Agenda
City Commission Business Meeting

City of Kalamazoo

Monday, November 20, 2023 5:00 PM

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL - 54th CITY COMMISSION

B. APPROVAL OF MINUTES

1. Approval of the minutes from the City Commission Meetings on June 5, June 20, July 5, July 17, August 7, August 21, September 5, September 18, October 2, and October 16, 2023. **(Action: Motion to approve)**

C. CITY COMMISSIONER COMMENTS

D. REPORT OF THE BOARD OF CANVASSERS

1. Report from the Board of Canvessers for the Municipal Election held on Tuesday, November 7, 2023.

E. ADJOURNMENT SINE DIE

Administration of the Oath of Office to the Newly Elected Mayor, Vice Mayor, and City Commissioners

F. CALL TO ORDER/ROLL CALL - 55th CITY COMMISSION

G. OPENING CEREMONY

1. Invocation: Pastor Greg Jennings, Sr., Progressive Deliverance Ministries

2. Pledge of Allegiance

3. Introduction of Guests

4. Proclamations

   a. Honoring Esteven Juarez

H. ADOPTION OF FORMAL AGENDA

I. COMMUNICATIONS

J. PUBLIC COMMENTS

K. PUBLIC HEARINGS

L. CONSENT AGENDA

M. REGULAR AGENDA

N. REPORTS AND LEGISLATION

O. UNFINISHED BUSINESS

P. POLICY ITEMS

Q. NEW BUSINESS

R. COMMISSIONER COMMENTS

S. CLOSED SESSION

T. ADJOURNMENT

ADDITIONAL INFORMATION

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Questions regarding agenda items may be answered prior to the meeting by contacting the City Manager's Office at 269.337.8047. Persons who wish to contact members of the City Commission prior to the meeting to provide input about items on the meeting agenda may do so via email to CityCommission@kalamazoocity.org.

Agendas for the regular meetings of the Kalamazoo City Commission are available on the Internet at: www.kalamazoocity.org.

The Kalamazoo City Commission's business meetings are held on the first and third Mondays at 7:00 p.m. and are shown live on the Public Media Network (channel 190 for Charter customers, channel 99 for U-Verse customers). Committee of the Whole meetings are held immediately prior to business meetings at 5:00 p.m. Both meetings are also streamed live on the City's Facebook page and YouTube Channel.

Public Media Network rebroadcasts these meetings on Tuesdays at 8:00 a.m., Wednesdays, at 1:00 a.m., and Thursdays at 3:00 p.m.

Community members have the option to provide public comments over the phone for City Commission meetings. Members of the public who wish to provide comments by phone can call 888-382-9556 during the public comment period. They will enter a queue and will be prompted to offer their comments in turn. Callers will be commenting to the City Commission live and will no longer be able to leave a recorded message.

The Kalamazoo City Commission met as a Committee of the Whole on Monday, June 5, 2023 at 4:01 p.m. in the City Commission Chambers at City Hall.

Roll Call

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.

Public Comments

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

<u>In Person Comments</u>

Carol Robinson, City resident, introduced herself as City Attorney Robinson's wife and requested that she receive retiree healthcare as the spouse of soon-to-be retired City employee.

<u>Call-In Comments</u>

None

Closed Session

Commissioner Hess, seconded by Commissioner Juarez moved that the City Commission go into closed session to discuss an attorney-client privileged communication.

With a roll call vote this item was approved unanimously.

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

NAYS: None

Commissioner Comments

An opportunity was given for general comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 4:07 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

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A regular meeting of the Kalamazoo City Commission was held on Monday, June 5, 2023 at 7:01 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Pastor Bill and Marilee Menser, New Day Community Church, was followed by the Pledge of Allegiance.

Recognition of Guests

Mayor Anderson recognized the presence of former City Manager Ken Collard.

Proclamations
2023-24-01

Commissioner Decker proclaimed June 19, 2023 as *Juneteenth*. Marcus Johnson, a member of the audience, received the proclamation on behalf of the community.

2023-24-02

Commissioner Praedel proclaimed June 2023 as *Pride Month – Kalamazoo*. Tracy Hall, Executive Director of Out Front Kalamazoo received the proclamation.

2023-24-03

Commissioner Hoffman proclaimed June 12, 2023 *Honoring Women Veterans Recognition Day*. Toni Kennedy, Veteran Navigator for Southwest Michigan, received the proclamation.

2023-24-04

Commissioner Hess proclaimed June 2, 2023 *Gun Violence Awareness Day*. Members of Kalamazoo Moms Demand Action received the proclamation.

Adoption of the Agenda

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

Commissioner Praedel requested that Items G-7 (a grant agreement with the Peregrine Foundation for implementation the Fusus real time crime center system for downtown) and G-8 (contract with Fusus, Inc. for a real time crime center video and collaboration platform) be moved to the Regular Agenda.

City Manager Ritsema noted the recommendation language for Item G-7 needed to be changed, as the grant was coming from the Hall Downtown Initiative Fund, not the Peregrine Foundation.

2023-24-05
Communications: Presentation on a Community – Based Gun Violence Prevention Plan

Jennifer Heymoss, Vice President for Initiatives and Public Policy at the Kalamazoo Community Foundation, delivered a presentation entitled *June 2023 Kalamazoo Blueprint for Peace Update: Kalamazoo County Collective Input for a Violence Prevention Plan*. A copy of the slides from this presentation was filed with the papers for this meeting.

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

2023-24-05
Communications: Presentation on a Community – Based Gun Violence Prevention Plan (cont'd)

- the community was doing many things right to address gun violence; we just need to fill in the gaps.

- the blueprint is a good document, but without action it is only a piece of paper.

Commissioner Juarez thanked Vice President Heymoss for her work and inclusive approach. Commissioner Juarez stated the community was winning with regard to gun violence, and he expressed appreciation to everyone working on this initiative.

Commissioner Decker thanked everyone who was a part of the journey to address gun violence, and she expressed excitement to see what would happen as a result of these efforts.

Commissioner Praedel remarked that the Blueprint for Peace was one of the most consequential initiatives coming from the Kalamazoo Community Foundation, and he requested a full presentation on this topic.

Commissioner Juarez recognized and acknowledged various community partners who were working to address gun violence.

Public Comments

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

In-Person Comments

2023-24-06

Ken Collard, City resident, expressed opposition to the proposed reconfiguration of lanes on Winchell Avenue between Oakland Drive and Winchell Way apartments. A copy of a flyer submitted by Mr. Collard was filed with the papers for this meeting.

Bruce Merchant, City resident, continued reading Mr. Collard's statement in opposition to the proposed reconfiguration of lanes on Winchell Avenue between Oakland Drive and Winchell Way apartments.

Dan Bair, City resident, asked that the City make the West Main Hill Play Street a permanent feature. Mr. Bair invited Commissioners to an to ice cream social on Saturday to celebrate the opening of the play street.

Jen Stroven, City resident, remarked on the vehicular hazards that would be resolved by the creation of the West Main Hill Play Street, and she thanked staff for their work on the Play Street.

Nora Hauk, City resident, discussed the benefits of having sidewalks, spoke about the lack of sidewalks in West Main Hill, and stated the Play Street project was a meaningful way to create a space for community and safe interactions.

Jessica Glynn, City resident, spoke about the community-building benefits of the West Main Hill Play Street.

Rachel Bair, City resident, thanked the City for the inclusive process that led to the creation of the West Main Hill Play Street.

Public Comments (cont'd)

An anonymous speaker expressed concerns about the proposed mass surveillance system and read questions from the American Civil Liberties Union (ACLU) that should be answered before implementing a surveillance system. The speaker asked the City Commission to reject the proposed surveillance system and turn down the grant; prepare a report that answers the ACLU's questions; ban the use of facial recognition technology in the City; and publicly disclose the results of the Fusus trial project.

Amanda Stuart, City resident, asked the City Commission to vote "No" on Item G-7. Ms. Stuart reported she could not find a "Peregrin Foundation" in state or federal databases, which made her question the true source of the grant.

Representatives from Justice Against Bullying at School (JABS) provided invitations to the JABS Awareness Month Events.

Dylan spoke about JABS and gun violence at New Village Park apartments.

Gwendolyn Hooker, City resident, thanked the City Commission for resources to address gun violence. Ms. Hooker invited City Commissioners to the JABS Jubilation event and the Growth and Development Youth Center.

Charlae Davis, Executive Director of ISAAC, thanked the City Commission for the proclamation and funding to address gun violence. Ms. Davis spoke about the hope and unity among organizations doing anti-gun violence work.

Tom Howes, City resident, spoke about Graphic Packaging and asked who could hold the company responsible for the pollution they were creating. Mr. Howes expressed concern about the proposed video surveillance system and asked the City Commission to vote against it.

Graham, a City resident, asked the City Commission to vote against the proposed video surveillance system.

Iris Potter, City resident, asked the City Commission to hold a public hearing on the Fusus proposal and expressed concern about how the City would use the system. Ms. Potter requested that the Graphic Packaging situation be declared a public health emergency and asked that the City shut down Graphic Packaging with a nuisance violation.

Wendy Fields, President of the Kalamazoo NAAPC, spoke about the need for consequences if an organization violates its values. Ms. Fields stated there should be consequences for actions, and the City needed to lead in this area.

2023-24-07

Jeff Messer, City resident, expressed opposition to new park rules erected on the North Kalamazoo Mall. Mr. asked that the City Commission amend the city code to take away the authority of the Parks and Recreation Director to establish park rules unilaterally. A copy of Mr. Messer's written remarks was filed with the papers for this meeting.

Call-In Comments

An anonymous caller expressed opposition to the Fusus contract and stated Graphic Packaging should be shut down and pay reparations.

Public Comments (cont'd)

Tina, a City resident, questioned why the City was taking away green space and allowing development near Lake Street that would make flooding in the neighborhood worse.

Brian Smith, City resident, expressed opposition to the Fusus system proposal and asked the City Commission to vote against it.

An anonymous City resident demanded that the City Commission reject the video surveillance system proposal.

Sharon, a City resident, expressed opposition to the video surveillance system proposal.

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 post award text addendum to contract 96871-016.0 with Waste Management, Inc. for loading, hauling, stabilizing, and disposal of wastewater residual biosolids. **2023-24-08**

- approval of the sole source purchase of odor suppressant chemicals from Solterra Group, LLC in the amount of $123,200. **2023-24-09**

- approval of a sole source purchase with USP Technologies to provide turnkey hydrogen peroxide storage, chemical feed system, maintenance and operations, monitoring, odor chemicals, and technical assistance in the amount of $125,000. **2023-24-10**

- approval of a one-year contract extension with Mulders Landscape Supplies, Inc. to provide landscaping supplies for the Parks & Recreation and Public Services Departments in the amount of $228,061.71. **2023-24-11**

- approval of a one-year contract extension with Treeworks, Inc for neighborhood tree maintenance in the amount of $242,315. **2023-24-12**

- approval of contract supplemental and change order with Carrier & Gable for traffic signal maintenance supplies in the amount of $266,000. **2023-24-13**

- adoption of a **RESOLUTION** recommending approval of a Social District Permit for New Belgium Brewing Company, Inc. dba Bell's Brewery at 355 East Kalamazoo Avenue. **2023-24-14** Resolution 23-26

- adoption of a **RESOLUTION** approving the 4th Amendment to the Revised Brownfield Plan for Scattered Site Infill Housing. **2023-24-15** Resolution 23-27

- adoption of a **RESOLUTION** approving the 11th Amendment to the City's Revised Brownfield Plan. **2023-24-16** Resolution 23-28

- approval and acceptance of an easement with Coopers Landing 3, LLC for water main installed as part of the Coopers Landing Phase 5 Development in Cooper Township. **2023-24-17**

- approval of the minutes from the City Commission meetings on May 15, 2023. **2023-24-18**

Consent Agenda (cont'd)

Commissioner Hoffman, seconded by Vice Mayor Cooney, 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

Regular Agenda items were considered next.

2023-24-19
Contract for the 2023 Northside #2 Non-Copper Water Service Replacement Project

When an opportunity was given for public comments on a contract with SWT Excavating, Inc. for the 2023 Northside #2 Non-Copper Water Service Replacement Project, the following people addressed the City Commission:

> Jeff Messer, City resident, remarked on the new practice of putting contracts over $1 million on the Regular Agenda and stated this practice did not really increase transparency. Mr. Messer suggested increasing the Regular Agenda threshold to $3 million and/or exempting water and wastewater contracts from this practice. Mr. Messer offered that transparency would better served if the City made public a list of all administratively approved contracts.

Commissioner Hess, seconded by Commissioner Decker, moved to approve a contract with SWT Excavating, Inc. for the 2023 Northside #2 Non-Copper Water Service Replacement Project (Drinking Water Revolving Fund / Booker Funding) in the amount of $1,972,749.77.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-24-20
Contract for the Milwood Water Pipe Lining Project

In response to questions from Commissioner Praedel, Public Services Director James Baker described the Milwood water main lining project and explained that pipe lining allowed the City to refurbish and extend the life of water main without tearing up the roads. Director Baker stated pipe lining would improve water aesthetics only if interior pipe corrosion was the source of iron in the water. Director Baker indicated rehabilitation by lining might be used in other parts of the City, but he could not guarantee it would be used in every neighborhood. Director Baker noted the estimated cost to replace all the remaining cast-iron pipe in the City was approximately $600,000,000, which was not currently funded in the City's budget.

An opportunity was given for public comments on a contract with Fer-Pal Construction USA, LLC for the cured in place pipe lining project for water main in the Milwood Neighborhood, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Hoffman, moved to approve a contract with Fer-Pal Construction USA, LLC for the cured in place pipe lining project for water main in the Milwood Neighborhood in the amount of $2,198,915.

With a roll call vote the motion passed unanimously.

2023-24-20
Contract for the Milwood Water Pipe Lining Project (cont'd)

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

NAYS: None

2023-24-21
First Reading of an Ordinance re: Distracted Driving

City Attorney Robinson provided an overview of an ordinance amending the City's traffic code to prohibit distracted driving. City Attorney Robinson indicated the proposed ordinance incorporated the language from state law verbatim. City Attorney Robinson stated the broad intent of the law was to prohibit drivers from holding or using a mobile device while driving; accordingly, the list of specific prohibitions was characterized as "including but not limited to." City Attorney Robinson noted the law prohibited using a phone at a stop sign or stop light, and he reviewed the exemptions to these prohibitions. City Attorney Robinson remarked on the need for public education on this issue.

In response to a question from Vice Mayor Cooney, City Attorney Robinson explained that having a City ordinance in addition to state law would allow the City Attorney's office to prosecute violations rather than the County Prosecutor.

Commissioners Hess, Juarez, and Decker expressed support for the proposed ordinance.

Commissioner Hess expressed interest in the City's efforts to educate the public about the new ordinance.

When an opportunity was given for public comments on an ordinance amending the City's traffic ordinance to prohibit distracted driving, the following people addressed the City Commission:

> Jeff Messer, City resident, asked whether the City would be able to collect fine revenue, with it being a City ordinance, and he suggested creative enforcement of the new ordinance.
>
> An anonymous speaker remarked that poor people could not afford cars or phone with hands-free tools. The speaker stated the ordinance was redundant, unnecessary, and burdensome for poor people.

City Attorney Robinson indicated the City could collect a portion of the fines for ordinance violations in most situations, but the City had a contract with Kalamazoo County for use of the Crosstown Center that specified the City would not receive any fees until the amount collected reached a certain level.

Commissioner Juarez, seconded by Commissioner Praedel, moved to offer for first reading an ordinance amending the City's traffic ordinance to prohibit distracted driving, as permitted by state statute.

Prior to a vote on the motion, Praedel observed that distracted driving had overtaken drunk driving as a cause of traffic fatalities, but it had not achieved the same stigma.

Commissioner Hess noted a recent car accident caused by a distracted driver had cost her $12,000.

2023-24-21
First Reading of an Ordinance re: Distracted Driving (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

2023-24-22
First Reading of an Ordinance re: Payment in Lieu of Taxes (PILOT)

City Attorney Robinson provided an overview of an ordinance amending Chapter 35 of the Kalamazoo City Code allowing for a Payment in Lieu of Taxes (PILOT) for certain qualifying housing developments that provide dwelling units for low-income individuals and families. City Attorney Robinson explained that state law had changed to include "individuals," and City ordinance was being amended to align with the law. City Attorney Robinson indicated staff had set 60% of Area Median Income (AMI) as the minimum level of affordability to receive assistance. City Attorney Robinson noted he had given Commissioners a new version of the ordinance with corrections and clarifications.

In response to a question from Commissioner Juarez, Mayor Anderson stated 80% of the units needed to be designated for individuals or families at 60% of AMI or lower in order to qualify for a PILOT.

City Attorney Robinson explained that developments with a larger number of more affordable units would be eligible for a lower PILOT, and developments with a smaller number of affordable units would give the developer a higher PILOT.

An opportunity was given for public comments on an ordinance amending Chapter 35 of the Kalamazoo City Code allowing for a Payment in Lieu of Taxes (PILOT) for certain qualifying housing developments that provide dwelling units for low-income individuals and families, but no comments were offered.

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to offer for first reading an ordinance amending Chapter 35 of the Kalamazoo City Code allowing for a Payment in Lieu of Taxes (PILOT) for certain qualifying housing developments that provide dwelling units for low-income individuals and families.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-24-23
First reading of an Ordinance Creating a DEI Department

Diversity, Equity, and Inclusion (DEI) Director Tanya Hewitt-Smith delivered a presentation entitled *City of Kalamazoo Diversity, Equity, and Inclusion Road Map*. A copy of the slides from this presentation was filed with the papers for this meeting.

Commissioner Decker thanked Commissioners and Hess and Hoffman, City Attorney Robinson, and Chief Operating Officer Laura Lam for their work on the proposed ordinance. Commissioner Decker expressed excitement about the ordinance and commitment to the work of DEI.

2023-24-23
First reading of an Ordinance Creating a DEI Department (cont'd)

Commissioners thanked Director Hewitt-Smith and DEI Coordinator Lal Tluangi for their skill as teachers and for the work they were doing to educate the City organization about DEI.

City Attorney Robinson noted Kalamazoo was in the vanguard by creating a DEI Department in City ordinance.

When an opportunity was given for public comments on an ordinance to establish the Diversity, Equity & Inclusion Department, the following people addressed the City Commission:

> Charlae Davis, Executive Director of ISAAC, thanked City Manager Ritsema, Chief Operating Officer Laura Lam, City Attorney Robinson, Commissioner Hess, and Commissioner Hoffman for their hard work. Ms. Davis expressed excitement at seeing the DEI ordinance. Ms. Davis suggested the City have local equity organizations review the proposed ordinance before adoption.
>
> Wendy Fields, City resident, remarked that Director Hewitt-Smith understood the City's culture, but she was in a "honeymoon" period with her position. Ms. Fields asked the City Commission to support Director Hewitt-Smith in whatever ways she needed support. Ms. Fields stated the work would not be easy, especially when people are held accountable.
>
> An anonymous speaker stated he understood DEI to include people with service dogs, but DEI at the City was for race and gender. The speaker listed the places around the City where he was not welcome.

Commissioner Hoffman, seconded by Commissioner Decker, moved to offer for first reading an ordinance to establish the Diversity, Equity & Inclusion Department, whose Director will be appointed by and report to the City Manager.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-24-24
First reading of an Ordinance to Permit the Operation of Class A Microbusinesses

An opportunity was given for public comments on an ordinance to amend Chapter 20B of the Kalamazoo City Code regarding Marijuana Commercial Businesses to permit the operation of Class A Microbusinesses, but no comments were offered.

Commissioner Hess, seconded by Commissioner Decker, moved to offer for first reading an ordinance to amend Chapter 20B of the Kalamazoo City Code regarding Marijuana Commercial Businesses to permit the operation of Class A Microbusinesses.

Prior to a vote on the motion, Commissioner Hoffman indicated she was struggling to supporting this ordinance because there were a lot of marihuana stores in the City already.

In response to questions from Commissioner Juarez, City Attorney Robinson explained that a microbusiness was a unique category of business created by the Cannabis Regulatory Agency (CRA) through the administrative rule process. City

2023-24-24
First reading of an Ordinance to Permit the Operation of Class A Microbusinesses (cont'd)

Attorney Robinson stated Class A Microbusinesses were added to the ordinance but as a business type that was not permitted. City Attorney Robinson reported the Zoning Board of Appeals had granted a variance for a business to operate a Class A Microbusiness at the location of the former Great Lakes Shipping Company, but the City's permitting and regulatory ordinance still did not allow for this type of marihuana business. City Attorney Robinson indicated the proposed ordinance would close the gap between the ZBA's interpretation of the Zoning Code and the regulatory ordinance. City Attorney Robinson explained the differences between a Microbusiness and a Class A Microbusiness. City Attorney Robinson stated he did not think the business in question made a procedural error by seeking the zoning variance first.

Commissioner Juarez remarked on the large number of marihuana businesses in the City and indicated he would not be supporting the proposed ordinance.

City Attorney Robinson spoke about the challenges facing people of color who wanted to open marihuana businesses.

In response to a question from Commissioner Juarez, City Attorney Robinson stated expungement laws were passed two years ago, which allowed people convicted of marihuana offenses to get expungements if the convictions were for activities that became legal as of December 18, 2018. City Attorney Robinson discussed the involvement of his office in the expungement process.

Commissioner Decker stated she tried to be thorough when reviewing marihuana business applicants' community investment statements in her role as a member of the Economic Development Corporation Board. Commissioner Decker noted marihuana businesses were struggling. Commissioner Decker reported some social equity plans were better than others.

Commissioner Juarez questioned whether the City was doing a good thing to allow businesses to form that were going to fail. Commissioner Juarez remarked that minorities always seemed to get "the scraps." Commissioner Juarez stated the black and brown community voted in favor of the marihuana proposal, which was the only reason the proposal passed. Commissioner Juarez stated the City should make equity happen.

Commissioner Decker suggested the City Commission review the Social Equity Policy.

With a roll call vote the motion passed 6-1.

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

NAYS: Commissioner Juarez

2023-24-25
Contract and for a Crime Center Video and Collaboration Platform

Public Safety Chief Dave Boysen delivered a presentation entitled *Fusus Real Time Crime Center: Kalamazoo City Commission, June 5, 2023*. A copy of the slides from this presentation was filed with the papers for this meeting.

Community Planning and Economic Development Director Antonio Mitchell indicated businesses had expressed a desire for a larger police presence downtown, which resulted in consideration of a collaborative video platform. Director Michell

2023-24-25
Contract and for a Crime Center Video and Collaboration Platform (cont'd)

explained the Hall Fund grant would cover the 2023 video system pilot, while the $375,000 contract would cover implementation of the system moving forward. Director Mitchell stated the collaborative video system would help the Kalamazoo Department of Public Safety (KDPS) solve crimes and help the City build relationships with downtown businesses.

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

- dealing with mobile, active shooters is potential application of the Fusus system. The system will be good for officer safety.

- the Fusus system will help the City's economic development initiatives.

- other systems, like the one use for Project Green Light Detroit, have a high cost because businesses must buy a specific camera; the Fusus system accesses existing cameras.

- the Fusus system only integrates with commercial surveillance systems, not smart phones, dash cameras, body cameras, or residential systems like Ring.

- Phase 1 of the Fusus implementation will focus on the Downtown core; Phase 2 will incorporate additional Downtown businesses. Relationships with Kalamazoo Valley Community College, Western Michigan University, and Kalamazoo Public Schools can be explored too.

- the "Core" device will allow KDPS to see what a camera sees, but the video itself will remain in possession of the business. Business owners have a choice and options for what videos are shared with KDPS.

- the Fusus system can be accessed by multiple officers on various devices (desktop computers, laptop computers, mobile devices).

- the grant would fund the first year of the program; through the contract, KDPS is requesting funding for years two and three.

- in the future, the City will look for funding partners from the business community; ideally, system expansion will happen through expanding partnerships.

- this proposal has nothing to do with undocumented immigrants. KPDS has policies about working with the federal Immigration and Customs Enforcement agency (ICE); by policy the City will not share video with ICE. As a company, Fusus does not use facial recognition technology at all – it is not an option with their products.

- the unhoused are at a higher risk for being victims of crime: this system will help them.

- employees at downtown businesses are afraid to come to work; the community needs to know KDPS is partnering with them.

2023-24-25
Contract and for a Crime Center Video and Collaboration Platform (cont'd)

- KDPS protects peoples' civil liberties; the Fusus system will help with that work. Cameras are an important part of the City's strategy to address crime.

- KDPS moved forward with the Fusus pilot because they needed to test the system to see if it worked and if they wanted it.

- the City introduced this concept to the community with Ring cameras in the neighborhoods. Liquor stores could be involved with this system, which would impact the community.

- this forum is a good opportunity to address questions and concerns from the community.

- the Fusus system is compliant with federal Criminal Justice Information Services (CJIS) requirements.

Commissioner Juarez expressed interest in the Fusus system and observed it took KDPS almost two weeks to catch a bank robber. Commissioner Juarez stated people did not want to talk with police, even if they were eyewitnesses to a shooting. Commissioner Juarez remarked that people were already under surveillance; this system just offered a new way to use the video. Commissioner Jaurez expressed hope that this system could help fight racism by preventing false accusations.

Commissioner Hess reported she had attended meetings where downtown businesses were pleading with KDPS for help. Commissioner Hess stated this was a good next step.

Commissioner Hoffman spoke about the need for the City to improve its community relations and address issues about police legitimacy. Commissioner Hoffman stated she empathized with businesses on the Kalamazoo Mall, but crime was happening in every part of the community. Commissioner Hoffman expressed hope that the City's relationship building would involve the entire community.

Vice Mayor Cooney acknowledged there were good reasons to be concerned about surveillance. Vice Mayor Cooney stated he was encouraged to hear the Fusus system would start downtown, and there would be community conversations before it was expanded into the rest of the community. Vice Mayor Cooney stated the Fusus system seemed to address the ACLU's questions for surveillance systems.

City Attorney Robinson noted the Fusus system would integrate with cameras owned by private entities; the cameras would not be owned by the government. City Attorney Robinson also pointed out the system would not violate constitutional protections against unreasonable searches and seizures, because the cameras would be in public places, where there was no reasonable expectation of privacy.

Mayor Anderson stated the City's work with video camera systems began in the neighborhoods, and the community was supportive. Mayor Anderson reported the Northside Cultural Business District Authority Board was upset that it was not included in the Phase I implementation. Mayor Anderson described a situation involving kids in a hijacked car that were found because of cameras in the Fusus pilot.

2023-24-25
Contract and for a Crime Center Video and Collaboration Platform (cont'd)

When an opportunity was given for public comments on a sole source, three-year contract with Fusus, Inc. for a real-time crime center video and collaboration platform, the following people addressed the City Commission:

An anonymous speaker offered remarks on the lack of transparency about the Fusus system, the nature of the Fusus system as a partnership with the business community, the lack of data in the Chief's presentation, and Amazon's sharing of Ring camera data with law enforcement agencies. The speaker asked the City Commission to reject this proposal until data from the pilot project was presented publicly to the community at-large.

An anonymous speaker asked whether the Fusus system could work with traffic cameras to catch people using their phones while driving. The speaker remarked that City staff would not let him film them, even though City Hall was a public place.

