

Roll Call

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Patrese Griffin
Jeanne Hess
Erin Knott
Chris Praedel
Jack Urban

COMMISSIONERS ABSENT:

Eric Cunningham

Also present were City Manager Jim Ritsema, City Attorney Clyde Robinson, and City Clerk Scott Borling.

Commissioner
Excused

Commissioner Urban, seconded by Commissioner Hess, moved to excuse the absence of Commissioner Cunningham. With a voice vote the motion passed.

Invocation

The invocation was given by Bill Schuhmacher from Missional Chaplains.

Adoption of the Agenda

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

- public comments directed towards the Public Hearing item would be played during the public hearing.
- public comments directed toward Regular Agenda items would be played during one play-back time at the beginning of the Regular Agenda.
- general public comments would be played during Public Comments, which was moved from its position near the beginning of the meeting to immediately following the Regular Agenda.

2020-0

Review of Sub-
Committee Report on
Protests and Rallies

City Manager Ritsema highlighted elements of the *Preliminary Sub-Committee Report - Defining Success for Protests, Demonstrations, and Rallies*. City Manager Ritsema thanked Vice Mayor Griffin and Commissioners Cunningham and Praedel for their work on the report.

2020-0

Public Hearing re: the
Rezoning of Parcels on
Fellows and Burr Oak

At 7:15 p.m. Mayor Anderson opened a public hearing to receive comments on an ORDINANCE to rezone 118 Fellows Avenue and 110, 114, 120 and 124 Burr Oak Street from Zone CN-1 (Commercial – Neighborhood District) and Zone CC (Commercial –Community District) to Zone RM-36 (Residential – Multi Dwelling District).

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

At 7:16 Mayor Anderson closed the public hearing

Commissioner Knott, seconded by Commissioner Praedel, moved to adopt an **ORDINANCE** to rezone 118 Fellows Avenue and 110, 114, 120 and 124 Burr Oak Street from Zone CN-1 (Commercial – Neighborhood District) and Zone CC (Commercial –Community District) to Zone RM-36 (Residential – Multi Dwelling District).

With a roll call vote this motion passed.

AYES: Commissioners Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

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

- approval of a three-year sole source contract with Asana, Inc. for the purchase of project management software in the amount of \$103,950.
- approval of a sole source purchase with ANP Consulting for conducting a Small Business Needs Assessment, in the amount of \$130,000.
- approval of a one-year contract extension with Solenis, LLC for cationic emulsion polymer K144L in the amount of \$245,185.93.
- approval of a one-year contract with Republic Services for the transportation and disposal of screenings from the Kalamazoo Water Reclamation Plant in the amount \$111,800.
- first reading of an ordinance amending Chapter 2 – Article X Employee Retirement System, § 22-243 and § 22-245.
- adoption of **RESOLUTIONS** #1-3, for the purpose of approving the 2019 Kalamazoo Mall Sidewalk Maintenance Assessment at a per front foot cost of \$15.753. Adoption of Resolution #3 schedules a public hearing for October 19, 2020.
- approval of a grant in the amount of \$100,000 from the Community Planning and Economic Development Department for the rehabilitation of an existing building owned by the Edison Neighborhood Association.

Commissioner Urban, 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 Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

2020-0
Ordinance 2012
Rezoning Parcels on
Fellows and Burr Oak

Consent Agenda

2020-0

2020-0

2020-0

2020-0

2020-0

2020-0
Resolutions 20-46, 20-47,
and 20-48

2020-0

Regular Agenda

Regular Agenda items were considered next.

Public Comments on
Regular Agenda Items

When given an opportunity to comment on Regular Agenda items, the following people addressed the City Commission:

The following people expressed support for the housing equity/fair chance ordinance:

Sandy Barrylochen, City resident

Mary Harper, non-resident and Chair of the Board of Director of the Kalamazoo Community Foundation

David Feaster, City resident

Simone Schicker, Rabbi at Temple B’Nai Israel

Douglas King, City resident and ISAAC Executive Committee Member

Wendy Flora, City resident

Parker James, non-resident and a member of the ISAAC Housing Task Force

Ellen Nelson, City resident and a member of the ISAAC Housing Task Force

Tanya Bellamy, City resident

Pat Vinge, City resident and a member of the ISAAC Housing Task Force

Tobi Hanna-Davies, City resident and a member of the ISAAC Housing Task Force

Rochelle Habeck, City resident

Shardea Chambers, City resident

Carrie Pickett-Erway, non-resident and President/CEO of the Kalamazoo Community Foundation

