

CITY OF BATTLE CREEK

NEIGHBORHOOD PLANNING COUNCIL CHARTER

Section 1 Purpose

The purpose of Neighborhood Planning Councils is to inform and discuss any issues or concerns of that neighborhood. Generally this work will require the city to inform the NPC of the facts and potential results of a pending decision, opportunity or other change. The NPC will then discuss and decide what, if any, recommendation needs to be made.

Section 2 NPC Roles and Responsibilities

Specifically, NPC's will:

1. Provide an open, inclusive and diverse forum for deliberation on neighborhood issues including, but not limited to:
 - a. Code Compliance (illegally parked cars, houses in disrepair, unmowed lawns, vacant lots, etc.)
 - b. Police (criminal incidents, tickets issued, trends, etc.)
 - c. City Planning (new developments, zoning reclassifications, special use permits, in-fill plans, dimensional variances such as signs, yard setback reductions, use variances, etc)
 - d. City Infrastructure (sidewalks, curbs, sewers)
 - e. Other Neighborhood problems/issues
2. Endeavor to hold monthly meetings; however, shall hold a minimum of 6 regularly scheduled meetings per calendar year
3. Generate comments/recommendations or other expressions of neighborhood interests in order to help the City Commission better understand issues impacting neighborhoods. This may require NPC's to research and gather the facts about an issue prior to presenting a position or recommendation of the NPC by attempting to gather input from residents beyond the immediate NPC membership whenever possible. NPC members will provide an opportunity for open, honest and fair deliberation based on facts and other voices before reaching any conclusion about expressing the interests of their neighborhood.
4. Provide informal input and feedback to attending City Commissioners and City staff on such city-wide initiatives as:
 - a. Street, sidewalk, curb and infrastructure improvement priorities
 - b. Proposed city park policies or improvements and operational concerns and priorities
 - c. City service improvements
 - d. Additions to the City Web Page and other City communications vehicles
 - e. Downtown development issues and questions
 - f. Current City Commission issues affecting all of Battle Creek
5. Assure that all city proposals potentially impacting the neighborhoods are shared with the NPC members and participating residents
6. Serve as a forum for other groups or agencies working in the neighborhood to share information.
7. Work with the City to provide representatives to the Community Development Advisory Council and other neighborhood-specific efforts.
8. Generate new plans and / or strategies for neighborhood improvement and work in collaboration with other neighborhood agencies.

9. If desired, assemble new and existing neighborhood plans into a single plan for neighborhood improvement and work collaboratively to implement the plan.
10. If desired, serve as representatives and advocates for improvements to the neighborhood.
11. Shall establish a meeting schedule, reserve a meeting room, create an agenda, develop a monthly program (speaker) of community interest, run meetings that comply with City policies (such as following the Open Meetings Act) and NPC bylaws, and generate meeting minutes.
 - a. This community values open and inclusive government; all NPC's will meet the requirements of the Open Meetings Act. This means that names and addresses of members cannot be kept private and that all meetings and meeting minutes are open and available for public review and participation. The NPC shall provide to City staff all draft minutes in compliance with the Open Meetings Act. City staff will distribute the minutes correcting any errors of grammar.

Section 3 Roles and Responsibilities of the City in Support of NPC's

The City will maintain oversight of NPC's and official approval of NPC membership. However, since NPC's are strictly voluntary, direct requests for extraordinary NPC action by the City will be made only when adequate support can be provided. In order to support this work and to foster a strong relationship with NPC's, the roles and responsibilities of City staff and Commission are to:

1. Provide Administrative Support by:
 - Mailing of the next meeting's agenda along with the minutes from the last meeting
 - Taking the NPC's nomination for Beautiful Battle Creek Award and generating the award for presentation by the City Commission
 - Assuring that there are representatives from the Police Dept and other appropriate or necessary City Departments at each of the scheduled NPC meetings
 - Overseeing compliance of the NPC Charter, Bylaws, Open Meetings Act, and Dissolution and Reinstatement Policy
2. Encourage developers and zoning variance applicants to seek support of the NPC prior to presentation to the appropriate decision-making body in adequate time to ensure an informed response by the NPC.
3. Perform research on neighborhood and city issues discussed at the monthly meetings and supply technical information and opinions about the issues needed for good decision-making. If needed, provide facilitation of the deliberation process (or training and guidance in the development of self-facilitation skills) and when requested, help to develop a written response for referral to the appropriate decision-making body.
4. Provide support for training on resident leadership skills of interest to the members.
5. Provide an assigned staff member whenever possible from the Community Services Department to share information about topics of interest to the members, including but not limited to Code, Planning, Public Works, Parks and Recreation, etc. Whenever possible a member of the Police Department will also be present to share information.
6. Coordinate with other neighborhood groups that NPC members may be interested in hearing from.
7. If desired, provide support for assembly of a single, coordinated neighborhood plan, technical information about existing plans as well as facilitation of the planning process and help develop a written plan for presentation to the appropriate decision-making body/bodies.