An anonymous speaker referenced new park rules for the Kalamazoo Mall and his past comments to the City Commission about surveillance systems. The speaker asked the Commission to postpone action for two weeks to allow the public to find out how the Fusus system had been abused in other jurisdictions.

An anonymous speaker stated he was opposed to the Fusus system at first, but now it seemed like something the City should consider. The speaker suggested postponing action on this item. The speaker stated there was no unbeatable cybersecurity, and he questioned what crimes the system would be used for.

Brad Devereaux urged people to push for transparency on this issue and stated private outreach to businesses did not take the place of public City Commission meetings. Mr. Devereaux remarked that staff gave unclear answers to the questions that were raised.

Commissioner Juarez suggested the City Commission accept the grant to cover the cost of the Fusus pilot but postpone action on the contract.

Commissioner Decker expressed support for Commissioner Juarez's suggestion.

In response to questions from Commissioner Juarez, Director Mitchell stated the Fusus pilot happened over a 3–6-month period during the first half of 2023. Director Mitchell indicated staff could provide data from other cities on the impact of the Fusus system.

Chief Boysen explained the Fusus pilot was small in scope; it was not big enough to impact crime data.

In response to questions from Commissioner Decker and Mayor Anderson, Assistant City Manager Rebekah Kik stated the funding source for the grant was the Hall Downtown Initiative Fund at the Kalamazoo Community Foundation. Assistant City Manager Kik clarified the Hall Downtown Initiative Fund was established by the owners of Peregrine Towers.

Commissioner Hess, seconded by Commissioner Juarez, moved to postpone until June 20, 2023 consideration of a sole source, three-year contract with Fusus, Inc. for a real-time crime center video and collaboration platform in the amount of $375,000.

2023-24-25
Contract and for a Crime Center Video and Collaboration Platform (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

2023-24-26
Acceptance of a Grant for a Real-Time Crime Center System

When an opportunity was given for public comments on the acceptance of a grant from the Hall Downtown Initiative Fund to support implementation of the Fusus real-time crime center system in Downtown Kalamazoo, the following people addressed the City Commission:

> An anonymous speaker stated PSO's going door-to-door was a community building exercise and very different than just looking at a camera. The speaker stated witnesses' fear of retaliation was not a good excuse for getting a surveillance system.

Commissioner Juarez, seconded by Commissioner Decker, moved to approve a grant agreement accepting $100,000 from the Hall Downtown Initiative Fund to support implementation of the Fusus real-time crime center system in Downtown Kalamazoo.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Commissioner Comments

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

Vice Mayor Cooney expressed agreement with Mr. Collard and stated the City should follow the Winchell Neighborhood Plan. Vice Mayor Cooney stated it was painful to hear about children getting sick because of pollution on the Northside, and he requested a monthly update report on the status of the situation with Graphic Packaging.

Commissioner Decker remarked on the Brownfield Plan amendments that were approved on the Consent Agenda. Commissioner Decker thanked Neighborhood Activator Slaby for organizing the Westnedge Hill Block Party.

Commissioner Hess noted the City Commission would be meeting on June 20th rather than June 19th due to the Juneteenth holiday.

Commissioner Praedel thanked staff for being at the meeting and working late.

Mayor Anderson reported he spoke at the Milwood Middle School graduation event. Mayor Anderson thanked Commissioners for doing this work.

Adjournment

The meeting adjourned on June 6, 2023 at 12:17 a.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

The Kalamazoo City Commission met as a Committee of the Whole on Monday, June 20, 2023 at 4:01 p.m. in the City Commission Chambers at City Hall.

Roll Call

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.

Commissioner Excused

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

Public Comments

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

*Commissioner Juarez arrived at 5:02 p.m.

2023-25-01
Presentation re: the FY 2024 Budget

Management Services Director and Chief Financial Officer Steve Vicenzi delivered a presentation entitled *FY2024 Budget Process Update*. 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. CFO Vicenzi provided the following information:

- there are $17.2 million of unallocated ARPA funds. The goal is to allocate all remaining ARPA funds in the FY 2024 budget.

- there are no planned mid-year budget amendments.

- there is $130,000 in the City Commission Initiatives line item for 2023. It would not be an issue if Commissioners wanted to use some of these funds to help with transportation for the City's youth programs.

- all of the City Commission's priorities are well-represented in the special requests submitted by staff.

- when considering how to use ARPA funding, simply dividing the dollars evenly across the City's priorities was not the best approach; the appropriate funding source needs to be considered for each activity. Every housing priority fit the ARPA criteria.

- some of the future economic uncertainties included interest rates and the property values/tax revenue.

Vice Mayor Cooney remarked on the need for a plan to address poverty, and he stated the City did not have a plan.

2023-25-01
Presentation re: the FY 2024 Budget (cont'd)

Commissioner Hoffman noted some communities were offering reparations, and she asked if the City could do that.

Commission Juarez questioned what the City could do right now, before approval of the 2024 budget, to impact the community and reduce poverty. Commissioner Juarez stated resources were helpful in the short term, but poverty was a mindset that needed to be changed.

In response to Commissioner Juarez, Commissioner Hoffman stated poverty was systemic and a state of being, not just a mindset. Commissioner Hoffman stated relationships were needed, in addition to programming.

Commissioner Juarez agreed that there were systemic barriers that fostered poverty, but he noted a person's mindset drove their behavior, which drove results.

Commissioner Hoffman stated those in power needed to be more generous, and she stated community leaders needed to get people to "another level"; the question was how to get people to that level. Commissioner Hoffman remarked that there would always be people in the community who needed more than others.

Commissioner Decker remarked that conversations like this were the types of conversations the community wanted to hear, and they should be happening at Committee of the Whole (CoW) meetings. Commissioner Decker observed there were interconnections between the City Commission's priorities. Commissioner Decker announced she would be making a motion at the business meeting regarding CoW meetings.

Vice Mayor Cooney stated people were poor and hurting because of historical dynamics. Vice Mayor Cooney stated hope changed peoples' mindsets, but it was resources that addressed poverty, as demonstrated by the Great Society initiatives.

Commissioner Juarez stated there were three types of poverty – physical, spiritual, and emotional – and he stated the City needed to address all three.

Commissioner Hess remarked on educational opportunities in Kalamazoo and stated education gave hope.

Commissioner Decker expressed agreement with Commissioner Juarez about needing to do the work now, and she questioned what the City Commission could do right now to address poverty.

2023-25-02
Presentation re: the 2023-2025 Communications Plan

Communications Manager Michael Smith delivered a presentation entitled *2023-2025 Communications Plan*. 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. Communications Manager Smith provided the following information:

- specific goals for 2023 included: working on the Diversity, Equity, and Inclusion (DEI) initiative; putting out a workplace survey; creating a community calendar; and writing columns and speeches.

- when there is a gap between what the community wants and what the City is doing, the communications team can consult with Commissioners to

2023-25-02
Presentation re:
the 2023-2025
Communications Plan
(cont'd)

help them understand and communicate the City's role and efforts on a particular situation or topic.

Commissioner Decker expressed support for consistency in the City's communications and having someone coordinate meetings with neighborhood associations. Commissioner Decker requested that staff keep Commissioners informed of meetings taking place in the community and asked whether Commissioners could get notes from these meetings. Commissioner Decker requested that staff work with the media to make sure they were invited to City meetings.

Commissioner Praedel offered the following suggestions: the City should tailor its communication strategy to specific neighborhoods; the City should be consistent in its meetings with neighborhood associations and should commit to a schedule; the City Commission should talk about one of its priorities at each Committee of the Whole meeting and cycle through them; the City Commission should invite staff to its meetings to recognize them; the Freedom of Information process should be included in the Communications Plan.

Commissioner Hess noted that City Commissioners and staff talked frequently about the need for good communication. Commissioner Hess expressed support for the 311 Customer Service Center and for the idea of recognizing employees at City Commission meetings.

Mayor Anderson expressed appreciation for Communications Manager Smith and thanked him for including internal communications in the plan.

Commissioner Decker encouraged managers and supervisors to allow their employees to attend the City's employee recognition event.

Commissioner Comments

An opportunity was given for general comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 6:13 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

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A regular meeting of the Kalamazoo City Commission was held on Monday, June 20, 2023 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Pastor Mark Holeman from Northeastern Baptist Church, was followed by the Pledge of Allegiance.

Proclamation
2023-26-01

Vice Mayor Cooney read a proclamation commemorating the *51st Anniversary of Youth Basketball League (YBL), June 2023*. Charles Parker, founder of Charlie's P.L.A.C.E., received the proclamation.

2023-26-02

Commissioner Praedel read a proclamation entitled, *City Attorney Clyde Robinson Recognition of Service*, and Mayor Anderson presented City Attorney Robinson with a Key to the City. City Attorney Robinson offered remarks on his career as a municipal attorney.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

Mayor Anderson apologized for comments he made at a recent ribbon cutting ceremony that some felt were offensive.

Public Comments

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

<u>In-Person Comments</u>

2023-26-03

Ken Collard, City resident, expressed opposition to the proposed lane reconfiguration of Winchell Avenue. A copy of Mr. Collard's written remarks was filed with the papers for this meeting.

Bruce Merchant, City resident, expressed support for Mr. Collard's remarks and his proposed alternative to the City's planned lane reconfiguration for Winchell Avenue.

An anonymous speaker expressed frustration that the improvements being made by the City were not addressing issues affecting poor people.

Ann Martinez, City resident, asked the City to address a commercial structure on a neighboring property that was leaning into her garage at 1117 Conant Street.

Public Comments (cont'd)

Kayla Kling, owner of a spa business at 323 North Burdick Street, requested more police presence in the downtown area to address the large population of unhoused individuals and related issues like trash and public defecation.

David Robinson, City resident, honored his dad, Clyde Robinson, and remarked on how people his dad had worked with impacted him.

Karla Reno, City resident, expressed concern about the large population of unhoused individuals in the Arcadia area asked that the Festival Site be enclosed.

Charles Parker, City resident, stated he was the organizer of the Memorial Day Parade and thanked the City for supporting the parade.

Jeff Lectka, City resident, expressed concerns about problems related to the large population of unhoused individuals in the Arcadia/North Mall area. Mr Leckta requested the City pay attention to this issue and provide more policing.

Jeff Messer, City resident, explained how a commercial building could be located in a residential zone and that some City funds could only be used for specific purposes. Mr. Messer stated the City Commission shut down a proposal to located a daytime shelter at the former Lakeside Academy.

Call-In Comments

Tina, a City resident, questioned why the City was trying to take away the last area of green space in the Southtown area?

Judy Lowery, City resident, expressed opposition to the proposed installation of surveillance cameras and the recent installation of new signage in City parks.

Kay, a City resident, expressed opposition to the new signage in City parks, the proposed surveillance cameras, and the Kalamazoo Department of Public Safety (KDPS) evicting homeless people from encampments.

Jeff Weisman, City resident, expressed concerns about conditions on the North Kalamazoo Mall. Mr. Weisman requested more KDPS patrols downtown and more enforcement of the junk auto ordinance in the Northside Neighborhood.

Carlson, a City resident, expressed support for the recently posted signs in City parks.

Sabrina Pritchett-Adams, City resident, expressed concerns about the proposed video surveillance system.

Victoria expressed opposition to the proposed video surveillance system.

Ryan Smith, City resident, expressed opposition to the proposed video surveillance system and the new park rules.

Iris Potter, City resident, expressed opposition to the proposed video surveillance system and stated the Graphic Packaging plant should be shut down.

Public Comments (cont'd)

Ryan, a City resident, expressed opposition to the proposed contract for a video surveillance system, and he stated something needed to be done about the Graphic Packaging plant.

Zach Lassiter, City resident, expressed opposition to the proposed video surveillance system.

Joe Byars, City resident, urged Commissioners to vote "no" on the proposed contract for a video surveillance system.

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:

2023-26-04

- approval of the sole source purchase of four wastewater odor reducing passive carbon scrubber units from Robert H. Wager Company in the amount of $162,300.

2023-26-05

- approval of a contract with Taplin Group for transportation and disposal of plant screenings in the amount of $175,000.

2023-26-06

- approval of a one-year contract extension with GHD for 2023 Consulting Services related to the Cork St. Landfill in the amount of $156,600.

2023-26-07

- approval of a one-year contract with Alexander Chemical Corporation for the purchase of sodium hexametaphosphate in the amount of $268,620.

2023-26-08

- approval of a one-year contract with Wilson Chemical Solutions for the purchase of 75% phosphoric acid in the amount of $141,750.

2023-26-09

- approval of a contract and change order with Peter's Construction for the 2023 sidewalk improvement program gap-fill project in the amount of $250,000.

2023-26-10
Resolution 23-29

- adoption of a **RESOLUTION** approving Contract 23-5150 with the Michigan Department of Transportation for the replacement of Inkster Bridge in the amount of $656,440.

2023-26-11
Resolution 23-30

- adoption of a **RESOLUTION** recommending approval of a Social District Permit for Crawlspace Theatre Productions, L3C at 315 W Michigan Ave.

2023-26-12
Resolution 23-31

- adoption of a **RESOLUTION** authorizing the City to submit a SPARK grant application to the Michigan Department of Natural Resources for approximately $739,800 to make recreation renovations to Emerald Park.

2023-26-13

- acceptance of a grant in the amount of $39,040.85 from Kalamazoo Rotary Satellite for stage lighting and netting improvements to Bronson Park.

2023-26-14

- approval of the appointment of Alonzo Wilson II to the Shared Prosperity Kalamazoo Organizing Committee for a term expiring on March 31, 2026.

2023-26-15

- approval of the Mayor's appointments and reappointment to boards and commissions:

2023-26-15 (cont'd)

- the appointment of Laura Fredrickson to the Natural Features Protection Review Board for a term expiring on March 31, 2024.

- the appointment of Mitchell Curtis to the Planning Commission for a term expiring on March 31, 2025.

- the appointment of Christine Dascenzo to the Planning Commission for a term expiring on March 31, 2026.

2023-26-16

- approval of a recommendation to postpone until July 5, 2023 consideration of an agreement for the sale of 710 N Edwards Street to Hazel L Cook, owner of 714 N Edwards Street, for the sale price of $150.

Vice Mayor Cooney, 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

*At the time of the vote, Commissioners Praedel and Decker abstained from voting on Item G-8, a resolution approving a Social District Permit for Crawlspace Theatre Productions, L3C. Commissioner Praedel indicated the applicant was a family friend.

Regular Agenda

Regular Agenda items were considered next.

2023-26-17
Resolution 23-32: Capital Improvement Bonds Resolution of Intent

Management Services Director and CFO Steve Vicenzi provided an overview of proposed bond issues for the general Capital Improvement Program (CIP), Water System capital improvements, and Wastewater System capital improvements.

An opportunity was given for Commissioner questions, but no questions were asked.

An opportunity was given for public comments on a Notice of Intent Resolution for the issuance of 2023 Capital Improvement Bonds in an amount not to exceed Fourteen Million Eight Hundred Thirty-Five Thousand Dollars ($14,835,000), but no comments were offered.

Commissioner Juarez, seconded by Commissioner Decker, moved to adopt a Notice of Intent **RESOLUTION** for the issuance of 2023 Capital Improvement Bonds in an amount not to exceed Fourteen Million Eight Hundred Thirty-Five Thousand Dollars ($14,835,000).

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-26-18
Resolution 23-33: Wastewater System Revenue Bonds Resolution of Intent

Opportunities were given for Commissioner questions and public comments on a Notice of Intent Resolution for 2023 Wastewater System Revenue Bonds in an amount not to exceed Twenty-One Million Six Hundred Fifty-Five Thousand Dollars ($21,655,000), but no questions or comments were offered.

Commissioner Juarez, seconded by Commissioner Hess, moved to adopt a Notice of Intent **RESOLUTION** for 2023 Wastewater System Revenue Bonds in an amount not to exceed Twenty-One Million Six Hundred Fifty-Five Thousand Dollars ($21,655,000).

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-26-19
Resolution 23-34: Water System Revenue Bonds Resolution of Intent

Opportunities were given for Commissioner 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 Thirty-Seven Million Six Hundred Seventy Thousand Dollars ($37,670,000), but no questions or comments were offered.

Commissioner Hoffman, seconded by Commissioner Juarez, moved to adopt a Notice of Intent **RESOLUTION** for the issuance of 2023 Water Supply System Revenue Bonds in an amount not to exceed Thirty-Seven Million Six Hundred Seventy Thousand Dollars ($37,670,000).

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-26-20
Acceptance of a RAISE Grant for Planning re: Downtown Two-Way Street Conversion

In response to questions from Commissioners, Public Services Director James Baker provided an overview of the RAISE grant and pointed out this was a competitive planning grant for specific parts of the downtown related to the conversion of one-way streets to two-way streets. Director Baker stated a lot of work had been done already on this project.

When an opportunity was given for public comments on the acceptance of a RAISE grant in the amount of $5,974,694 from the US Department of Transportation to support planning and design for the Downtown Transportation Network, the following people addressed the City Commission:

Jeff Messer, City resident, noted these grant funds were an example of funds that would be designated for a specific purpose.

An anonymous speaker questioned whether the grant funds could be used to clean up the downtown area.

2023-26-20
Acceptance of a RAISE Grant for Planning re: Downtown Two-Way Street Conversion (cont'd)

Commissioner Juarez, seconded by Commissioner Praedel, moved to accept a RAISE grant in the amount of $5,974,694 from the US Department of Transportation to support planning and design for the Downtown Transportation Network.

Prior to a vote on the motion, Commissioners Praedel, Hess, Decker, and Juarez expressed support for the grant and appreciation to City staff for their work on the project and to acquire the grant.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-26-21
Ordinance 2064 Prohibiting Distracted Driving

City Attorney Robinson gave a brief overview of an ordinance to prohibit distracted driving. City Attorney Robinson stated the ordinance was based on new legislation, which the Governor had signed into law, and which would go into effect on June 30th.

When an opportunity was given for public comments on an ordinance amending the City's traffic ordinance to prohibit distracted driving, the following people addressed the City Commission:

> An anonymous speaker remarked that he had witnessed at least 10 occasions when Public Safety Officers (PSO's) were on their phones at traffic lights, and he added he frequently saw PSO's speed through neighborhoods.
>
> An anonymous speaker offered reasons why PSO's and other first responders might be on their phones while driving.

Commissioner Praedel suggested both the state and City work to educate the public about the new distracted driving law and ordinance.

Commissioner Decker observed this was an opportunity for the City to put its new Communication Plan into action.

Commissioner Hess, seconded by Commissioner Decker, moved to adopt an **ORDINANCE** amending the City's traffic ordinance to prohibit distracted driving, as permitted by State statute.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-26-22
Ordinance 2065 Creating the Diversity, Equity, and Inclusion Department

Commissioner Hess recognized Commissioners Hoffman and Decker, City Attorney Robinson, Chief Operating Officer Laura Lam, Diversity Equity, and Inclusion (DEI) Director Tanya Hewitt-Smith, and DEI Coordinator Lal Tluangi for their work to develop an ordinance creating a DEI Department.

2023-26-22
Ordinance 2065 Creating the Diversity, Equity, and Inclusion Department (cont'd)

Commissioner Decker expressed excitement for the adoption of this ordinance. Commissioner Decker stated the creation of a DEI Department would help shape the City's policies and processes and was part of the City becoming an anti-racist government.

Mayor Anderson noted the development of the proposed ordinance was one example of the many City activities that happened outside of the public eye.

An opportunity was given for public comments on an ordinance to establish the Diversity, Equity & Inclusion Department, but no comments were offered.

Commissioner Hoffman, seconded by Commissioner Decker, moved to adopt an **ORDINANCE** to establish the Diversity, Equity & Inclusion Department, whose Director will be appointed by and report to the City Manager.

Prior to a vote on the motion, Commissioner Praedel stated this ordinance was Commissioner Decker's vision, and he commended her for working to make the vision happen.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-26-23
Ordinance 2066 Permitting the Operation of Class A Microgrower Marihuana Businesses

When an opportunity was given for public comments on an ordinance to amend Chapter 20B of the Kalamazoo City Code regarding Marijuana Commercial Businesses to permit the operation of Class A Microbusinesses, the following people addressed the City Commission:

> Mattie Jordan-Woods, City resident, questioned whether the proposed ordinance would expand the areas where marihuana businesses could operate.

City Attorney Robinson explained the proposed ordinance would simply allow a Class A Microbusiness to get a City operating permit.

Commissioner Hess, seconded by Commissioner Praedel, moved to adopt an **ORDINANCE** to amend Chapter 20B of the Kalamazoo City Code regarding Marijuana Commercial Businesses to permit the operation of Class A Microbusinesses.

Prior to a vote on the motion, Commissioner Juarez questioned if there were too many marihuana businesses in the City of Kalamazoo and Kalamazoo County, and he noted a lot of these businesses were in the poorest neighborhoods.

In response to questions from Commissioner Juarez and other Commissioners, Community Planning and Economic Development (CPED) Director Antonio Mitchell and City Attorney Robinson provided the following information:

- this ordinance was being brought forward because there were businesses that wanted to open this type of marihuana business.

2023-26-23
Ordinance 2066
Permitting the Operation of Class A Microgrower Marihuana Businesses (cont'd)

- the City's Social Equity Policy is still in effect and its benefits can be used by Class A Microbusinesses. An effective social equity program would provide funding for qualified businesses, but the City was not able to do this because of marihuana's illegal status under federal law.

- cannabis establishments are expensive: approximately $500,000 is required to get into the business. In addition, it is more difficult for cannabis businesses to raise capital because banks will not loan money to them; most of these businesses are being capitalized with personal wealth. The situation is not fair, but the City is being aggressive with its Social Equity Policy and is doing what it can in the area of social equity.

- the City receives unrestricted funds from the state in the form of excise tax revenue. The City Commission adopted a Social Equity Policy that earmarks 25% of state tax and local fee revenue for social equity. The social equity language in state law comes from the citizen-initiated adult use statute.

- another way the City tries to address social equity is to offer qualifying businesses reduced minimum separation distances between licensed facilities, to open up sites that are accessible only to social equity businesses.

- the City would need to be intentional about creating a vehicle to get social equity businesses started. The proposed Cannabis Chamber was that vehicle. Nobody is doing workshops to help BIPOC applicants or is attempting something like the Cannabis Chamber; the City is building these structures.

- the proposed ordinance is not designed to address social equity; social equity is a much bigger problem that what a single ordinance can fix.

Commissioner Juarez stated the Black, Indigenous, Persons of Color (BIPOC) community was "sold bill of goods" when it came to cannabis businesses and equity. Commissioner Juarez spoke about systemic inequities and the fact that people knew those in marginalized communities would not be able to get into the cannabis industry. Commissioner Juarez questioned who was behind the 2018 ballot initiative. Commissioner Juarez acknowledged the proposed ordinance would not solve the problem of social equity, but he stated the ordinance was a "slap in the face" to the black and brown community. Commissioner Juarez indicated this was an example of the disconnect between cultures.

Commissioner Praedel observed that the license for a Class A Microbusiness was more expensive at the state level than for a regular Microbusiness. Commissioner Praedel stated the situation was a Catch-22: if the City did not amend its ordinance the businesses that wanted this type of permit would simply go to another jurisdiction. Commissioner Praedel added that adoption of the ordinance would concentrate wealth and power, but if the Commission did not adopt the ordinance the City would lose revenue that could be used for social equity.

Mayor Anderson noted the adult use cannabis statute was citizen-initiated, and voters approved it. Mayor Anderson stated the City held townhall meetings to get input and was trying to address social equity.

Commissioner Decker noted that minority participation was not addressed in the social equity plans submitted by applicants for City permits. Commissioner Decker wondered how the City could get people into marihuana businesses if they did not

2023-26-23
Ordinance 2066
Permitting the Operation of Class A Microgrower Marihuana Businesses (cont'd)

have access to capital. Commissioner Decker agreed with Commissioner Praedel that the Class A Microbusiness seemed to be a lot more expensive that a regular Microbusiness. Commissioner Decker suggested increasing the percentage of marihuana revenue earmarked for social equity.

With a roll call vote the motion passed 4-3.

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

NAYS: Decker, Hoffman, Juarez

2023-26-24
Ordinance 2067
Amending Chapter 35 re: Payments in Lieu of Taxes (PILOT's)

When an opportunity was given for public comments on an ordinance amending Chapter 35 of the Kalamazoo City Code allowing for a Payment in Lieu of Taxes (PILOT) for certain qualifying housing developments that provide dwelling units for low-income individuals and families, the following people addressed the City Commission:

> Mattie Jordan-Woods, City resident, asked whether the proposed ordinance would allow existing housing developments to be granted a PILOT.
>
> An anonymous speaker asked if he could get a PILOT if he received a lead paint removal grant.

In response to Ms. Jordan-Woods, Housing Development Supervisor Sharilyn Parsons stated the proposed ordinance changes would not make existing housing developments eligible for PILOT's. Housing Development Supervisor Parsons explained state law and regulations still required the involvement of the Michigan State Housing Development Authority (MSHDA) in order for a project to be eligible for a PILOT.

Ms. Jordan-Woods reported the state had told her it was a City rule that prevented the Northside Association for Community Development from getting a PILOT. Ms. Jordan-Woods stated the situation was not equitable and noted the BIPOC community was disadvantaged.

Mayor Anderson and Housing Development Supervisor Parsons described changes that had taken place at the state level with regard to low-income housing tax credits. Housing Development Supervisor Parsons explained the City's PILOT ordinance was being amended to reflect those changes.

Commissioner Juarez requested that staff meet with Ms. Jordan-Woods in the next two weeks to discuss her questions and concerns. Commissioner Juarez encouraged staff to educate developers about the opportunities available through state law and the PILOT ordinance.

Mayor Anderson offered that there was an opportunity for a discussion about creative ways to do affordable housing.

Commissioner Praedel, seconded by Vice Mayor Cooney, moved to adopt an **ORDINANCE** amending Chapter 35 of the Kalamazoo City Code allowing for a Payment in Lieu of Taxes (PILOT) for certain qualifying housing developments that provide dwelling units for low-income individuals and families.

2023-26-24
Ordinance 2067
Amending Chapter 35
re: Payments in Lieu of
Taxes (PILOT's)
(cont'd)

Prior to a vote on the motion, Commissioner Praedel stated the City needed to use whatever tools were available to address the need for housing, and he noted this ordinance would show the City's commitment to mixed income housing developments.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-26-25
Resolution 23-35
Setting PILOT Fees

When an opportunity was given for public comments on a resolution setting payment in lieu of taxes (PILOT) fees for qualifying low-income housing projects, the following people addressed the City Commission:

Mattie Jordan-Woods questioned whether the proposed resolution would help black developers.

Commissioner Hoffman, seconded by Commissioner Praedel, moved to adopt a **RESOLUTION** setting payment in lieu of taxes (PILOT) fees for qualifying low-income housing projects.

Prior to a vote on the motion, and in response to questions and comments from Commissioners, Housing Development Supervisor Parsons provided the following information:

- the fee resolution accompanied the ordinance that was just adopted; the fees would apply to developments that qualified for PILOT's.

