

Roll Call

A regular meeting of the Kalamazoo City Commission was held on Monday, August 17, 2020 at 7:00 p.m. This meeting was held as an electronic meeting under the authority of Executive Order 2020-154 (COVID19) issued by Governor Gretchen Whitmer.

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

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

Invocation

The invocation was given by Reverend David W. Zomer of Bethany Reformed Church.

Adoption of the Agenda

Discussion took place about the order of business for the meeting.

Commissioner Urban, seconded by Commissioner Cunningham, moved to approve the following order of business for this meeting: Public Hearings; City Manager's Report; Consent Agenda, Public Comments, and Regular Agenda.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Mayor Anderson commented that the City and City Commission did not support the views and actions of The Proud Boys, and the City did not grant the Proud Boys any type of permit or approval to come to Kalamazoo.

2020-0

Public Hearing re: a Tax Abatement for Graphic Packaging International, LLC

Andrew Johnson, Vice President for Governmental Affairs and Sustainability for Graphic Packaging, provided an overview of the \$600 million expansion project at Graphic Packaging's Pitcher Street facility. Mr. Johnson noted 98% of the contractors on the project were Michigan workers, and the project would result in an annual economic impact of \$800 million.

At 7:30 p.m. Mayor Anderson opened a public hearing to receive comments on a resolution approving a request from Graphic Packaging International, LLC. for a PA 198 Industrial Facilities Tax Exemption Certificate (IFEC) for 12 years for real property valued at \$191,000,000.

Brandi Crawford Johnson, City resident, expressed opposition to the proposed tax abatement.

Ron Kitchens, CEO of Southwest Michigan First, expressed support for the proposed tax abatement.

James King, Union Street, expressed opposition to the proposed tax abatement.

An unnamed resident expressed opposition to the proposed tax abatement.

An unnamed speaker expressed opposition to the proposed tax abatement.

Tomisha Brown, City resident, asked how the proposal would benefit or hurt the black and brown community in Kalamazoo.

At 7:36 p.m. Mayor Anderson closed the public hearing.

Commissioner Cunningham, seconded by Commissioner Hess, moved to adopt a RESOLUTION approving a request from Graphic Packaging International, LLC. for a PA 198 Industrial Facilities Tax Exemption Certificate (IFEC) for 12 years for real property valued at \$191,000,000.

In response to questions from Commissioner Cunningham, Mr. Johnson stated there was a task force that had been working with the City and area residents to address odors coming from the plant. Mr. Johnson indicated they were currently trying to identify the source of the odor. Mr. Johnson reported sensors had been put in place and odor complaints received in May and June were being analyzed. Mr. Johnson stated Graphic Packaging would address the issue the plant was the source of the odors. Mr. Johnson indicated additional sensors would be installed by the end of the year, and a consultant was doing an air quality/odor study. Mr. Johnson stated the report from that study would be finished some time in November. Regarding the impact of the tax abatement, Mr. Johnson stated there would be a gap in the financial commitment from the City and state if the Commission did not approve the abatement.

In response to a question from Commissioner Cunningham, Director Baker reported the City and Graphic Packaging were collecting data, but there was not enough data to support any comments. Director Baker indicated the City had made great progress to have a group working on the odor issue and to have sensors and software in place to do analysis. Director Baker reported odor mitigation solutions for the wastewater treatment plant were under construction, with units become operational near the end of the year. Director Baker stated additional improvements were in the planning stages.

Commissioner Cunningham stated he was excited for the opportunity with Graphic Packaging, but the odors remained a concern. Commissioner Cunningham noted the task force had been in place for 4-5 years, and he questioned how long the community would need to wait for some conclusions.

Commissioners expressed concerns about the odors and emissions from the plant, the length of time it was taking to identify the sources of the odors, the lack of a timeline for having the odor issue addressed, the lack of understanding of how the plant expansion would affect the community, and environmental racism.

