

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, October 3, 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

Vice Mayor Cooney, seconded by Commissioner Decker, moved to excuse the absence of Commissioner Juarez. With a voice vote the motion passed.

Invocation

The invocation, given by Reverend Rachel Lonberg from The People's Church, was followed by the Pledge of Allegiance.

Proclamations
2022-40-01

Commissioner Decker read a proclamation *Celebrating 150 Years of the Kalamazoo Public Library*. Ryan Wieber, Director of the Kalamazoo Public Library, received the proclamation.

2022-40-02

Mayor Anderson read a proclamation *Celebrating Henrietta Lacks Day, October 4, 2022*. Earlene McMichael and Jermaine Jackson, Ms. Lacks' great-nephew, 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

Maggie Adams, City resident and a representative from ISAAC, asked the City Commission to reflect on how it used an anti-racist lens and stated the Commission needed to consider the impact of its actions rather than its intent.

Kay expressed opposition to the City's treatment of the unhoused and stated City leadership painted over systemic problems to maintain a positive, but unrealistic, image of Kalamazoo.

Julie Jensen, non-resident, introduced herself as a candidate for 9th Circuit Court Judge and presented her qualifications.

Call-In Comments

Brandi Crawford-Johnson, non-resident, asked the City to address the issue of toxic emissions from the Graphic Packaging plant and the City's Water Reclamation Plant. Ms. Crawford-Johnson expressed opposition to tax abatements for companies that polluted the environment.

At 7:36 p.m. Mayor Anderson opened a public hearing to receive comments on a resolution approving an application from 215 EM Partners, LLC for a PA 146 Obsolete Property Rehabilitation (OPR) Exemption Certificate for a project located at 215 E. Michigan Avenue.

In response to questions and comments from City Commissioners, Community Planning and Economic Development Director Antonio Mitchell, Fritz Brown from Treystar, and Joe Agostinelli from Michigan Growth Advisors provided the following information:

- the redevelopment plan was to have restaurant space on the first floor and office space on the second floor.
- 20 years ago, the City invested in a building at the corner of Douglas Avenue and North Street (the current Cookies restaurant); that investment has enabled multiple businesses over time. The project at 215 East Michigan had the same impact potential.
- the OPR Certificate could be transferred, but a certificate transfer would require City Commission approval.
- the redevelopment project will begin soon; the developer is waiting for this decision and for the Michigan Economic Development Corporation to act on additional assistance.
- the City Commission created the OPR District at its last meeting; this action was to approve the certificate granting the exemption.

Commissioner Decker spoke about vacant buildings in the City and how the OPR tool would support the reactivation and reuse of these buildings. Commissioner Decker stated the benefits of projects like this were worth the costs and trade-offs. Commissioner Decker stated she would like to see the City develop an OPR policy, and she suggested a split timeframe for tax abatements.

An opportunity was given for public comments on this item, but no comments were offered.

Commissioner Praedel, seconded by Commissioner Hess, moved to adopt a **RESOLUTION** approving an application from 215 EM Partners, LLC for a PA 146 Obsolete Property Rehabilitation Exemption Certificate for a project located at 215 E. Michigan Avenue.

Prior to a vote on the motion, Commissioner Praedel stated it was exciting to see a project that would activate a vacant building and raise the tide for neighboring buildings.

Commissioner Hess expressed support for the motion.

Mayor Anderson clarified that the City was not making a direct investment in this redevelopment project but was agreeing to forego future tax increases on the property. The investment would come from a private developer.

With a roll call vote the motion passed.

2022-40-03

Public Hearing re: an Obsolete Property Rehabilitation Certificate for 215 E. Michigan Avenue

2022-40-03

Resolution 22-55
Approving an Obsolete Property Rehabilitation Certificate for 215 E. Michigan Avenue

2022-40-04
Resolution 22-56
Approving a Tax
Abatement for Zoetis

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

NAYS: None

At 7:50 p.m. Mayor Anderson opened a public hearing to receive comments on a resolution approving a request from Zoetis, LLC for a new PA 198 Industrial Facilities Tax Exemption Certificate for property on E. Kilgore Road for a period of six (6) years with the option of extending the certificate for an additional six (6) years, for a total of 12 years, for real property valued at \$57,567,482.

