

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, December 5, 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 Pradip Sagdeo, was followed by the Pledge of Allegiance.

Proclamation
2022-50-01

Vice Mayor Cooney proclaimed December 5, 2022 *World Turkish Coffee Culture Day* the City of Kalamazoo. Onur Arugaslan, a professor at Western Michigan University, received the proclamation.

Adoption of the Agenda

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

Commissioner Decker requested that Item G-6, approval of a grant from the City's ARPA funds to Kalamazoo Neighborhood Housing Services, be moved to the Regular Agenda.

Communications

City Manager Ritsema announced the City Commission would meet in special session on Monday, December 12th at 5:00 p.m. in the City Commission Chambers to discuss the Proposed FY2023 Budget for the City of Kalamazoo.

Public Comments

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

In-Person Comments

Wendy Fields, City resident and President of the Kalamazoo Metropolitan Branch of the NAACP, reviewed the purpose of the NAACP and demanded an update on the situation with Public Safety Chief Vernon Coakley. Ms. Fields indicated she would be bringing forward comments from others about racism in the City organization. Ms. Fields expressed support for James Porter to be the next City Attorney.

Pam Roland, City resident, requested an update on the status of the investigation of Chief Coakley. Ms. Roland stated she faced discrimination when she worked for the City and indicated discrimination was still happening. Ms. Roland urged the Commission to look deeply into the Human Resources Department and stated the Michigan Civil Rights Commission needed to come to Kalamazoo and investigate.

Wil Roland, City resident, offered remarks about the Kalamazoo African American Employees Association, which was formed in the early 1990's; the Karus Report, which addressed issues within the organizational culture of the City, including discrimination; and a report produced by the NAAPC in 1997 dealing with the same topics. Mr. Roland stated many of the issues discussed in these reports still existed. Mr. Roland indicated the "Conclusions and Recommendations" section was missing from the copy of the Karus Report he received from the City. Mr. Roland remarked that City Commissioners did not know about these historical reports, and he questioned who was responsible for making sure the City honored its past commitments.

Call-In Comments

Audrey, a City resident, asked if the City budget included funds to address air quality or to hire a public health officer, and she suggested the City offer an alternate plan for dealing with Graphic Packaging.

Rochelle Habeck, City resident, remarked that references for the City Attorney candidates were not included with the information available on the City's website. Ms. Habeck observed that none of the candidates spoke meaningfully about leading with an anti-racist lens, and she urged the City Commission to make that a requirement for whoever was chosen to be the next City Attorney.

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:

- adoption of the schedule of regular City Commission meetings for the 2023 calendar year.
- adoption of a **RESOLUTION** setting a public hearing on January 3, 2023 to consider the proposed Fiscal Year 2023 Budget for the City of Kalamazoo.
- adoption of a revised **RESOLUTION** approving a Payment in Lieu of Taxes for 1211 S. Westnedge Avenue, LLC, ("LodgeHouse") a Michigan limited liability company, that was formed with the sole purpose of owning the property at 1211 S. Westnedge Avenue, Kalamazoo MI 49008 and whose sole member is LIFT Foundation, for 1211 S. Westnedge Avenue (Parcel No. 06-22-310-007), pursuant to Section 35-4 of the Kalamazoo City Code.
- adoption of **RESOLUTIONS** #1-3, for the purpose of approving the 2021 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$13.570. Adoption of Resolution #3 schedules a public hearing for January 3, 2023.
- adoption of a **RESOLUTION** authorizing the City to submit a SPARK grant application to the Michigan Department of Natural Resources for approximately \$815,000 to make recreation improvements to Emerald Park, with a City commitment of \$200,000 in match funding.
- approval of the Mayor's appointments and reappointments to the following boards and commissions:

Public Comments
(cont'd)

Consent Agenda

2022-50-02

2022-50-03
Resolution 22-60

2022-50-04
Resolution 22-61

2022-50-05
Resolutions 22-62,
22-63, and 22-64

2022-50-06
Resolution 22-65

2022-50-07

Consent Agenda
(cont'd)

- the appointment of **Torean Greeley** to the Economic Development Corporation and Brownfield Redevelopment Authority Boards of Directors for a term expiring on March 31, 2028.
- the appointment of **Kristi Breisach** to the Historic District Commission for a term expiring on January 1, 2026.
- the reappointment of **Erin Fuller** to the Natural Features Protection Review Board for a term expiring on March 31, 2025.
- the reappointment of **Mitchell Lettow** to the Natural Features Protection Review Board for a term expiring on March 31, 2025.
- the reappointment of **Kyle Martin** to the Natural Features Protection Review Board for a term expiring on March 31, 2025.

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.

