



Agenda: Battle Creek City Commission

Meeting Date: August 9, 2016- 7:00 PM
Location: Commission Chambers City Hall
Chair: David A. Walters, Mayor
Title: Prepared by Michelle K Culp

ATTENDANCE

Mayor Dave Walters	Rebecca Fleury, City Manager
Vice Mayor Susan Baldwin	Jill Steele, City Attorney
Commissioner Mark Behnke	Ted Dearing, Assistant City Manager
Commissioner Kaytee Faris	Ernesto Reyes, Assistant City Manager
Commissioner Kate Flores	Victoria Houser, City Clerk
Commissioner Lynn Ward Gray	Larry Bowron, Transportation Director
Commissioner Andy Helmboldt	Chris Dopp, Director of DPW
Commissioner Deb Owens	Joyce Snow, Human Resource Director

Absent:

Commissioner Mike Sherzer

INVOCATION

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Owens.

PROCLAMATIONS AWARDS

Proclamation for Fantasy Forest Committee.

Mayor Walters presented a proclamation for the Fantasy Forest Committee, celebrating their great effort and success in making the Leila Arboretum Fantasy Forest a valuable educational experience for the Battle Creek community.

Proclamation recognizing Dr. Velma Laws Clay

Mayor Walters presented a proclamation recognizing posthumously Dr. Velma Laws Clay's contributions and service to the Battle Creek community.

Vivian Laws Ritter, twin sister of Velma Laws Clay, Count Laws, brother of Dr. Laws Clay, accepted the proclamation.

CHAIR NOTES ADDED OR DELETED RESOLUTIONS

There were no added or deleted resolutions.

PETITIONS COMMUNICATIONS REPORTS

Clerk Houser noted two communications from W. Lindsay Wheeler regarding the cutting of trees at the Metcalf Lake property, noting both communications were sent electronically to the Commissioners and staff as requested.

Staff Report by Communication Specialist Jessica Vanderkolk

Jessica Vanderkolk, Communications Specialist, presented the monthly staff report.

PUBLIC HEARING

A Public Hearing for citizen input on applications developed by Battle Creek Transit and area human services agencies for FY 2017 State funding.

Mayor Walters declared the public hearing open, inviting attendees to comment.

Reece Adkins, 16 1/2 Jericho, expressed his support of Battle Creek Transit, stating they do an excellent job, requesting additional vans for late evening services.

David Moore, 102 Taylor, commented on difficulty scheduling the Handi-Van, requesting additional vehicles.

Seeing no additional comments, Mayor Walters declared the public hearing closed.

A Public Hearing to receive public comment on a request for commemorative designation of a portion of Hubbard Street as "Dr. Velma Laws Clay Way".

Mayor Walters declared the public hearing open, inviting attendees to comment.

Vivian Laws Ritter, twin sister of Dr. Velma Laws Clay, thanked the Commission for considering the commemorative designation of a portion of Hubbard Street as "Dr. Velma Laws Clay Way." Ms. Ritter talked of her sister's accomplishments in the City of Battle Creek and for the community.

David Moore expressed his disagreement with naming streets after residents.

William J. Wyne, Pastor of Second Baptist Missionary Church, stated it was appropriate to name the street after Dr. Clay, speaking of her spirit and character.

Dwight Williamson, Hubbard Street, said everyone should find the good and praise it, speaking of Dr. Clay's accomplishments, expressing support for the commemorative designation.

Sam Gray, 245 Irving Park Drive, stated this would be a wonderful legacy for Dr. Clay, commemorating her service to the community.

Seeing no additional comments, Mayor Walters declared the public hearing closed.

PUBLIC COMMENTS REGARDING CONSENT AGENDA AND RESOLUTIONS NOT ON CONSENT AGENDA

Count Ritter, brother of Dr. Clay, spoke of his sister and the legacy she leaves in the community, thanking Comm. Gray for initiating the commemorative designation and to the Commission for their consideration.

David Moore stated he was in favor of a plaque commemorating a resident, stating he was not in favor of renaming streets.

John Kenefick, 234 South Avenue, regarding resolution #210, stated he did not think this should be passed as the City had previously stated they were having budget issues.

(Limited to three minutes per individual)

COMMISSION COMMENT REGARDING MEETING BUSINESS

There were no Commission comments.