An opportunity was given for Commissioner questions and public comments regarding a request from Zoetis, LLC for a new PA 198 Industrial Facilities Tax Exemption Certificate for property on E. Kilgore Road, but no questions or comments were offered.

Vice Mayor Cooney, seconded by Commissioner Decker, moved to adopt a **RESOLUTION** approving a request from Zoetis, LLC for a new PA 198 Industrial Facilities Tax Exemption Certificate for property on E. Kilgore Road for a period of six (6) years with the option of extending the certificate for an additional six (6) years, for a total of 12 years, for real property valued at \$57,567,482.

Prior to a vote on the motion, Commissioner Praedel expressed his support.

Mayor Anderson reported he had toured the Zoetis facility and stated it was a good facility with good jobs.

With a roll call vote the motion passed.

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

NAYS: None

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:

2022-40-05

- approval of a sole source purchase with Electric Housing, Inc. for consulting services to review and update the City's residential zoning standards in the amount of \$105,000.

2022-40-06

- approval of the purchase of odor suppressant chemicals from Solterra Group, LLC in the amount of \$114,348.25.

2022-40-07

- approval of a one-year contract with Student Haulers for the removal and disposal of trash, nuisances, and garbage collected pursuant to the enforcement of various city ordinances in the amount of \$120,000.

2022-40-08

- approval of a one-year contract extension to purchase Powdered Activated Carbon from SNR Technologies in the amount of \$908,000.

- adoption of Substantial Amendments to the 2019-2023 Consolidated Plan and 2019 Action Plan as required by the U.S. Department of Housing and Urban Development.
- approval of a recommendation to postpone until October 17, 2022 consideration of a resolution vacating Cooley Street between Eleanor and Water Streets.

Commissioner Hess, seconded by Commissioner Hoffman, 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.

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

NAYS: None

Regular Agenda items were considered next.

Zoning Administrator Pete Eldridge provided an overview of the updated Kalamazoo College Institutional Campus (IC) Master Plan and highlighted the differences between the 2012 IC Master Plan and the proposed update. Zoning Administrator Eldridge reported the Planning Commission was recommending approval.

An opportunity was given for Commissioner questions and public comments regarding an ordinance amending Section 50-1.2, the Zoning District Map, and approving the updated Kalamazoo College Institutional Campus Master Plan Agreement, but no questions or comments were offered.

Commissioner Hess, seconded by Commissioner Decker, moved to offer for first reading an ordinance amending Section 50-1.2, the Zoning District Map, and approving the updated Kalamazoo College Institutional Campus Master Plan Agreement, with conditions; and set a public hearing for October 17, 2022.

Prior to a vote on the motion, Commissioners Praedel and Decker remarked on the number of people from the neighborhood who attended the Planning Commission meeting and expressed support for the updated Master Plan. Commissioner Praedel noted Kalamazoo College had been very responsive to its neighbors.

Commissioner Hess remarked that Kalamazoo College had grown, learned from its experiences, and cultivated relationships with the surrounding neighborhood. Commissioner Hess stated the proposed plan was the result of some amazing work.

With a roll call vote the motion passed.

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

NAYS: None

2022-40-09

2022-40-10

Regular Agenda

2022-40-11

First Reading of an Ordinance Approving the Kalamazoo College IC Master Plan Update

2022-40-12

First Reading of an Ordinance Removing the Wellhead Protection Overlay from Chapter 3 of Appendix A

Environmental Programs Manager Jean Talanda reviewed the history of the Wellhead Protection Ordinance. Environmental Programs Manager Talanda reported the City had created a hydrogeologic map showing the wellhead capture zones. This map was approved by the state in 2021 and needed to be added to the ordinance. Environmental Programs Manager Talanda stated it was recommended that the Wellhead Protection Ordinance be moved from its current location in the Zoning Code (Appendix A of the City Code) to its own chapter (Chapter 39 of the City Code) because the ordinance was enforced by the Public Services Department, not the Zoning Administrator, and enforcement was map-based not parcel-based.