Ed Genesis, City resident

Wendy Fields, City resident and President of the Kalamazoo NAACP

Joe Byers, City resident

Illian Vasquez, non-resident

Emily Hazel, City resident and co-chair of the ISAAC Anti-Racism Task Force

Pat Stromsta, City resident and Director of Outreach for First Presbyterian Church

Leonard Swanson, City resident

Casey Coker, City resident

Erin Bensinger, City resident

Ian Magnuson, City resident

Don Cooney, City resident

Reverend Rachel Lonberg, City resident

Tami Rey, City resident

Elena Mireles-Hill, Director for Diversity Equity, and Inclusion at the Kalamazoo Community Foundation

Jessica Glynn, City resident

Kathy Cooney, City resident

Charlae Davis, City resident and Executive Director of ISAAC

Iris Potter, non-resident

Stacy Ledbetter, non-resident

Leatrice Fullerton, City resident

Sholanna Lewis, City resident and Director of Truth, Racial Healing, and Transformation (TRHT) for the Kalamazoo Community Foundation

Stephanie Hoffman, City resident

Joanna Dales, City resident

Rebecca Pollens, City resident
 Catherine Mason, non-resident
 Sarah Ruggles, City resident and Chair of the Vine Neighborhood Board of Directors
 Carolyn Pesheck, non-resident
 Katherine Dorr, non-resident
 Adrienne Wiltzer, non-resident
 Tamara Custer, City resident
 Matt Smith, City resident
 Daphne Ben, non-resident
 Marissa Harrington, City resident
 Zachary Lassiter, City resident
 Stephanie Moore, City resident
 Regena Nelson, City resident
 Chris Chadderdon, City resident
 Kathleen Jordan, City resident
 Gabriel Giron, City resident
 Jacob Johnson, City resident
 Andi Chaponda, non-resident
 Daniel, City resident
 Jennifer Gujon-Ketterino, City resident
 Monteze Morales, City resident

Public Comments on
 Regular Agenda Items
 (cont'd)

The following people expressed opposition to the housing equity/fair housing ordinance:

James Brugante, non-resident
 An unnamed caller
 Renee, a non-resident

Community Planning and Economic Development Director Rebekah Kik stated the next steps following adoption of the ordinances would be very important to the successful implementation of these ordinances. Director Kik reported City staff had been working with partner organizations to develop trainings on Fair Housing law, as this was identified as a need during the listening sessions, regardless of whether the ordinances were adopted. Director Kik stated there were a couple of recommended changes to the ordinance language that were needed to make the ordinance match the information that had been provided by City staff during public input sessions.

City Attorney Robinson Clyde recommended the following non-substantive changes be made to the proposed ordinances:

- an amendment to Section 18-19B to add, after the words “City of Kalamazoo,” the words “...and make recommendations for resolution...”
- an amendment to Section 18A-4E so that this section would read, “...except as ~~required~~ **permitted** by local, State or Federal law.”

City Attorney Robinson stated there was a suggestion that the ordinance specify the Office of Diversity, Equity and Inclusion (DEI) as the office that handled complaints, but he was not recommending that change. City Attorney Robinson stated it was the City Manager’s intent that the DEI office would handle complaints, but he recommended keeping the current language so as to give the

2020-00
 Ordinance 2013
 Amending Chapter 18,
 Non-Discrimination

2020-00

Ordinance 2013
Amending Chapter 18,
Non-Discrimination
(cont'd)

City manager the flexibility to assign the work to the office where it could best be accomplished. City Attorney Robinson noted the phrase “City Manager or his/her designee” was commonly used in the Code of Ordinances.

In response to a question from Commissioner Hess, Director Kik reported that she and Diversity, Equity, and Inclusion Director Dorla Bonner had met with the Fair Housing Center and the property managers’ association to discuss what training would look like if the ordinances were adopted.

Commissioner Urban, seconded by Commissioner Knott, moved to adopt an **ORDINANCE** amending Chapter 18, *Non-Discrimination*.

Commissioner Hess, seconded by Commissioner Knott, moved to amend Section 18-19B to add after “City of Kalamazoo” the words, “...and make recommendations for resolution...”

With a roll call vote the motion to amend the proposed ordinance passed.

