

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, July 17, 2023 at 7:01 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 Aaron Leal, and City Clerk Scott Borling.

Invocation

The invocation, given by Pradip Sagdeo, was followed by the Pledge of Allegiance.

Proclamation
2023-30-01

Vice Mayor Cooney read a proclamation recognizing the *Mothers of Hope 25th Anniversary*. Dorphine Payne, Dolores Johnson, Gwendolyn Hooker, and others 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-13, reappointments to the Retirement Investment Committee, be moved to the Regular Agenda.

Public Comments

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

In-Person Comments

Ray Sweany, City resident, spoke about the causes of poverty and the need to address it.

Mary Sue Ellen, City resident, asked how bags of litter that had been collected could get picked up.

Jeff Messer, City resident, announced a meet-and-greet with the City's new Sustainability Coordinator on July 18th at the Station 5 Community Center.

Call-In Comments

Tina McClinton, City resident, spoke about the elimination of green space and the development of low-lying areas in her neighborhood.

Kay spoke about the problems in Kalamazoo.

At 7:34 p.m. Mayor Anderson opened a public hearing to receive comment on the proposed Eleanor - Rose - Water - Park Area Neighborhood Enterprise Zone (NEZ).

Community Planning and Economic Development Deputy Director Christina Anderson provided an overview of the proposed NEZ.

Patrick Lennon, an attorney with the Honigman law firm and a representative of the Iron Works developer, described the Arcadia Lofts project and the challenges to developing new housing. Mr. Lennon urged the City to give the full 15 years of benefit allowed by law in its proposed NEZ policy. Mr. Lennon indicated the Arcadia Lofts project had been imagined with the assumption that a full, 15-year benefit would be available.

Deputy Director Anderson noted the City's policy and the consideration of an NEZ for this specific project were being considered simultaneously and would come back to the City Commission for action at a future date.

In response to a question from Commissioner Praedel, Deputy Director Anderson indicated the 400 Rose project received a 15-year NEZ Certificate. Deputy Director Anderson stated she did not know the duration of the other NEZ Certificates approved by the City.

When an opportunity was given for public comments on the proposed Eleanor - Rose - Water - Park Area NEZ, the following people addressed the City Commission:

Jeff Messer, City resident, asked what taxing jurisdictions were exempt or could exempt themselves from this abatement.

A 7:46 p.m. Mayor Anderson closed the public hearing.

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 contract with Hildebrand Trucking, Inc. for trucking services in the amount of \$125,000.
- approval of a contract with Pitsch Companies for asbestos abatement and demolition of the former bingo hall at 328 E. Stockbridge Ave. in the amount of \$183,000.
- approval of a one-year contract extension with Waste Management for the rental, placement, and removal of roll-off containers and disposal of all street sweeping materials deposited in those containers in the amount of \$185,000.
- approval of a contract extension with Trace Analytical Laboratories, Inc. for analytical testing services for a total amount not to exceed \$194,176.
- approval of a contract with County Line Nurseries, Inc for the 2023 Tree Planting Program in the amount of \$236,250.

2023-30-02

Public Hearing re: the Proposed Eleanor-Rose-Water-Park Area Neighborhood Enterprise Zone

Consent Agenda**2023-30-03****2023-30-04****2023-30-05****2023-30-06****2023-30-07**

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|-------------------|---|
| 2023-30-08 | - approval of a three-year contract with Cummins Bridgeway LLC for generator services through the Sourcewell cooperative purchasing program in the amount of \$281,427. |
| 2023-30-09 | - approval of a contract supplemental and change order with MONOFORM LLC for sanitary and storm manhole rehabilitation by lining in the amount of \$293,450. |
| 2023-30-10 | - approve a Professional Services Agreement with Prein & Newhof for the 2023 DWRP Contract 1 - Water Main Replacement Project, in the amount of \$627,000. |
| 2023-30-11 | - approve a Professional Services Construction Engineering Agreement with Prein & Newhof for 2023 DWRP Contract 2 – Northside Non-Copper Service Replacement Project, in the amount of \$947,000. |
| 2023-30-12 | - approval of a professional services agreement with Wightman & Associates for construction engineering services for the Whites Road Watermain & Roadway Project in the amount of \$747,050. |
| 2023-30-13 | - approval of an agreement with Abbey Farm Development Co., LLC for \$345,875 for water main construction in Pavilion Township in the amount of \$345,875. |
| 2023-30-14 | - approval of budget amendments for FY2023 Quarter 2 and 2023 grants under \$25,000. |
| 2023-30-15 | <ul style="list-style-type: none"> - approval of the following appointments to the Parks and Recreation Advisory Board: <ul style="list-style-type: none"> - the appointment of Jarrett Blackmon for a term expiring on January 1, 2025. - the appointment of Riley Nilsson for a term expiring on January 1, 2027. |

Commissioner Praedel, 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 unanimously.