- four percent (4%) was the lowest possible PILOT fee. The fees were recommended by staff and approved by the City Commission. Staff did not want to create one standard for the fee, as that might stifle development. The scaled fee schedule created an incentive for developers to offer more affordability in their developments.

- the reference in the resolution to PILOT's approved within a certain time frame was a reference to developments for which the City Commission awarded a PILOT's in 2021. A court case reversed the City Commission's award actions, but recent changes to the law made those developments PILOT-eligible again. There were two PILOT's approved during this timeframe; both were approved for 100% of the units. The resolution used a date range because specific names cannot be used in a situation like this.

With a roll call vote the motion passed unanimously.

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

NAYS: None

The meeting recessed at 10:38 p.m.
The meeting resumed at 10:53 p.m.

Unfinished Business

Items of Unfinished Business were considered next.

2023-26-26
Contract for a Real-Time Crime Center Video and Collaboration Platform

Deputy Public Safety Chief Matt Huber provided an update on the community outreach that had occurred since the June 5th City Commission meeting regarding the proposed real-time crime center video and collaboration platform through the solution provider Fusus.

Commissioner Hess noted the proposed system was not a surveillance system to watch for potential crimes but would be used in response to a crime that had been committed.

In response to questions and comments from Commissioners, Deputy Chief Huber and Director Mitchell provided the following information:

- the City had 50 cameras to deploy. Staff had been in conversations with businesses that might be willing to participate, but it was unknown how many businesses would opt-in to the system.

- the Fusus system had a robust audit trail, which would provide accountability. Staff would develop a “use of technology” policy. The policies developed can be shared with the City Commission prior to implementation of the system. Staff has no objection to having a “check-in” with the City Commission one year after implementation.

- there will additional, intentional community meetings to explain the system.

- the proposed contract with Fusus would be a three-year contract. The federal government was not involved in this project in any way; the grant funding accepted at the previous Commission meeting was for the Fusus pilot and came from downtown business owners. The ongoing costs would be $375,000 for the three-year contract, which would be paid for with City funds.

- the video system would be used once a crime was committed. There were difference levels of permission that businesses could grant in terms of the City’s access to the cameras and video. The City could also use the system for virtual patrols.

- staff had reached out to the North Kalamazoo Mall but had not contacted businesses in particular; 7-8 property owners might be interested in participating.

- the Fusus system was not capable of facial recognition; the company was against facial recognition technology.

- currently there are 35 PSO vacancies at KDPS. On weekdays there are 13 PSO’s on patrol citywide; that number jumps to 17 on the weekends; there are 1-2 PSO’s patrolling downtown at any given time.

- the “core” devices on site at the business stored video for 48 hours. The video can be “snipped” and saved for evidentiary purposes.

- the data in the system was encrypted both in transit and at rest; the system complied with the Criminal Justice Information System (CJIS) standards required by the US Department of Justice.

2023-26-26
Contract for a Real-Time Crime Center Video and Collaboration Platform (cont'd)

- Kalamazoo would be the first community in Michigan to use the Fusus system.

- the Fusus system would help with issues PSO's encountered when canvassing for video footage after a crime, such as businesses being closed or the person on site at the business not having the knowledge or authority to access the video system or share the video.

- larger cities using the Fusus system included Atlanta, Chicago, and South Bend. Atlanta just used the system to solve a mass murder. The Fusus system would be one more tool for KDPS to use.

- up to this point the City had done a small pilot to make sure the system works. If the contract is approved, the City will start working with businesses and neighborhood associations to expand participation.

- it was not clear whether ARPA funds could be used for this contract. The system was an open system; businesses could purchase the "core" device themselves.

Commissioner Hess stated she had met with downtown business owners, Chief Boysen, and Assistant Chief Victor Green, and that meeting opened her eyes to the situation downtown. Commissioner Hess stated if implementing the Fusus system would help address gun violence, then the City should do it.

Commissioner Decker indicated she was looking forward to seeing the technology use policy and stated the City Commission would be interested in outcomes and data. Commissioner Decker remarked on the importance of businesses being able to opt-in and opt-out of the system. Commissioner Decker stated this could be a good tool for KDPS.

When an opportunity was given for public comments on a three-year contract with Fusus, Inc. for a real-time crime center video and collaboration platform, the following people addressed the City Commission:

Kim Harris, non-resident, expressed opposition to the proposed Fusus contract. Ms. Harris questioned who would have access to the data and whether the public would ever know if the City was using facial recognition tools.

Mattie Jordan-Woods, City resident, questioned why the City was implementing this first in the downtown area and expressed concern that the video system would reduce crime downtown area by pushing into the core neighborhoods. Ms. Jordan-Woods asked why the City was responding to businesses that requested more protection, when the core neighborhoods had been asking the City for help with stopping gun violence for years. Ms. Jordan-Woods stated the City should have invited the Northside Cultural Business District board to hear about the system.

Bill Farmer expressed concern about facial recognition and compared the proposed Fusus implementation to Project Red Light in Detroit, which the US Department of Justice deemed ineffective.

2023-26-26
Contract for a Real-Time Crime Center Video and Collaboration Platform (cont'd)

Christina Augustine, non-resident, noted that renters did not have the ability to opt-in or opt-out of the system. Ms. Augustine stated people were giving up their liberty for security, and she read the 4th Amendment to the US Constitution.

An anonymous speaker spoke about the invasion of public spaces and pointed out City staff did not like being recorded.

An anonymous speaker questioned why the City did not develop a use policy during the Fusus pilot and why information on the pilot was not available to the public. The speaker noted that policies were not laws and would not protect people The speaker stated the City needed to wait on this proposal.

Jeff Messer, City resident, observed that the crimes committed downtown were petty offenses, and while the Fusus system did not do facial recognition, its video algorithms utilized artificial intelligence (AI). A copy of Mr. Messer's written remarks was filed with the papers for this meeting.

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to approve a sole source, three-year contract with Fusus, Inc. for a real-time crime center video and collaboration platform in the amount of $375,000.

Prior to a vote on the motion, Commissioner Juarez spoke about the impact of cultural differences and described the scene of shooting he had witnessed the previous week. Commissioner Juarez stated the City should deploy the Fusus system in areas where crime was the worst. Commissioner Juarez indicated he was willing to give up some of his liberty for the love of his community. Commissioner Juarez suggested making the use of technology policy an ordinance, if that is what people wanted.

Vice Mayor Cooney noted that people in the neighborhoods wanted a surveillance system. Vice Mayor Cooney stated KDPS needed help to address violence in the City.

Commissioner Decker expressed agreement with the remarks made by her colleagues.

Commissioner Praedel related a story about his inability to access the video system at his place of employment when KDPS needed footage of a crime committed across the street. Commissioner Praedel reviewed the opportunities that had been given for public input and noted that businesses could opt-in and opt-out of participating in the system. Commissioner Praedel observed that private citizens and businesses used technology to protect themselves. Commissioner Praedel acknowledged that the City Commission had an oversight responsibility to make sure the use of technology did not cross a line, and he stated the City Commission wanted policies in place and a check-in from staff.

Commissioner Hess expressed support for the motion and stated her heartache and empathy for the community was leading her to support the implementation of this tool to help KDPS.

Mayor Anderson pointed out that people used surveilling technology every day in the form of smart phones and GPS in their vehicles. Mayor Anderson stated the

City Commission would demand that the Fusus tool be used ethically, and he expressed support for making this tool available.

2023-26-26
Contract for a Real-Time Crime Center Video and Collaboration Platform (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

Next, an item of New Business was considered.

New Business

Mayor Anderson provided an overview of a proposed amendment to the employment agreement with City Attorney Clyde Robinson, which would allow City Attorney Robinson to obtain the City's retiree healthcare insurance for his wife.

2023-26-27
Amendment to the Employment Agreement with Clyde Robinson

Commissioner Hoffman noted there were four other non-bargaining unit (NBU) staff members who were in the same situation as City Attorney Robinson, and she asked that they be given the same option as City Attorney Robinson.

City Manager Ritsema explained retiree healthcare benefits for NBU employees were established in administrative policy, whereas the City Attorney's benefits were established in an employment agreement approved by the City Commission.

Commissioners Hoffman and Praedel requested that the City Manager consider making healthcare benefits available to partners of NBU retirees who were similarly situated to City Attorney Robinson.

An opportunity was given for public comments on the proposed amendment to the employment agreement, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Hess, moved to approve an amendment to the employment agreement with City Attorney Clyde Robinson to provide spousal health insurance upon his retirement.

With a roll call vote the motion passed unanimously.

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

NAYS: None

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

Commissioner Comments

Commissioner Decker, seconded by Commissioner Hess, moved to set aside $30,000 from the City Commission budget to help the Kalamazoo Department of Public Safety find transportation for youth for City programs throughout the summer.

Allocation of Funds to Reduce Barriers to City Recreation Programs

In response to a question from City Manager Ritsema, Commissioner Decker clarified that the programs she was referencing were the Police Athletic League (PAL) programs and any other areas where Chief Boysen saw a need.

Allocation of Funds to Reduce Barriers to City Recreation Programs (cont'd)

Commissioner Juarez noted the Parks and Recreation Department provided transportation to and from some of its programs, but the timing of those programs prevented staff from providing transportation to and from the PAL programs.

Commissioner Decker amended her motion to be: "Set aside $30,000 for the 2023 year for the transportation of youth with the PAL programs." Commissioner Hess concurred with the amendment.
Discussion followed.

City Attorney Robinson suggested the City Commission authorize the City Manager, and by extension, Chief Boysen, to expend funds immediately to address the issues that exist, with the understanding that there would be a follow-up action on July 5th to retroactively allocate the funds.

Commissioner Decker, seconded by Commissioner Hess, moved to authorize the City Manager to take steps necessary to reduce access barriers to the PAL programs and to come back with a resolution at the next City Commission meeting.

With a roll call vote, the motion passed unanimously.

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

NAYS: None

Commissioner Comments (cont'd)

Commissioner Hess thanked City Attorney Robinson for his service. Commissioner Hess requested that the next business meeting agenda include an item creating a committee to look at the marihuana ordinances.

Commissioner Praedel thanked City Attorney Robinson and his family for their sacrifice and service to the City.

Adjournment

The meeting adjourned at 12:31 a.m. on June 21, 2023.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

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A business meeting of the Kalamazoo City Commission was held on Wednesday, July 5, 2023 at 7:02 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT:	Mayor David Anderson Vice Mayor Don Cooney Qianna Decker Jeanne Hess Chris Praedel
COMMISSIONERS ABSENT:	Stephanie Hoffman Esteven Juarez*

Also present were Chief Operating Officer Laura Lam, City Attorney Aaron Leal, and Deputy City Clerk Shelby Moss.

Commissioners Excused

Commissioner Decker, seconded by Commissioner Hess, moved to excuse the absence of Commissioners Hoffman and Juarez. With a voice vote the motion passed.

Invocation/Pledge

The invocation, given by Pastor Jake Lehman from Trinity Lutheran Church, 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:

2023-28-01

Commissioner Praedel, seconded by Commissioner Hess, moved to postpone Item G14 (approval of City Commission minutes) the next City Commission meeting.

*Commissioner Juarez arrived at 7:07 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Vice Mayor Cooney requested Item G1 (approval of a professional service agreement to cover the remaining costs for the two-way street conversion project) be moved from the Consent Agenda to the Regular Agenda.

A member of the public requested Item G9 (acceptance of a grant from The Recycling Partnership, Inc.) be moved from the Consent Agenda to the Regular Agenda.

Deputy City Manager Lam highlighted the Parks and Recreation Outdoor Cinema events, the 37th Annual Black Arts Festival, and the ongoing process to update the City's Zoning Code.

Public Comments

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

Public Comments (cont'd)

In Person Comments

Marty Webber, representative of Only Allen Cannabis, thanked the City Commission for updating the City's cannabis ordinance and described his business processes and life experiences.

Mr. Harris, City resident, invited the public to attend the Keeping the Faith at Interfaith event on July 24th and requested event sponsorship from the City.

Benjamin, City resident, expressed concerns regarding a citation someone had received for sitting on a park bench, his experience at the Kalamazoo County Court House, and the conduct of City staff.

Call-In Comments

Tina McClinton, a City resident, expressed concerns regarding the City allowing additional building between Stockbridge and Lake Street, as the property was in a floodplain and the additional building would add to the flooding problem in that area.

An anonymous caller read from a report regarding the public protests in the summer of 2020 and the response from the Kalamazoo Department of Public Safety (KDPS).

Consent Agenda

Consent Agenda items were presented as follows with a recommendation to approve the items and authorize for the City Manager to sign on behalf of the City:

- approval of the purchase of one bucket truck from Altec Industries Inc. in the amount of $189.643. **2023-28-02**

- approval of a contract with David Construction, Inc. for the replacement and reconstruction of Schippers Lane Culvert in the amount of $138,872.50. **2023-28-03**

- approval of a professional service agreement with OHM Advisors for construction engineering services related to the Inkster Bridge construction work through MDOT Contract Number 23-5150, for a not to exceed cost of $278,000 **2023-28-04**

- approval of a contract with Pipeline Management Company for the 2023 Catch Basin Cleaning Program in the amount of $112,500. **2023-28-05**

- acceptance of a grant from Region 5 Homeland Security in the amount of $34,440 for the purchase of a Gemini Chemical Identification Analyzer. **2023-28-06**

- approval of the sole source purchase of a Gemini Chemical Identification Analyzer from Thermo Scientific for the Kalamazoo County Hazardous Materials Response Team in the amount of $120,255. **2023-28-07**

- adoption of a RESOLUTION approving an Act 381 Brownfield Plan for the redevelopment project at 215 E. Michigan Avenue. **2023-28-08** Resolution 23-

- approval of KDPS Deputy Chief Matt Huber's election to enter the Deferred Retirement Option Plan (DROP). **2023-28-09**

2023-28-10

- approval and acceptance of an easement agreement with the City of Parchment for the continued installation and operation of Water Pressure Reducing Station 44.

2023-28-11

- approval and acceptance of an easement agreement with Valley Vision Construction and Development for water main that will be installed as part of the 2023 Drinking Water State Revolving Fund Water System Upgrades Project.

2023-28-12

- approval of an agreement for the sale of 710 N. Edwards Street to Hazel L. Cook, owner of 714 N. Edwards Street, for the sale price of $150.

Commissioner Praedel, seconded by Commissioner Hess, moved to approve the consent agenda requests, and authorize the City Manager to sign all documents on behalf of the City.

With a roll call vote this motion passed.

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

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

2023-28-13
Agreement with the United Way to Adjust Funding Sources for the Business Development Program

Molly Trueblood, Associate Director of Community Impact for Small Business with the United Way of South Central Michigan (UWSCMI), gave a presentation entitled *UWSCMI Kalamazoo Small Business Programs Update, July 5, 2023*. A copy of the slides from this presentation was filed with the paperwork for this meeting.

Community Planning and Economic Development (CPED) Director Antiono Mitchell provided an overview and update on the Kalamazoo Small Business Loan Fund as of June 2023. A handout provided by Director Mitchell's handouts was filed with the paperwork for this meeting.

In response to questions from Commissioners, Ms. Trueblood reported the United Way launched a marketing program before each grant period, but the loan program was primarily spread via word of mouth. Ms. Trueblood estimated 60-70% of business assisted were homebased business, and the priority of the grant program was to support those who were new in their entrepreneurial journey. Ms. Trueblood reported one of the programs biggest priorities was to connect new and existing businesses with community partners and programs.

Director Mitchell reported the City was both encouraging home-based businesses and partnering with Can-Do Kalamazoo, a business incubator, to provide affordable rentable office space for those looking to move beyond being a home-based business. Ms. Trueblood highlighted the Kalamazoo Start-Up Center, the BETA program with Black Wall Street Kalamazoo, and the First Path program at Southwest Michigan First to help business get started. Ms. Trueblood reported the dollars committed by Kalamazoo County were committed to serving businesses outside the City of Kalamazoo. Ms. Trueblood explained how she built relationships with the businesses in the loan program, and if repayment became an issue for a business, they often reached out to discuss an alternate repayment plan.

2023-28-13
Agreement with the United Way to Adjust Funding Sources for the Business Development Program (cont'd)

Ms. Trueblood stated she shows respect for the business owners, and the Small Business Cabinet has been pivotal in the development of the loan program and providing technical assistance to businesses. Ms. Trueblood closed by saying how impressed she was with the businesses in the City and the program was a leader in the area. Director Mitchell thanked the Foundation for Excellence for their support.

Vice Mayor Cooney expressed support for the partnership and agreement.

Mayor Anderson observed that the work to assist these businesses aligned with the City Commission priorities.

An opportunity was given for public comments on the proposed contract, but no comments were offered.

Commissioner Hess, seconded by Vice Mayor Cooney, moved to approve a new contract with the United Way of South Central Michigan (formerly the United Way of Battle Creek and Kalamazoo Region) to adjust funding sources for the final year of the original three-year Business Development Agreement.

In response to questions from Commissioner Decker, Director Mitchell clarified the Building Façade Grant Program was not being completely depleted, but staff estimated the dollars could be better spent on the business development program.

Commissioner Praedel expressed support for the contract and requested a presentation on the Asset Limited, Income Constrained, Employed (ALICE) Report in the future.

Commissioner Hess expressed support for the contract and thanked the parties involved for their collaboration.

With a roll call vote this motion passed.

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

NAYS: None

City Manager's Report

2023-28-14
Drinking Water Revolving Fund Contract 1 for Water System Improvements

Public Services Director James Baker provided a brief overview of Items H2 and H3, contracts with SWT Excavating, Inc. for water service line replacement, water main replacement, and a pumping station consolidation project.

In response to questions from Commissioners. Director Baker clarified the projects were receiving over $10 million in State of Michigan ARPA funding and over $4 million in forgivable loans. Director Baker described the location of Pumping Station 1 and 2 and the reason for consolidation. Director Baker stated the projects being considered would not impact water rates for the current year, but the long-range rate plan did call for rate increases in 2024. Director Baker stated the funding for Contact 2 may accommodate the replacement of additional lead service lines, but whether the additional work could be done would be dependent on what crews find in the field and approval from the State of Michigan. Director Baker clarified the contracts being considered were not the only lead service line replacement programs in the City, and he stated much of the work would be completed in 2024.

2023-28-14
Drinking Water Revolving Fund Contract 1 for Water System Improvements (cont'd)

An opportunity was given for public comments on a contract with SWT Excavating, Inc. for FY23 DWRF Contract 1 – Water System Improvements, but no comments were offered.

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to approve a contract with SWT Excavating, Inc. for FY23 DWRF Contract 1 – Water System Improvements, in the amount of $8,995,875.38.

Commissioner Juarez thanked Director Baker for his work and expressed support for the contract.

Commissioner Praedel expressed gratification that the City of Kalamazoo was chosen for the grants, and he remarked on the positive experience his family had with the Public Services Department when work was completed at his home.

With a roll call vote this motion passed.

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

NAYS: None

2023-28-15
Drinking Water Revolving Fund Contract 2 for Northside Non-Copper Service Line Replacements

An opportunity was given for public comments on a contract with SWT Excavating for FY23 DWRF Contract 2 – Northside Non-Copper Service Line Replacements, but no comments were offered.

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to approve a contract with SWT Excavating for FY23 DWRF Contract 2 – Northside Non-Copper Service Line Replacements, in the amount of $5,310,449.76.

With a roll call vote this motion passed.

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

NAYS: None

2023-28-16
Contract with Wightman & Associates for Engineering Design Costs re: the Two-Way Street Conversion Project

Vice Mayor Cooney expressed concerns regarding the approval of additional funding for the Kalamazoo Avenue two-way street conversion project when families in the community were living in poverty. Vice Mayor Cooney expressed concerns that there was no plan to reduce poverty even though it was a City Commission priority.

Director Baker explained the need for design engineering services and other pre-construction work for the Kalamazoo Avenue two-way street conversion project. Director Baker explained the funding for the project was mix of multiple federal grants, which were earmarked for the two-way street project. Director Baker highlighted the Water Affordability Program coming in 2024 and the recent application for $9 million to assist those households meeting the ALICE criteria with outstanding water and sewer bills.

2023-28-16
Contract with Wightman & Associates for Engineering Design Costs re: the Two-Way Street Conversion Project (cont'd)

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

- the two -way street project would cost 30 million dollars total.

- 19 million dollars of the funding was grant dollars, and the remaining funding was coming from the Kalamazoo Area Transportation Study (KATS) and the Michigan Department of Transportation.

- the City's goal was to cover the two-way street project costs with grant funding.

- during the public and internal engagement processes for the design, it became apparent the desired route would need to include the roads of Michikal and West Main Street; as a results, the project would require additional engineering services.

- the Public Services department was focused on both maintaining current infrastructure and building new infrastructure for the future.

Vice Mayor Cooney stated the City needed to approach poverty with the same efforts the City committed to street projects.

Commissioner Hess spoke about taking a "yes/and" approach and the importance of investing in infrastructure. Commissioner Hess expressed support for both ending poverty and the two-way street conversion project.

An opportunity was given for public comments on a professional service agreement with Wightman & Associates for engineering design costs for the Kalamazoo Avenue two-way street conversion project, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Decker, moved to approve a professional service agreement with Wightman & Associates in the amount of $386,500 to cover the remaining engineering design costs for the Kalamazoo Avenue two-way street conversion project.

Vice Mayor Cooney stated he would like to see the City invest as many resources as possible to solve poverty and noted he would like to see more efforts devoted to developing a plan to end poverty.

Mayor Anderson remarked on a recent request he had received from the US Conference of Mayors asking for a presentation regarding the high number of grant dollars received by the City of Kalamazoo. Mayor Anderson expressed support for ending poverty but noted the dollars being allocated for the project were already earmarked for infrastructure.

Commissioner Hess referenced an excerpt from Mayor Bobby Hopewell's last State of the City Address where he spoke about the City being split by two highways. Commissioner Hess stated his remarks emphasized to her the importance of the two-way street conversion project to achieve the values of IK 2025.

2023-28-16
Two-Way Street Conversion Engineering Contract (cont'd)

With a roll call vote this motion passed.

AYES: Commissioners Decker, Hess, Juarez, Praedel, Mayor Anderson

NAYS: Vice Mayor Cooney

2023-28-17
Contract for Recycling Program Education

Director Baker provided an overview of a grant from The Recycling Partnership, Inc. and stated recycling education was important to reduce the contamination rate and increase the City's tons recycled. Director Baker explained the proposed educational campaign would focus on the City's multi-family units.

Commissioner Decker expressed support for additional recycling education in the City.

An opportunity was given for public comments on a grant from The Recycling Partnership, Inc., but no comments were offered.

Commissioner Hess, seconded by Commissioner Decker, moved to accept a grant in the amount of $204,500 from The Recycling Partnership, Inc. to improve educational materials and participation in the City's residential recycling program.

With a roll call vote this motion passed.

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

NAYS: None

2023-28-18
City Manager's Report

Director Baker highlighted the 2022 Water Quality Report, which was mailed to all water customers in 11 jurisdictions. A copy of the 2022 Water Quality Report was filed with the paperwork for this meeting.

In response to questions from Commissioners, Director Baker stated the City continued to distribute water filters and replace them as needed, but there were no plans to walk City streets and distribute water filters. Direct Baker clarified the single $10,000 fine was for missing a PFAS sampling, and he stated the City would continue to work with the contracted labs to improve water sampling submissions and improve crew resource management. Director Baker confirmed the 2022 Water Quality Report was available online.

Commissioner Decker requested that water filters be made available at the upcoming National Night Out events in the City.

Chief Operating Officer Lam shared the City had created an employee appreciation committee lead by 311 Director Mimi Leake, and the committee would be tasked with working on the upcoming employee appreciation event as well as other ways to honor City employees for their hard work and dedication.

Commissioner Comments

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

Commissioner Decker requested the Fiscal Impact section of the agenda reports for Items H2 and H3 be updated to remove the decimal point in ($10,298.39) and have it replaced with a comma. Commissioner Decker thanked Deputy Chief Matt

Commissioner Comments (cont'd)

Huber for his continued employment with KDPS. Commissioner Decker spoke about the project at 215 E. Michigan Avenue as a positive example of the Obsolete Property Rehabilitation Act at work. Commissioner Decker noted it was important for the City to support development incentives as they helped to make projects more financially viable for entrepreneurs.

Commissioner Juarez highlighted the work of Public Safety Chief David Boysen and Assistant Chief David Juday to bring community members together and provide resources to parents of at-risk youth. Commissioner Juarez remarked that work was being done in the community to combat gun violence, but it might be unseen by residents because the work was so personal in nature.

Commissioner Praedel thanked City Attorney Leal for joining the City and congratulated Kalamazoo on receiving 20 million dollars for changes to the interchanges connecting U.S. 131 and the U.S. 131 Business Route. Commissioner Praedel thanked State Senator Sean McCann, State Representative Julie Rogers, and State Representative Christine Morse for brining those dollars to Kalamazoo. Commissioner Praedel remarked on the amazing work by the Public Services Department in 2022 to replace 829 lead service lines.

Commissioner Hess expressed condolences to Commissioner Hoffman and her family. Commissioner Hess highlighted summer youth programs funded by a grant from the Kalamazoo Youth Development Network (KYDNet). Commissioner Hess invited the community to celebrate the Kalamazoo National Day of Summer Learning on July 20th in Bronson Park. Commissioner Hess requested that Chief Operating Officer Lam and Mayor Anderson explore using money from the City Commission initiatives fund to offer a sponsorship to the Keeping the Faith at Interfaith event. Commissioner Hess thanked City staff for doing the work to provide services only the City could provide, such as safe drinking water, sewer services, free and fair elections, economic development, and public safety.

Mayor Anderson stated he was looked forward to continued conversations to address poverty and gun violence in Kalamazoo.

Adjournment

The meeting adjourned at 9:27 p.m.

Respectfully submitted,

Shelby Moss
Deputy City Clerk

For City Commission approval on ___________________________

The Kalamazoo City Commission met as a Committee of the Whole on Monday, July 17, 2023 at 5:01 p.m. in the City Commission Chambers at City Hall.

Roll Call

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.

Public Comments

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

In Person Comments

Joe Agostinelli, non-resident and founder of Michigan Growth Advisors, encouraged the City Commission to think about the impact of the proposed Neighborhood Enterprise Zone (NEZ) policy. Mr. Agostinelli expressed concerns about the current draft of the policy and stated some of the provisions would kill several development projects proposed for the downtown area.

Pat Lennon, an attorney representing 19 Props, LLC and the Arcadia Iron Works project, expressed concerns about the proposed NEZ policy, and especially the proposed NEZ time limits, which were less than the statutory limit.

2023-29-01

Nicole Nzioki, representing the Survivors Advocacy Board with the YWCA, expressed concern about federal bill HR 2601, which would require domestic violence hotlines to provide information from calls to law enforcement agencies. Information provided by Ms. Nzioki was filed with the papers for this meeting.

Call-In Comments

None

2023-29-02
Presentation re: Zoning Ordinance Updates

Community Planning and Economic Development Deputy Director Christina Anderson and Assistant City Planner Bobby Durkee delivered a presentation entitled *Proposed Zoning Code and Map Updates: COW Presentation, July 17, 2023*. A copy of the slides from this presentation was filed with the papers for the meeting.

