to assure we are effective in that task? What tools or techniques do you use to insure the Commission is always well-prepared to make the best possible decisions? Do you find it best to provide the Commission with recommendations for actions or merely options from which they choose?
- Are you more of a manager or a leader? Can you describe how you exemplify the best of that quality?
- When hiring a new employee to join your team, what skills and characteristics would they need to possess any why?
- What will be your secret to prioritizing, organizing, managing time and evaluating how effectively we are using our resources?
- How many people have you directly supervised and how would you describe your management style?
- What is the most important, long-lasting initiative you developed regarding employee growth and development? How did you know you were successful?
- Getting to a collaborative agreement on contentious or difficult issues can be difficult. Walk us through a time when you faced a particularly divisive problem and tell us how you approached getting the parties to a win-win decision.
- What is your understanding of Diversity, Equity, and Inclusion and how will you incorporate this into the department's mission?
- Where do you see yourself in three years? And, if you were looking back at your time in Kalamazoo, what do you hope we have accomplished together?
- Fit between a community and employee goes both ways. What do you need to know about us to determine whether you have found the right place to work?

Lewis Smith and answered the questions asked by City Commissioners and presented his qualifications for the City Attorney position.

Mayor Anderson referenced Mr. Smith's resume and him to clarify when he stopped working for the City of Detroit and if he was currently with Detroit Integrated Health.

2023-14-01

Interview of City
Attorney Candidates
(cont'd)

Lewis Smith Interview

Lewis Smith Interview
(cont'd)

In response to Mayor Anderson, Mr. Smith stated he no longer worked for Detroit Integrated Health and explained he left there because it was not a good fit. Mr. Smith clarified that he left the employ of City of Detroit in December of 2014.

When given an opportunity to ask questions and make final remarks, Mr. Smith commented that he knew the City was challenged with the addressing homelessness, and he expressed excitement about the proposed new downtown event center. Mr. Smith stated he wanted to know the City Commission's big picture plans with regard to updating the Master Plan and wanted to work with the Commission on those updates. Mr. Smith thanked Commissioners for the opportunity to interview.

Mayor Anderson stated Mr. Smith's comments were timely, as the City would be embarking on a review of the Master Plan in the near future.

The interview with Mr. Smith ended at 11:18 a.m.

Mayor Anderson announced the next interview was scheduled to start in 40 minutes, and he asked that staff check with the next candidate about their availability to arrive early.

In response to a question from Commissioner Hess City Attorney Robinson stated the City Commission was in charge of its agenda and could change the interview schedule.

Mayor Anderson announced a 10-minute recess.

Recess

The meeting recessed at 11:20 a.m.

The meeting reconvened at 11:36 a.m.

Ivars Steins Interview

Ivars Steins answered the questions asked by City Commissioners and presented his qualifications for the City Attorney position.

Mayor Anderson referenced Mr. Steins' resume and noted a majority of his experience was in the private sector. Mayor Anderson asked what he had learned in Detroit whether he was prepared for the role of City Attorney.

In response to Mayor Anderson, Mr. Steins stated his experience made him a well-rounded candidate.

When given an opportunity ask questions and make final remarks, Mr. Stein asked City Commissioners, "What key attribute are you looking for in a City Attorney?" and "Will there be any transition period with the current City Attorney?"

In response to Mr. Steins, Mayor Anderson stated the City Attorney should have a sound, deeply researched knowledge of Michigan municipal law with expertise on a wide range of topics, including emerging issues. Mayor Anderson indicated City Attorney Robinson's last day would be June 2nd. There had not been any discussion of a transition period.

In response to a question from Commissioner Hoffman, Mr. Steins stated he would need to give four weeks' notice to his current employer before he could start with the City.

The interview with Mr. Steins ended at 12:04 p.m.

In response to a question from Mayor Anderson, Human Resources Director Shelly Dusek stated the next candidate would arrive at approximately 12:20 p.m.

Mayor Anderson announced the meeting would be recessed until 12:20 p.m.

The meeting recessed at 12:05 p.m.

The meeting resumed at 12:20 p.m.

Recess

Aaron Leal presented his qualifications for the City Attorney position and answered the questions asked by City Commissioners.

Aaron Leal Interview

Mayor Anderson referenced Mr. Leal's resume and noted he had been at the City of Royal Oak for only two years. Mayor Anderson asked why he was looking for a different position.

In response to Mayor Anderson, Mr. Leal stated he like what he saw in Kalamazoo, including the City's core values, and financial stability. Mr. Leal stated he had family in west Michigan, and being in Kalamazoo would put him closer to them.

When given an opportunity ask questions and make final remarks, Mr. Leal stated he was surprised that the City Attorney handled Freedom of Information requests. Mr. Leal asked City Commissioners the following questions: What vision do you have for the City Attorney's Office? What are some of the City's biggest legal and non-legal challenges of the next five years?

In response to Mr. Leal, Mayor Anderson offered the following expectations for the City Attorney: keep the City and City Commission from getting in trouble; continue with the decriminalization and clean-up of the Code of Ordinances; deal with emerging issues and opportunities created by changes to state law (marihuana, for example); help with local initiatives such as anti-discrimination and housing; and be accessible and known in the community. Mayor Anderson identified the following issues as challenges facing the City in the next 3-5 years: policing and police/community relations; local concerns about public health, focused in particular on Graphic Packaging; social equity and the cannabis industry; balancing development with sustainability/preservation; and the construction of the new downtown event center.