Director Baker explained there was a lot of history behind the odor issue, with the City having done studies as early as 2008. Director Baker stated there had been no conclusions from earlier studies, but it was clear there were more than two sources for the odors.

2020-0

Public Hearing re: a Tax Abatement for Graphic Packaging International, LLC (cont'd)

2020-0

A Resolution Granting a Tax Abatement for Graphic Packaging International, LLC

2020-0

A Resolution Granting a
Tax Abatement for
Graphic Packaging
International, LLC

Commissioner Praedel encouraged Graphic Packaging to involve the community as it worked to identify sources for the odors and solutions to the problem.

City Manager Ritsema observed that the discussion around this agenda item was conflating the recommended action with the odor issue. City Manager Ritsema stated the task force was the place where work on the odor issue would be done; the recommendation before the Commission involved the Graphic Packaging plant expansion. City Manager Ritsema noted the tax abatement was part of a complex financing package.

In response to a question from Commissioner Cunningham, City Attorney Robinson indicated the City Commission could vote to postpone action on this item.

In response to a question from Mr. Johnson, Commissioner Cunningham requested a more definitive timeline for addressing odors.

Commissioner Urban asked whether odor controls would be in place before the opening of the plant expansion.

City Manager Ritsema offered that the Odor Task Force could be part of a presentation to the Commission, and information on the odor remediation timeline could be provided.

City Clerk Borling explained the State Tax Commission would need to receive the Graphic Packaging tax abatement application by October 31st in order for there to be guaranteed processing by the end of 2020.

Commissioner Cunningham, seconded by Commissioner Urban, moved to postpone further consideration of this item until September 21, 2020.

2020-0

Motion to Postpone

Prior to a vote on the motion, Mayor Anderson stated it was important to have good jobs in Kalamazoo and build the City's tax base. Mayor Anderson noted he attended the Odor Task Force meetings.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager's Report

City Manager Ritsema provided a report on the Proud Boys rally and counter-protest that took place on Saturday, August 15th. City Manager Ritsema stated the City did not support the Proud Boys or their ideology. City Manager Ritsema indicated preparations were made for the event with the understanding that the protests would be peaceful. City Manager Ritsema stated arrests were made that should not have happened, and arrests were not made that should have happened. City Manager Ritsema indicated the City would meet with the counter-protestors to have after action review. City Manager Ritsema expressed support for Public Safety Chief Karianne Thomas and the Kalamazoo Department of Public Safety (KDPS).

In response to Commissioners' questions, City Manager Ritsema described how the rally and counter protest unfolded and discussed the tactics used by KDPS.

City Manager's Report
(cont'd)

Commissioners expressed the following thoughts and concerns about the City's response to the Proud Boys rally:

- none of the nine people arrested were members of the Proud Boys, but the Proud Boys were the instigators and committed traffic violations. This is frustrating for the community.
- how could KPDS have arrested clearly credentialed media and observers from the National Lawyers Guild?
- an event like this cannot happen again. How do we keep it from happening again? How are things going to be different moving forward?
- citizens need to know that justice will be done.
- communication needs to happen in real time. It was inexcusable that residents did not hear from KDPS in the immediate aftermath of the event; the City needed to be visible. We need to be serious about improving communication.
- there was a need for community listening and healing.
- the City needs to prepare differently for events involving groups that are known to be violent; the protests in June were not comparable to the Proud Boys rally.
- KDPS leadership needs to be held accountable. The City Commission has done a poor job in its role of holding KDPS accountable.
- how do we ensure that KDPS does not arrest members of the media and legal observers in the future?
- how can the community have a voice in how they are policed; where is the community engagement?
- it was a mistake to rely on a white man to organize a counter-protest; the City should have looked to leaders in the black community.
- when will the City be able to issue arrest warrants for members of the Proud Boys, and how do we ensure the Prosecuting Attorney presses charges?
- why were representatives from the Michigan Peoples' Defense League (MPDL) part of the counter-protest? Why did Pastor Nathan Dannison, the counter-protest organizer, not tell the City about the MPDL? The counter-protesters left the Arcadia Creek Festival Site and met the Proud Boys in the street. Is Pastor Dannison going to take responsibility for the violence at the event?
- were homeless people attacked, as Pastor Dannison claimed?
- it was difficult to hear instructions to the crowd from KDPS officers.
- KDPS was more aggressive with Kalamazoo citizens than with the Proud Boys.