In response to questions and comments from City Commissioners, Deputy Director Anderson and Assistant Planner Durkee provided the following information:

2023-29-02
Presentation re: Zoning Ordinance Updates (cont'd)

- a Special Use Permit is for uses that are permitted in a particular zoning district after review by the Planning Commission. The point is to make sure a proposed use is a good fit for the property.

- the property at 2130 Parkview Avenue "hugs" the property at the corner of Parkview and Oakland Drive. The property has attracted attention because people are concerned that changing the zoning will inevitably lead to development, which is not true. There are other tools available to create and protect open space.

- the "Public" zoning district exists in the text of the Zoning Code but not on the map – no property has this zoning designation. The Public district is for civic/municipal uses. It could be a starting point for using zoning as a conservation tool.

- the proposed changes will not weaken the Natural Features Protection (NFP designation. The changes will clarify the original intent of the NFP and will provide direction to the NFP Review Board and property owners. Property owners have the freedom to develop their properties within the NFP standards.

- the new zoning code will include design standards that will replace the separate Downtown and Southtown Design Guidelines. The Live-Work 1 and Live-Work 2 zones will be used a lot in the Southtown area.

- there have been a lot of comments about lighted signs and billboards relative to light pollution. Staff will be looking into this.

- community meetings were held at the Kalamazoo Public Library downtown, Kalamazoo College, and The Dormouse Theatre in the Edison Neighborhood. Lighting and NFP were issues rising to the top during the community meetings.

- the next draft of the zoning code (draft 3) will be available by the August Planning Commission meeting.

- the Maple Street Magnet School/Hudson Street/Peeler Street area was an example of an area where the regulation of intense uses on residential streets would come into play. There are some small commercial parcels in this otherwise residential area.

- proposed changes to the NFP in the 2nd draft of the zoning code includes adding additional non-permeable surface coverage limits to the coverage limits in the base zoning districts, keeping the guidance on the location of open spaces, and eliminating the requirement to leave open spaces.

- required fence and driveway sight distances were added for safety.

Commissioner Decker stated she was learning that change was necessary for growth, and she thanked staff for their work on the zoning code updates.

Commissioner Praedel asked staff to ensure people had enough time to review new drafts of the proposed ordinance as they were released. Commissioner Praedel expressed hope that lighting regulations would be included in the 3rd draft of the code.

2023-29-03
Presentation re:
Neighborhood Enterprise Zones

Assistant City Planner Durkee and Sustainable Development Coordinator Jamie McCarthy delivered a presentation entitled *Neighborhood Enterprise Zones (NEZ) Draft Policy: Committee of the Whole, July 17, 2023*. A copy of the slides from this presentation was filed with the papers for the meeting.

In response to questions and comments from City Commissioners, Deputy Director Anderson and Sustainable Development Coordinator McCarthy provided the following information:

- there were two separate items being discussed: a draft NEZ policy, and a proposed NEZ for a specific project.

- in the last three years of an NEZ certificate, the taxes phase in until there is no more abatement when the certificate expires.

- the proposed NEZ would be in the area surrounded by the Varnum Building, the Vermeulen Building, and the West Michigan Cancer Center.

- the proposed NEZ policy would be brought forward with the current project, which would happen at the end of August, at the earliest.

- the differences between the NEZ tool and the Obsolete Property Rehabilitation Act (OPRA) tool were the qualifying criteria and possibly the length of the abatement. The decision on which tool to use was made on a project-by-project basis.

- in many cases the development tools available to the City were created and authorized by state law; City policies needed to be in alignment with those statutes.

- using the NEZ tool with the Payment in Lieu of Taxes (PILOT) tool was possible, but it might be difficult because the NEZ tool offered a tax abatement, while the PILOT took away the regular *ad valorem* taxes and replaced them with a calculated payment based on rents.

- the Area Median Income (AMI) for a family of four was around $70,000 per year.

- the NEZ action at the 7:00 Business Meeting was a public hearing on the creation of the proposed zone; no action was being requested at this time. Staff would continue to work on both the policy and the specific NEZ project.

- the Vine Neighborhood NEZ has been in place since 2010; the Marketplace NEZ has been in place since 2013; and the Lovell-Rose-Cedar NEZ has been in place since 2018. The City has not had an NEZ policy up to this point.

Commissioner Decker expressed hope that NEZ developments could include housing units for people with incomes at or below 30% of the AMI. Commissioner Decker suggested staff look at policies in other cities, and she requested that the NEZ policy be brought to the City Commission for approval by August 21st. Commissioner Decker commented that the City was seeing the benefits of the NEZ tool, and now a policy was needed to set developer expectations.

2023-29-03
Presentation re:
Neighborhood Enterprise
Zones (cont'd)

Commissioner Hoffman stated the City needed to keep having conversations about different housing types.

Commissioner Praedel expressed support for adding more development tools to the City's toolbox and stated the City would need to be creative with housing incentives. Commissioner Praedel noted the City was commended in a recent presentation to the Michigan Association of Planners.

Vice Mayor Cooney pointed out the proposed NEZ policy would incentivize workforce housing, not low-income housing.

Open Discussion

Mayor Anderson noted the meeting agenda included an opportunity for "Open Discussion," but this discussion would need to be postponed due to the time and the need for a break before the 7:00 Business Meeting.

Commissioner Comments

An opportunity was given for general comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 6:47 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

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.

Roll Call

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.

2023-30-02
Public Hearing re: the Proposed Eleanor-Rose-Water-Park Area Neighborhood Enterprise Zone

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

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. **2023-30-03**
- 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. **2023-30-04**
- 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. **2023-30-05**
- approval of a contract extension with Trace Analytical Laboratories, Inc. for analytical testing services for a total amount not to exceed $194,176. **2023-30-06**
- approval of a contract with County Line Nurseries, Inc for the 2023 Tree Planting Program in the amount of $236,250. **2023-30-07**

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 DWRF 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 DWRF 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 - approval of the following appointments to the Parks and Recreation Advisory Board:

- 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.

2023-30-16
Contract Supplemental and Change Order for Contract No. 2 North Kalamazoo Non-Copper Service Line Replacements

Public Services Director James Baker reviewed the proposed contract supplemental/change order with SWT Excavating, Inc. for the FY 2023 DWRF 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 DWRF 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 DWRF 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

2023-30-17
Reappointment of Members to the Retirement Investment Committee

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

2023-30-17
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 statue, 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 withing 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.

2023-30-17
Reappointment of Members to the Retirement Investment Committee (cont'd)

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's Report

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

Unfinished Business

Items of Unfinished Business were considered next.

2023-30-018
Approval of Minutes

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

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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The Kalamazoo City Commission met as a Committee of the Whole on Monday, August 7, 2023 at 5:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

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.

Public Comments

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

<u>In Person Comments</u>

Glen Hawkins, City resident, expressed concern about the negative impacts of truck traffic on Reed Avenue. Mr. Hawkins requested that Reed Avenue be repaved prior to the scheduled repaving in 2029.

Linda Cross, City resident, expressed concern about speeding traffic on Reed Avenue and requested speed bumps.

<u>Call-In Comments</u>

None

2023-31-01
Blueprint for Peace Update

Chief Operating Officer Laura Lam introduced Jennifer Heymoss, Vice President of Initiatives and Public Policy at the Kalamazoo Community Foundation, and Andrea Meinema-Macklin, Associate Director of Community Impact at United Way of South Central Michigan, who delivered a presentation entitled, *August 2023 Kalamazoo Blueprint for Peace Update: City of Kalamazoo Committee of the Whole*. A copy of the slides from this presentation was filed with the papers for the meeting.

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

- the Community Violence Intervention (CVI) grant awards to individual organizations were not released publicly, but the figures could be provided to Commissioners.

- there will be on online scoresheet showing CVI activities and results.

- there was a gap between the CVI work being done by passionate people who were focused on doing their part, and the need for a bird's eye view and coordination of effort. Achieving coordination would take the work from being competitive and transactional to collaborative and transformational. Everyone is responsible for the work, but no one person or group can do it all.

2023-31-01
Blueprint for Peace Update (cont'd)

- building relationships was important; working with people and building trust was necessary to get them to share their data. Systemic change centered on racial healing and relationship building. The people doing this work would not have been able to talk with people in Lansing two years ago about what was needed to address gun violence.

- coordination/capacity building work was being done right now; meetings were being scheduled for October to bring people and groups together.

- the CVI Coordinating Committee needs youth representatives, and their input is needed on the CVI Strategy. This representation needs to include youth who were impacted by gun violence and expulsions, not just the motivated young people who typically volunteered to serve on committees.

- if the City and Kalamazoo County continued their partnership, there would be $1,128,950 available for the CVI Phase 2 grant process. If the funding was coming from the City alone, the available amount would be $557,000.

- regarding sustainability, the ARPA funds were a one-time gift. The CVI Coordinating Council would need to think about other funding streams that were already in place. There was a need for clear communication among funders and coordinators; coordination was more important that funding.

- Kalamazoo is looking into using Medicaid for CVI, and those same conversations are happening across the country. Kalamazoo is the first community in Michigan to have a community strategy; Milwaukee is a model for us.

- the Phase 2 CVI grant is being proposed as an upfront grant rather than a reimbursement program. The Phase 1 grants were two-year grants; there would be overlap between the Phase 1 and Phase 2 grants. It has not been decided whether Phase 1 grant recipients will be eligible for Phase 2 grants, but they should apply.

- nobody has a clear grasp of the big picture; this has been a puzzle that's being put together, matching needs with funding streams. Kalamazoo is a well-resourced community; the challenge is to be transparent regarding funding sources.

Commissioner Juarez remarked on the multiple layers and facets of CVI work and noted the process to effect lasting change was a slow process. Commissioner Juarez reported that some groups doing work on-the-ground were also doing their own convening. Commissioner Juarez remarked on the need to structure funding to address urgent needs and also sustain the CVI effort over the long term. Commissioner Juarez asked if the CVI grant recipients could speak to their work.

Commissioner Praedel commented on the need to reduce barriers in the grant application process.

Mayor Anderson invited the recipients of CVI grant funds to address the City Commission and talk about the work they were doing.

Gwendolyn Hooker thanked the City for working with Kalamazoo County to address gun violence and for providing funding to Hope Through Navigation –

2023-31-01
Blueprint for Peace
Update (cont'd)

$250,000 over two years. Ms. Hooker stated details of how the grant funds were being spent were in their monthly reports. Ms. Hooker reported Hope Through Navigation had helped 17 people with burial costs since last fall. Ms. Hooker expressed uncertainty about the lack of interest in the fully paid life insurance that was offered, especially because the risk of experiencing gun violence was greater for families that had already experienced gun violence. Ms. Hooker stated the youth were the most important CVI component that was not really in place, and she noted youth work Hope Through Navigation was doing was being done by youth. Ms. Hooker thanked the United Way for helping with the federal grant requirements.

In response to questions from Commissioner Hoffman, Ms. Hooker spoke about the high cost of funeral and burial services. Ms. Hooker stated Hope Through Navigation's budget was $2,000 per household, and Griffin Place also had funds available for funeral services. Ms. Hooker indicated most people wanted a full funeral service with burial, and she stated it was a hard conversation to talk about reducing funeral costs. Ms. Hooker stated the real conversations needed to be about life insurance, and she highlighted an 8-week span that saw the murder of three men, who had 19 children between them. Ms. Hooker spoke about the need for intentional work to give resiliency and trauma care.

James Harris, Outreach Manager at Urban Alliance, stated there was a lot of work being done in the community, and Urban Alliance was a small piece. Mr. Harris reported 58 men had gone through the Change of Status (CoS) program. Mr. Harris stated the curriculum and supports at Urban Alliance were effective, but the program needed to go beyond 12 weeks. Mr. Harris stated there was a need for Tier 2 and Tier 3 programs, which would make the entire program 36 weeks long. Mr. Harris noted he was able to hire former program participants to be peer support. Mr. Harris stated the next CoS graduation would take place on Thursday at 6:00 p.m. at The Experience. Mr. Harris invited City Commissioners to visit CoS sessions, which were held at various locations based on the topic.

Sharlae Davis, Executive Director of the Interfaith Strategy for Action and Advocacy in the Community (ISAAC), reported ISAAC was receiving $193,000 over two years, which was being used to fund trauma support for those doing CVI work on the ground. Ms. Davis indicated the funds were also used to support violence interrupters, Group Violence Intervention workers, and safe lodging for those who had experienced gun violence. Ms. Davis spoke about the challenges of finding housing, as the same disparities in Kalamazoo made it difficult for ISAAC to find housing for people in other cities. Ms. Davis reported ISAAC had been approved to help the families of victims with funeral and burial costs. Ms. Davis stated Kalamazoo Empowerment, The Synergy Health Center, and The Black and Brown Therapy Collective had been good at providing trauma support, which was vital, as those working to address gun violence were impacted by the work.

Mayor Anderson thanked presenters and stated the City Commission had identified gun violence as a priority. Mayor Anderson commended City staff and expressed appreciation for the City's efforts to do this work the right way.

2023-31-02
Discussion of Retirement
Investment Committee
Reappointments

Mayor Anderson suggested the City Commission not begin a discussion of the Retirement Investment Committee reappointments due to the time and the need for a break before the 7:00 Business Meeting. There were no objections.

Commissioner Comments

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

Vice Mayor Cooney asked the City Manager's Office to follow up with the speakers who voiced concerns about traffic on Reed Street.

Adjournment

The meeting adjourned at 6:41 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

A regular meeting of the Kalamazoo City Commission was held on Monday, August 7, 2023 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Marcus Mays, Chaplain for Kalamazoo Metro Transit, was followed by the Pledge of Allegiance.

Proclamation
2023-32-01

Commissioner Hess read a proclamation *Welcoming the United States Tennis Association's Boys 16 and 18 National Championships, August 4-13, 2023*. Emily Fink-Craig, Assistant Tournament Director, and Mark Riley, Tournament Director, received the proclamation.

Adoption of the Agenda

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

Vice Mayor Cooney requested that Items G4 (a resolution setting the ballot language for a Ranked Choice Voting charter amendment) and G6 (acceptance of a Safe Streets for All Grant) 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:

<u>In-Person Comments</u>

2023-32-02

John Allen, City-resident, expressed opposition to the Safe Streets for All grant because of a hidden requirement for the City to adopt a Vision Zero policy. A copy of Mr. Allen's written remarks was filed with the papers for this meeting.

Jody Dozeman, City resident, thanked the City for renovating The Lodge Place and offered comments about the marihuana ban at that facility. Ms. Dozeman asked if a refund was available for cracked bus pass cards.

<u>Call-In Comments</u>

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:

2023-32-03

- approval of a one-year contract extension with Big Truck Rental for the rental of packer trucks in the amount of $133,875.

- approval of a contract with Balkema Construction Inc. for Water Station No.5 structural repairs in the amount of $285,552. **2023-32-04**

- adoption of a performance **RESOLUTION** for the City of Kalamazoo to be able to install, access, and maintain its assets on right-of-way owned by the Michigan Department of Transportation. **2023-32-05** Resolution 23-37

- approval of a three-year $100,000 pilot program to incentivize participation in the lead and copper compliance monitoring program via water bill credits, not to exceed $33,334 annually. **2023-32-06**

- authorization for the City Manager to sign railroad permits for the Porter Street Water Main Project. **2023-32-07**

- approval and acceptance of an easement with the City of Parchment for a stand-by generator being installed as part of the Remote Station Upgrades Project. **2023-32-08**

- approval and acceptance of an easement with Kalamazoo Regional Educational Agency for water main installed as part of the KRESA Career and Technical Education Center Project. **2023-32-09**

- approval and acceptance of an easement with Stadium Management Co. for water main installed as part of the KRESA Career and Technical Education Center Project. **2023-32-10**

- approval of the appointment of Gillian Ann Stoltman to the Water System Advisory Council for a term expiring on December 31, 2026. **2023-32-11**

Commissioner Hoffman, seconded by Commissioner Decker, 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

Regular Agenda items were considered next.

2023-32-12
Resolution 23-38
Approving a Contract with MDOT for Westnedge Avenue Infrastructure Improvements

In response to a question from Commissioner Praedel, Public Services Director James Baker provided an overview of the Westnedge Avenue infrastructure construction project.

In response to a question from Commissioner Hess, Director Baker indicated the City built a communications plan into its projects to help drivers understand and navigate land and street closures. Director Baker stated the plan would include media releases and information on the City's website.

An opportunity was given for public comments on a resolution approving a contract with the Michigan Department of Transportation for the construction of

2023-32-12
Resolution 23-38 Approving a Contract with MDOT for Westnedge Avenue Infrastructure Improvements (cont'd)

the Westnedge Avenue Watermain, Roadway, and Sanitary Project, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Praedel, moved to adopt a **RESOLUTION** approving a contract with the Michigan Department of Transportation for the construction of the Westnedge Avenue Watermain, Roadway, and Sanitary Project in the amount of $9,938,534.77.

Prior to vote on the motion, Commissioner Praedel discussed the benefits of the City's asset management approach to right-of-way infrastructure projects.

Commissioner Juarez thanked Director Baker and his team and noted projects like this were an investment in the community.

With a roll call vote this motion passed unanimously.

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

NAYS: None

2023-32-13
EPA Grant for Lead Service Line Replacement

Director Baker provided an overview of a grant from the Environmental Protection Agency for lead service line replacement.

An opportunity was given for public comments on grant from the Environmental Protection Agency for lead service line replacement, but no comments were offered.

Commissioner Hess, seconded by Commissioner Juarez, moved to approve a grant agreement from the Environmental Protection Agency in the amount of $1,000,000 for lead service line replacement.

Prior to a vote on the motion, Vice Mayor Cooney thanked former Congressman Fred Upton for securing this grant for the City.

Mayor Anderson remarked that the federal earmark process was in place again, and this grant was the result of that process.

With a roll call vote this motion passed unanimously.

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

NAYS: None

2023-32-14
Contract for Water Main Replacement on Balch Street

Public Services Director James Baker provided an overview of a project to replace water main on Balch Street from Park Street to Burdick Street.

An opportunity was given for public comments on a contract with Peters Construction Company for the replacement of water main on Balch Street from Park Street to Burdick Street, but no comments were offered.

2023-32-14
Contract for Water Main Replacement on Balch Street (cont'd)

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to approve a contract with Peters Construction Company for the replacement of water main on Balch Street from Park Street to Burdick Street in the amount of $1,562,158.97.

Prior to a vote on the motion, Commissioner Praedel stated he was impressed that staff had the foresight to purchase the pipe for this project in 2022 to stay ahead of potential supply chain issues.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-32-15
Position Allocation of 10 FTE's for the Public Services Department

Director Baker reviewed his request for 10 new staff positions in the Public Services Department.

Vice Mayor Cooney expressed support for the request.

Commissioner Praedel noted the annual cost for all 10 positions would be $605,000. Commissioner Praedel stated 10 positions seemed like a lot, but the work was totally different now compared to 10 years ago. Commissioner Praedel indicated he was glad the Public Services team was getting more resources.

In response to a question from Commissioner Praedel, Director Baker explained the new positions would be supported by customer rates for water service; no General Fund tax dollars would be used to pay for the new positions.

When an opportunity was given for public comments on 10 new Public Services FTE Water position allocations and an adjustment to the FY2023 Budget, the following people addressed the City Commission:

> Marlena Jones, City resident, asked if women would be hired and trained for the new positions.

Vice Mayor Cooney, seconded by Commissioner Hess, moved to approve 10 new Public Services FTE Water position allocations and an adjustment to the FY2023 Budget in the amount of $225,000.

Prior to a vote on the motion, Commissioner Decker stated the new position openings would be posted on the City's website, and she encouraged people to apply.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-32-16
Resolution 23-39
Approving the Stuart
Neighborhood Plan

Neighborhood Activator Jae Slaby reviewed the process for developing the Stuart Neighborhood Plan and highlighted the plan's components.

In response to questions and comments from City Commissioners, Neighborhood Activator Slaby provided the following information:

- a neighborhood plan implements the City's strategic vision and master plan at the neighborhood level.

- if approved, the Stuart Neighborhood Plan would be the eighth neighborhood plan; 18 neighborhoods still need plans.

- as the City moves from IK 2025 to IK 2035, the neighborhood plans adopted in the past 3-4 years will be carried forward; old neighborhood plans will be updated; and the work to develop new plans will continue.

- there was no one reason why the Stuart Neighborhood population has decreased 16% in recent years. People move for different reasons, and the neighborhood has a student population, which tends to be transient. The neighborhood hopes to reverse this trend.

- Woodward School is a neighborhood asset; there are a lot of existing connections between the neighborhood and the school.

- the impact of the downtown arena is unknown at this time; the plan does seek to understand the impact of downtown development on parking in the neighborhood, including the impact of the new arena.

Commissioner Praedel stated he was pleased to see support for Woodward School in the plan.

Vice Mayor Cooney remarked the plan was a celebration of the neighborhood, and he expressed appreciation for the outreach and environmental focus of the plan.

Commissioner Hess thanked Neighborhood Activator Slaby for her passion and energy and stated the neighborhood plans brought out resident pride and a sense of ownership.

Gary Wark, Chair of the Stuart Area Restoration Association (SARA) Board, thanked City staff for their help creating the plan and expressed support for the plan as presented. Mr. Wark invited Commissioners to the SARA annual meeting on August 8th.

A Stuart Neighborhood representative invited people to upcoming events in the neighborhood and explained the Woodward School clock was repaired and restored through a partnership between residents and Kalamazoo Public Schools.

An opportunity was given for public comments on the Stuart Neighborhood Plan, but no comments were offered.

Commissioner Hoffman, seconded by Commissioner Decker, moved to adopt a **RESOLUTION** approving the Stuart Neighborhood Plan 2023 as a subplan to the 2025 Master Plan.

Prior to a vote on the motion, Commissioner Praedel commended the Stuart Neighborhood residents and offered remarks on the benefits of going through the process to create a neighborhood plan.

2023-32-16
Resolution 23-39
Approving the Stuart Neighborhood Plan (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

Management Services Director and Chief Financial Officer (CFO) Steve Vicenzi provided an overview of the next four agenda items, which were recommendations to approve the issuance of bonds for various purposes.

2023-32-17
Resolution 23-40
Authorizing the Issuance of 2023 CIP Bonds

In response to questions from Commissioner Praedel, CFO Vicenzi provided the following information:

- the delay between the Notice of Intent and the final action for the bonds in Item H-6 was due to the state's Drinking Water Revolving Fund process.

- the dollar amount for Item H-7, Water Supply System Revenue Bonds, was less than the amount in the Notice of Intent because staff had fine-tuned the costs of the projects to be funded with the bonds.

- the recent downgrade of US Treasury Bonds by Fitch's rating service will not have an impact on the City's borrowing; the City's bond rating is good and is based on factors related to the City, such as the City's strong financial management practices, a healthy fund balance, and the stability of the Foundation for Excellence.

An opportunity was given for public comments on a resolution authorizing the issuance of General Obligation Limited Tax Bonds in an amount not to exceed $14,835,000, for the purpose of financing FY 2023 capital projects, but no comments were offered.

Commissioner Hess, seconded by Commissioner Juarez, moved to adopt a **RESOLUTION** authorizing the issuance of General Obligation Limited Tax Bonds in an amount not to exceed $14,835,000, for the purpose of financing FY 2023 capital projects.

With a roll call vote the motion passed unanimously.

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

NAYS: None

An opportunity was given for public comments on an ordinance authorizing Water Supply System Revenue Bonds, Series 2023B in an amount not to exceed $13,400,000, but no comments were offered.

2023-32-18
Ordinance 2068
Authorizing the Issuance of Water Bonds

2023-32-18
Ordinance 2068 Authorizing the Issuance of DWRF Bonds

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to adopt an **ORDINANCE** Authorizing Water Supply System Revenue Bonds, Series 2023B in an amount not to exceed $13,400,000.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-32-19
Ordinance 2069 Authorizing the Issuance of Water Revenue Bonds; and Notice of Sale Resolution 23-41

An opportunity was given for public comments on an ordinance authorizing the issuance of Water Supply System Revenue Refunding Bonds, Series 2023, in the amount of $28,975,000 and adoption of a Notice of Sale resolution, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Hoffman, moved to adopt an **ORDINANCE** authorizing the issuance of Water Supply System Revenue Refunding Bonds, Series 2023, in the amount of $28,975,000; and adopt a Notice of Sale **RESOLUTION**.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-32-20
Ordinance 2070 Authorizing the Issuance of Wastewater Revenue Bonds; and Notice of Sale Resolution 23-42

An opportunity was given for public comments on an ordinance authorizing the issuance of Wastewater Supply System Revenue Bonds, Series 2023 for an amount not to exceed $21,655,000; and adoption of a Notice of Sale resolution, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Hoffman, moved to adopt an **ORDINANCE** authorizing the issuance of Wastewater Supply System Revenue Bonds, Series 2023 for an amount not to exceed $21,655,000; and adopt a Notice of Sale **RESOLUTION**.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-32-21
Resolution 23-43 Setting the Ballot Language for the Ranked Choice Voting (RCV) Charter Amendment

City Attorney Leal reviewed a resolution to set the election date and determine the ballot language for a charter amendment to allow for Ranked Choice Voting (RCV) for the offices of Mayor and City Commissioner.

In response to questions from Commissioner Decker, City Attorney Leal stated it was the opinion of the Michigan Bureau of Election that RCV was not legal in Michigan at this time. City Attorney Leal indicated the RCV charter amendment would not become effective until RCV was allowed by Michigan Election Law. City Attorney Leal explained the City was prohibited from using City resources to

2023-32-21
Resolution 23-43 Setting the Ballot Language for the Ranked Choice Voting (RCV) Charter Amendment (cont'd)

advocate in favor of, or in opposition to, candidates and questions on a ballot. City Attorney Leal stated education and advocacy would need to come from the proponents of the ballot question.

Commissioner Praedel stated Rank MI Vote was putting similar questions on the ballot in other jurisdictions to make a statement.

Vice Mayor Cooney and Commissioner Decker commended the Rank MI Vote volunteers for obtaining enough signatures to get their question on the ballot.

Mayor Anderson noted City Attorney Leal had written the proposed ballot language. Mayor Anderson recommended that the supporters of RCV explain how voting for City Commissioners would work. Mayor Anderson spoke about the increasing complexity of elections and the City's focus on reinforcing election integrity.

Commissioner Praedel urged people to consider the RCV proposal, and he spoke about the benefits of RCV.

When an opportunity was given for public comments on a resolution to set the election date and determine the ballot language for a charter amendment to allow for Ranked Choice Voting for the offices of Mayor and City Commissioner, the following people addressed the City Commission:

The following people expressed support for Ranked Choice Voting and explained the benefits of RCV:

Jeff Messer, City resident and Rank MI Vote volunteer
Chris Glasser, City resident and former Rank MI Vote volunteer
Matt Hall, Kalamazoo resident
Pat Zabawa, non-resident and Rank MI Vote board member

Vice Mayor Cooney, seconded by Commissioner Juarez, moved to adopt a **RESOLUTION** to set the election date and determine the ballot language for a charter amendment to allow for Ranked Choice Voting for the offices of Mayor and City Commissioner.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-32-22
Acceptance of a Safe Streets for All Grant from the US Department of Transportation

Director Baker provided an overview of the Safe Streets for All Grant. Director Baker explained the Vision Zero Policy as an effort to reduce serious crashes and fatalities through road design, enforcement, and education. Director Baker stated engineers did not always succeed in these efforts, but they kept doing the work of trying to make the community safer.