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

NAYS: None

*At the time of the vote, Mayor Anderson abstained from voting on Item G-3, a resolution approving a Payment in Lieu of Taxes for 1211 S. Westnedge Avenue, due to a conflict of interest as he was a volunteer member of the LIFT Foundation Board.

Regular Agenda

2022-50-08

Agreement with the Upjohn Institute for a Community Data System

Regular Agenda items were considered next.

Val Gipper and Lee Adams from the W.E. Upjohn Institute for Employment Research delivered a presentation entitled *The Kalamazoo Community Data System*. A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Hess noted the work up to this point had been building the database; now the task at hand was to operationalize the system.

Mayor Anderson explained the City had received a grant, which had been paying for this work, but the grant funds would be gone at the end of the proposed contract.

Commissioner Hess thanked Dr. Light for the grant funds to make this work possible, and she stated it had taken a generation to get to this point.

In response to questions and comments from City Commissioners, Ms. Gipper and Mr. Adams provided the following information:

- there were no best practices for the Community Data System to follow, as the system was unique for a city the size of Kalamazoo.

- additional funds would be needed at the end of the proposed contract to keep the system going.

When an opportunity was given for public comments on a service agreement with the Upjohn Institute for Employment Research in the amount of \$285,000 from the Light Grant Fund for continued support of the Community Data System, the following people addressed the City Commission:

Wendy Fields, City resident, stated the information in the Community Data System was not new information; the YWCA and Cradle Kalamazoo had this data, and had been available for years if people had wanted it. Ms. Fields stated racism was the bottom-line issue, and she urged the City to make sure the funds for this contract would be money well-spent.

Vice Mayor Cooney, seconded by Commissioner Decker, moved to approve a service agreement with the Upjohn Institute for Employment Research in the amount of \$285,000 from the Light Grant Fund for continued support of the Community Data System, approval of a budget amendment, and authorize the City Manager to sign all documents related to the agreement.

Prior to a vote on the motion, Commissioner Praedel stated he was very impressed with Cradle Kalamazoo and the YWCA, and he remarked the infant mortality rate was a good indicator of community health.

Mayor Anderson noted infant mortality was just one issue; the Community Data System would allow the City to look at many issues.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Fire Marshal Scott Brooks stated the *International Fire Code* was updated every three years, and he explained the City needed to adopt the most current version to keep up with advances in building materials and practices.

When an opportunity was given for public comments on an ordinance to adopt the 2021 edition of the *International Fire Code*, the following people addressed the City Commission:

Jeff Messer, City resident, asked how many permits the City had issued for recreational fires at multi-family dwellings.

At the request of Mayor Anderson and in response to Mr. Messer, Fire Marshal Brooks reported the City issued five or six recreational fire permits each year, and there had been two unpermitted fires that caused damage.

Commissioner Hess, seconded by Commissioner Decker, moved to offer for first reading an ordinance to amend Article III of Chapter 15 of the Kalamazoo City Code, *Fire Prevention and Protection*, to adopt the 2021 edition of the *International Fire Code*.

2022-50-08

Agreement with the Upjohn Institute for a Community Data System (cont'd)

2022-50-09

First Reading of an Ordinance to Adopt the 2021 International Fire Code

2022-50-09

First Reading of an Ordinance to Adopt the 2021 International Fire Code (cont'd)

With a roll call vote the motion passed unanimously.

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

NAYS: None

2022-50-10

Notice of Intent Resolution 22-66 for Water Supply System Bonds

An opportunity was given for City Commission questions and public comments on a Notice of Intent Resolution for the issuance of 2023 Water Supply System Revenue Bonds in an amount not to exceed fifteen million dollars (\$15,000,000), but no comments or questions were offered.

City Manager Ritsema noted the proposed bond issuances were for projects that had been presented to the Commission and were included in the current utility rates.

Vice Mayor Cooney, seconded by Commissioner Praedel, moved to adopt a Notice of Intent RESOLUTION for the issuance of 2023 Water Supply System Revenue Bonds in an amount not to exceed fifteen million dollars (\$15,000,000).

With a roll call vote the motion passed unanimously.

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

NAYS: None

2022-50-11

Notice of Intent Resolution 22-67 for Wastewater System Bonds

An opportunity was given for City Commission questions and public comments on a Notice of Intent Resolution for 2023 Wastewater System Revenue Bonds in an amount not to exceed six million two hundred fifty thousand dollars (\$6,250,000), but no comments or questions were offered.

Commissioner Hoffman, seconded by Commissioner Hess, moved to adopt a Notice of Intent RESOLUTION for 2023 Wastewater System Revenue Bonds in an amount not to exceed six million two hundred fifty thousand dollars (\$6,250,000)

With a roll call vote the motion passed unanimously.