City Manager's Report
(cont'd)

- all charges against Kalamazoo citizens should be dropped.
- the independent review of the KDPS response to the May/June protests should include a review of this event as well.
- the City failed to take advantage of institutional knowledge gained from the Ku Klux Klan rally years ago.
- time is of the essence; peoples' lives are at stake.
- regarding policing services, the City needed to ensure strong communication, safety for residents, and police accountability.
- the City needed to involve the community in determining what was important and creating metrics for performance measurement and accountability.

In response to questions from Commissioner Cunningham, City Attorney Robinson stated he had reviewed the cases for five of the people arrested on Saturday but had not authorized any charges. City Attorney Robinson stated the remaining cases were being reviewed by the County Prosecutor, and he did not know whether charges were being authorized. City Attorney Robinson explained terrorist groups could not be banned from the City, and they could not be arrested unless they committed a crime. City Attorney Robinson remarked people had a right to free speech, even if other people did not like that speech.

City Manager Ritsema responded to Commissioners' thoughts and concerns. City Manager Ritsema stated the goal of the KDPS response was to protect the community and preserve/restore order. City Manager Ritsema indicated the City could have implemented its plan better and had more people involved in the planning process. City Manager Ritsema explained the City did not require permits for marches/protests, and if the City did require permits there could be first amendment issues. City Manager Ritsema indicated KDPS was reviewing body cam footage to see what happened with the arrests of the media and legal observers, and he apologized for these arrests. City Manager Ritsema stated it was not clear whether KDPS had prior knowledge of the legal observers' presence and the nature of their role. City Manager Ritsema noted Chief Thomas would be meeting with the MLive reporter who was arrested and was willing to meet with the attorney who was arrested. City Manager Ritsema acknowledged Commissioners' concerns about the communication issues over the weekend and stated those concerns were shared by the City Administration and KDPS. City Manager Ritsema reported interviews for the Public Information Officer were taking place. City Manager Ritsema stated the heart of KDPS was to protect the community, and they acted to restore order as best as they knew how. City Manager Ritsema indicated there was a lot of video footage and noted it took the Grand Rapids Police Department weeks to review all the footage from protests in May. City Manager Ritsema encouraged people who had videos of Saturday's events to submit them to KDPS. City Manager Ritsema expressed a commitment to learning from this experience.

Commissioners indicated they wanted to continue discussing this topic after hearing public comments.

