



Agenda: Battle Creek City Commission

Meeting Date: December 20, 2016- 7:00 PM

Location: Commission Chambers City Hall

Chair: Mayor David A. Walters

Title: Prepared by Michelle Kay 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	Victoria Houser, City Clerk
Commissioner Kate Flores	Jim Blocker, Police Chief
Commissioner Lynn Ward Gray	Steve Hudson, City Assessor
Commissioner Andy Helmboldt	Linda Morrison, Finance Director
Commissioner Deb Owens	Joyce Snow, Human Resources Director
Commissioner Mike Sherzer	

INVOCATION

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Comm. Owens.

ROLL CALL

PROCLAMATIONS AWARDS

Beautiful Battle Creek Awards

Mayor Walters presented the Beautiful Battle Creek Awards.

PRESENTATIONS

Audit Presentation by Rehmann Robson

Postponed.

CHAIR NOTES ADDED OR DELETED RESOLUTIONS

There were no added or deleted resolutions.

PETITIONS COMMUNICATIONS REPORTS

Staff Report by Human Resource Director Joyce Snow

PUBLIC HEARING

Public Hearing on the proposed establishment of an Obsolete Property Rehabilitation District for the Jay Andrew Development Co., LLC.

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

Peter VanGothem, 650 Lynwood Ave, inquired as to the costs to tax payers for the OPRA district.

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

PUBLIC COMMENTS REGARDING CONSENT AGENDA AND RESOLUTIONS NOT ON CONSENT AGENDA

There were no public comments.

(Limited to three minutes per individual)

COMMISSION COMMENT REGARDING MEETING BUSINESS

There were no Commission comments.

CONSENT AGENDA

Motion to Approve

Moved By: ANDY HELMBOLDT

Supported By: LYNN GRAY

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

MOTION PASSED

City Commission Minutes for December 6, 2016

Ambulance Report for November 2016

City Manager's Report for December 20, 2016

CONSENT RESOLUTIONS

- 25 A Resolution renewing memberships for North Central Neighborhood Planning Council (NPC#2)

Motion to Approve

Moved By: ANDY HELMBOLDT

Supported By: LYNN GRAY

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

MOTION PASSED

26 A Resolution renewing memberships for Northeast Neighborhood Planning
Council (NPC #4)

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

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

MOTION PASSED

27 A Resolution appointing a new member to the Westlake/Prairieview Neighborhood
Planning Council (NPC #10)

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

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

MOTION PASSED

28 A Resolution reappointing a member to the Goguac Lake Board.

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

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

MOTION PASSED

RESOLUTIONS NOT INCLUDED IN THE CONSENT AGENDA

Motion to Approve

Moved By: ANDY HELMBOLDT

Supported By: LYNN GRAY

Comm. Behnke requested Mr. Dearing address Mr. Van Gothem's inquiry.

Ted Dearing, Assistant City Manager, noted there were no costs to the residents to establish the OPRA district, stating the amount of the abatement would be determined once an application for the project was received.

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

MOTION PASSED

A Resolution Amending the City Industrial Facilities Tax Abatement Guidelines/Tax Increment Guidelines and the Discontinuance of Granting New Industrial Personal Property Exemptions.

Motion to Approve

Moved By: ANDY HELMBOLDT

Supported By: LYNN GRAY

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

MOTION PASSED

GENERAL PUBLIC COMMENT

Judy Hawkins, Wabash Ave N, asked that the City consider assistance paying utilities for residents with illnesses and disabilities.

David Moore, 102 Taylor Ave, spoke of comments made by the Battle Creek Public Schools superintendent on a local radio station.

Lindsay Wheeler, 218 Leland Drive South, requested clarification whether the Calhoun Conservation District would be returning the Metcalf Lake property to the City.

Peter Van Gothem, 650 Lynwood Ave, commented about poor waste removal service from Waste Management and the barricades on Lynwood Avenue.

John Kenefick, 234 South Avenue, commented on Commission actions throughout the last year, related to approval of the budget that included an increase in the P&F millage rate.

(Limited to three minutes per individual)

COMMISSION COMMENTS

Comm. Gray wished everyone happy holidays, also thanking City staff for their support throughout the year.

Comm. Helmboldt also wished everyone happy holidays, acknowledging the many different faith traditions.

Comm. Owens asked the administration to look into the issues Mr. Van Gothem was experiencing, expressing concern the barricades would cause problems for emergency services getting to his house.

Comm. Helmboldt informed everyone that Mr. Van Gothem has been contacted by Waste Management, stating they were working on the issue.

Comm. Sherzer stated he did consult with the City Attorney regarding any possible conflict of interest when voting on the budget as it included tax millage increases to the Police and Fire Pension. Comm. Sherzer noted his vote on the budget in no way changed the amount of his pension, stating the Commission was fiscally responsible for maintaining a pension system that does not become a burden to the city finances.

Attorney Steele stated a Commissioner had an obligation to vote, stating they would be in violation if they recused themselves when there was not a conflict of interest.

Comm. Flores provided an overview of the Truth, Racial Healing and Transformation conference, sponsored by WKKF attended by herself, Chief Blocker and Chris Lussier.

Mayor Walters complimented the snowplowing work of the DPW crews during 10 days of snowfall, also expressing appreciation to city staff for consistent communications.

ADJOURNMENT

Mayor Walters adjourned the meeting at 7:55 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.