CONSENT AGENDA

Motion to Approve

Moved By: LYNN GRAY

Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER

MOTION PASSED

CONSENT RESOLUTIONS

- 200 A Resolution authorizing a contract with Engineered Protection Systems, Inc., for access control and video surveillance at the Department of Public Works and Verona Water Complex in a not-to-exceed amount of \$72,706.00.

Motion to Approve

Moved By: LYNN GRAY

Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER

MOTION PASSED

- 201 A Resolution recognizing Community Fatherhood as a non-profit local civic organization in the community.

Motion to Approve

Moved By: LYNN GRAY

Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER

MOTION PASSED

- 202 A Resolution recognizing Community Healthcare Connections as a non-profit local civic organization in the community.

Motion to Approve
Moved By: LYNN GRAY
Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER
MOTION PASSED

- 203 A Resolution authorizing the City Manager to execute an Agreement between the City of Battle Creek and the Leila Arboretum Society for the provision of educational programming, park stewardship and urban forestry consultation to the City and its citizens.

Motion to Approve
Moved By: LYNN GRAY
Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER
MOTION PASSED

- 204 A Resolution authorizing the filing of a grant application with the Department of Transportation, United States of America, for grants under the Urban Mass Transportation Act of 1964, as amended.

Motion to Approve
Moved By: LYNN GRAY
Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER
MOTION PASSED

RESOLUTIONS NOT INCLUDED IN THE CONSENT AGENDA

- 205 A Resolution approving the commemorative designation of a portion of Hubbard Street as "Dr. Velma Laws Clay Way".

Motion to Approve
Moved By: LYNN GRAY
Supported By: ANDY HELMBOLDT

Comm. Gray thanked the Mayor and City staff who worked toward the commemorative designation, also thanking Dr. Clay for the love she had for the community.

Comm. Owens spoke of the historical projects she worked on with Dr. Clay, stating she was blessed

to have worked with her.

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER

MOTION PASSED

- 206 A Resolution authorizing the City Manager to sign the Collective Bargaining Agreement between the City of Battle Creek and AFSCME Local 1387 for the period of July 1, 2016, through June 30, 2019

Motion to Approve

Moved By: LYNN GRAY

Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER

MOTION PASSED

- 208 A Resolution authorizing the City Manager to sign the agreement between the City of Battle Creek and Battle Creek Public Schools. The agreement will provide Battle Creek Public Schools with at least one School Liaison Officer.

Motion to Approve

Moved By: LYNN GRAY

Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER

MOTION PASSED

- 209 A Resolution accepting the proposal of best value for benefits broker from Gallagher Benefit Services, Inc., in an estimated amount of \$116,823.00.

Motion to Approve

Moved By: LYNN GRAY

Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER

MOTION PASSED

- 210 A Resolution accepting the lowest responsive, responsible bids from two contractors for a knuckleboom loader for the Fleet Services Department in a not-

to-exceed amount of \$179,918.00.

Motion to Approve
Moved By: LYNN GRAY
Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER
MOTION PASSED

211 A Resolution setting a Closed Session on a labor matter on August 9, 2016.

Motion to Approve
Moved By: LYNN GRAY
Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER
MOTION PASSED

GENERAL PUBLIC COMMENT

Lindsay Wheeler, 218 Leland Dr. S., spoke of a meeting of the Calhoun Conservation District he attended regarding the forestry plan of the Metcalf Lake property.

Jeanine Deal, 3508 Capital Avenue SW, commented on cell phones' and gas meters' affects on her health, asking the City of Battle Creek to support HB 4916 .

David Moore commented on smart meters.

Reece Adkins, 16 1/2 Jericho, presented an article from the Battle Creek Enquirer regarding a traffic jam at the railroad tracks on Capital Avenue SW near Dickman Road.

Sam Gray, 245 Irving Park Drive, invited everyone to a Back to School Block Party and Rally on August 27th at Glenwood Park.

John Kenefick, 234 South Avenue, spoke of resolutions approving the City budget and the Quiet Zone Project, asking 12 questions about complaints about train noise. Mr. Kenefick also presented pictures of 2 BCPD vehicles.

(Limited to three minutes per individual)

COMMISSION COMMENTS

There were no Commission comments.

RECESS

Recess to Closed Session

Motion to

Moved By:
Supported By:

Commission recessed to Closed Session at 8:17 pm.