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 Professional Service Agreement with Jones and Henry for construction engineering services for the Super High-Pressure District Elevated Water Storage Tank in the amount of \$235,000.
- approval of a contract supplemental and month-to-month contract extension with Omni Materials for powdered activated carbon in the amount of \$511,500.
- approval of a contract supplemental and change order to the current contract with Peters Construction for the City Streets Sidewalk Project in the amount of \$195,072.13.
- approval of a one-year contract extension with Olameter for water meter reading services in the amount of \$383,666.12.
- approval of a contract supplemental and purchase order with Peters Construction for the Crosstown Parkway Water Main Emergency, in the amount of \$725,428.
- first reading of an ordinance to rezone 118 Fellows Avenue and 110, 114, 120 and 124 Burr Oak Street from Zone CN1 (Commercial – Neighborhood District) and Zone CC (Commercial – Community District) to Zone RM36 (Residential – Multi Dwelling District); and schedule a public hearing on September 8, 2020.
- first reading of an ordinance amending the Kalamazoo City Code, Chapter 2 – Article X Employee Retirement System, § 2-224, §2-232 and §2-237.
- adoption of a **RESOLUTION** adopting and approving an Act 381 Brownfield Plan for scattered site infill housing located at 110,114, and 124 Burr Oak Street, 1100 S. Rose Street, and 2349 Shelter Pointe Drive
- approval of a Memorandum of Understanding for the Youth Mobility Fund between the City of Kalamazoo, Kalamazoo Public Schools, the Central County Transportation Authority, and Kalamazoo Youth Development Network.
- approval of a grant in the amount of \$230,000 from City of Kalamazoo for construction of a duplex with the City of Kalamazoo, Kalamazoo Neighborhood Housing Services, and Open Doors partnership known as Pathways home.
- adoption of a **RESOLUTION** approving the acquisition of eight tax-foreclosed properties from the Kalamazoo County Treasurer under first right of refusal, in an amount not to exceed \$199,730.89.
- approval of the following reappointments to the Retirement Investment Committee and waiver City Commission Rule 12e regarding term limits:
 - the reappointment of Dan DeMent for a term expiring on March 31, 2023.

Consent Agenda

Resolution 20-43

Resolution 20-44

Consent Agenda (cont'd)

- the reappointment of Randy Eberts for a term expiring on March 31, 2023.
- the reappointment of Robert Salisbury for a term expiring on March 31, 2023.

Commissioner Hess, seconded by Commissioner Cunningham, 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 unanimously.

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

NAYS: None

Public Comments

Mayor Anderson reported there were over 99 public comments to hear, with an estimated playing time of 2.6 hours. Mayor Anderson stated the Commission would not get to the items on the Regular Agenda until 12:30 or 1:00 a.m., and he expressed reluctance to take up those items at such a late hour.

Discussion took place about options for taking up the regular agenda items, including changing the order of business and recessing the meeting until a time certain.

City Attorney Robinson stated the City Commission could recess a meeting for up to 36 hours without having to issue a new public notice.

Commissioner Knott suggested the City Commission receive public comments and then recess the meeting.

The meeting recessed at 10:19 p.m.

The meeting resumed at 10:28 p.m.

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

The following people expressed support for the Kalamazoo Department of KDPS and/or Chief Thomas:

Shawn Wayne, non-resident
 Linda Bogart, non-resident
 Sydney VanBeck, non-resident
 Richard VanBeck, non-resident
 Steve VanZee, a non-resident
 Larry VanPoporing, a non-resident
 Laura, a non-resident
 Pastor Jeffrey Townsend, City resident

The following people expressed support for the housing equity ordinance:

Symone Schicker, City resident and Rabbi at Temple B'nai Israel
 Regina Nelson, City resident
 Dr. Stephanie White, non-resident

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

Jess, City resident

Wendy Fields, City resident and President of the Kalamazoo NAAPC

Ben Brown, City resident

Travone Hobson, City resident

Sarah Jacobs, City resident

Tom

Erica Brown, City resident

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

John

Stephanie Hoffman, City resident and a member of the ISAAC Housing Task Force

Stacey Caudill, non-resident

Matt Smith, City resident

Andy, City resident

Reverend Rachel Lonberg, of The People's Church

Alexa Snell, City resident

Tamara Custard, City resident

Emily Connor, City resident

Jacob Johnson, City resident

Charlae Davis, City resident and Executive Director of ISAAC

Carolyn Bissonnette, City resident

Allie Creamer, City resident

Kedija Brown, City resident

Tami Rey, City resident

Victoria, City resident

Monique Haley, City resident

Tobi Hannah-Davies, City resident

Katie Hamer, City resident

Valerie Brooks, City resident

May Lansing, City resident

Bailey Wagner, non-resident

Rebecca McCleary, City resident

Public Comments
 (cont'd)

The following people expressed concerns about KDPS, the Proud Boys Rally, and/or police-community relations:

Stephanie Kelly, non-resident.