AYES: Commissioners Hess, Knott, Praedel, Urban, Vice Mayor Griffin,
Mayor Anderson

NAYS: None

Prior to the vote to adopt the ordinance, Commissioner Praedel remarked on the timing of this action and the fact that young people who were looking for places to work and raise families were looking for places that shared their values and fought for social justice causes. Commissioner Praedel noted City voters had elected a Mayor and Vice Mayor who devoted much of their time to the issue of affordable housing and in 2020 had supported a significant millage increase for public housing. Commissioner Praedel stated these ordinances were an opportunity for the City to make substantive policy changes to follow-up on the funding increase. Commissioner Praedel noted the proposed ordinances would be the largest policy changes related to sexual orientation and gender identity in housing since the City’s anti-discrimination ordinance was adopted in 2009. Commissioner Praedel thanked Vice Mayor Griffin and City staff for their work on these ordinances. Commissioner Praedel asked Commissioners to consider which side of history they wanted to be on, and he expressed hope that the City Commission would be in the business of pulling people up.

Mayor Anderson stated the adoption of this ordinance was a monument to persistence, and he commended Vice Mayor Griffin for her hard work. Mayor Anderson commented on his first interactions with Vice Mayor Griffin regarding a fair housing ordinance, and he compared her work on the proposed ordinances to his work to create a countywide Public Housing Commission.

With a roll call vote the motion to adopt the ordinance as amended passed.

AYES: Commissioners Hess, Knott, Praedel, Urban, Vice Mayor Griffin,
Mayor Anderson

NAYS: None

Commissioner Knott, seconded by Commissioner Hess, moved to adopt an **ORDINANCE** amending Chapter 18A, Fair Housing.

Commissioner Knott, seconded by Commissioner Urban, moved to amend Section 18A-4E to strike the word “held” before “housing that expresses...” and replace the word “required” with “permitted” by local, State or Federal law.

With a roll call vote the motion to amend passed.

AYES: Commissioners Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

With a roll call vote the motion to adopt the ordinance, as amended, passed.

AYES: Commissioners Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

Vice Mayor Griffin thanked the City Commission and thanked people who supported these ordinances. Vice Mayor Griffin noted her journey to put in place a fair housing ordinance started four years ago, and the community support to make this happen was indescribable. Vice Mayor Griffin thanked the Kalamazoo TRHT, ISAAC, and everyone who helped.

Commissioner Knott, seconded by Commissioner Hess, moved to adopt an **ORDINANCE** amending the Kalamazoo City Code, Chapter 2 - Article X Employee Retirement System, § 2-224, §2-232 and §2-237.

With a roll call vote this motion passed.

AYES: Commissioners Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS: None

The meeting recessed at 9:21 p.m.

The meeting resumed at 9:27 p.m.

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

Vincent Schumacher, non-resident, spoke about the Proud Boys rally and counter-protest on August 15th.

Simone Schicker, Rabbi at Temple B’Nai Israel, spoke about the Proud Boys rally and counter-protest on August 15th. Rabbi Schicker expressed dismay that police had dispersed peaceful protestors at other events, but there was no intervention by police with the Proud Boys.

Josh Nair, non-resident, asked several questions about the City’s use or planned use of predictive policing/predictive analytics software. Mr. Nair

2020-00

Ordinance 2014
Amending Chapter 18A,
Fair Housing

2020-00

Ordinance 2015
Amending Sections 2-
224, 2-232, and 2-237
re: the Employee
Retirement System

General Public Comments

General Public Comments
(cont'd)

noted the City of Portage, a partner in the Kalamazoo Strategic Operations Center (KSOC). was using a software package called PredPol, and he questioned whether Public Safety Chief Karianne Thomas had been honest with the City Commission on June 3, 2019 when asked about predictive analytics.

Tobi Hanna-Davies, City resident, stated both the Kalamazoo Department of Public Safety (KDPS) and counter-protesters could have done things better. Ms. Hannah-Davies remarked that counter-protesters put the police in a no-win situation.

Shardae Chambers, City resident, expressed disappointment with the service KDPS provided during the Proud Boys rally and stated Public Safety and City leadership needed to do better.

Bailey, a City resident, expressed support for the housing ordinance, expressed opposition to the proposed credentialing process for the media to cover rallies, and complained that KDPS officers were not wearing masks when approaching citizens.

Joe Byers, City resident, expressed disappointment with the report from the subcommittee on first amendment gatherings. Mr. Byers stated City Manager Ritsema and Chief Thomas did not see the harm they were doing to the community, and he called for them to resign.

Erin Bensinger, City resident, reviewed the statement by the Kalamazoo Defender regarding the Proud Boys rally on August 15th.

Santiago, a City resident, spoke about the subcommittee report.

Kaylynn, a City resident, expressed disappointment with the City and KDPS and asked that Chief Thomas to resign.

Steven Daladis, City resident, expressed opposition to the way KDPS responded to rallies in June and August.