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

NAYS: None

*At the time of the vote, Commissioner Decker indicated she was abstaining from voting on Item G-2, a contract for asbestos abatement and demolition of the former bingo hall at 328 E. Stockbridge Avenue.

Regular Agenda

Regular Agenda items were considered next.

Public Services Director James Baker reviewed the proposed contract supplemental/change order with SWT Excavating, Inc. for the FY 2023 DWRP Contract No. 2 North Kalamazoo Non-Copper Service Line Replacements. Director Baker stated the change order would add an additional 1,080 lead service line replacements to the existing contract.

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

Hess asked when the work would be done and on any issues that might cause delays.

- once approved by the City and state, work on the project will commence in 2023 and take place in 2024 and into 2025. There are known supply chain challenges for brass and copper materials, which could cause delays.
- regarding the state's required annual minimum for lead service line replacements, there is a mechanism for making up the numbers if the City cannot do enough replacements in a particular year. Other jurisdictions could be having these problems too. In 2022 the City reached out to suppliers based in other regions who were not doing much work in Michigan to try to procure needed supplies and materials.

Mayor Anderson commented on past disinvestment in water systems across the county and the level of work needed to correct that lack of investment.

An opportunity was given for public comments on a contract supplemental/change order with SWT Excavating, Inc. for the FY 2023 DWRP Contract No. 2 North Kalamazoo Non-Copper Service Line Replacements, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Hess, moved to approve a contract supplemental/change order with SWT Excavating, Inc. for the FY 2023 DWRP Contract No. 2 North Kalamazoo Non-Copper Service Line Replacements in the amount of \$3,878,403.66 for a total contract of \$9,188,853.42.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Commissioner Decker expressed concern that one of the proposed appointees to the Retirement Investment Committee (RIC) was not a resident of Michigan. Commissioner Decker indicated she did not object to the other two RIC reappointments. Commissioner Decker spoke about the need to expand the diversity of the RIC and to include information in the Nomination Report about the heritage/descent of all nominees for all board appointments and reappointments.

Management Services Director and CFO Steve Vicenzi indicated the member in question was previously a City resident still maintained a summer home in

2023-30-16

Contract Supplemental and Change Order for Contract No. 2 North Kalamazoo Non-Copper Service Line Replacements

2023-30-17

Reappointment of Members to the Retirement Investment Committee

2023-30-17

Reappointment of
Members to the
Retirement Investment
Committee (cont'd)

Kalamazoo. CFO Vicenzi stated the member in question attended two meetings per year in person and participated remotely for the other meetings.

In response to a question from Commissioner Decker, City Attorney Leal stated City Commission Rule 12k required all members of boards, commissions, and committees to be City residents, unless otherwise provided for by statute, ordinance, or bylaw. City Attorney Leal indicated he had not looked at the RIC ordinance or bylaws regarding an exemption to the residency requirements.

Commissioner Decker indicated she would not support the reappointment of the non-resident member.

Mayor Anderson clarified the non-resident member being discussed was Robert Salisbury.

In response to questions from City Commissioners, CFO Vicenzi provided the following information:

- Mr. Dement had been serving on the RIC since 2005; Mr. Eberts had been serving on the RIC since 1997; and Mr. Salisbury had been serving on the RIC since 2005.
- the RIC used an open application process, and there had been two new applicants within the past couple of years: Nick Griffith and Joshua Sledge. One challenge with recruiting for these positions was the conflict of interest restrictions.
- open positions on the RIC are not openly promoted; members need to have an understanding of financial systems and are recruited from fields of expertise.
- the RIC has been making good decisions; their good work is why the City's pension system is overfunded and has not required a General Fund contribution in years.

Commissioner Hess remarked that Kalamazoo residency was not primary for this committee.

Vice Mayor Cooney acknowledged that diversity was important, but the work of the RIC was amazing – the City had not needed to contribute to the pension system during his tenure.