A City resident

Dr. Stephanie White, non-resident

Kaylynn Campbell, City resident

Lindsey, City resident

Steven Daladis, City resident

Brianna, City resident

Jax Judd, City resident

Stephanie Bourne, non-resident

Christina Smith, City resident

Michael Barker, non-resident

Tom

Joe Byers, City resident

Sterling, City resident

Public Comments
(cont'd)

Erin Bensinger, City resident
Malcom, non-resident
Sherry Webber, non-resident
Andy, City resident
Caitlin, City resident
Shardae Chambers, City resident
Stephanie, City resident
Melissa Schofner, City resident
Emily Connor, City resident
Jacob Johnson, City resident
Cathy, City resident
Trevor, City resident
Carolyn Bissonnette, City resident
An unnamed City resident
Joel Buder, City resident
Andrew Gray, City resident
Matt, non-resident
Victoria, City resident
Shona Espinoza, City resident
Tobi Hannah-Davies, City resident
Sarah, City resident
Megan Munn, City resident
Corsillia Green, City resident
Lisa Brenner, City resident
Katie Hamer, City resident
Marissa, City resident
Andrew Gray, City resident, on behalf of another resident
Katrina Davis, City resident
Jill Mansky, City resident
Hadia, City resident
A City resident
Alita Chase, City resident
James Cavanaugh, City resident
Bridgette O'Toole, non-resident
Sonita Weljer, City resident
James Bourbon, City resident
Kayleigh McCraner, City resident
Allie, City resident
Chris Wahmhoff, City resident
Zachary Lassiter, City resident
May Lansing, City resident
Joanna, City resident
Caitlyn, non-resident
Low Timber, City resident
Quincy, City resident
Stephanie Escobedo, City resident
Bailey Wagner, non-resident
Kathryn Haley, City resident
Mike Savina, City resident
Rebecca McCleary, City resident
Drew, City resident
Adam Danis, City resident
Jeremy Herman, non-resident
Jane, City resident

A City resident
Austin, City resident

The following people requested that the Civil Rights Board be granted broader authority in the proposed housing equity ordinance:

Sholana Lewis, City resident and TRHT Director with the Kalamazoo
Community Foundation
Tobi Hanah-Davies, City resident
Emily Vettis, City resident

The following people expressed opposition to the housing equity ordinance:

Haley Seigenour, non-resident
Adrian Wiltzer, non-resident
Wendy Denning, City resident

John Royal, a member of the National Lawyers Guild, described the role of legal observers at protests and requested that he charges against Mr. Schumacher be dismissed.

Mike Fleckenstein, City resident, stated housing providers had never received copies of the study that was the basis for the housing equity ordinance.

Cody Sharp, non-resident, stated public safety dispatch radio traffic should not be encrypted but should be accessible to the public and the media.

Mattie Jordan-Woods, City resident, asked the City Commission to direct the City Attorney to develop an ordinance that will hold people accountable for mobile nuisance parties.

Zachary Lassiter, City resident, spoke about the \$1,700 invoice he received from the City for his Freedom of Information Act request for body cam videos from the May/June protests.

Dustin McLean, City resident, defended Reverend Nathan Dannison.

Rebecca McCleary, City resident, thanked the City for a Small Business Development Fund Loan.

Ben Stanley spoke about his attempts to get a permit to hold a protest.

Commissioner Knott, seconded by Commissioner Hess, moved to recess the meeting and reconvene on Tuesday, August 18, 2020 at 6:00 p.m.

Vote to Recess

With a roll call vote this motion passed unanimously.

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

NAYS: None

The meeting was recessed at 1:41 a.m. on Tuesday, August 18, 2020.