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

- the $250,000 in matching funds would come from the City's Act 51 revenue.

2023-32-22
Acceptance of a Safe Streets for All Grant from the US Department of Transportation (cont'd)

- the City's sustainability plan is new, and the Public Services Department is taking steps to get the City's fleet to net-zero emissions. Public Services will get two electric Chevy Silverado's in 2024, and an Invitation for Bids (IFB) will be released for electric vehicle charging stations. Some of the same approaches will be applied to both the zero-emissions and Vision Zero strategies.

- the grant funds will be used to study and plan to see what ideas will work to make streets safer. The result will be a Vision Zero policy and action plan.

- engineering, education, and enforcement are the three keys to effective traffic control; "community" could be added as a fourth key.

- the Vision Zero strategy did not represent a radical change in the City's street policy. The City had a Complete Streets Plan and Committee, and Public Services staff worked with Community Planning and Economic Development staff on transportation planning. The City took bold actions but did not always get it right.

- statements about there being no City Commission or citizen involvement in transportation planning were not true.

- beyond the $1 million associated with this action, additional funding will be needed for the implementation of safety strategies.

Director Baker answered rapid-fire questions addressing specific points in the letter submitted by Mr. Allen earlier in the meeting.

Commissioner Decker noted the Vision Zero strategy dovetailed with the 2011 Plan for Safer Roads. Commissioner Decker commented the grant would help with planning and staff education. Commissioner stated she hoped the City would create a committee and get community input for this work.

Commissioner Hess spoke about the need to change the culture around driving in addition to using physical barriers to lower traffic speeds.

An opportunity was given for public comments on the acceptance of a Safe Streets for All Grant from the US Department of Transportation, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Hess, moved to accept a Safe Streets for All Grant from the US Department of Transportation in the amount of $750,000.

Prior to a vote on the motion, discussion took place about the problem of violence in the City, whether funds should be spent on street projects like bike lanes, and the lack of community support for some street projects.

Vice Mayor Cooney stated the City Commission should postpone action on this item for the sake of getting community input, and then act only if the people give their consent.

Commissioner Praedel offered that the Commission could accept the grant, and staff could strive to be more responsive to the community while doing the work. Commissioner Decker observed that the purpose of the grant was to understand how to better design streets for safety, and she reviewed the activities that would be funded by the grant. Commissioner Decker stated the City should not stop trying to make streets safer, and she encouraged the Commission to accept the grant.

2023-32-22
Acceptance of a Safe Streets for All Grant from the US Department of Transportation (cont'd)

Commissioner Hoffman stated she had issues with the bike lanes in the Northside Neighborhood and stated a lot of people in the community did not feel safe. Commissioner Hoffman remarked that $750,000 was a lot of money for studies.

Commissioner Juarez suggested that Commissioners make requests for ARPA funds if they wanted more funding for gun violence. Commissioner Juarez stated the Edison, Eastside, and Northside Neighborhoods would take the grant funding if other neighborhoods did not want it.

City Manager Ritsema noted that staff was implementing policies approved by the City Commission, such as the Complete Streets Policy and Public Participation Plan; if the Commission did not want the current policies, the City Administration and City Commission needed to have those discussions.

In response to a question from Commissioner Hess, City Manager Ritsema clarified that Act 51 funding could only be used for streets; they were designated funds.

Commissioner Hess commented that the bike community was still afraid to use City streets, and it might take 4-5 years for that fear to go away.

In response to a question from Commissioner Decker, City Manager Ritsema indicated the City needed to accept the grant by early 2024; there was a $250,000 local match required to get the grant.

Commissioner Praedel questioned how the City would decide which neighborhoods needed or wanted assistance, and he asked if there needed to be a conversation about what triggers would cause the City to step back and rethink the plan in response to public input.

Vice Mayor Cooney indicated he could support the grant if the work was focused on the City's three core neighborhoods and if there was strong community support for the resulting projects.

In response to a question from Mayor Anderson, Director Baker acknowledged that action on this item could be delayed, and he stated there was flexibility in the plan that would allow the work to focus on specific areas of the City.

In response to a question from Commissioner Juarez, Director Baker stated the City could receive the grant funds and start implementing the plan in 2024.

Vice Mayor Cooney observed that the plan called for community engagement and a focus on disadvantaged neighborhoods.

Commissioners Hoffman and Decker indicated they would vote to accept the grant.

Commissioner Hess remarked the City Commission could ask staff to engage the community while doing this work.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-32-23
Approval of the Mayor's Reappointment of Robert Salisbury to the Retirement Investment Committee

City Attorney Leal reviewed a memo regarding the residency requirements for members of the Investment Committee of the Employees Retirement System (aka the Retirement Investment Committee or RIC). City Attorney Leal summarized the memo as follows: 1) in the situation with Mr. Salisbury, the City Commission could waive City Commission Rule 12(k) regarding residency, which would waive the rule for this meeting only; 2) there was no provision in the RIC ordinance or bylaws that allowed for non-resident members; 3) the City Commission could create a definition for residency that allowed board members to be part-time residents of the City. City Attorney Leal advised against defining residency at this meeting, as it was not clear what the unintended consequences might be for future appointments.

Commissioner Decker indicated she questioned the reappointment of Robert Salisbury solely because he did not reside in the state of Michigan. Commissioner Decker stated the RIC was doing a great job, and Mr. Salisbury was doing a great job; the issue was the City's policy. Commissioner Decker stated she did not think the Commission would want options 2 or 3 as outlined by City Attorney Leal. Regarding waivers of the residency requirement, Commissioner Decker acknowledged the City had difficulty finding members for its boards and committees, and she encouraged boards that were struggling with this to review their ordinances and bylaws to see if potential members would be eligible for residency waivers.

Commissioner Praedel, seconded by Commissioner Hess, moved to approve the Mayor's reappointment of Robert Salisbury to the Investment Committee of the Employees Retirement System for a term expiring on March 31, 2026; and approve of a waiver of City Commission Rules 12e regarding term limits and 12k regarding residency.

Prior to a vote on the motion, Commissioner Praedel stated the RIC had a great track record, and the members were deeply appreciated.

Commissioner Juarez stated the City Commission needed to make sure it was following its own policies, and he thanked Commissioner Decker for raising the issue.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Commissioner Comments

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

Commissioner Juarez remarked that a City Commission that could dialogue and still get business done was a City Commission worth keeping.

Commissioner Hess expressed appreciation to staff for organizing neighborhood events.

Closed Session

Commissioner Hoffman, seconded by Commissioner Decker, moved that the City Commission go into closed session to discuss an attorney-client privileged communication.

Mayor Anderson indicated the City Commission would not be returning to open session following the closed session.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Adjournment

The meeting adjourned at 10:22 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

The Kalamazoo City Commission met as a Committee of the Whole on Monday, August 21, 2023 at 5:01 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Chief Operating Officer Laura Lam, City Attorney Aaron Leal, and City Clerk Scott Borling.

Public Comments

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

2023-33-01
Presentation re: Neighborhood Enterprise Zones Draft Policy

Community Planning and Economic Development Deputy Director Christina Anderson, Sustainable Development Coordinator Jamie McCarthy, and Housing Development Supervisor Sharilyn Parsons delivered a presentation entitled *Neighborhood Enterprise Zones (NEZ) Draft Policy: Committee of the Whole, August 21, 2023*. A copy of the slides from this presentation was filed with the papers for the meeting.

In response to questions and comments from City Commissioners, Deputy Director Anderson and Housing Development Supervisor Parsons provided the following information:

- the Area Median Income (AMI) for Kalamazoo County was $92,000 for a family of four and $47,000 for one person.

- the proposed NEZ would promote mixed-income development; it is patterned off the Kalamazoo County housing plan.

- an individual could build a house on a vacant lot (new construction) and receive an NEZ certificate; that certificate would be transferable to another owner.

- staff is aware of new funding available from the US Department of Housing and Urban Development to remove barriers to housing.

- the cap on NEZ's is 10,000 acres for single family housing unit developments and 10% of the City's land area for multi-unit developments. Whether the City has the staff capacity to administer NEZ's up to this cap will depend on the number and type of NEZ Certificates requested. The proposed NEZ policy will help streamline the process.

- staff is expecting more NEZ requests over the next year, in addition to the request being considered during the Business Meeting.

- for Homestead NEZ's, the sponsoring organization would be responsible for making eligible property owners aware of the NEZ application process. For

2023-33-01
Presentation re: Neighborhood Enterprise Zones Draft Policy (cont'd)

non-homestead NEZ's the City will do outreach, such as hosting development workshops.

- Housing Development Supervisor Parsons is part of a regional task force working with the Michigan State Housing Development Authority (MSHDA) on goals and priorities for the state housing plan.

- discussions with the proposed NEZ project developer were beneficial, especially in helping staff understand overall development costs. Staff is comfortable with the amount of discussion that has taken place with the developer.

- if a proposed development site is not close to non-motorized infrastructure, the developer will have other options for maximizing their NEZ benefit – reducing parking is only one option.

- neighborhood associations were not the only organizations that could be supporting organizations for Homestead NEZ's; other community and housing organizations could play this role. The policy lays out the tasks for supporting organizations. It is doubtful the City will do any more entire-neighborhood NEZ's.

- at least 10 parcels are required for a Homestead NEZ. There is probably a "sweet spot" in terms of the number of parcels/housing units. This would be discussed with the developer in a project meeting.

- the Building Blocks organization was a good candidate to be a Homestead NEZ supporting organization; there could be a great synergy.

- it was possible for NEZ's to be combined with CDBG funds.

- a developer must apply for an NEZ certificate before they start their project.

- the proposed policy represents the best work of staff at this point; the only way to test the policy is to implement and use it.

- the proposed policy rewards the development of particular housing types because the City has an overabundance of single-family, detached housing while missing other housing types. Making "housing type" one of the NEZ criteria is designed to address this imbalance.

- the City will use annual monitoring of application and certificate activity to determine when the Vine Neighborhood NEZ should be sunset.

Commissioner Decker expressed support for incentives that reduced parking, as this provision aligned with the City's walkability goals. Commissioner Decker offered remarks on the need for the City's policies and development tools to work well with each other, and she recommended a review of all housing-related policies. Commissioner Decker stated businesses were looking at the City's infrastructure, including workforce housing, when considering locating or expanding in Kalamazoo.

Commissioner Praedel expressed pride in the City's work and noted the state highlighted Kalamazoo as a city that was doing housing well.

Commissioner Comments	An opportunity was given for general comments from City Commissioners, but no comments were offered.
Adjournment	The meeting adjourned at 6:26 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

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A regular meeting of the Kalamazoo City Commission was held on Monday, August 21, 2023 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Chief Operating Officer Laura Lam, City Attorney Aaron Leal, and City Clerk Scott Borling.

Invocation

The invocation, given by Fr. Bryce Buffenbarger from Annunciation Greek Orthodox Church, was followed by the Pledge of Allegiance.

2023-34-01
Presentation re: the Veterans Millage

Mayor Anderson introduced Michael Fry, Chair of the Kalamazoo County Veterans Affairs Committee. Mr. Fry provided an overview of the Veterans Millage request on the November 7th ballot, urged people to support the millage, and asked that the City Commission endorse the millage request. Mr. Fry distributed a document entitled *Kalamazoo County Veterans Service Office & Veterans Millage, August 21, 2023*. A copy of this document was filed with the papers for this meeting.

Proclamation
2023-34-02

Commissioner Decker proclaimed September 2023 *National Recovery Month*. Representatives from The Recovery Institute received the proclamation.

Adoption of the Agenda

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

2023-34-03

Chief Operating Officer Lam requested that Item H-3, an ARPA grant for the Local Initiatives Support Corporation to rehabilitate 48 rental units, be removed from the agenda.

Communications

Chief Operating Officer Lam highlighted several items on the agenda that were related to housing, which was a City Commission priority.

Public Comments

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

<u>In-Person Comments</u>

Tobi Hannah-Davies, City-resident, expressed support for the senior housing projects on the agenda and stated approval of these item would create 182 new housing units.

John Knowlton, non-resident and President of the Kalamazoo Bicycle Club, thanked the City for installing bike infrastructure, for adopting an ordinance to establish a 5-foot minimum passing distance, and for taking a streets-for-all approach to transportation planning. Mr. Knowlton encouraged the City to continue experimenting and innovating.

Public Comments (cont'd)

Nora Hauk, City resident, expressed support for narrow roads and traffic calming, which resulted in safer streets. Ms. Hauk stated bike lane kept everyone safe – both motorists and cyclists.

Nathan Browning, City resident, spoke about the benefits of bike riding and asked the City to install more bike infrastructure.

Rachel Bair, City resident, described how she used City's new bike infrastructure.

Ray Sweany, City resident, thanked the City for funding housing projects and asked the City to make the Housing First Vouchers last longer than five years.

Nehemiah Scudder, City resident, spoke about bike infrastructure.

Call-In Comments

Tina McClinton, City resident, stated the City was using money in stupid ways, and she spoke about flooding in her neighborhood, near Stockbridge Avenue and Lake Street.

An anonymous caller offered remarks on the housing crisis, the treatment of homeless people by the Kalamazoo Department of Public Safety, and the need for systemic change.

An anonymous caller offered comments on the National Recovery Month proclamation.

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 one-year contract extension with High Grade Materials for miscellaneous aggregates and road gravel (Group 1) in the amount of $153,000. **2023-34-04**

- approval of a supplemental and change order to the contract with 123.Net for the addition of internet services to the existing dark fiber agreement in the amount of $219,800. **2023-34-05**

- approval of the lease of 17 vehicles for Public Safety with Enterprise Fleet Management over 60 months in the amount of $628,695.50. **2023-34-06**

- adoption of a **RESOLUTION** designating the polling facility locations for Precincts 2, 4, and 17 to be used during the election on November 7, 2023 and for each election thereafter. **2023-34-07** Resolution 23-44

- adoption of a **RESOLUTION** recognizing the Society for History and Racial Equity as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license. **2023-34-08** Resolution 23-45

- adoption of a **RESOLUTION** approving a Payment in Lieu of Taxes (PILOT) for 530 S. Rose Street. **2023-34-09** Resolution 23-46

2023-34-10

- approval of the Termination of Restated Contract of Sublease for the City of Kalamazoo Parking System.

2023-34-11

- 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 2023-2024 school year.

2023-34-12

- acceptance of a Brownfield Redevelopment Grant from the Michigan Department of Environment, Great Lakes, and Energy for up to $350,000 in Brownfield activities at 530 Rose Senior Apartments.

2023-34-13

- acceptance of a 2023 mParks Statewide Program Funding Initiative Grant from GameTime for up to $100,000 in playground equipment for Emerald Park.

2023-34-14

- acceptance of a 2023 mParks Statewide Program Funding Initiative Grant from GameTime for up to $132,000 in playground equipment for Southside Park.

2023-34-15

- approval of a request from Western Michigan University to public display fireworks at Hyames Field and Waldo Stadium on August 31, 2023 during halftime of the CommUniverCity football game.

2023-34-16

- approval and acceptance of an easement agreement with Michael A. Kirvan for the continued installation and operation of Water Pressure Reducing Station 42.

Commissioner Praedel, seconded by Juarez, 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

Regular Agenda items were considered next.

2023-34-17
Resolution 23-47
Approving a Policy for Neighborhood Enterprise Zones

Regarding a proposed policy for the creation and management of Neighborhood Enterprise Zones (NEZ's), Community Planning and Economic Development Deputy Director Christina Anderson described the City's outreach to the developer of a proposed NEZ project after the July 17th City Commission meeting. Deputy Director Anderson described changes that were made to the proposed policy as a result of that outreach.

When an opportunity was given for public comments on a resolution establishing a City-wide policy for the creation and management of NEZ's, the following people addressed the City Commission:

Joe Agostinelli, Founder of Michigan Growth Advisors, commended staff for their work on the policy. Mr. Agostinelli stated the policy was 90% satisfactory, but it did not accommodate larger scale, predominantly market rate projects with an affordable component. Mr. Agostinelli indicated the

2023-34-17
Resolution 23-47
Approving a Policy for Neighborhood Enterprise Zones (cont'd)

proposed policy was one of the most restrictive in the state for a city the size of Kalamazoo.

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to adopt a **RESOLUTION** establishing a City-wide policy for the creation and management of Neighborhood Enterprise Zones.

Prior to a vote on the motion, and in response to questions and comments from City Commissioners, Deputy Director Anderson provided the following information:

- staff has been in dialogue with Mr. Agostinelli about the proposed policy. He is concerned that the affordability requirements are too high and that projects will not be able to reach those thresholds. Staff think that the proposed affordability thresholds are the correct mix.

- the developers who provided input on the policy are companies familiar with Kalamazoo and that have done work here.

- the parking incentives in the policy are for residential units and not for other uses within a multi-use a project.

In response to questions from Commissioners, Mr. Agostinelli offered the following information:

- development projects need funding, and they cost more when 20% of the units must be priced for people whose income is 80% of the Area Median Income (AMI) or less.

- other cities offer bonus years on NEZ certificates for community benefits like public transportation improvements, hiring minority- and women-owned businesses on the project, and LEED certification. Developers need NEZ benefits for the full 15 years allowed by law.

- it will be difficult to see large projects in the City's urban core with this policy.

Commissioner Praedel thanked staff for their work. Commissioner Praedel expressed concern that the proposed policy would leave development projects on the table, and he questioned what it would take to make the policy feasible for developers. Commissioner Praedel also noted the City was trying to increase the amount and diversity of affordable housing, which meant that some policies might inhibit or prevent housing development. Commissioner Praedel stated the question was whether the loss of some housing development was worth the City's policy goals, which would hopefully improve the housing situation for everyone. Commissioner Praedel questioned if there were other creative solutions and incentives the City could offer.

Commissioner Juarez remarked on the housing crisis in the City, and he expressed hope that developers would help address the crisis with different housing types.

Commissioner Decker commented that policy amendments happened all that time, and the City Commission could change the NEZ policy in the future if needed.

2023-34-17
Resolution 23-47
Approving a Policy for Neighborhood Enterprise Zones (cont'd)

Commissioner Hess highlighted the policy's attempt to address affordable housing.

Commissioner Decker offered ideas for incentives, including a community land trust, public transportation improvements, and other community investments.

Commissioner Hoffman observed that NEZ's were just one tool, and not every tool was meant for every job. Commissioner Hoffman stated the proposed policy was a good start.

With a roll call vote this motion passed unanimously.

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

NAYS: None

2023-34-18
Resolution 23-48
Establishing the Eleanor-Rose-Water-Park Street NEZ

In response to questions and comments from City Commissioner about a resolution establishing a Neighborhood Enterprise Zone (NEZ) between Eleanor, Rose, Water, and Park Streets, Deputy Director Anderson provided the following information:

- the developer of the project is PlazaCorp; the project location is the corner of Water and Rose Streets.
- if the NEZ district is created, the applicant will need to request an NEZ Certificate. Under the new policy, the applicant could get an NEZ Certificate for between 9 and 15 years. Nine years is the minimum length; 15 years is the maximum length. There is also a pathway for a 12-year certificate.
- the parking incentives in the policy are for residential units and not for other uses within a multi-use a project.
- the team at CPED has a lot of conversations with developers; the key is to use the right tools for a particular project that will meet the needs of the project while helping the City reach its goals.
- regarding the proposed development project, the City does not know the mix of rents, but staff does know the project is not going to add any parking spaces.

Commissioner Decker expressed support for the Eleanor-Rose-Water-Park Street NEZ. Commissioner Decker encouraged staff to explore a community land trust.

When an opportunity was given for public comments on a resolution establishing a Neighborhood Enterprise Zone between Eleanor, Rose, Water, and Park Streets, the following people addressed the City Commission:

Nehemiah Scudder, City resident, stated most people would not consider this project a low-income project.

Tina McClinton, City resident, expressed support for affordable housing and questioned why there was no affordable housing downtown. Ms. McClinton remarked that a zoning hearing would take place on September 7th.

2023-34-18
Resolution 23-48
Establishing the
Eleanor-Rose-Water-
Park Street NEZ
(cont'd)

Joe Agostinelli, Founder of Michigan Growth Advisors and representative for PlazaCorp, urged the City Commission to approve the NEZ and stated the project would work with the new NEZ policy.

Commissioner Juarez, seconded by Commissioner Praedel, moved to adopt a **RESOLUTION** establishing a Neighborhood Enterprise Zone between Eleanor – Rose – Water – Park Streets.

Prior to vote on the motion, Commissioner Praedel stated the City needed to be grateful for people who were willing to invest and create housing while focusing on diversified housing. Commissioner Praedel remarked on the high cost of constructing housing in Kalamazoo.

Commissioner Decker spoke about the need to make Kalamazoo attractive to businesses as a strategy for raising people's incomes, and she stated the City needed to review its policies and procedures to reduce barriers.

With a roll call vote this motion passed unanimously.

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

NAYS: None

2023-34-19
Housing Development
Loan for The Legacy
Senior Housing
Development Project at
730 North Burdick Street

In response to a request from Commissioner Hess, developer Jamauri Bogan described The Legacy Senior Housing Development Project at 730 North Burdick Street.

Commissioner Hess commended Mr. Bogan for the development collaborative he had created.

In response to a question from Commissioner Praedel, Mr. Bogan stated Mt. Zion Baptist Church owned the project site, and he briefly described how the partnership with Mt. Zion developed.

In response to a question from Commissioner Juarez, Mr. Bogan stated he was not sure if this development would be operated like the Washington Square Co-Op Apartments.

Commissioner Hoffman, seconded by Commissioner Juarez, moved to approve a housing development loan for Zion Place 4 Limited Dividend Housing Association Limited Partnership in the amount of $1,000,000 for gap financing to support construction of affordable housing units for The Legacy Senior Housing Development Project at 730 North Burdick Street.

Prior to a vote on the motion, Commissioner Praedel remarked that Mr. Bogan was personally invested in his projects, as he was in the process of building a residential facility that would also house his business offices.

Commissioner Juarez thanked Mr. Bogan for his work.

Commissioner Decker offered comments on the importance of affordable senior housing.

2023-34-19
Housing Development Loan for The Legacy Senior Housing Development Project at 730 North Burdick Street (cont'd)

Mayor Anderson observed that two of the affordable housing projects on the agenda were receiving Low Income Housing Tax Credits (LIHTC). Mayor Anderson noted there was no way to develop affordable housing in Michigan without LIHTC, and he explained the role of Payments in Lieu of Taxes (PILOT's) in the LIHTC process.

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's Report

Chief Operating Officer Lam provided updates from the Parks and Recreation and Human Resources Departments. Chief Operating Officer Lam recognized Dee Barrett, Office Assistant for the Parks and Recreation Department, for her execellent customer service and support for department staff. Chief Operating Officer Lam announced there would be a blood drive on August 24th and an Employee Appreciation Event on September 15th.

Commissioner Comments

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

Commissioner Decker thanked the City for closing offices to allow all employees to attend the Employee Appreciation Event. Commissioner Decker expressed concern about damage being done to yards by 123.net as they installed new fiber. Commissioner Decker encouraged drivers to take extra care with the start of school on August 28th.

Commissioner Juarez invited the community to attend the Rally Against Gun Violence at Urban Alliance on Friday. Commissioner Juarez thanked Alejandro at Urban Alliance for organizing the Life Camps. Commissioner Juarez spoke about various community events and thanked the organizers.

Commissioner Hess thanked the Parks and Recreation Department for organizing the youth talent show and stated it was an uplifting experience. Commissioner Hess noted that people could donate to the Foundation for Excellence. Commissioner Hess invited the community to an event on August 28th celebrating the 60th anniversary of Martin Luther King Jr.'s "I Have a Dream" speech.

Commissioner Praedel reviewed the housing-related actions on the agenda and pointed out the City had also accepted grants for playground equipment. Commissioner Praedel remarked on the Bridging Opportunities graduation ceremony and stated it was a great program. Commissioner Praedel thanked Chief Operating Officer Lam for recognizing staff and providing department updates.

Mayor Anderson stated the Kalamazoo community was a living, breathing organism comprised of people who were doing great things.

Adjournment

The meeting adjourned at 9:01 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ___________________________

The Kalamazoo City Commission met as a Committee of the Whole on Tuesday, September 5, 2023 at 5:01 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

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

Public Comments

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

In Person

2023-35-01

Dana Wagner from Discover! Kalamazoo invited people to attend the Street Rod Nationals event over the coming weekend and specifically the Street Rod Car Parade on September 8th. A flyer provided by Ms. Wagner was filed with the papers for this meeting.

Tom expressed concerns about Graphic Packaging and asked the City Commission to talk about Graphic Packaging at every meeting.

Call In

None

2023-35-02
Update re: the Social Equity Cannabis Chamber

Community Planning and Economic Development Director Antonio Mitchell provided an update on the proposed Social Equity Cannabis Chamber and reviewed a draft Request for Proposal (RFP). A copy of the draft RFP was filed with the papers for this meeting.

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

- regarding section 3.4 of the RFP, Youth Workforce Development Training in the SPK Neighborhoods, young people would need to be over 18 years of age in order to be hired by marihuana businesses; for youth ages 14-18, the plan is to offer internships and apprenticeships to show them the opportunities available.

- the primary funding source for the Cannabis Chamber would be the City's cannabis excise tax revenue, but the City wants the Chamber to match this funding and eventually become self-sustaining. It is estimated the City's funding contribution would be $200,000 per year for the first three years.

2023-35-02
Update re: the Social Equity Cannabis Chamber (cont'd)

- staff had suggested a membership fee for businesses to join the Cannabis Chamber, but there would need to be a conversation with the chosen applicant regarding the membership fee; a fee amount had not been established. Memberships and fees were a way for the marihuana businesses in the City to support the City's goals.

- the Cannabis Chamber should set expectations and standardize the way marihuana businesses engage the community so that the engagement is more intentional. The City needs to work with non-profit organizations in the community to increase their willingness to accept grant funds from marihuana businesses.

- marihuana businesses are interested in an organization that would help them relate to the community, especially in the areas of job opportunities and workforce recruitment.

- City staff will be working with the Cannabis Chamber on a monthly basis; staff want to be able to report data on social equity and local hiring.

- "cannabis-related businesses" in section 3.5 of the RFP referred to ancillary services and contracted services that any business might need, like printing, web design, custodial services, etc. There are opportunities for business development beyond the actual selling of cannabis product.

- the Cannabis Chamber will not have an influence on the permitting process; the City will define what constitutes a conflict of interest and will seek counsel from the City Attorney if there are any questions.

- no other jurisdictions in Michigan are attempting to create a Cannabis Chamber – the City is leading the way. The Chamber is being proposed because City staff do not have the capacity to focus on social equity on a daily basis; the Chamber will have that focus.

- staff is hoping that the Cannabis Chamber will be able to offer the scholarships and training incentives described in section 3.9.