8. If desired, provide technical information as well as facilitation of the discussion process, and help develop a written proposal for presentation to the appropriate decision-making body/bodies about possible improvements.

Section 4 NPC and Districts Names and Boundaries (Insert Maps) Neighborhood Planning Councils

- NPC 1 – Post Franklin Neighborhood Planning Council
- NPC 2 – Northcentral Neighborhood Planning Council
- NPC 3 – Central Neighborhood Planning Council
- NPC 4 – Northeast Neighborhood Planning Council
- NPC 5 – Urbandale Neighborhood Planning Council
- NPC 9 – Rural Southwest Neighborhood Planning Council
- NPC 10 – Westlake Prairieview Neighborhood Planning Council
- NPC 11 – Minges Brook Riverside Neighborhood Planning Council

Districts

- Downtown Business District
- W.K. Kellogg Airport / Fort Custer Industrial Park

Future Development

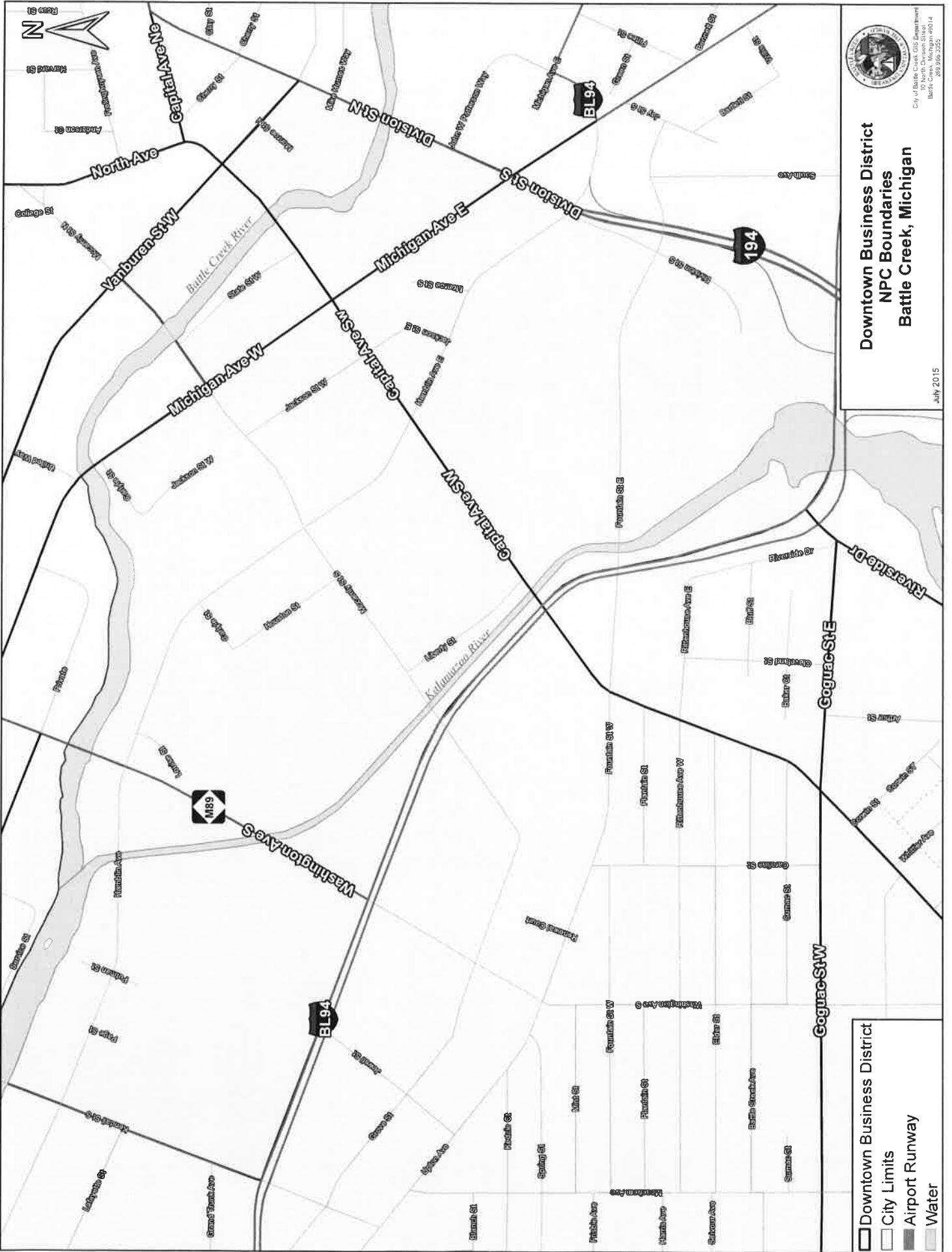
Residents residing in the Downtown Business District shall be considered eligible members of NPC 4 until there is a significant increase in the resident base, through future development, to support a Downtown NPC.