Sarah Ruggles, City resident, expressed opposition to the use of tear gas by police.

Jessica Swartz, City resident, expressed support for the resolution for expanded voter services being put forward by Commissioner Praedel.

Victoria, a City resident, expressed displeasure with KDPS and stated Ritsema, Thomas and Anderson must go.

Ineke Way, City resident, suggested the City require a permit to hold public rallies, with a prohibition on bringing weapons to such gatherings. Ms. Way stated KDPS should be peacekeepers to protect non-violent protesters and urged them to work on prevention, not just intervention.

Amber Adams-Hall, non-resident, stated Commissioner Knott had made false statements on August 17th about Pastor Nathan Dannison and the Proud Boys rally. Ms. Adams-Hall asked Commissioner Knott and the City Commission issue a public apology to Pastor Dannison.

Brandi Crawford, City resident, stated there was a class action lawsuit against Graphic Packaging because of the foul odor near the plant. Ms. Crawford asked the City to enforce the nuisance ordinance against Graphic Packaging.

Stephanie Bagnell, City resident, expressed opposition to the City's handling of the Proud Boys rally.

Mike Barker, non-resident, stated KDPS and the City Manager failed in their performance relative to the Proud Boys rally.

Zachary Lassiter, City resident, expressed disappointment with the plan to credential the media during rallies. Mr. Lassiter stated he had paid \$1,800 through the FOIA process for the body cam videos from the June protests, but he had not received videos yet.

Shona Espinoza, City resident, expressed disappointment with KDPS and asked that City Manager Ritsema, Chief Thomas, and the Mayor resign.

Jacob Johnson, City resident, stated it appeared that KDPS had allowed the Proud Boys to incite violence in the City, and he asked what side the City would be on when it came to racial disparities.

City Manager Ritsema provided an update on the KDPS action plan and noted the following items were in progress: the release of a Request for Proposal (RFP) next week to procure the services of an independent investigator for the May/June and August 15th events; the hiring a Public Information Officer; the development of a plan for community engagement.

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

Commissioner Knott congratulated Vice Mayor Griffin on the passage of the housing ordinances.

Commissioner Praedel congratulated Vice Mayor Griffin on the passage of the housing ordinances, and he thanked City staff for their hard work on behalf of City residents.

Vice Mayor Griffin thanked everyone who had played a part in passing the housing equity ordinances. Vice Mayor Griffin thanked her husband for his support and encouragement and thanked her children. Vice Mayor Griffin thanked Public Services Director James Baker for his swift response to traffic issues in the Northside Neighborhood. Vice Mayor Griffin spoke about the importance of accountability taking the form of action, and she stated the City missed an opportunity to explain how the arrest of an MLive reporter happened on August 15th. Vice Mayor Griffin indicated she had responded to the person who emailed about Pastor Dannison and stated she had not been part of that conversation.

Commissioner Hess remarked on Vice Mayor Griffin's persistence and stated she was looking forward to seeing the implementation of the ordinance as it unfolded.

Commissioner Urban stated he had attended a meeting with Graphic Packaging, and he was pleased with the nature of the interaction between the parties. Commissioner Urban reported there was a plan to address some of the odors, and

General Public Comments
(cont'd)

City Manager's
Report

City Commissioner
Comments

City Commissioner
Comments (cont'd)

the state was involved and holding Graphic Packaging accountable. Commissioner Urban suggested Director Baker give a presentation to the City Commission on this topic. Urban remarked the work of implementing the housing ordinances was just beginning, and he observed the landlords were projecting their bad experiences into the future.

Mayor Anderson remarked on the responsibility of running for and holding public office. Mayor Anderson stated Commissioner Knott was hard working, deeply ethical, and did tremendous equity work across the entire state. Mayor Anderson stated he did not like it when specific Commissioners were called out. Mayor Anderson stated the Civic Rights Board needed to be up-and-running in 90 days, and the board member application would be available soon. Mayor Anderson suggested the creation of a group to work with City staff to decide how applications would be evaluated. When Mayor Anderson asked if Vice Mayor Griffin and one other Commissioner would be part of such a group, Commissioners Hess and Urban volunteered. Mayor Anderson asked them to work out which one would be in the group. Mayor Anderson remarked on a press conference that had taken place earlier in the day. Mayor Anderson stated he was an optimist, despite the challenges, and he believed in the basic goodness of people and their ability to grow and change. Mayor Anderson stated most people wanted the same basic things in life, and people needed to work together to heal their divisions.

Adjournment

The meeting adjourned at 10:31 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on

Approved by: _____
David F. Anderson, Mayor
Dated:

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