- the Cannabis Chamber will not have a role in the licensing/permitting process but will educate businesses about the process. Right now, there is no vehicle to help businesses navigate the application process.

- the RFP would be released by the end of the month. Applications would be due in early 2024.

- to qualify for on-the-job training incentives, employees need to be actual hires and need to be City residents/residents of an SPK neighborhood. Management level employees could be qualifying employees for their employer to receive the training incentives.

- City staff have heard there are likely applicants for the RFP, but this was not a certainty. If the right applicants do not apply, staff will consider other options.

- the ability or commitment of an applicant to offer matching funds would not be part of the scoring criteria for the RFP, but if the Chamber did nothing to contribute additional resources during the three-year contract, the City could

2023-35-02
Update re: the Social Equity Cannabis Chamber (cont'd)

choose not to renew with that managing organization. Staff want to give applicants flexibility regarding matching funds.

Commissioner Praedel suggested changing "Youth" in section 3.4 of the RFP to "Young Adult" and having the program for 14-year-olds focus on entrepreneurship in general. Commissioner Praedel suggested that Director Mitchell connect with Commissioner Juarez regarding business development opportunities for the Shared Prosperity Kalamazoo (SPK) neighborhoods.

Commissioner Decker noted there was interest in creating a committee to consider increasing the percentage of cannabis revenue dedicated to social equity. Commissioner Decker requested that this topic be discussed at a future City Commission meeting.

City Manager Ritsema recommended that a conversation about the use of cannabis tax revenue happen in the context of the 2024 budget discussion.

Future Committee of the Whole Topics

In response to a question from City Manager Ritsema, Commissioners Praedel and Hess requested that parking and the management of the downtown area, including roles and responsibilities during the two-way street conversion project, be discussed at future Committee of the Whole Meetings.

Commissioner Comments

An opportunity was given for general comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 6:00 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

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A regular meeting of the Kalamazoo City Commission was held on Tuesday, September 5, 2023 at 7:01 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Hoffman, 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 David Zomer of Bethany Reformed Church, was followed by the Pledge of Allegiance.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

2023-36-01
Communications: Presentation on the 2023 ALICE Report

Alyssa Stewart, Chief Impact Officer for the United Way of South Central Michigan, delivered a presentation entitled, *ALICE in the Crosscurrents: COVID and Financial Hardship in Kalamazoo County, 2023 Report*. 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, Ms. Stewart provided the following information:

- the financial hardship statistics were for the county; they are probably higher for the City.

- there are many places trying to address the hardships facing ALICE households. Programs for asset building and income building are gaining momentum, and Ann Arbor is piloting a basic income program.

- the “Asset-Limited” aspect of ALICE is a real problem; a “stability budget” for a family of four would be over $100,000.

- the Continuum of Care is a structure required by the federal government for the administration of funds from the US Department of Housing and Urban Development and the Michigan State Housing Development Authority.

- the application for rental assistance is closed at this time but will reopen in mid-September; the United Way is aggressively seeking funding for this program.

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Vice Mayor Cooney noted the ALICE budget was a budget for people to survive, not thrive, and the statistics presented were from a time when the federal government was giving expanded assistance because of COVID. Vice Mayor Cooney spoke about the Up Together movement, which was working to change

2023-36-01
Communications:
Presentation on the 2023 ALICE Report (cont'd)

the approach to addressing poverty through direct financial assistance, storytelling, and lobbying officials at all levels of government.

Commissioner Praedel remarked that large, unexpected expenses, such as medical bills, car repairs, and home repairs created a harmful snowball effect for ALICE households. Commissioner Praedel reported his organization, Community Homeworks, was fielding more and more calls from the Milwood and Burke Acres Neighborhoods. Commissioner Praedel noted student loan debt was also a big problem. Commissioner Praedel spoke about a program in Flint that provided guaranteed income payments for pregnant women.

Commissioner Decker stated there were many organizations in the community trying to assist ALICE households. Commissioner Decker commented on the connection between residents' income and the types of businesses the City was trying to attract. Commissioner Decker noted the City's current economic development strategy focused on site preparation and workforce development.

Public Comments

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

In-Person Comments

John Baker, non-resident, questioned why the City installed bike lanes downtown and asked the City to clean up the trash and junk left by homeless people in Bronson Park.

Jennifer Gougeon-Catarino, City resident, spoke about a recent shooting in the Edison Neighborhood and questioned why the City did not offer a public acknowledgement or denouncement. Ms. Gougeon-Catarino stated the City's silence was sending the wrong message, and she spoke about the need to change community norms.

Tobi Hannah-Davies, City resident, thanked the City for facilitating the creation of senior housing, and she observed the agenda for this meeting included the creation of 56 additional housing units for non-seniors.

Agnus Bohl, City resident, thanked the City for improvements to the pedestrian crosswalks downtown, especially at Academy Street and Michigan Avenue, and she thanked the City for its downtown traffic calming improvements.

Chris Bohl, City resident, thanked the City for improvements to its micro-mobility infrastructure.

Ray, a manager at McDonald's, expressed concern about slow response times from the Kalamazoo Department of Public Safety (KDPS) and asked City to address this situation.

Matt Milcarek, City resident and Director of Construction Services with Kalamazoo Neighborhood Housing Services (KNHS), thanked the City for its support and stated the partnership with the City was vital to KNHS. Mr. Milcarek stated individual projects lifted up the surrounding community and were part of a bigger vision.

Public Comments (cont'd)

Call-In Comments

Stacy Falters-Jackson expressed support for the City's efforts to reduce gun violence, and she asked the City to put more resources towards anti-violence activities than micro transportation infrastructure.

An anonymous caller spoke about the potential United Auto Workers (UAW) strike and asked the City Commission to support the UAW workers.

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:

2023-36-02

- approval of a contract supplemental/change with RK Davis Construction, Inc. for various construction modifications to Wastewater Tertiary Disc Filtration Process Facility in the amount of $176,549.40.

2023-36-03

- approval of a contract with Plante Moran for Enterprise Resource Planning (ERP) financial software consulting services in the amount of $309,875.

2023-36-04

- approval of amendments to the FY2023 budget to incorporate Parking System revenues and expenses into the City budget.

2023-36-05

- approval of a grant in the amount of $770,000 to Kalamazoo Neighborhood Housing Services from the City's Coronavirus State and Local Fiscal Recovery/ARPA funds to construct eight new single-family homes for low-income households.

2023-36-06

- approval of the allocation of $450,000 remaining from the $1,000,000 Community Violence Prevention ARPA State and Local Fiscal Relief funds to the United Way of South Central Michigan for grants to non-profit organizations for eligible activities in direct response to the impacts of the COVID-19 pandemic.

2023-36-07

- acceptance of a distribution from the Mayors Riverfront Park Endowment Fund for operational support for 2023 in the amount of $109,532.20.

2023-36-08

- first consideration of an Off-Premises Sign Agreement with Adams Outdoor Advertising to allow for the removal of a billboard in the Northside Neighborhood and the reconstruction of a billboard along I-94; and set a public hearing for October 2, 2023.

2023-36-09

- approval of the Mayor's appointment of Pamela Burpee to the Civil Rights Board for a term expiring on March 31, 2024.

2023-36-10

- approval and acceptance of an easement agreement with Orley Properties, LLC for the continued installation and operation of Water Pressure Reducing Station 43.

Commissioner Hoffman, seconded by Commissioner Praedel, 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.

Consent Agenda (cont'd)

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

NAYS: None

Regular Agenda

Regular Agenda items were considered next.

2023-36-11
Grant Agreement with LISC Kalamazoo for Rehabilitation of Affordable Rental Housing Units

In response to questions and comments from City Commissioner regarding a $1.5 million grant to the Local Initiatives Support Corporation (LISC) for the rehabilitation of 48 rental units for low-income households, Housing Development Supervisor Sharilyn Parsons and Zac Bauer, Executive Director of LISC Kalamazoo, provided the following information:

- staff will try to run this program like a US Department of Housing and Urban Development (HUD) program without the HUD overlays. One goal is to work with new landlords who normally do not interact with the City and introduce them to tenants they normally would not serve.

- staff at LISC are able to work with underwriters and lenders. There will be a local program officer at LISC who can help landlords with the process.

- LISC recently awarded a grant to Kalamazoo County for creation of a registry website to track developers who receive benefits from the City and County to create affordable housing units. The developers will need to recertify their units on an annual basis.

- each landlord will be capped at 3-5 properties, to help with their capacity challenges.

- this program will make a difference for ALICE households, and the impact will go beyond housing.

Commissioner Hess requested that staff share data on the results of this project.

Commissioner Decker expressed support for the project.

Commissioner Hoffman stated it was great to see funding go to support quality, permanent, rental housing that would benefit the City's more vulnerable populations. Commissioner Hoffman expressed hope that the City could use this opportunity to work with landlords on fair housing issues and especially the housing equity ordinance's prohibition against source of income discrimination.

When an opportunity was given for public comments on a $1.5 million grant to the Local Initiatives Support Corporation (LISC) for the rehabilitation of 48 rental units for low-income households, the following people addressed the City Commission:

Tobi Hannah-Davies, City resident, expressed support for the grant.

Matt Milcarek, City resident, expressed support for the grant.

Commissioner Hess, seconded by Commissioner Hoffman, moved to approve an agreement for a grant in the amount of $1,500,000 to the Local Initiatives Support Corporation from the City's Coronavirus State and Local Fiscal Recovery/ARPA

2023-36-11
Grant Agreement with LISC Kalamazoo for Rehabilitation of Affordable Rental Housing Units (cont'd)

funds to rehabilitate approximately 48 rental units and increase the number of Housing Choice Voucher ready units for low-income households.

Prior to a vote on the motion, Commissioner Praedel thanked City staff and the project partners. Commissioner Praedel observed that the City Commission had approved funding for almost 200 housing units over the past two meetings. Commissioner Praedel noted the City had only 28 months to spend its remaining ARPA funds.

With a roll call vote the motion passed.

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

NAYS: None

City Manager's Report

City Manager Ritsema reported he experienced a ride-along with Public Safety Officers (PSO's) last Friday, and he highlighted the good work of KDPS:

- KDPS officers responded to 400 calls for service that day.

- the following officers took on extra shifts to cover staffing shortages over the summer: PSO's John Maney, Gabriela Avila, Kipp Crigger, Quinn DeBolt, Travis Cutler, Michael Arnett, and Peter Arnett; and Sergeants Nate Belen, Jeff Townsend, Jerry LoBretto, and Brett Bylsma.

- officers seized 15 guns over the weekend, including 3 automatic weapons; KDPS had seized 312 firearms year-to-date.

City Manager Ritsema announced KDPS was in the process of recruiting and hiring additional PSO's.

City Manager Ritsema thanked Public Services Director James Baker and the City's tree crews for assisting the City of Grand Rapids with cleaning up after major storms two weeks ago.

Commissioner Comments

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

Commissioner Decker highlighted the City funding allocated to address gun violence, and she expressed a commitment to be more vocal and supportive of those who were hurting.

Commissioner Praedel highlighted the 33% reduction in traffic accidents downtown and the City's leadership to create a Cannabis Chamber. Commissioner Praedel spoke about the heavy burden of gun violence and stated the City had been allocating additional funds to address this problem. Commissioner Praedel stated he had been in conversation with Kalamazoo County Commissioner Jen Strebs about a resolution of support for state legislation that would allow immigrants to get driver's licenses.

Commissioner Hess commended the Downtown Ambassadors and thanked those involved with the I Have a Dream Speech event. Commissioner Hess offered remarks on the life and death of Jimmy Buffet.

Commissioner Comments (cont'd)

Vice Mayor Cooney spoke about the Matthew Desmond's book *Poverty in America* and stated America made choices to not use its resources to address poverty. Vice Mayor Cooney spoke about the need to continually listen to people in poverty, look for best practices, and do more to address this problem. Vice Mayor Cooney expressed solidarity with the UAW workers.

Commissioner Hoffman noted the disparities highlighted in the ALICE report existed due to systemic racism. Commissioner Hoffman questioned how the City would be able to address social mobility when the ARPA funds were gone. Commissioner Hoffman reported the City of Detroit had adopted a resolution supporting state legislation to ban source of income discrimination by landlords. Commissioner Hoffman requested the City Commission adopt a similar resolution.

Mayor Anderson remarked that City Commissioners responded to gun violence in different ways, and he noted it could be difficult to determine the best way to respond. Mayor Anderson stated the City was investing resources to address gun violence, and Commissioners felt deep grief for the community.

Closed Session

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

With a roll call vote the motion passed.

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

NAYS: None

The City Commission went into closed session at 8:46 p.m.
The City Commission returned to open session at 9:01 p.m.

2023-36-12
AFSCME Collective Bargaining Agreement

Commissioner Decker, seconded by Commissioner Hess, moved to approve a five-year collective bargaining agreement with the American Federation of State, County, and Municipal Employees (AFSCME), as discussed in closed session.

Prior to a vote on the motion, Commissioners Decker and Praedel thanked staff who negotiated the contract and AFSCME employees for their service to the City.

With a roll call vote the motion passed.

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

NAYS: None

Adjournment

The meeting adjourned at 9:03 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

The Kalamazoo City Commission met as a Committee of the Whole on Monday, September 18, 2023 at 5:01 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Public Comments

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

In Person

The following people expressed opposition to proposed changes to the Emergency Housing Ordinance, and specifically to the proposed phasing requirements and limits on the number of housing units that could be installed at one time:

Michelle Davis, Executive Director of Housing Resources Incorporated (HRI)
Galyn Barnum with HRI
Karen Barnes, HRI Board President
Claudia Wink-Basing, HRI Board Member

Tobi Hannah-Davies, a member of the ISAAC Housing Task Force, expressed support for the HRI pod community plan.

Call In

None

2023-37-01
Presentation re: the Emergency Housing Ordinance

Community Planning and Economic Development Deputy Director Christina Anderson and Housing Development Supervisor Sharilyn Parsons delivered a presentation entitled *Emergency Housing Ordinance Proposed Updates*. 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, Deputy Director Anderson and Housing Development Supervisor Parsons provided the following information:

- HRI is the only entity that is ready to take their emergency housing concept to the next level. Their biggest challenge has been site control, but they have that now. There are no red flags with their plan.

- staff has heard from other communities that 12-20 housing units is the "magic" number of units for a site. This is a new housing development model for the

2023-37-01
Presentation re: the Emergency Housing Ordinance (cont'd)

City, and these developments will not be going through the site plan review process. The proposed ordinance would allow for additional units and/or residents to be added through a phase-in process that would be described in Memorandum of Understanding (MOU).

- changes suggested at the meetings tonight could be incorporated into the proposed ordinance. Two meetings are needed to adopt the ordinance; the ordinance must be acted on by December 1st.

- the MOU would need to address how vacant units are to be secured and how ancillary facilities (bathrooms, etc.) would be added.

- the proposed ordinance would sunset in five years. With this change, staff started to think differently about the sites; they were starting to seem more permanent. There needs to be a balance between meeting the needs of people and dealing with the quasi-permanent nature housing sites that could be around for five years.

- phasing will be site-based, not provider-based; the impact to a site will be the same, regardless of how many providers are servicing the site.

- HRI responded when staff asked for comments on the ordinance. HRI requested that the life of the ordinance be extended from two years to five years. However, extending the ordinance meant that any housing provider could do whatever the ordinance allows. Staff had to address new concerns created by the possibility of housing sites that could be around for five-years. The result was the phasing option; the 18-month timeframe was a compromise. HRI expressed concerns about the phasing option.

- the ordinance does not control the partnerships between housing providers and service providers. Staff is concerned about the site, not the service providers: does the site work effectively? Can the site physically handle the number of housing units and residents?

- when the ordinance expires in 2029, the pods will need to be removed from the site. If the initiative is successful, the ordinance can be amended, and the City can implement lessons learned.

- HRI would be the ones to answer any questions about their challenges with site acquisition; it can be a challenge to find the right site that meets the needs for these developments. Most of the City's vacant properties are contaminated Brownfields, which would not be suitable for emergency housing sites.

- the Emergency Housing Ordinance does not include consideration of a review/inspection by the County Health Department.

- the City has clear standards for the staff who will be inspecting emergency housing sites. A checklist can be developed so those standards are clear to the housing providers and property owners.

- the MOU for a site will establish whether the management of that site uses "shelter rules" or "tenant/landlord rules". The MOU would also be the place for rules regarding minor children.

2023-37-01
Presentation re: the Emergency Housing Ordinance (cont'd)

- the site inspection schedule could be changed to accelerate the phasing process, but the City would lose the opportunity to see how the a performs during different seasons, with different weather conditions.

Commissioner Hoffman spoke about the viability of the HRI plan and stated she did not understand why the proposed ordinance would limit the number of housing units to 20, when HRI had already purchased 50 units. Commissioner Hoffman questioned whether the City really wanted to do anything about the unhoused. Commissioner Hoffman stated she would support the ordinance if the number of units allowed was expanded to 50, or if the current ordinance was extended five years without any changes. Commissioner Hoffman stated the City needed to do something to house people while additional affordable housing was being built.

Commissioner Juarez remarked on crime and unsafe practices that had occurred in the encampments created by the unhoused over the past few years, and he questioned whether 50 units was feasible if there was no order on the site. Commissioner Juarez stated more providers were needed to provide wrap-around services; HRI would not be able to do it alone. Commissioner Juarez commented on the lack of evidence-based practices and expressed support for a phased process.

Commissioner Praedel expressed concern that HRI had been following the current ordinance, and now the City was changing the requirements. Commissioner Praedel stated it was not fair to add more barriers at this point, and he recommended expanding the limit on housing units to 50. Commissioner Praedel noted that housing unhoused people would still be an issue in five years, and he pointed out the City was land locked.

Commissioner Decker spoke about the complications and cost factors with only being able to install a portion of the housing units a provider owned, rather than installing all the units and the needed ancillary facilities at one time. Commissioner Decker stated HRI should not need to wait one year for the next phase of the development. Commissioner Decker added she did not object to the phasing concept but was concerned about the timeframes.

Vice Mayor Cooney remarked on the City's lack of resources to address the unhoused and stated the City should be asking how it could help HRI create emergency housing. Vice Mayor Cooney expressed hope that City staff would dialogue with HRI on the proposed ordinance.

In response to a question from Mayor Anderson, City Attorney Leal indicated the City could be open to liability if it waived the requirement to test a site for environmental contamination. City Attorney Leal stated it was unclear whether such a lawsuit would be successful.

Deputy Director Anderson indicated staff would work with the City Manager on how the ordinance would be brought back to the City Commission.

In response to a request from Vice Mayor Cooney, Michelle Davis, Executive Director of HRI, described their proposed emergency housing project: the site would be for adults only; multiple partners would provide services; the site would be gated with controlled access for the security of the residents; there would be codes of conduct; and residents could stay as long as they were working towards a housing plan.

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

Commissioner Comments

Commissioner Decker thanked staff for their presentation.

The meeting adjourned at 6:42 p.m.

Adjournment

Scott A. Borling
City Clerk

Approved by the City Commission on: ___________________________

A regular meeting of the Kalamazoo City Commission was held on Monday, September 18, 2023 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Pastor Moise Ratsara from Kalamazoo Seventh-Day Adventist Church, was followed by the Pledge of Allegiance.

Proclamation
2023-38-01

Commissioner Hoffman read a proclamation celebrating *Encore Magazine – 50th Anniversary, October 2023*. Marie Lee from Encore Magazine 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:

<u>In-Person Comments</u>

2023-38-02

John Allen, City-resident, urged the City Commission to not approve contract 91824-001.0 for branding, marketing, and event planning for the Streets for All projects. A copy of Mr. Allen's written remarks was filed with the papers for this meeting.

Wilson Xu, City resident, thanked the City for installing traffic calming measures and infrastructure to support a multi-modal transportation system.

Karin Larsen, City resident, expressed concerns about the proposed commercial zoning changes and requested the City create green zones around parks and not weaken the Natural Features Protection language in the Zoning Code.

2023-38-03

Jeff Messer, City resident, spoke about the benefits of Ranked Choice Voting (RCV) and asked people to vote "Yes" on the RCV charter amendment question on the November 7th ballot. A copy of Mr. Messer's written remarks was filed with the papers for this meeting.

Matt Smith, City resident, expressed support for RCV and spoke about Graphic Packaging and environmental racism. Mr. Smith noted there was an open public comment period through the Michigan Department of Environment, Great Lakes, and Energy (EGLE) regarding a request from Graphic Packaging to change their permit.

Public Comments (cont'd)

Christine Taplin, City resident, stated the City was violating a grant application. Ms. Taplin stated the proposed sidewalk on Winchell Avenue would not address the primary problem on that street, which was speeding traffic. Ms. Taplin expressed concern about a speed sign that had been installed in front of her house and requested data on the effectiveness of the sign. Ms. Taplin requested an additional turn lane on Oakland Drive at Winchell Avenue.

Tyler Dancer, non-resident, spoke about the EGLE public comment period for the Graphic Packaging permit and the deficiencies of the odor-related data the City was collecting. Mr. Dancer expressed frustration that the state's permit process placed too much responsibility on individual citizens to understand complex data and processes.

Dustin Black, City resident, stated the City was frequently commended at professional events for its proactive approach to traffic safety, but ongoing problems with speeding traffic showed there was still work to be done.

Shona Espinoza, City resident, asked the City to change its rules for tenants and landlords and inspect all rental units prior to new tenants moving in. Ms. Espinoza spoke about landlords who did not care and described how she had been forced to move multiple times in a year.

Charles Curtis Sanders, City resident, spoke about the high cost of living in Kalamazoo and stated he wanted to be an advocate for people in his neighborhood.

Jacob Johnson, City resident, spoke about his family's struggles in Kalamazoo and how Graphic Packaging was polluting the black and brown community. Mr. Johnson expressed concern about the lack of urgency at all levels of government to address air quality.

Call-In Comments

An anonymous caller reported trash in her neighbor's front yard on Bessie Street.

An anonymous caller spoke about the problems in Kalamazoo, including poverty, racism, and the housing crisis. The caller stated people could not trust City government.

Remi Harrington, City resident, expressed concern that the City cut down a tree on her property without giving her prior notification.

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 contract with Kraemar Design Group for the Historic Reconnaissance Level Survey Analysis Project in the amount of $111,988. **2023-38-04**

- approval of a contract supplemental and change order with Blu Cleaning for citywide custodial services in the amount of $120,347.40. **2023-38-05**

2023-38-06

- approval of a cooperative purchase agreement with Carahsoft through the OMNIA EDU contract: R191902 for Salesforce CRM services in the amount of $186,667.42.

2023-38-07

- approval of a sole source purchase of engineered high capacity carbon from PureAir Filtration for the removal, replacement and disposal of carbon in the wastewater treatment plant scrubber units in the amount of $443,213.

2023-38-08

- approval of a professional service agreement with Wightman & Associates for construction engineering services in support of the Westnedge Avenue Watermain Roadway, and Sanitary Project in the amount of $817,750.

2023-38-09
Resolution 23-49

- adoption of a **RESOLUTION** approving a contract supplemental and change order with Consumers Energy and authorizing a change in the Street Lighting Contract for West Michigan Avenue from Drake Road to Howard Streets.

2023-38-10
Resolution 23-50

- adoption of a **RESOLUTION** approving a contract supplemental and change order with Consumers Energy and authorizing a change in the Street Lighting Contract for Ransom Street from Walbridge to Burdick Streets.

2023-38-11
Resolution 23-51

- adoption of a **RESOLUTION** approving a contract supplemental and change order with Consumers Energy and authorizing a change in the Street Lighting Contract for Fraternity Village Drive and California Avenue.

2023-38-12
Resolution 23-52

- adoption of a **RESOLUTION** approving an amendment to the 2019 wastewater services agreement with the City of Parchment.

2023-38-13

- approval of an agreement with the Michigan Department of Health and Human Services for an Ending Community Violence grant in the amount of $50,000.

Commissioner Juarez, 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

Regular Agenda items were considered next.

2023-38-14
Contract for Water Main Replacement on Balch Street

Public Services Director James Baker provided an overview of the project to replace water main on Balch Street from Park Street to Burdick Street.

An opportunity was given for public comments on a contract with Peters Construction Company for the replacement of water main on Balch Street from Park Street to Burdick Street, but no comments were offered.

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to approve a contract with Peters Construction Company for the replacement of water main on Balch Street from Park Street to Burdick Street in the amount of $1,562,158.97.

2023-38-14
Contract for Water Main Replacement on Balch Street (cont'd)

Prior to a vote on the motion, Commissioner Praedel stated he was impressed that staff had the foresight to purchase the pipe for this project in 2022 to stay ahead of potential supply chain issues.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-38-15
First Reading of an Ordinance to Revise and Replace Chapter 28 re: Wastewater Discharge Regulations

Director Baker provided an overview of an ordinance to repeal the existing Chapter 28 of the Kalamazoo City Code, *Wastewater Discharge Regulations and Enforcement Procedures*, and enact a new Chapter 28, *Wastewater Discharge Regulations and Enforcement Procedures*.

Commissioner Hess stated her respect for staff in the Public Services Department increased as she read the ordinance.

In response to a question from Commissioner Hess, Director Baker stated there were a lot of changes with the new ordinance; the difference between the old and new ordinances was a night-and-day difference. Director Baker stated a lot of experts worked on the new ordinance.

An opportunity was given for public comments on an ordinance to repeal the existing Chapter 28 of the Kalamazoo City Code, *Wastewater Discharge Regulations and Enforcement Procedures*, and enact a new Chapter 28, *Wastewater Discharge Regulations and Enforcement Procedures*, but no comments were offered.

Commissioner Hoffman seconded by Commissioner Juarez, moved to offer for first reading an ordinance to repeal the existing Chapter 28 of the Kalamazoo City Code, *Wastewater Discharge Regulations and Enforcement Procedures*, and enact a new Chapter 28, *Wastewater Discharge Regulations and Enforcement Procedures*.

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's Report

City Manager Ritsema recognized Traffic Engineer Dennis Randolph, who received the 2023 Carmine Palombo Individual Achievement Award from the Michigan Transportation Asset Management Council (TAMC).

Commissioner Comments

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

Vice Mayor Cooney commended the United Auto Workers (UAW) for standing up for workers' rights.

Commissioner Comments (cont'd)

Commissioner Praedel highlighted items on the Consent Agenda, including the street lighting contract amendments an the contract for Salesforce software. Commissioner Praedel reported he was working on a resolution supporting state legislation to allow immigrants to get driver's licenses. Commissioner Praedel remarked on the heavy nature of the City Commission discussion at the Committee of the Whole meeting and the public comments during the Business Meeting.

Commissioner Hess stated Commissioners listened and heard people when they spoke. Commissioner Hess highlighted upcoming events, including the Great Lakes Peace Jam on October 7th, National Drive Electric Week beginning September 23rd, and Sounds of the Zoo from September 25th – October 1st.

Commissioner Hoffman stated she was proud of the work the City had done and the work it would do in the future. Commissioner Hoffman indicated she continued to be affected by the air quality on the Northside, and she stated she would continue to raise up that issue.

Commissioner Juarez announced September was Hispanic Heritage Month, and he noted Cinco de Mayo and Mexican Independence Day were two different things. Commissioner Juarez remarked on the City's Employee Appreciation Day event and thanked staff for their work. Commissioner Juarez stated the City could do more to address homelessness and the situation with Graphic Packaging.