Section 5 NPC Bylaws Template (Insert Bylaws)

Every NPC shall adopt by-laws which contain the language found in the By-Laws Template, or use substantially similar language to that which is found in the By-Laws Template, which does all of the following:

1. Prohibits unlawful discrimination in NPC membership;
2. Defines a quorum as being the presence of at least seven (7) NPC members; and
3. Recognizes and encourages the right of participation by NPC meeting attendees.

Section 6 NPC Dissolution and Reinstatement Policy (Insert Policy)

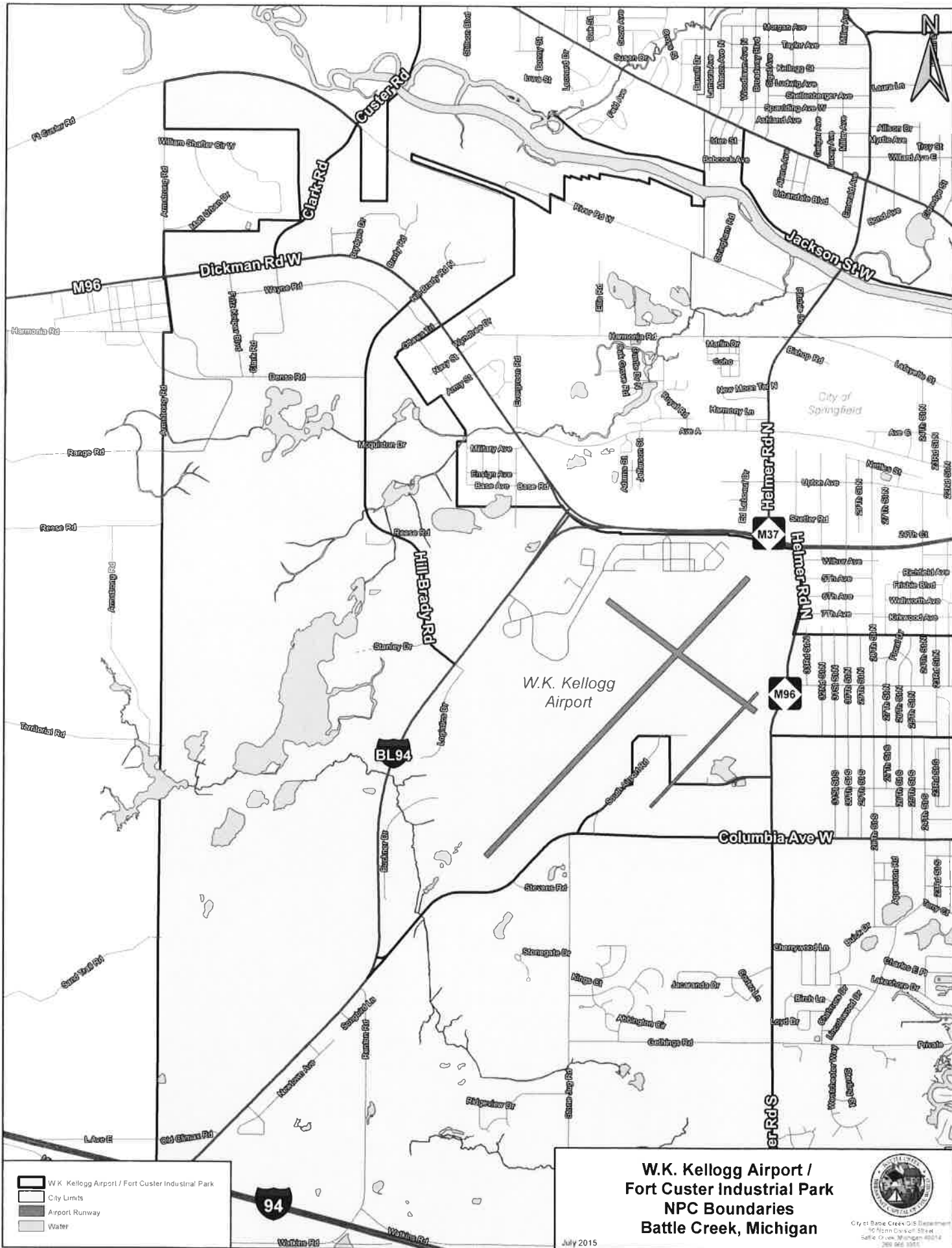


City of Battle Creek, Michigan
 100 North Dixie Street
 Battle Creek, Michigan 49814
 268.966.3355