Meeting Recessed

Meeting Reconvened

The meeting reconvened at 6:00 p.m. on Tuesday August 18, 2020. This meeting continued as an electronic meeting under the authority of Executive Order 2020-154 (COVID19) issued by Governor Gretchen Whitmer.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Patrese Griffin
Eric Cunningham
Jeanne Hess
Erin Knott
Chris Praedel

COMMISSIONERS ABSENT:

Jack Urban*

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

Commissioner Excused

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

Regular Agenda

Regular Agenda items were considered next.

2020-0

Resolution 20-45
Approving the Parkview
Hill Neighborhood Plan

Neighborhood Activator Katie Reilly provided an overview of the Parkview Hills Neighborhood Plan and described the process used to develop the plan. Ms. Reilly indicated traffic calming and environmental responsibility were important elements of this plan.

* Commissioner Urban arrived at 6:04 p.m.

In response to a question from Commissioner Hess, Ms. Reilly stated the deer population was a regional problem that needed to be addressed through partnerships. Ms. Reilly highlighted the importance of data gathering and education.

Commissioner Hess, seconded by Commissioner Knott, moved to adopt a **RESOLUTION** affirming the adoption of the Parkview Hills Neighborhood Plan 2020 as a sub-plan to the City of Kalamazoo's Comprehensive Plan.

With a roll call vote this motion passed unanimously.

AYES:

Commissioners Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

NAYS:

None

2020-0

First Reading of the
Non-Discrimination and
Fair Housing Ordinances

Community Planning and Economic Development Director Rebekah Kik delivered a presentation entitled *Chapter 18 Civil Rights Ordinance & Chapter 18A Fair Housing Ordinance First Reading*. Director Kik described the development of the proposed ordinances and provided an overview of the changes to the ordinances that had been made recently. Director Kik talked about possible future programs and the timeline for adoption and implementation of the ordinances. A copy of the slides from this presentation were filed with the papers for this meeting.

Diversity, Equity, and Inclusion Director Dorla Bonner reviewed the complaint process under the proposed ordinance.

In response to questions from Commissioners Hess and Praedel, Director Bonner stated the Civil Rights Board would have seven members plus two ex-officio members. Director Bonner indicated she would like to be able to announce on September 8th that the application process was open, and she stated a committee would be formed to review the applications.

In response to a question from Commissioner Urban, City Attorney Robinson stated it was the Mayor's prerogative to appoint the members of the Civil Rights Board, with the approval of the City Commission.

Commissioner Knott, seconded by Commissioner Urban, moved to offer for first reading an ordinance amending Chapter 18, *Non-Discrimination*.

Prior to a vote on the motion, Vice Mayor Griffin thanked staff for their work.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Commissioner Urban, seconded by Commissioner Hess, moved to offer for first reading an ordinance amending Chapter 18A, *Fair Housing*.

Prior to a vote on the motion, Mayor Anderson recognized Vice Mayor Griffin for her work on these ordinances, which began before she was elected to the City Commission.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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

Commissioner Cunningham remarked the housing equity ordinance should be the cornerstone for addressing structural injustices in the community. Commissioner Cunningham expressed frustration with the length of time it took to develop this ordinance. Regarding the events of the past weekend, Commissioner Cunningham stated he was putting his energy towards creating systemic structures to avoid a repeat of those events. Commissioner Cunningham stated this was an opportunity to work together and create new systems.

Commissioner Urban expressed surprise at volume and consistency of public comments. Commissioner Urban observed the immediate issues were political issues, not police issues, and the Commission needed to take dramatic, long-term actions.