Mayor Anderson reported attending the following events: the ground breaking ceremony for the Boys and Girls Club; the ground breaking ceremony for Milestone Senior Services; and the 20th Anniversary of Kalamazoo Communities in Schools. Mayor Anderson expressed frustration about the EGLE public comment period for Graphic Packaging and requested that the City use its media resourced to publicize the comment period and the ways people could participate.

Closed Session

Commissioner Juarez, seconded by Commissioner Hess, moved that the City Commission go into closed session to discuss pending litigation.

Mayor Anderson indicated the City Commission would not be returning to open session following the closed session.

With a roll call vote the motion passed unanimously.

AYES:	Commissioners Decker, Hess, Hoffman, Juarez, Praedel, Vice Mayor Cooney, Mayor Anderson
NAYS:	None

Adjournment

The meeting adjourned at 8:21 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

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The Kalamazoo City Commission met as a Committee of the Whole on Monday, October 2, 2023 at 5:02 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor David Anderson
Vice Mayor Don Cooney
Jeanne Hess
Stephanie Hoffman
Esteven Juarez
Chris Praedel

COMMISSIONERS ABSENT: Qianna Decker

Also present were Chief Operating Officer Laura Lam, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Hess, seconded by Commissioner Hoffman, moved to excuse the absence of Commissioner Decker. With a voice vote the motion passed.

Public Comments

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

In Person

Tobi Hannah-Davies, City resident, thanked staff for proposing an extension of the Emergency Housing Ordinance and adding an additional winter to the five-year timeline. Ms. Hannah-Davies expressed opposition to the 20-pod implementation limit and phasing requirement for larger projects.

Michelle Davis, Executive Director of Housing Resources Incorporated (HRI), expressed appreciation to City staff and support for the updated Emergency Housing Ordinance. Director Davis suggested that all Memoranda of Understanding (MOU's) with housing providers be presented as informational items to the City Commission, not just MOU's for projects with 20+ housing units.

Jane Gosh, Executive Director of Discover! Kalamazoo expressed support for Item H-5 on the business meeting agenda, a three-year contract with Gud Marketing for downtown and Streets for All marketing and communications.

Call In

Michael Bain stated his family experienced a panhandler exposing himself over the weekend while they were at an intersection downtown. Mr. Bain stated the City should end its emergency housing initiative and enforce the basic rules of society.

2023-39-01
Emergency Housing Ordinance Update

Housing Development Supervisor Sharilyn Parsons delivered a presentation entitled Emergency Housing Ordinance Proposed Updates. 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, Housing Development Supervisor Sharilyn Parsons provided the following information:

- under the proposed ordinance, the service provider can be the property owner.

2023-39-01
Emergency Housing Ordinance Update (cont'd)

- the words "develop" and "install" refer to the same thing.

- it seems like there is consensus with HRI around the updated, proposed ordinance.

- the location of HRI's emergency housing site was for HRI to disclose.

- the City would welcome more emergency housing partners like HRI.

Commissioner Juarez stated the City was not opposed to extending the Emergency Housing Ordinance, but staff needed to figure out how the ordinance could best serve the community. Commissioner Juarez spoke about the need for a collective response to homelessness and the need for more organizations like HRI.

Commissioner Praedel stated he liked to see consensus building, and he noted the City was being proactive by addressing the Emergency Housing Ordinance well before the sunset date.

Mayor Anderson noted this ordinance was not just for HRI; other organizations could partner with the City to provide emergency housing.

Commissioner Comments

An opportunity was given for general comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 5:27 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ___________________________

A regular meeting of the Kalamazoo City Commission was held on Monday, October 2, 2023 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

COMMISSIONERS PRESENT: Mayor David Anderson
Vice Mayor Don Cooney
Jeanne Hess
Stephanie Hoffman
Esteven Juarez
Chris Praedel

COMMISSIONERS ABSENT: Qianna Decker

Also present were Chief Operating Officer Laura Lam, City Attorney Aaron Leal, and City Clerk Scott Borling.

Commissioner Excused

Commissioner Hoffman, seconded by Commissioner Hess, moved to excuse the absence of Commissioner Decker. With a voice vote the motion passed.

Invocation

The invocation, given by Michelle Scheidt from the Fetzer Institute, was followed by the Pledge of Allegiance.

Proclamations
2023-40-01

Commissioner Praedel read a proclamation welcoming the *Michigan Autism Conference, October 11-13, 2023*.

2023-40-02

Commissioner Hess proclaimed October 26, 2023 *Keeping the Lights on After School Day*. Meg Blinkiewicz, Executive Director of Kalamazoo Youth Development Network, received the proclamation.

Adoption of the Agenda

By unanimous consent the City Commission adopted its meeting agenda as presented.

Communications

Chief Operating Officer Lam made the following announcements:

- the Michigan Department of Environment, Great Lakes, and Energy (EGLE) was holding a virtual public hearing on October 5th regarding an application from Graphic Packaging for an air permit. The public comment period for this application would be open until October 16th.

- the City was accepting applications for Community Violence Intervention grants.

- the Parks and Recreation Department was hosting a Halloween event on Saturday, October 28th at Milham Park.

- a Styrofoam recycling event would take place on Saturday, October 28th at Mayors' Riverfront Park.

- a celebration event for the 50th anniversary of the Stuart Area Restoration Association would take place on Saturday, October 7th.

Public Comments

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

Public Comments (cont'd)

2023-40-03

In-Person Comments

John Allen, City-resident, expressed opposition to Item H-5, a contract for marketing and communications services for the Streets for All initiative. A copy of Mr. Allen's written remarks was filed with the papers for this meeting.

Reverend Millard Southern, Senior Pastor at Allen Chapel AME Church, spoke about the weekly tutoring program and upcoming Breast Cancer Walk hosted by Allen Chapel AME Church, and he requested more resources for these programs.

Zack Orsini, a City resident representing the Democratic Socialists of America, asked the City to build at least three more public restrooms downtown that were open 24 hours per day, 7 days per week.

Ryan Smith, City resident and President of the Southwest Michigan Chapter of the Democratic Socialists of America, asked the City to install public restrooms downtown that were open 24 hours per day, 7 days per week. Mr. Smith expressed opposition to private sector partnerships for public restrooms.

An anonymous speaker asked the City to install at least three more Portland Loo's downtown that would be open 24 hours per day, 7 days per week.

Chris Bol and Carl Fried, City residents, spoke about the benefits of bike riding and thanked the City for creating infrastructure for cyclists.

Tina McClinton, City resident, spoke about flooding on Lake Street and expressed opposition to the development of green spaces and the proposed rezoning. Ms. McClinton remarked on the dangers of bike lanes at nighttime and stated cyclists needed to obey the rules of the road.

An anonymous speaker, spoke about the EGLE public comment period regarding Graphic Packaging.

Michelle Dancer, City resident, offered comments about Graphic Packaging and questioned why they were allowed to pollute.

An anonymous speaker offered remarks about pollution in the Northside Neighborhood and spoke about family members who had been diagnosed with cancer.

Tammy Hibner, City resident, expressed opposition to the proposed car wash on Stadium Drive and questioned why residents needed to repeatedly oppose the development of this property. Ms. Hibner stated the city and county governments did not care about their residents, and she questioned what they were going to do about the car wash and Graphic Packaging.

Wendy Fields, President of the NAACP, spoke about the lack of ADA accessibility at City Hall. Ms. Fields remarked that the new downtown bike lanes were not safe.

Molly Trueblood, non-resident, commented on the need for environmental planning and stated zoning could be used to address the public's concerns.

Public Comments (cont'd)

Shona Espinoza, City resident, offered remarks on the cost of housing in Kalamazoo and the need for a place residents could go with housing issues.

Call-In Comments

Shauna, a City resident, offered comments about poor air quality in the City and discolored water.

Kay stated the City did the bare minimum regarding qualify of life issues like Graphic Packaging.

Jacob, a City resident, spoke about the impacts of the environment on children, disparities in the experiences of City residents, and the need for a local reparations initiative.

2023-40-04
Public Hearing re: An Off-Premises Sign Agreement with Adams Outdoor Advertising

At 8:05 p.m. Mayor Anderson opened a public hearing to receive comments on an Off-Premises Sign Agreement with Adams Outdoor Advertising to allow for the removal of a billboard in the Northside Neighborhood and the reconstruction of a billboard along I-94.

An opportunity was given for both public comments and City Commissioner comments and questions, but no comments or questions were offered.

At 8:06 p.m. Mayor Anderson closed the public hearing.

Commissioner Hess, seconded by Commissioner Praedel, moved to approve an Off-Premises Sign Agreement with Adams Outdoor Advertising to allow for the removal of a billboard in the Northside Neighborhood and the reconstruction of a billboard along I-94.

With a roll call vote this motion passed.

AYES: Commissioners Hess, Hoffman, Juarez, 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:

2023-40-05

- approval of a contract supplemental and change order with Carrier & Gable for traffic signal maintenance supplies in the amount of $200,000.

2023-40-06

- approval of a month-to-month contract extension, supplemental, and change order with Central City Parking/ABM Parking for downtown parking management services in the amount of $540,000.00.

2023-40-07
Resolution 23-53

- adoption of a **RESOLUTION** approving Amendment #1 to the Act 381 Brownfield Redevelopment Plan for Arcadia Lofts.

2023-40-08
Resolution 23-54

- adoption of a **RESOLUTION** amending the City Commission's 2023 annual meeting schedule.

- approval of the Second Amendment to the Services Agreement between the City of Kalamazoo and the United Way of the Battle Creek and Kalamazoo Region for Small Business Loan Fund services. **2023-40-09**

- approval of a special permit for a pot-bellied pig to be kept at 2513 Logan Avenue, subject to compliance with applicable statutes, ordinances, and health codes. **2023-40-10**

Commissioner Hoffman, seconded by Vice Mayor Cooney, 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 Hess, Hoffman, Juarez, Praedel, Vice Mayor Cooney, Mayor Anderson

NAYS: None

Regular Agenda items were considered next.

Regular Agenda

2023-40-11
Ordinance 2071 re: Wastewater Discharge Regulations

Public Services Director James Baker offered a summary of an ordinance to replace the current Chapter 28 in the Kalamazoo City Code regarding wastewater discharge regulations. Director Baker noted the effective date of the ordinance would be January 1, 2024, and the ordinance would change the process for establishing wastewater rates by allowing them to be set by resolution rather than by ordinance. Director Baker indicated the changes to the current ordinance were described in the three-page document from EGLE that was included in the meeting packet.

At 8:11p.m. Commissioner Juarez left the meeting.

In response to questions from Commissioner Praedel, Director Baker stated legal, academic, and scientific expertise was engaged during the development of the ordinance, and EGLE was involved at each step in the process. Director Baker confirmed that EGLE had approved the ordinance.

An opportunity was given for public comments on an ordinance to repeal the existing Chapter 28 of the Kalamazoo City Code, *Wastewater Discharge Regulations and Enforcement Procedures*, and enact a new Chapter 28, *Wastewater Discharge Regulations and Enforcement Procedures*, but no comments were offered.

Commissioner Praedel, seconded by Commissioner Hoffman, moved to adopt an **ORDINANCE** to repeal the existing Chapter 28 of the Kalamazoo City Code, *Wastewater Discharge Regulations and Enforcement Procedures*, and enact a new Chapter 28, *Wastewater Discharge Regulations and Enforcement Procedures*.

Prior to a vote on the motion, Commissioner Hess thanked Public Services department staff for their long-term work on this ordinance.

With a roll call vote the motion passed.

2023-40-11
Ordinance 2071 re: Wastewater Discharge Regulations (cont'd)

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

NAYS: None

ABSENT: Commissioner Juarez

At 8:15 p.m. Commissioner Juarez returned to the meeting.

2023-40-12
First Reading of an Ordinance re: Emergency Housing

Chief Operating Officer Lam introduced for first reading an ordinance to approve updates to Chapter 9 of the Kalamazoo City Code *Buildings and Building Regulations*, Article 8: Emergency Housing.

Mayor Anderson noted this ordinance had been discussed at the Committee of the Whole meetings on September 18th and October 2nd. Mayor Anderson stated he was pleased that Housing Resources Incorporated (HRI) was working to develop emergency housing and was engaged in discussions with the City about their project.

Commissioner Praedel stated the City Commission was being proactive by addressing the emergency housing ordinance before the sunset of the current ordinance. Commissioner Praedel noted staff had made changes to the proposed ordinance in response to concerns raised by HRI.

When an opportunity was given for public comments on an ordinance to approve updates to Chapter 9 of the Kalamazoo City Code *Buildings and Building Regulations*, Article 8: Emergency Housing, the following people addressed the City Commission:

> Tobi Hannah-Davies, City resident, expressed support for the housing pod community being developed by HRI, and she thanked the City for extending the life of the ordinance and changing the phasing structure. Ms. Hannah-Davies asked the City to not require HRI to wait six months to add more units.
>
> Michelle Davis, Executive Director of HRI, thanked City staff for their work and for changing the structure of the phasing. Ms. Davis told the story of her brother, who experienced homelessness.
>
> Tina McClinton, City resident, asked where the housing pods would be located and what steps would be taken to protect people.

Commissioner Juarez seconded by Commissioner Hess, moved to offer for first reading an ordinance to approve updates to Chapter 9 of the Kalamazoo City Code *Buildings and Building Regulations*, Article 8: Emergency Housing.

Prior to a vote on the motion, Commissioner Juarez thanked staff and HRI and spoke about the importance of addressing homelessness.

Vice Mayor Cooney thanked HRI and remarked on the importance of extending the emergency housing ordinance.

2023-40-12
First Reading of an Ordinance re: Emergency Housing (cont'd)

Commissioner Hess stated the City was not a housing provider and relied on partnerships. Commissioner Hess indicated the City was open to collaborating with other housing providers in addition to HRI.

Commissioner Praedel thanked City staff, HRI, and Commissioner Hoffman for their work on emergency housing. Commissioner Praedel listed specific projects and policies where the City had engaged to address housing needs in the community. Commissioner Praedel stated there was much more work to be done, and he noted the demand for affordable housing would increase as extra funding from the COVID-19 pandemic came to an end.

With a roll call vote the motion passed.

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

NAYS: None

2023-40-13
First Reading of Ordinances to Amend the Zoning Code and Other Chapters of the Code of Ordinances

Community Planning and Economic Development Deputy Director Christina Anderson delivered a presentation entitled *Proposed Zoning Code & Map Updates: First Reading and Scheduling a Public Hearing, October 2, 2023*. 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, Deputy Director Anderson provided the following information:

- the proposed zoning ordinance changed in the following ways as a result of public input: a car wash was made a special use in the Community Commercial (CC) zoning district; the Use Table was changed to be more readable; lot coverage and wellhead protection standards were reinstated to the section on Natural Features Protection (NFP); and the NFP intent statement was adjusted.

- the current zoning code includes both a minimum and maximum number of parking spaces; the proposed zoning code removes the minimum number of parking spaces to address environmental concerns and to let the market dictate how a property is used. In addition, the proposed zoning code includes two parking space maximums based on context: a lower number in urban contexts, and a higher number for suburban contexts.

- the following items/topics are not addressed in the proposed zoning ordinance: manufacturing and residential districts; the sections on administration of the code; lighting; and the creation of a zoning district for the development of parks.

When an opportunity was given for public comments on ordinances to approve text amendments to Chapter 50, *Zoning Ordinance* and Appendix A *Zoning*; to approve updates to the Zoning Map; and to approve related updates to Chapters 3, *Advertising*, 7, *Animals and Fowl*, 9, *Buildings and Building Regulations*, and 21, *Nuisances*, the following people addressed the City Commission:

Tina McClinton, City resident, remarked that poor people were not involved in the IK2025 process. Ms. McClinton questioned why the City was destroying green space in the Lake Street/Stockbridge Avenue area and requested that property in this neighborhood not be rezoned to RM15.

2023-40-13
First Reading of Ordinances to Amend the Zoning Code and Other Chapters of the Code of Ordinances (cont'd)

Jeff Messer, City resident, expressed concern about the proposed repeal of Section 3-2 of the Code of Ordinances regarding advertising and questioned why this section was being removed while Section 3-4 was being retained. Mr. Messer noted Commissioner Praedel's campaign signs were in the public right-of-way on Dutton Street.

Commissioner Hess, seconded by Vice Mayor Cooney, moved to offer for first reading ordinances to approve text amendments to Chapter 50, *Zoning Ordinance* and Appendix A *Zoning*; to approve updates to the Zoning Map; and to approve related updates to Chapters 3, *Advertising*, 7, *Animals and Fowl*, 9, *Buildings and Building Regulations*, and 21, *Nuisances*; and set a public hearing for October 16, 2023.

Prior to a vote on the motion, and in response to a question from Commissioner Hess, City Attorney Leal stated he did not know why staff was recommending the repeal of Section 3-2 of the Kalamazoo City Code. City Attorney Leal indicated he could research the question and provide an answer.

With a roll call vote the motion passed.

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

NAYS: None

2023-40-14
Contract Extension for Powered Activated Carbon

An opportunity was given for both public comments and comments and questions from City Commissioners regarding a contract extension with SNR Technologies for powder activated carbon, but no questions or comments were offered.

Commissioner Hoffman, seconded by Vice Mayor Cooney, moved to approve a contract extension with SNR Technologies for powder activated carbon in the amount of $1,160,000.

With a roll call vote the motion passed.

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

NAYS: None

2023-40-15
Contract for Marking and Communications Services for the Streets for All Initiative

Deputy Director Anderson delivered a presentation entitled *Communication and Marketing Contract, October 2, 2023*. A copy of the slides from this presentation was filed with the papers for this meeting.

Assistant Public Services Director Anthony Ladd stated communications was the biggest "pain point" for the City's construction projects. Assistant Director Ladd indicated a communications specialist was necessary given the scale of planned investment in the downtown.

Commissioner Hess stated the engagement of communications professionals would help downtown events, venue, festivals, and businesses. Commissioner Hess spoke about the potential adverse effects of construction on small businesses and remarked that the City needed to spend money on both downtown and the neighborhoods.

2023-40-15
Contract for Marking and Communications Services for the Streets for All Initiative (cont'd)

When an opportunity was given for public comments on a three-year contract with Gud Marketing for Downtown and Streets for All marketing and communications, the following people addressed the City Commission:

> John Allen, City resident, noted he had provided information about this contract to the City Commission on September 18th, and he urged the Commission to postpone voting on this item.

Commissioner Juarez, seconded by Commissioner Hess, moved to approve a three-year contract with Gud Marketing for Downtown and Streets for All Marketing and Communications in the amount of $285,000.

Prior to a vote on the motion, Commissioner Praedel stated the point of the contract was to improve communication and transparency, not convince people.

Vice Mayor Cooney stated he would not vote in favor of any additional funds for the downtown two-way street conversion project. Vice Mayor Cooney stated his priorities were addressing pollution, poverty, and student success.

Commissioner Hoffman remarked that the decision was made years ago to move forward with the two-way street conversion project, and she stated staff needed this support.

Commissioner Juarez offered comments on hard decisions the City Commission made on a regular basis, and he stated a lot of care and consideration went into those decisions. Commissioner Juarez spoke about the need for Commissioners to think generationally and with an eye to the future.

Commissioner Hess expressed support for the long-term economic viability of downtown. Commissioner Hess stated the City Commission could not choose between downtown and poverty or downtown and gun violence; the Commission needed to address all these areas.

Mayor Anderson expressed appreciation for Vice Mayor Cooney and his position on this issue. Mayor Anderson offered remarks on the work the City was doing on many issues to address needs in the community.

With a roll call vote the motion passed 5-1.

AYES: Commissioners Hess, Hoffman, Juarez, Praedel, Mayor Anderson

NAYS: Vice Mayor Cooney

City Manager's Report

Chief Operating Officer Lam highlighted recent activities of the Community Planning and Economic Development Department and recognized 311 Customer Support Manager Mimi Leake for her five-year anniversary with the City.

Commissioner Comments

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

Commissioner Hess commented on the importance of long-term work by City staff, such as the Sewer Use Ordinance and revisions to the Zoning Code. Commissioner Hess invited people to the Canadiana Fest on October 7th.

Commissioner Comments (cont'd)	Commissioner Praedel recognized his father, who was in the audience, and spoke about lessons his father taught him. Commissioner Praedel offered comments on a recent suicide that happened in public near where his kids' soccer practice was taking place. Commissioner Praedel expressed gratitude for the opportunity to serve on the City Commission. Commissioner Praedel explained why the City Commission had amended its meeting schedule to change the date of the oath of office ceremony. Commissioner Praedel stated there could be quick solutions to the public restroom issue, such as putting portable toilets next to every parking structure. Mayor Anderson spoke about a recent homicide and the City's efforts to address gun violence. Mayor Anderson stated it would take the entire community to address gun violence, and he urged community members to step in when they knew someone was in a bad situation and had access to a gun.
Adjournment	The meeting adjourned at 10:03 p.m. Scott A. Borling City Clerk Approved by the City Commission on: ____________________________

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The Kalamazoo City Commission met as a Committee of the Whole on Monday, October 16, 2023 at 5:01 p.m. in the City Commission Chambers at City Hall.

Roll Call

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 Ritsema, City Attorney Aaron Leal, and City Clerk Scott Borling.

Public Comments

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

In Person

Nehemiah Scudder, City resident, spoke about the national debt.

An anonymous non-resident stated Black Lives Matter (BLM) had endorsed the recent attacks by Hamas against Israeli civilians, and he requested that the City remove the BLM mural on Rose Street.

Call In

None

2023-41-01
Downtown Updates

Economic Development Supervisor Paul Thuringer, Assistant City Manager Rebekah Kik, and Downtown Development Authority/Downtown Economic Growth Authority Board Vice Chair Grant Fletcher delivered a presentation entitled *Downtown Updates, October 2023*. 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, Assistant City Manager Kik provided the following information:

- City staff has not directly managed the downtown area for the past 30 years. As a result, staff were still trying to figure out how to scale down and establish what the City should be doing with and for the downtown. Information exchange during the transition was difficult because Kalamazoo Downtown Partnership (KDP) was gone; the working relationship was very good, but there were capacity issues on both sides.

- KDP had event staff and a 45-page manual for how to plan and manage events at the Arcadia Festival Site. With KDP gone, the Kalamazoo Experiential Learning Center and Deb Droppers were helping the Parks and Recreation Department with events at downtown parks, Bates Alley and the Festival Site.

2023-41-01
Downtown Updates
(cont'd)

- a Request for Proposal (RFP) for management of the parking system had just been processed, and another RFP would be issued soon for upgrades to the parking payment systems.

- business attraction/recruitment is a specialized field: this skill set does not currently exist within the City organization, Southwest Michigan First, or Chamber of Commerce. The City attempts to address requests for information, but staff is focusing more on retaining existing businesses. Developers are trying to fill vacant spaces, and they know the City's tools and capacities.

Commissioner Praedel remarked that many people had expressed reservations about a public/private partnership for public restrooms downtown.

Commissioner Decker expressed support for the proposed changes, commended staff for seeking grants, and encouraged them to continue seeking outside funding sources for the downtown.

Mayor Anderson reviewed how the funding model for downtown had collapsed and remarked on the struggle of stakeholders to adjust to new realities. Mayor Anderson acknowledged the work of the Downtown Development Authority (DDA) and Downtown Economic Growth Authority (DEGA) Boards and their committees. Mayor Anderson stated there was a focused effort to create a shared vision and move forward together. Mayor Anderson acknowledged Carl Brown, who was leaving the DDA and DEGA Boards after 10 years of service.

2023-41-02
2023 Appointee
Evaluation Process

Human Resources and Labor Relations Director Shelly Dusek reported the City Commission Subcommittee on Appointee Evaluations had been looking at the evaluation process for City Commission appointees was recommending implementation of a 360-degree review process.

Training and Staff Development Specialist Jessica Partello described the Focal 360 tool from Custom Insight and reviewed the implementation timeline.

In response to questions and comments from City Commissioners, Director Dusek and Training and Staff Development Specialist Partello provided the following information:

- a representative from Custom Insights can do in-person training for Commissioners and department directors. Written materials are available, and Human Resources staff can show users how to interact with the system.

- if an invited reviewer did not complete an evaluation, it would not count against the appointee being reviewed. Some questions have a "n/a" option, which could be used if a reviewer did not have much contact or experience with the person being reviewed.

- City Commissioners and department directors, not direct reports, will be the ones evaluating the appointees. City Commissioners will be able see the comments made by department directors, but the comments will be anonymous.

Commissioner Praedel remarked that improvements to the appointee review process were a long time coming, and he reported the subcommittee looked at multiple 360-review processes. Commissioner Praedel stated the Focal 360 tool

2023-41-02
2023 Appointee Evaluation Process (cont'd)

would be useful, as it would highlight the high and low scores and show the gaps between an employee's self-evaluation and the evaluations of others. Commissioner Praedel added that Focal 360 would allow for real-time evaluations and an expansion of the universe of reviewers.

Commissioner Hoffman noted the new evaluation tool would go beyond identifying bad performance; it would show ways for the employee to improve.

Mayor Anderson thanked Human Resources staff for their assistance and remarked that Commissioners had been talking for years about improving the appointee review process.

City Manager Ritsema acknowledged the presence of the City's 311 Customer Service Center team.

Commissioner Comments

An opportunity was given for general comments from City Commissioners, but no comments were offered.

Adjournment

The meeting adjourned at 6:07 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

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A regular meeting of the Kalamazoo City Commission was held on Monday, October 16, 2023 at 7:00 p.m. in the City Commission Chambers at City Hall.

Roll Call

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.

Proclamations
2023-42-01

Commissioner Hess proclaimed November 1, 2023 *Extra Mile Day*. There was nobody present to receive the proclamation.

2023-42-02

Commissioner Hoffman proclaimed October 15-21, 2023 *YWCA Week Without Violence*. Daniel Hamilton, Director of Public Policy for the YWCA, received the proclamation.

2023-42-03

Vice Mayor Cooney proclaimed October 29, 2023 Turkish Republic Day. Representatives from the Turkish American Cultural Association of Michigan, including association President Armağan Korkmaz, received the proclamation.

2023-42-04

Commissioner Praedel proclaimed October 19, 2023 Imagine a Day Without Water. Public Services Director James Baker received the proclamation.

Adoption of the Agenda

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

> Commissioner Hoffman requested that Item F-7, a resolution supporting state legislation banning source of income discrimination be moved to Policy Items
>
> Commissioner Praedel requested that Item F-6, a resolution supporting the restoration of drivers licenses for undocumented immigrants, be moved to Policy Items
>
> A member of the public requested that Item F-4, a resolution approving a Payment in Lieu of Taxes (PILOT) for an affordable housing development project at 210 Lake Street.

2023-42-05
Communications – Presentation of the Draft 2024 FFE Grant to the City

Foundation for Excellence (FFE) Executive Director Steve Brown presented the draft 2024 FFE Grant to the City of Kalamazoo for tax reduction, budget stabilization, and aspirational initiatives. 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, Executive Director Brown provided the following information:

2023-42-05
Communications – Presentation of the Draft 2024 FFE Grant to the City (cont'd)

- the FFE endowment is meant to be permanent; the investment in the community will be in the hundreds of millions of dollars.