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

NAYS: None

2022-50-12

Grant to KNHS for the Rehabilitation of 14 Single-Family Homes for Low-Income Households

In response to Commissioner questions and comments, Housing Development Supervisor Sharilyn Parsons and Matt Milcarek, Director of Neighborhood Services at Kalamazoo Neighborhood Housing Services (KNHS), provided the following information regarding a \$1,000,000 grant to KNHS for the acquisition, rehabilitation, and resale of 14 single-family homes to low-income households:

- this opportunity came about in 2021 when a landlord with a rental portfolio that was performing poorly approached KNHS about selling the properties. KNHS will rehabilitate the properties and resell them. The post-rehab estimated value is \$89,000 per home.

- KNHS has a large pipeline of people who want to purchase a home.
- KNHS did not fund home loans, but they would ensure long-term affordability; buyers would need to secure market-rate mortgages.
- some of the units are vacant and some have tenants; for tenants who are following their leases, the City and KNHS are working to make them homeowner ready.
- KNHS and the City worked with people who wanted to become contractors, but due to federal requirements, this work would be put out for bid.
- KNHS had to take out loans to finance this project; proceeds from the sale of these homes will pay off those loans.
- when KNHS rehabilitates homes, the goal is for those homes not to need upgrades for at least ten years.
- there are multiple reasons for rehabilitating houses rather than building new ones: building a new house cost more than rehabilitating an existing house; rehabilitating a house preserves existing housing stock; this project in particular will convert rental properties to owner-occupied homes.
- the City is trying to rebuild and revitalize a neighborhood housing market, to preserve wealth for the existing homeowners.

Commissioner Hoffman noted the connection between housing an infant mortality. Commissioner Hoffman expressed appreciation to KNHS for the work they were doing.

Commissioner Juarez expressed appreciation for this project and stated he learned a lot from the KNHS home ownership class.

Commissioner Decker remarked on the importance of revitalizing neighborhoods and noted there were grants available for housing rehab. Commissioner Decker expressed appreciation for this project.

Commissioner Praedel pointed out that the City Commission was spending money in alignment with its priorities.

Mayor Anderson stated the City had values and a vision and was willing to be opportunistic when it made sense.

Commissioner Hoffman, seconded by Commissioner Decker, moved to approve a grant in the amount of \$1,000,000 to Kalamazoo Neighborhood Housing Services from the Coronavirus State and Local Fiscal Recovery Funds received from the U.S. Department of the Treasury under the American Rescue Plan Act for the acquisition, rehabilitation, and resale of 14 single-family homes to low-income households.

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

2022-50-12

Grant to KNHS for the Rehabilitation of 14 Single-Family Homes for Low-Income Households (cont'd)

2022-50-12

Grant to KNHS for the Rehabilitation of 14 Single-Family Homes for Low-Income Households (cont'd)

Wil Roland, City resident, asked about the difference between “affordable housing” and “low-income housing.” Mr. Roland encouraged Commissioners to walk the City’s neighborhoods during non-election years to find out what the residents wanted.

Jeff Messer, City resident, noted the agenda report for this item indicated the income eligibility requirements were 80% (or less) of Area Median Income (AMI). Mr. Messer stated four people were being evicted from the homes KNHS would be rehabilitating with this grant.

Housing Development Supervisor Parsons explained the terms “affordable housing” and “low-income housing” were used interchangeably, but “low-income” had a negative connotation.

Mr. Milcarek stated KHNS was able to help current tenants who were not staying in the homes with funds for a security deposit and first month’s rent.

Commissioner Hoffman stated she and Matt Lager had written a grant to assist tenants with the costs of moving out. Commissioner Hoffman commented on the need to hold out-of-town landlords accountable and deal with disinvestment in the City’s housing stock.

Commissioner Juarez stated transformation of the community began with the City Commission. Commissioner Juarez stated all landlords needed to provide good housing for families.

Commissioner Decker remarked that someone needed to follow-up on tenant-landlord concerns, and she questioned whether the Community Planning and Economic Development Department (CPED) needed additional staff.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Unfinished Business

Items of unfinished business were considered next.

2022-50-13

Selection of a Candidate for the City Attorney Position

Mayor Anderson opened a discussion about the process for selecting the next City Attorney.

Commissioner Hoffman thanked the community for giving input and feedback on the City Attorney candidates.

Commissioner Hess spoke about the importance of the City Attorney being committed to Diversity, Equity, and Inclusion (DEI) and to addressing racism. Commissioner Hess stated all the candidates were well credentialed and had integrity. Commissioner Hess thanked the City Attorney Search Subcommittee, Jeff Mueller from the Michigan Municipal League, and Human Resources Director Shelly Dusek.