Commissioner Praedel added the negotiation of a regional wastewater service agreement and downtown development to Mayor Anderson's list of challenges.

Commissioner Hoffman stated the Civil Rights Board needed enforcement authority to give the fair housing ordinance more teeth.

Mr. Leal thanked Commissioners for the opportunity to interview.

The interview with Mr. Leal ended at 1:51 p.m.

Mayor Anderson suggested breaking for lunch and returning in approximately 30 minutes to discuss next steps in the process.

The meeting recessed at 1:52 p.m.

The meeting resumed at 2:26 p.m.

Recess

Public Comments

Mayor Anderson proposed offering another public comment time; there were no objections from Commissioners.

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

In-Person Comments

An unnamed speaker requested that the City Commission wait to take action on the selection of a candidate to allow more time for community input.

Wendy Fields, City resident and President of the Kalamazoo Metropolitan Branch of the NAACP, requested that the City Commission wait to take action on the selection of a candidate to allow more time for community input.

Call-In Comments

None

Discussion of Next Steps

Mayor Anderson thanked the subcommittee and Director Dusek for their work, and he reviewed the options for moving forward and selecting a candidate. Mayor Anderson noted City Attorney Robinson's hard end date was June 2nd. Mayor Anderson encouraged Commissioners to consider the time needed to negotiate and approve a contract and the notice the selected candidate would need to give their current employer.

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

- the background screening process would take 4-6 weeks. The Kalamazoo Department of Public Safety did not have the capacity to do this screening, so an outside agency would be used. Two agencies had been contacted, and both gave a timeframe of 4-6 weeks.
- contract negotiation would take approximately 5-7 days; once finalized, the contract will need to go to the City Commission for approval.
- after the contract is approved, the candidate would need to give notice to their current employer.
- none of the candidates expressed a sense of urgency about the City Commission's decision; the candidates would be kept informed of the process timeline.

Commissioner Decker spoke about the impact of waiting until April 3rd to select a candidate and expressed concern that waiting would leave little overlap or transition time with City Attorney Robinson.

In response to a question from Commissioner Hess, City Attorney Robinson observed the overlap period with the City Manager Ritsema and the former City Manager did not go well; a clean break might be better than a transition period. City Attorney Robinson suggested Commissioners consider whether they needed community input and whether it would change their minds. City Attorney

Robinson noted the Commission had the option of calling a special meeting before their next scheduled meeting on April 3rd.

Discussion of Next Steps
(cont'd)

Mayor Anderson stated a special meeting was not going to be an option.

Commissioner Hoffman remarked that all three candidates had extensive experience practicing law, and she noted the team in the Attorney's Office could get the new person up to speed quickly.

In response to a question from Commissioner Praedel, City Attorney Robinson stated he could leave an extensive memo for the next City Attorney about things they needed to know. City Attorney Robinson remarked that his transition into the position was being handed a stack of case files. City Attorney Robinson stated Marcia Jones was the most senior attorney in the office.

Vice Mayor Cooney expressed concern that the City Commission would be accused of not being transparent if they did not allow for more community input. Vice Mayor Cooney stated the Commission should wait to select a candidate.

Commissioner Hess indicated she wanted to get input on the candidates from staff in the City Attorney's Office.

Commissioner Juarez stated he came to the meeting today with the intent of discussing and voting. From a good governance standpoint, community input is important. Not a huge turnout for meet-and-greet. We're trying to build trust and transparency. If we make decision today, can we trust community leaders to articulate to their communities that the decision was good. Community trust goes two ways. This isn't an attempt to pull the hats over peoples' head. That intent needs to be considered. We're here to make decisions. We need to filter decisions through our God filter. People need to trust our decisions.

Commissioner Praedel stated he was proud that the first search process was community focused. Commissioner Praedel stated the current process had retained that focus, and he indicated he did not want to lose the emphasis on community. Commissioner Praedel agreed that staff input was important. Commissioner Praedel expressed support for waiting until April 3rd to select a candidate.

Commissioner Hoffman stated the City Commission needed to build community trust and transparency, and she expressed support for waiting until April 3rd to select a candidate.

Commissioner Decker stated she was expecting to select a candidate today, and while she understood the request for more time, community input was not going to sway her decision unless something monumental came to light. Commissioner Decker questioned whether any Commissioners would be absent on April 3rd. Commissioner Decker noted she would be flying home on April 2nd, so there was a chance she could be absent if her flights were delayed. Commissioner Decker indicated she would be absent from the meetings on April 17th.

All Commissioners indicated they would be present at the City Commission meetings on April 3rd.

Commissioner Juarez stated it would be the responsibility of community leaders to make sure people were present on April 3rd to provide input.

Discussion of Next Steps
(cont'd)

Commissioner Praedel noted the Commission's decision might not line up with community input, and people needed to understand that possibility.

By consensus the City Commission decided to postpone consideration of the City Attorney candidates until the April 3rd Regular Business Meeting.

Commissioner
Comments

Finally, an opportunity was given for miscellaneous comments and concerns of City Commissioners.

Commissioner Hess thanked the Human Resources staff, Director Dusek, the City Attorney recruitment subcommittee, and Deputy City Manager Jeff Chamberlain. Commissioner Hess thanked the applicants for taking a risk and interviewing for the City Attorney position. Commissioner Hess stated she enjoyed seeing Kalamazoo through the eyes of people from outside the community.

Commissioner Juarez expressed appreciation to the people who made public comments for speaking up and expressing their thoughts.

Adjournment

The meeting adjourned at 3:12 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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