- noteworthy accomplishments of the FFE include the All Things Possible program at Parks and Recreation, significant investment in housing and economic development, and the Frank Street development project by Jamauri Bogan.

- people can donate to the FFE through the FFE website.

Commissioner Hess highlighted the work of FFE funding partners, donors, and City staff. Commissioner Hess noted City tax bills indicated the dollar amounts the FFE saved individual taxpayers, and there was a place for people to donate to the FFE with their tax payments.

Public Comments

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

In-Person Comments

Nehemiah Scudder, City-resident, offered remarks about mental illness, the connection between mental illness and creativity, and the contributions of people with mental illness.

Bruce Schuur, City resident, expressed support for the proposed ordinance that would change the zoning of 814 Douglas, 1117 Conant, and 1135 Conant from commercial to multi-family residential.

Jeff Weisman, City resident, spoke about the lack of Public Safety foot patrols on Kalamazoo Avenue, the lack of ordinance enforcement for junk automobiles, and debris left on site after a structure was demolished on North Burdick Street.

Todd Ketanski-O'Brien, City resident, expressed support for the bike lanes the City had installed downtown.

Amelia Ketanski, City resident, thanked the City for installing bike infrastructure and traffic calming measures.

Wil Roland, City resident, asked about the rezoning of properties on the Northside and stated there should be neighborhood meetings. Mr. Roland observed the new bike lanes were being used by panhandlers, which was not good. Mr. Roland suggested the City consider what it was doing in 2006-2007 when there were 400+ days without a murder.

Tina McClinton, City resident, described how the proposed rezoning would harm her neighborhood. Ms. McClinton stated the City had failed to fix the storm sewers in her neighborhood, and she urged people to vote on November 7th.

Millie Boutwell, City resident, requested better bike infrastructure and recounted how she was hit on her bike by a school bus.

Public Comments (cont'd)

An anonymous speaker expressed support for the resolution supporting the reinstatement of driver's licenses for undocumented immigrants.

Matilda Ramirez, City resident, expressed support for the resolution supporting the reinstatement of driver's licenses for undocumented immigrants.

Shona Espinoza, City resident, stated housing in Kalamazoo was not affordable or equitable, and she asked for the City's help. Ms. Espinoza stated City housing inspectors were not doing their jobs.

Arlena Jones, City resident, stated people had returned their absentee ballots before they knew she was a write-in candidate for Mayor. Ms. Jones asked what could be done about this.

An anonymous speaker stated he had lost four family members to suicide in the past four years and spoke about the reality of mental illness and suicide. The speaker described how the City Attorney's Office refused to drop charges against him for trespassing.

Jeff Messer, City resident, coached call-in speakers to speak slowly and clearly, asked if City Clerk Borling could address Ms. Jones' questions about absentee ballots, and expressed support for the Ranked Choice Voting charter amendment.

Clyde Robinson, City resident, expressed opposition to Ranked Choice Voting and described how the process was not transparent.

Call-In Comments

David Benac, City resident, urged the City Commission to do something about Graphic Packaging and stated more hydrogen sulfide monitors would not solve the problem.

Richard Stewart, City resident, urged the City Commission to vote against the proposed zoning ordinance and to break it up into smaller pieces. Mr. Stewart expressed opposition to a Payment in Lieu of Taxes (PILOT) for the LIFT Foundation property and support for a PILOT for the Hollander development project.

2023-42-06
Public Hearing re: Ordinances Amending the Zoning Code

At 8:34 p.m. Mayor Anderson opened a public hearing to receive comments on ordinances approving text amendments to Chapter 50, Zoning Ordinance and Appendix A Zoning; approving updates to the Zoning Map; and approving related updates to Chapter 3, Advertising, Chapter 7, Animals and Fowl, Chapter 9, Buildings and Building Regulations, and Chapter 21, Nuisances.

City Attorney Leal requested that the ordinance amending Chapter 3 of the Code of Ordinances be removed from the agenda and not adopted.

In response to a question from Commissioner Praedel, City Attorney Leal explained that Section 3.2 was in a chapter dealing with the posting of advertising on public property, and the proposed changes included amendments to three sections and the recission of three sections.

2023-42-06
Public Hearing re: Ordinances Amending the Zoning Code (cont'd)

Mayor Anderson remarked on the extensive public process that resulted in the proposed zoning ordinances.

In response to questions and comments from City Commissioners, Community Planning and Economic Development (CPED) Deputy Director Christina Anderson provided the following information:

- very few properties on the Northside were part of the proposed rezoning. Staff has talked with Mr. Roland and will connect with him about his questions.

- the proposed ordinance would rezone the properties on Conant Street and Douglas Avenue from commercial to residential.

- there was a misconception about the Natural Features Protection (NFP) standards – what they are and what they do. NFP is not about prohibiting development; it is about doing development differently to account for natural features. The proposed ordinance modifies the NFP statement of intent for clarity. Property owners need to know if their property is impact by the NFP standards.

- the proposed ordinance is the fourth version of the ordinance. There were multiple community meetings and presentations to the Planning Commission that resulted in changes and the publication of new drafts between meetings.

- two areas that were not really addressed during the process were lighting and the creation of a restrictive zone that permitted very little development. The sections on lighting were moved from Appendix A to Chapter 50, but there was not enough time for a deep review of the content. The City would not create a "zero development" district, as zoning was a development tool, not a preservation tool.

- if a person wants to know how the proposed zoning changes affect their property, they should call or email, and staff will be happy to explain.

- property owners will still have the ability to request zoning variances and rezonings.

- if adopted, the proposed ordinance will allow for different signage and lighting at commercial properties; the overlay districts will go away, removing the challenges those districts create for developers.

- the goal of the project to rewrite the zoning code is to eliminate barriers, not create them.

- the ordinance will not necessarily change situations where two adjacent properties have different zoning; a change would depend on factors specific to the properties.

Commissioner Decker remarked that the proposed ordinances should help the City make better use of public spaces. Commissioner Decker reported Kalamazoo was held up at state conferences as a city that was doing good work with the zoning code.

2023-42-06
Public Hearing re: Ordinances Amending the Zoning Code (cont'd)

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

Larry Bell, City resident, expressed opposition to the proposed rezoning of his properties at 107, 108, and 112 Parkway Drive. Mr. Bell alleged that the City was rezoning his properties in retaliation for his decision to not collaborate with the City on a hotel development at the corner of Michigan Avenue and King Highway. Mr. Bell requested that his properties retain their current zoning.

Tina McClinton, City resident, expressed opposition to the proposed zoning rezoning.

Aaron Miller, City resident, offered that not every voice had been heard and suggested the timeframe for review and comment be extended.

Discussion took place regarding Mr. Bell's request for his properties at 107, 108, and 112 Parkway Drive.

In response to questions and comments about the Parkway Drive properties, Deputy Director Anderson provided the following information:

- the proposed zoning for these properties is Live Work 2, which allows for production and is a transition zone for properties on the edge of downtown.

- the current zoning designation for these properties is CM-1, which is being eliminated in the proposed ordinance. As a result, the zoning for Parkway Drive properties must change. Properties currently in the CM-1 district are being moved to Live Work 1 and Live Work 2.

- the Live Work 1 zone is very similar to the CM-1 zone. If a change needs to be made for a specific project, staff can have that conversation with Mr. Bell. That would be his opportunity to challenge the City's decision.

- the ordinances would take effect 10 days after adoption.

- the City Commission had the legal ability to change the zoning of the Parkway Drive properties to match the zoning of the City-owned property immediately to the north along Michigan Avenue.

- zoning was only one of many factors that influenced property values.

Vice Mayor Cooney indicated he was willing to rezone Mr. Bell's parcels to match the zoning of the City's parcel to the north.

Commissioner Juarez expressed support for the work of City staff and recommended that the City Commission not make last minute changes, given that the requested change was not categorical and would not change the value of the property. Commissioner Juarez cautioned that making a last-minute change for one person could encourage other people to come forward and request changes.

Commissioner Decker noted there were options for variances and rezonings; if Mr. Bell had a development idea, he could present it.

Vice Mayor Cooney expressed agreement with Commissioners Juarez and Decker and stated the City Commission should not make changes at the dais.

2023-42-06
Public Hearing re: Ordinances Amending the Zoning Code (cont'd)

Commissioner Praedel offered remarks on the temptation to show favoritism when a well-known person and community benefactor like Mr. Bell came to the City Commission and made a request for special consideration. Commissioner Praedel stated the Commission needed to rely on process in these situations so there was no doubt about their intentions.

At 9:29 p.m. Mayor Anderson closed the public hearing.

2023-42-06
Ordinances 2072, 2073, 2074, 2075, 2076, and 2077 to Amend the Zoning Code and Related Ordinances re: Commercial Properties

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to adopt **ORDINANCES** approving text amendments to Chapter 50, Zoning Ordinance and Appendix A Zoning; approving updates to the Zoning Map; and approving related updates to Chapter 7, Animals and Fowl, Chapter 9, Buildings and Building Regulations, and Chapter 21, Nuisances.

Prior to a vote on the motion, Commissioner Praedel remarked that people had an opportunity to comment on the proposed ordinances, and through multiple revisions he witnessed changes to the ordinances that were a direct result of public input.

Mayor Anderson thanked Vice Mayor Cooney for his sensitivity with Mr. Bell and Commissioner Praedel for his work as the liaison to the Planning Commission through this process. Mayor Anderson noted the drafts of the ordinances changed as a result of public input, and the City Commission had received a letter from the Planning Commission recommending approval. Mayor Anderson thanked the Planning Commission for their work and remarked that no ordinance of this magnitude would be perfect.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Recess

The meeting adjourned at 9:35 p.m.
The meeting resumed at 9:49 p.m.

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:

2023-42-07

- approval of a cooperative Sourcewell Purchase for New Fire Apparatus-Pumper from Spartan Emergency Response in the amount of $838,362 and approval of a budget amendment in the amount of $188,362.

2023-42-08

- approval of a contract extension with Alexander Chemical for Liquid Sodium hypochlorite in the amount of $289,948.75.

2023-42-09

- approval of a contract supplemental/change order with Ferguson Water Works for Neptune Water Meters in the amount of $700,000.

2023-42-10 - adoption of a **RESOLUTION** approving a Payment in Lieu of Taxes to Kalrecovery I Limited Dividend Housing Association Limited Partnership for the creation of 48 housing units located on the portion of 333 East Alcott Street bounded by Reed Street, Belford Street, Bryant Street, and the Portage Creek, Parcel No. 3906-27-213-002.

2023-42-11 - adoption of a **RESOLUTION** recommending approval of a Social District Permit and Commons Area permit for Union LLC, located at 359 S Kalamazoo Mall.

2023-42-12 - adoption of a **RESOLUTION** authorizing the City Clerk to sign an Intergovernmental Agreement for Early Voting Election Services Between Kalamazoo County and Associated Municipalities.

2023-42-13 - adoption of a **RESOLUTION** adopting the 2022 Kalamazoo County Hazard Mitigation Plan.

2023-42-14 - approval of the Economic Development Corporation Economic Initiative Fund Loan for 215 EM Partners LLC in the amount of $250,000 to rehabilitate 215 E Michigan Avenue for two businesses.

2023-42-15 - approval of an additional position allocation (1 FTE) for a Civic Engagement Talent Coordinator in the City Clerk's Office; and approve an amendment to the FY2023 budget for the City Clerk's Office in the amount of $10,000.

2023-42-16 - approval of a grant in amount of $330,000 to Kalamazoo County Land Bank from the Coronavirus State and Local Fiscal Recovery/ARPA funds to construct four new attached single-family homes for low-income households.

2023-42-17 - acceptance of a grant in the amount of $80,000 from the Irving S. Gilmore Foundation to fund 2023 Downtown Holiday Events and programming.

2023-42-18 - approval of the amended Economic Development Corporation Loan Policy Process.

2023-42-19 - approval and acceptance of three easements with 1) Kenneth and Julia Kammeraad and George Ludwig, and 2) Character Group, LLC for water services that extend beyond the eastern end of the water main on M-89 in Richland Township.

2023-42-20 - approval of Railroad Permits for the Howard Street (Stadium-Michigan) Project.

2023-42-21 - approval of the Mayor's appointments to the following boards:

- the appointment of Kwame Gyimah to the Downtown Development Authority and Downtown Economic Growth Authority Boards of Directors for a term expiring on March 31, 2025.

- the appointment of Matthew Norman to the Northside Cultural Business District Authority Board of Directors for a term expiring on March 31, 2026.

2023-42-21 (cont'd)

- the appointment of Tami Rey to the Northside Cultural Business District Authority Board for a term expiring on March 31, 2026.

- approval of the minutes from the City Commission meeting on January 3, January 17, February 18, and March 6, 2023.

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 unanimously.

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

NAYS: None

*At the time of the vote, Commissioner Decker abstained from voting on Item G-13, a grant of $330,000 to the Kalamazoo County Land Bank.

Regular Agenda

Regular Agenda items were considered next.

2023-42-22
Ordinance 2078 re: Emergency Housing

City Manager Ritsema introduced an ordinance approving updates to Chapter 9 of the Kalamazoo City Code, Buildings and Building Regulations, Article 8: Emergency Housing.

Mayor Anderson noted there had been multiple presentations about this ordinance, and modifications had been made in response to input from stakeholders.

In response to a question from Commissioner Hess, Housing Development Supervisor Sharilyn Parsons stated the City had not heard from Housing Resources Incorporated (HRI) regarding their emergency housing project.

When an opportunity was given for public comments on an ordinance to update the emergency housing ordinance, the following people addressed the City Commission:

Michelle Davis, Executive Director of HRI, thanked the City for the proposed ordinance and stated HRI would be putting forward an emergency housing application.

Commissioner Hoffman, seconded by Commissioner Decker, moved to adopt an **ORDINANCE** approving updates to Chapter 9 of the Kalamazoo City Code Buildings and Building Regulations, Article 8: Emergency Housing.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-42-23
Leases for Hydrogen Sulfide Monitoring Equipment in the City of Parchment

Director Baker provided an overview of the next four agenda items, which were related to the City's odor mitigation efforts at the water reclamation plant: lease/access agreements to place hydrogen sulfide monitoring equipment in the City of Parchment; a one-year extension of the lease for odor and weather monitoring equipment and software, with two additional sensor monitoring stations; a contract supplemental/change order with USP Technologies for the use of hydrogen peroxide as a hydrogen sulfide reduction technology; and a contract supplemental/change order with D3W Industries for odor control chemicals for biosolids processing.

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

- all these actions are related to the reduction of hydrogen sulfide at the water reclamation plant.

- the Just Air system was measuring other particulates, but those particulates did not come from the water reclamation plant. Information about Just Air was available in the *View from the Curb* newsletter.

- the Envirosuite sensors have been placed in community locations, so some sensors are currently located near schools. Over time, the network of sensors can be expanded to include more locations, including more schools.

When an opportunity was given for public comments on access/lease agreements for placement of hydrogen sulfide monitoring equipment at 650 South Riverview Drive and 300 Maple Street in the City of Parchment, the following people addressed the City Commission:

An anonymous speaker asked what was being done to accommodate and compensate families that had been affected.

Commissioner Juarez, seconded by Vice Mayor Cooney, moved to approve lease agreements for access and placement of hydrogen sulfide monitoring equipment at 650 South Riverview Drive, Parchment, Michigan and 300 Maple Street, Parchment, Michigan.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-42-24
Leases Extension for Hydrogen Sulfide Monitoring Equipment and Software

An opportunity was given for public comments and comments and questions from City Commissioners about a sole source agreement with Envirosuite for a one-year extension of the lease for odor and weather monitoring equipment and software, with two additional sensor monitoring stations, but no comments were offered.

Commissioner Hess, seconded by Commissioner Decker, moved to approve a sole source agreement with Envirosuite for a one-year extension of the lease for odor monitoring, weather monitoring, maintenance, modelling software, and two additional sensor monitoring stations in the amount of $128,844.

2023-42-24
Leases Extension for Hydrogen Sulfide Monitoring Equipment and Software (cont'd)

Prior to a vote on the motion, Commissioner Juarez stated the City was taking action to address odors from the water reclamation plant, which is what the City could control. Commissioner Juarez noted the situation was different with Graphic Packaging.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-42-25
Contract Supplemental for Hydrogen Peroxide

An opportunity was given for public comments and comments and questions from City Commissioners about a contract supplemental/change order with USP Technologies for the use of hydrogen peroxide as a hydrogen sulfide reduction technology, but no comments were offered.

Commissioner Juarez, seconded by Commissioner Hoffman, moved to approve a contract supplemental/change order with USP Technologies for the use of hydrogen peroxide as a hydrogen sulfide reduction technology in the amount of $600,000.

Prior to a vote on the motion, Commissioner Praedel stated the amount of odor reduction at the water reclamation plant over the past three or four years was astonishing.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-42-26
Contract Supplemental for Biosolids Odor Control Chemicals

An opportunity was given for public comments and comments and questions from City Commissioners about a contract supplemental/change order with D3W Industries for odor control chemicals for biosolids processing, but no comments were offered.

Commissioner Hess, seconded by Commissioner Juarez, moved to approve a contract supplemental/change order with D3W Industries for odor control chemicals for biosolids processing in the amount of $416,900.

With a roll call vote the motion passed unanimously.

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

NAYS: None

2023-42-27
Resolution 23-59 Approving a PILOT for Hawthorne Park at 210 Lake Street

An opportunity was given for questions and comments from City Commissioners about a resolution approving a Payment in Lieu of Taxes to Hawthorne Park Limited Dividend Housing Association Limited Partnership for the creation of 36 affordable residential units located at 210 Lake Street, but no questions or comments were offered.

2023-42-27
Resolution 23-59 Approving a PILOT for Hawthorne Park at 210 Lake Street (cont'd)

When an opportunity was given for public comments on a resolution approving a Payment in Lieu of Taxes to Hawthorne Park Limited Dividend Housing Association Limited Partnership for the creation of 36 affordable residential units located at 210 Lake Street, the following people addressed the City Commission:

> Jeff Messer, City resident, indicated he had requested this item be moved to the Regular Agenda on behalf of another person, who arrived after the adoption of the agenda and had already left the meeting.

Vice Mayor Cooney, seconded by Commissioner Decker, moved to adopt a **RESOLUTION** approving a Payment in Lieu of Taxes to Hawthorne Park Limited Dividend Housing Association Limited Partnership for the creation of 36 affordable residential units located at 210 Lake Street.

Prior to a vote on the motion, Vice Mayor Cooney stated he had asked staff about accusations that the development of this property would lead to increased flooding in the neighborhood, and he reported there were strict regulations in the Zoning Code and from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to ensure the water displaced by the property stayed on the property. Vice Mayor Cooney indicated this project would take up only a part of the green space in the area; a good portion of the green space would remain in tact.

With a roll call vote the motion passed 6-0 with one abstention.

AYES:	Commissioners Decker, Hess, Hoffman, Juarez, Praedel, Vice Mayor Cooney
NAYS:	None
ABSTAIN:	Mayor Anderson

At the time of the vote, Mayor Anderson indicated he was abstaining due to a conflict of interest, as he was a volunteer member of The LIFT Foundation board.

City Manager's Report

City Manager Ritsema recognized Diversity, Equity, and Inclusion (DEI) Coordinator Lal Tluangi for receiving certificates in Organizational Inclusion and Diversity and Human Resource Specialization from Michigan State University, and DEI Director Tanya Hewitt-Smith for earning the designation Certified Diversity Professional from the National Diversity Council.

Policy Items

Policy Items were considered next.

2023-42-28
Resolution 23-60 re: Drivers Licenses for Undocumented Immigrants

Commissioner Praedel introduced a resolution in support of the restoration of driver's licenses for undocumented immigrants. Commissioner Praedel reported 19 states allowed undocumented immigrants to get driver's licenses, and he stated allowing undocumented immigrants to get driver's licenses did not lead to an increase in criminal activity.

Commissioner Juarez stated there were a lot of lies about the Latinx community, and he spoke about the need for issues like driver's licenses to be brought to the forefront and discussed. Commissioner Juarez indicated the term "illegal immigrants" was misleading. Commissioner Juarez talked about the contributions of immigrants and urged them to rise and take their rightful place in the country.

Commissioner Juarez, seconded by Commissioner Decker, moved to adopt a **RESOLUTION** in support of the restoration of driver's licenses for undocumented immigrants.

2023-42-28
Resolution 23-60 re: Drivers Licenses for Undocumented Immigrants (cont'd)

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

> Aaron Miller, City resident, stated people were not against immigrants, and he suggested there should be a focus on simplifying the immigration process. Mr. Miller stated the problem with undocumented immigrants was that they did not pay for public services.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Commissioner Hoffman introduced a resolution supporting proposed State legislation banning source of income discrimination, and she stated this item needed to be discussed so as not to marginalize the people who were the focus of the resolution. Commissioner Hoffman spoke about racial disparities in home ownership and the discrimination faced by people who tried to use housing vouchers or assistance from family or churches for move-in costs. Commissioner Hoffman noted the City's fair housing ordinance banned source of income discrimination, and this protection should be in place statewide.

2023-42-29
Resolution 23-61 Supporting Legislation Banning Source of Income Discrimination

When an opportunity was given for public comments on a resolution supporting proposed State legislation banning source of income discrimination, the following people addressed the City Commission:

> An anonymous speaker stated 52% of the black population in the City lived in poverty, and she offered remarks on the need for the City to understand the numbers and be intentional in its actions.

Commissioner Hoffman, seconded by Commissioner Hess, moved to adopt a **RESOLUTION** supporting proposed State legislation banning source of income discrimination.

With a roll call vote the motion passed unanimously.

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

NAYS: None

Next, an item of new business was considered.

New Business

Commissioner Juarez recommended that the City Commission take a clear and definitive position on the Graphic Packaging situation and write a letter to EGLE expressing opposition to the issuance of any additional permits to Graphic Packaging, or the amendment of existing permits to allow more emissions.

Discussion of a Letter from the City Commission to EGLE re: Graphic Packaging

Discussion of a Letter from the City Commission to EGLE re: Graphic Packaging (cont'd)

Discussion took place about the lack of clarity with EGLE's permit processes and the mechanics of how the Commission would write and approve a letter, with this meeting being the last meeting of the current City Commission.

Commissioner Praedel and Vice Mayor Cooney suggested that each Commissioner write a letter to EGLE.

In response to a question from Vice Mayor Cooney, City Attorney Leal stated Commissioners were free to write letters to EGLE in their individual capacities, but they could not claim to represent the City Commission unless the Commission acted.

Commissioner Decker suggested the circulation of a petition.

Commissioner Juarez noted the importance of a unified City Commission action and stated a petition or individual letters would be weaker.

Vice Mayor Cooney stated a unified action would be good if there was another meeting before the end of Commissioners' terms.

Commissioner Juarez and Vice Mayor Cooney requested this topic be placed on the next City Commission meeting agenda.

Commissioner Comments

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

Vice Mayor Cooney remarked that it had been a privilege to be on the City Commission with people who were passionate about justice and helping people in need.

Commissioner Juarez stated it had been an honor to serve on the City Commission. Commissioner Juarez stated the work was difficult, but it had been a joy.

Commissioner Decker commended KDPS for how they handled a recent incident downtown where a person was threatening to take their life. Commissioner Decker spoke about a person who lost their life crossing the street and acknowledged people who had died early. Commissioner Decker Commissioner Decker offered remarks on the new Economic Development Corporation loan policy.

Commissioner Hess announced a Styrofoam recycling event on October 28th and the KDPS Station 2 grand opening on October 23rd. Commissioner Hess encouraged people to vote "yes" for the veterans' millage. Commissioner Hess remarked on people who were working to make the community better, and she highlighted the importance of municipal work, the work only the City could do.

Commissioner Praedel stated it was a great honor to serve with his fellow-Commissioners. Commissioner Praedel expressed appreciation for the opportunity to be on the City Commission, and he stated he would do it all again.

Commissioner Hoffman stated she appreciated the rich, deep dialogue Commissioners were able to have.

Mayor Anderson reminded people to vote in the upcoming election and explained the impact of the extended process for certifying election results.

Adjournment

The meeting adjourned at 11:13 p.m.

Scott A. Borling
City Clerk

Approved by the City Commission on: ____________________________

CANVASS OF VOTES CAST

-AT THE-

GENERAL ELECTION

-HELD ON-

NOVEMBER 7, 2023

-IN THE-

CITY OF KALAMAZOO

AND CANVASSED BY THE BOARD OF CANVASSERS

OF

KALAMAZOO COUNTY, MICHIGAN

The whole number of votes given for the office of Mayor	**Put figures in this column**
Was nine thousand sixty votes	
and they were given for the following named persons:	
David Anderson received seven thousand eighty	7,080
John Allen received one thousand eight hundred forty-three	1,843
Write-In Arlena Jones received one hundred thirty-seven	137
TOTAL	9,060

The whole number of votes given for the office of City Commissioner	**Put figures in this column**
Was votes twenty-three eight hundred two	
and they were given for the following named persons:	
Jeanne Hess received five thousand seven hundred ninety-seven votes	5,797
Jeff Messer received one thousand two hundred seventy-five votes	1,275
James P. Ayers received one thousand four hundred sixty-five votes	1,465
Chris Praedel received five thousand three hundred forty-three votes	5,343
Alonzo Wilson II received four thousand seven hundred eighty-three votes	4,783
Esteven Juarez received three thousand four hundred forty-four votes	3,447
James Mitchell received one thousand six hundred ninety-two votes	1,692
TOTAL	23,802

	Put figures in this column
KALAMAZOO CITY CHARTER AMENDMENT RANKED CHOICE VOTING FOR THE ELECTION OF CITY OFFICERS Shall the City Charter be amended to provide that the Mayor and City Commission members are to be elected by a Ranked Choice Voting method when it is authorized by State Law?	
The whole number of votes given for and against the Proposal to Amend the Kalamazoo City Charter	
was thousand one hundred thirty-nine	
of which number six thousand four hundred eighty-six	6,486
votes were marked **YES**	
And two thousand six hundred fifty-three	2,653
votes were marked **NO**	
TOTAL VOTES	**9,139**

STATE OF MICHIGAN
COUNTY OF KALAMAZOO

The Board of Canvassers of the County of Kalamazoo, having Ascertained and Canvassed the Votes of Said City of Kalamazoo, at the General Election, held on the 7th day of November, two thousand twenty-three.

Do Hereby Certify and Determine

That David Anderson, having received sufficient number of votes, is elected Mayor for a term ending November 10, 2025.

That Jeanne Hess, having received sufficient number of votes, is elected to the City Commission for a term ending November 8, 2027.

That Christopher Praedel, having received sufficient number of votes, is elected to the City Commission for a term ending November 8, 2027.

That Alonzo Wilson, having received sufficient number of votes, is elected to the City Commission for a term ending November 8, 2027.

In Witness Whereof, We have hereunto set our hands and affixed the Seal of the County of Kalamazoo this 14th day of November in the year two thousand twenty-three.

BOARD OF CANVASSERS

ATTEST:

Clerk of the Board of Canvassers

Chair of the Board of Canvassers