In response to a question from Commissioner Praedel, Public Services Director James Baker confirmed that the proposed ordinances would move the wellhead protection content from Chapter 3 of Appendix A of the City Code to Chapter 39 of the City Code.

An opportunity was given for public comments on an ordinance to remove the Wellhead Protection Overlay from Chapter 3 of Appendix A: the Zoning Ordinance, but no comments were offered.

Commissioner Hoffman, seconded by Vice Mayor Cooney, moved to offer for first reading of an ordinance to remove the Wellhead Protection Overlay from Chapter 3 of Appendix A: the Zoning Ordinance; and set a public hearing for October 17, 2022.

With a roll call vote the motion passed.

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

NAYS: None

2022-40-13

First Reading of an Ordinance Replacing the Weights and Measures Provisions of Chapter 39 with the Wellhead Protection Provisions

An opportunity was given for Commissioner questions and public comments regarding an ordinance repealing the Weights and Measures provisions of Chapter 39 of the Code of Ordinances and replacing those provisions with the Wellhead Protection Ordinance provisions, but no questions or comments were offered.

Commissioner Decker, seconded by Commissioner Praedel, moved to offer for first reading an ordinance repealing the Weights and Measures provisions of Chapter 39 of the Code of Ordinances and replacing those provisions with the Wellhead Protection Ordinance provisions.

With a roll call vote this motion passed.

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

NAYS: None

City Manager's Report

City Manager Ritsema provided the following reports and updates:

- former City Commissioner Jack Urban had a new television show on Public Media Network. Assistant City Manager Rebekah Kik would be his first guest and would be discussing the Emergency Housing Ordinance.

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

Commissioner
Comments

Commissioner Decker stated the Committee of the Whole discussion about housing was good. Commissioner Decker urged the City to focus the use of its ARPA funds in a way that would be highly impactful and that would leverage other resources. Commissioner Decker remarked on need to effectively distribute information about lead abatement programs. Commissioner Decker noted the Stadium Drive improvement project was complete. Commissioner Decker requested an update on the issue of public bathrooms in the downtown area, and she asked that the City leave the fountains turned on for the public. Commissioner Decker expressed excitement that the Lodge House was open and stated the City needed more facilities like this for the unhoused.

Commissioner Praedel recognized Building Blocks of Kalamazoo for placing 60 solar light posts in the City. Commissioner Praedel related a story about his brother-in-law, who lived out of state, finding a genealogical connection to Kalamazoo through the Kalamazoo Public Library. Commissioner Praedel stated ARPA funding was a once-in-a-generation opportunity, and he urged the City to be creative in how it used these funds. Commissioner Praedel asked City Clerk Borling about the expanded office hours and satellite location for the November 8th election.

Commissioner Hess spoke about the Sounds of the Zoo events and thanked Jen Hudson-Prenkert for organizing them. Commissioner Hess noted the new Walnut and Park Diner would be opening on October 12th. Commissioner Hess thanked the Kalamazoo Department of Public Safety for hosting a Citizen Academy and stated she looked for opportunities to learn from staff because she did not know how they did their jobs. Commissioner Hess thanked City staff for being experts in their fields, passionate in their work, and caring for people. Commissioner Hess urged everyone to educate themselves continually.

Vice Mayor Cooney noted the City of Kalamazoo celebrated Indigenous Peoples' Day, not Columbus Day. Vice Mayor Cooney asked whether the City had restored the parking spaces on Winchell Avenue and expressed support for this. Vice Mayor Cooney expressed concern about the health impacts of odors from Graphic Packaging for residents of the Northside Neighborhood, and he expressed support for hiring a health expert to look into those impacts. Vice Mayor Cooney offered remarks on the challenges faced by boys and men and stated they were not succeeding. Vice Mayor Cooney cited a book by Richard Reeves and statistics from The Kalamazoo Promise and stated the community needed to do more to help young men.

Mayor Anderson offered remarks on various development projects and new businesses.

Commissioner Hess, seconded by Commissioner Decker, moved that the City Commission go into closed session to discuss labor negotiations.

Closed Session

Prior to a vote on the motion, Mayor Anderson announced the Commission would not return to open session.

With a roll call vote the motion passed.

Adjournment

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

NAYS: None

The meeting adjourned at 8:45 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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