Commissioner Praedel stated the decision was tough because there was not much separation between the candidates. Commissioner Praedel observed that each candidate seemed to know what was important to the community, although he wished the candidates had been stronger in the areas of DEI and anti-racism.

Commissioner Juarez commented that he wanted a larger pool of candidates. Commissioner Juarez stated the candidates gave him the impression the City Attorney position would be nice job, but none of them really wanted to be in Kalamazoo.

Commissioner Decker stated she was torn between two of the candidates, although one stood out because of their knowledge and expertise.

Commissioner Hoffman stated she was ready to vote.

Commissioner Praedel expressed support for James Porter because he had shown the willingness to fight for the community.

Vice Mayor Cooney stated the City Commission was spoiled to have City Attorney Robinson; other people did not look so good when compared to him.

Mayor Anderson stated he considered the candidates' actual experience and what they were like as people and as team members.

City Clerk Borling distributed ballots to City Commissioners. Commissioners marked their ballots as follows:

Commissioner Decker	James Porter (only choice)
Commissioner Hess	James Porter (only choice)
Commissioner Hoffman	James Porter (1 st choice)
Commissioner Juarez	James Porter (only choice)
Commissioner Praedel	James Porter (only choice)
Vice Mayor Cooney	James Porter (1 st choice)
Mayor Anderson	James Porter (only choice)

Commissioner Hess, seconded by Commissioner Juarez, moved to direct the Michigan Municipal League facilitator to extend a conditional offer of employment to James Porter and to commence a background investigation.

With a roll call vote the motion passed unanimously.

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

NAYS: None

In response to a question from Mayor Anderson, Director Dusek indicated the background investigation would take four weeks.

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

Commissioner Hess expressed well-wishes to her husband Jim, who was recovering from hip surgery. Commissioner Hess thanked Pam Roland for her

2022-50-13

Selection of a
Candidate for the City
Attorney Position
(cont'd)

Commissioner
Comments

Commissioner
Comments (cont'd)

comments and for her involvement in the community. Commissioner Hess invited people to a listening session with Commissioners at the Walnut and Park diner on December 7th. Commissioner Hess reported she had attended a Zoom meeting with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) regarding Graphic Packaging. Commissioner Hess reported EGLE would receive public comments until December 9th and encouraged people to be patient as the state performed its due diligence. Commissioner Hess stated she had visited Miss Walker's 5th grade class at Woodward School, and she read their perspectives on the challenges and opportunities of living in Kalamazoo.

Vice Mayor Cooney questioned why black poverty was not the City's biggest concern. Vice Mayor Cooney stated the City could be a catalyst or provide strategic funding to address this issue.

Commissioner Praedel congratulated Mr. Porter and thanked Mayor Anderson, Commissioner Decker, Director Dusek, Deputy City Manager Jeff Chamberlain, and Mr. Mueller for their work on the City Attorney search process. Commissioner Praedel urged the specialists at EGLE to move as quickly as possible on the air quality report. Commissioner Praedel highlighted the City's efforts to address odors coming from Graphic Packaging: the creation of the Odor Task Force; the installation of 12 air sensors in the community; the launch of a public portal for the community to report odors; and the issuance of illegal discharge penalties to Graphic Packaging. Commissioner Praedel acknowledged these actions were not enough, but they were something. Commissioner Praedel stated Graphic Packaging needed to "step up," and the City needed to invest in its young people.

Commissioner Decker stated the City needed to reform how it did business on a daily basis, and the DEI Director needed to get copies of the reports Mr. Roland referenced. Commissioner Decker requested that the agenda for the next business meeting include a discussion of putting the DEI Director and DEI Coordinator positions in the City Charter. Commissioner Decker stated people were dying from homelessness, and she remarked that the City needed to do the things it had the power to do to keep this from happening. Commissioner Decker stated change would start with the City Commission and Commission appointees and then trickle down through the organization.

Commissioner Hoffman commented on Mr. Roland's remarks and talked about the need for systemic change. Commissioner Hoffman stated the systems that created barriers needed to be dismantled. Commissioner Hoffman stated it was unacceptable that people were dying of because they did not have a place to live, especially when the City had the ability to do something. Commissioner Hoffman stated she was committed to doing something different, even if it created trouble for her. Commissioner Hoffman remarked that poverty rates were evidence that there were problems with the structures in the City. Commissioner Hoffman urged the Commission to be persistent in the hard work necessary to address these issues.

Commissioner Juarez stated people had come to tolerate death, and the community was divided. Commissioner Juarez urged people to check their hearts and seek strength in unity.

Mayor Anderson noted the next City Commission meetings were a budget work session on December 12th and the Regular Business Meeting on December 19th. Mayor Anderson stated it was an honor and privilege to serve with his colleagues.

The meeting adjourned at 9:35 p.m.

Adjournment

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

DRAFT