2020-0

First Reading of the
Non-Discrimination and
Fair Housing Ordinances

2020-0

First Reading of the
Non-Discrimination
Ordinance

2020-0

First Reading of the Fair
Housing Ordinance

City Commissioner
Comments

City Commissioner
Comments (cont'd)

Mayor Anderson spoke about accountability and responsibility and described how those concepts worked in a Commissioner/Manager form of government. Mayor Anderson remarked that much of the work with the Commission and City Manager was relationship work and team building, which was short circuited in March because of COVID-19. Mayor Anderson stated Commissioners and staff needed to trust each other, despite the fact they were not able to meet together, work together, and support each other in person. Mayor Anderson indicated a change in leadership might be necessary, but it should be the last resort. Mayor Anderson expressed a commitment to intentionally move engagement in a way that was more intensive and helpful to the City Manager in real time and that creates a communication loop that keeps everyone together.

Commissioner Hess noted this day was the 100th anniversary of women's suffrage, and she urged people to vote. Commissioner Hess remarked that Karianne Thomas was the first female Chief of Public Safety, and the fear of being the first in this situation is that you will be the last. Commissioner Hess commended Chief Thomas and thanked Michelle Obama for her speech at the Democratic National Convention. Commissioner Hess expressed hope that the Commission could work together, and she spoke words of affirmation to each member of the Commission. Commissioner Hess thanked the City Manager, City Attorney, and City Clerk for their work.

Vice Mayor Griffin stated the housing ordinance did not address every need or situation that needed to be addressed in the community, but it was the beginning of the systems change that were needed. Regarding the weekend and the public comments, Vice Mayor Griffin indicated there were not four votes on the Commission to remove Jim Ritsema as City Manager. Vice Mayor Griffin stated there were two questions for the City Commission: what will be done about this past weekend; and what will we do to make sure it doesn't happen again? Vice Mayor Griffin stated the Commission needed to take immediate actions to create tools of accountability where none existed. Vice Mayor Griffin requested that the Commissioner establish a timeframe for putting accountability measures in place for City Manager Ritsema before the end of the meeting.

City Manager Ritsema stated the City Administration and KDPS did not know what a successful protest looked like, and he asked, "What is success? No arrests? No property damage? No political fallout?" City Manager Ritsema noted each event was different, and the City could not control them or anticipate every situation. City Manager Ritsema requested that the City Commission provide feedback on standards and expectations and define success for himself and KDPS. City Manager Ritsema indicated he was able to deal with planning, but he needed feedback on who to include in the planning process. City Manager Ritsema agreed the City Commission needed to hold him accountable, but it was difficult to hit a moving target. City Manager Ritsema spoke of the urgency for this work and noted another protest/rally could happen at any time. City Manager Ritsema suggested the work be done in the coming week with a proposed target date the following week.

Commissioner Cunningham commented on the need for performance metrics for all of the appointees.

Mayor Anderson agreed and stated people needed to know what they were being evaluated on at the beginning of the evaluation period. Mayor Anderson remarked the City Commission had struggled with evaluation tools. Mayor Anderson

suggested the formation of a subcommittee to address the City Manager's request and performance evaluations for appointees.

Commissioner Knott suggested the subcommittee's work be done and sent to Commissioners by the close of business on August 28th along with an update on the review of videos to identify actions of The Proud Boys for possible arrest warrants.

City Manager Ritsema noted that a review of video footage was going to be based on observed criminal activity, and the activity of all participants would be looked at through this lens.

Discussion followed regarding the formation of a subcommittee.

Commissioner Hess, seconded by Commissioner Knott, moved to appoint Vice Mayor Griffin, Commissioner Cunningham, and Commissioner Praedel to work with the City Manager to develop a definition of success for the City's response to public protests, demonstrations, and rallies that can be used to guide the planning and execution of that response; and that a report be provided to the City Commission by August 28th.

With a roll call vote this motion passed unanimously.

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

NAYS: None

City Manager Ritsema acknowledged the City Commission wanted a review of videos from August 15th with regard to potential arrests.

The meeting adjourned on August 18, 2021 at 8:35 a.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on

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

City Commissioner
Comments (cont'd)

2020-0

Establishment of the First
Amendment Assembly
Sub-Committee

Adjournment