Commissioner Decker expressed disagreement and emphasized there was a member of the RIC who did not live in the state of Michigan. Commissioner Decker indicated the City Commission should follow its policies.

Commissioner Praedel offered that the City could recognize the good service of Mr. Salisbury and the RIC while acknowledging the need for a change. Commissioner Praedel observed it was not unreasonable to think the City's population could include someone with the necessary knowledge and skill to be on the RIC.

In response to a question from Commissioner Decker, City Attorney Leal offered to review the RIC bylaws regarding non-resident members. City Attorney Leal

suggested moving forward with the other members to be reappointed to the RIC and postponing the reappointment of Mr. Salisbury until the next meeting.

Commissioner Decker, seconded by Commissioner Hoffman, moved to 1) approve the Mayor's reappointments of Dan DeMent and Randy Eberts to the Investment Committee of the Employees Retirement System for terms expiring on March 31, 2026, with approval of a waiver of City Commission Rule 12e regarding term limits; and 2) postpone consideration of the reappointment of Robert Salisbury until City Attorney Leal has had an opportunity to review the RIC bylaws.

Prior to a vote on the motion, Commissioner Hoffman noted the RIC members had served a long time but had done good work. Commissioner Hoffman stated the idea of not disrupting the RIC was compelling, but the Commission needed to look at Diversity, Equity, and Inclusion (DEI) issues.

When an opportunity was given for public comments on the reappointment of members to the Investment Committee of the Employees Retirement System, the following people addressed the City Commission:

Bill Reeves, City resident, asked if another seat could be added to the RIC so the current members could be retained.

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 Ritsema announced a meet-and-greet with the Sustainability Planner on July 18th and the National Night Out events on August 1st.

Items of Unfinished Business were considered next.

Commissioner Praedel remarked on the time needed to review the volume of minutes presented, and he described the reasons for his proposed amendments. Commissioner Praedel comments on the volume of work in the City Clerk's Office and commended staff for their efforts.

Commissioner Juarez seconded by Vice Mayor Cooney moved to approve the minutes from the City Commission meetings on August 29, September 6, September 19, October 3, October 17, November 7, November 21, November 28, December 1, December 5, and December 19, 2022. The minutes from the Business Meetings on September 6th and September 19th, and the Committee of the Whole meeting on October 17th included proposed amendments.

With a roll call vote this motion passed unanimously.

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

NAYS: None

2023-30-17

Reappointment of Members to the Retirement Investment Committee (cont'd)

City Manager's Report**Unfinished Business****2023-30-018**

Approval of Minutes

Commissioner
Comments

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

Commissioner Juarez announced the dates and locations of upcoming Gun Violence Resilience and Resource Rallies. Commissioner Juarez stated the City would not eliminate gun violence; the community coming together would solve the problem. Commissioner Juarez stated the community needed to be intentional, relational, and creative in its approach to gun violence intervention.

Vice Mayor Cooney commended Jeff Patton, Chief Executive Officer for Integrated Services of Kalamazoo for the recent opening of the Behavioral Health Urgent Care & Access Center. Vice Mayor Cooney thanked the people who planted flowers in Bronson Park. Vice Mayor Cooney urged people to participate in the Walk for Recovery on August 5th. Vice Mayor Cooney reported the Michigan Association of United Ways had released the latest ALICE report, which found the following percentages of ALICE (Asset Limited, Income Constrained, Employed) households: 39% of households in MI; 56% of households in the City of Kalamazoo; 80% of single females with children in the City; and 70% of black households in the City. Vice Mayor Cooney suggested that Alyssa Stewart from the United Way be invited to give a presentation on ALICE households in the City at the next City Commission meeting.

Commissioner Hess invited people to the Keeping the Faith carnival on July 24th, the quarterly Styrofoam recycling event on July 22nd, and a public input session for the Parks and Recreation 5-year Strategic Plan on July 27th. Commissioner Hess acknowledged that Chief Operating Officer Laura Lam had addressed a public speaker's concern during the meeting.

Commissioner Praedel commended Joe Kaiser for organizing a home ownership event at the Eastside Community Center. Commissioner Praedel noted the Michigan State Housing Development Authority's (MSHDA's) housing plan called for 75,000 new housing units in state, including 7,500 housing units in Kalamazoo County and 2,100 in the City of Kalamazoo.

Mayor Anderson announced open tryouts for the Police Athletic League (PAL) football league were coming up.

Adjournment

The meeting adjourned at 8:37 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: _____

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