Absent: SHERZER
MOTION

RETURN FROM RECESS

Commission returned from Closed Session at 8:25 pm.

207 A Resolution authorizing the City Manager to sign the Collective Bargaining Agreement between the City of battle Creek and Battle Creek Supervisors Association for the period of July 1, 2016, through June 30, 2019

Motion to Approve
Moved By: LYNN GRAY
Supported By: ANDY HELMBOLDT

Ayes: BALDWIN, BEHNKE, FARIS, FLORES, WALTERS, GRAY, HELMBOLDT, OWENS

Absent: SHERZER
MOTION PASSED

ADJOURNMENT

Mayor Walters adjourned the meeting at 8:30 pm.

It is the desire of the City Commission to encourage public expression in the course of its meetings. Such expression can be integral to the decision-making process of the City Commission. It is the intention of the City Commission to respect the rights of persons addressing the Commission. Public comment periods are a time for citizens to make comments; they are not intended as a forum for debate or to engage in question-answer dialogues with the Commission or staff. Commissioners are encouraged not to directly respond to speakers during public comment periods. At the conclusion of the speakers remarks, the Mayor or individual Commissioners may refer a question to City staff, if appropriate. Also, individual Commissioners may choose to respond to speakers during the Commission Comment period. It is with these aims in mind, so as to promote decorum and civility and an orderly process for conducting its public meetings, that the following rules concerning public comments, consistent with applicable law, are adopted by the City Commission.

(1) Persons attending a regular or special Commission Meeting shall be permitted to address the City Commission in conformity with this rule. The opportunity to address the Commission shall be limited to the following:

(a) Persons desiring to address the City Commission are encouraged, but shall not be required, to fill out and turn in to either the City Clerk, Mayor, or presiding

Commissioner, prior to the meeting, a comment card disclosing the following information: The person's name, address, and telephone number; the specific issue, topic or resolution the individual wishes to address.

(b) During public hearings when scheduled, speakers may present facts and opinions on the specific matter being heard by the Commission. A three-minute time limit is imposed per speaker. In the discretion of the Mayor or presiding officer, the time limit for individual speakers may be lengthened or shortened when appropriate.

(c) During the consideration of specific ordinances when scheduled, speakers may present facts and opinions on the specific ordinance being considered by the City Commission. Speakers addressing the City Commission during this time shall limit their comments to the specific issue being considered. A three-minute time limit, which may be lengthened or shortened by the Mayor or presiding officer when appropriate, is imposed per speaker, per matter considered.

(d) During the public comment period on the consent agenda and resolutions not on the consent agenda, each speaker may address the Commission once, regarding anything on the consent agenda and resolutions not on the consent agenda, for a total not to exceed five minutes regardless of how many consent agenda items or regular resolutions the speaker is addressing, which time period may be lengthened or shortened by the Mayor or presiding officer when appropriate. Period may be lengthened or shortened by the Mayor or presiding officer when appropriate.

(e) During the General Public Comment portion of the meeting, speakers may address the City Commission on any matter within the control and jurisdiction of the City of Battle Creek. A speaker shall be permitted to address the City Commission once, for up to three minutes, during this portion of the meeting.

(2) An individual wishing to address the City Commission shall wait to be recognized by the Mayor or presiding Commissioner before speaking. An individual who has not filled out a card requesting to address the City Commission shall raise his or her hand and wait to be recognized by the Mayor or presiding Commissioner before speaking and shall identify themselves by name and address and, if appropriate, group affiliation for the record.

(3) Speakers shall address all remarks to the City Commission as a whole, and not to individual Commissioners. Speakers shall not address their remarks to members of the public in attendance at the meeting.

(4) A speaker will be ruled out-of-order by the Mayor or presiding Commissioner and the Commission will continue with its business when the speaker:

(a) Becomes repetitive or speaks longer than the allotted time;

(b) Attempts to yield any unused portion of time to other speakers;

(c) Engages in a personal attack upon a city employee, administrator or Commissioner only if the personal attack is totally unrelated to the manner in which the employee, administrator or Commissioner carries out his or her public duties or office;

- (d) Uses obscene or profane language;
- (e) Engages in slanderous or defamatory speech;
- (f) Uses derogatory racial, sexual or ethnic slurs or epithets relating to any individual or category of persons; or
- (g) Engages in conduct that interrupts or disrupts the meeting.