**Downtown Business District
 NPC Boundaries
 Battle Creek, Michigan**

July 2015

- Downtown Business District
- City Limits
- Airport Runway
- Water



- W.K. Kellogg Airport / Fort Custer Industrial Park
- City Limits
- Airport Runway
- Water

**W.K. Kellogg Airport /
Fort Custer Industrial Park
NPC Boundaries
Battle Creek, Michigan**


 City of Battle Creek GIS Department
 10 North Division Street
 Battle Creek, Michigan 49814
 269.966.1315

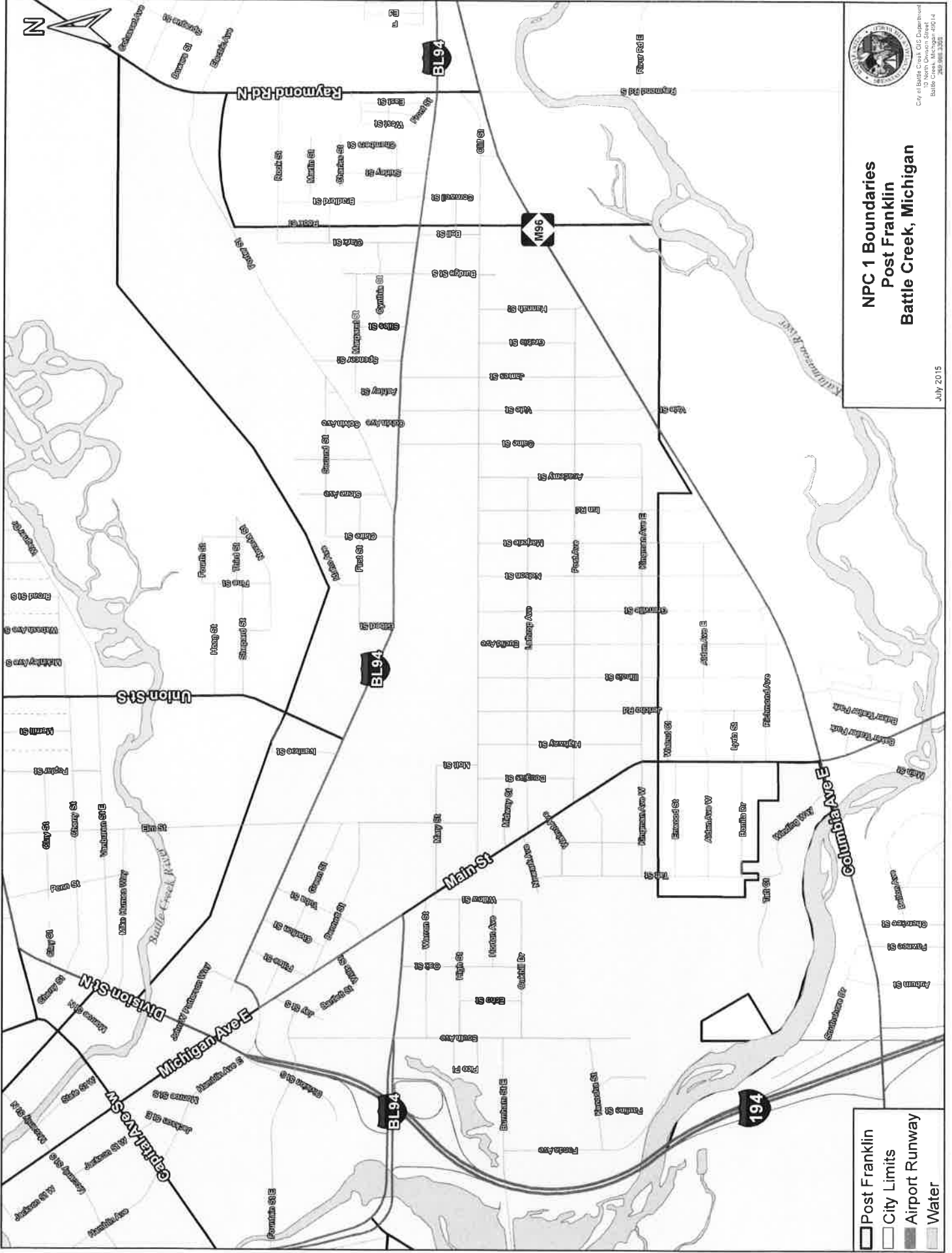
July 2015



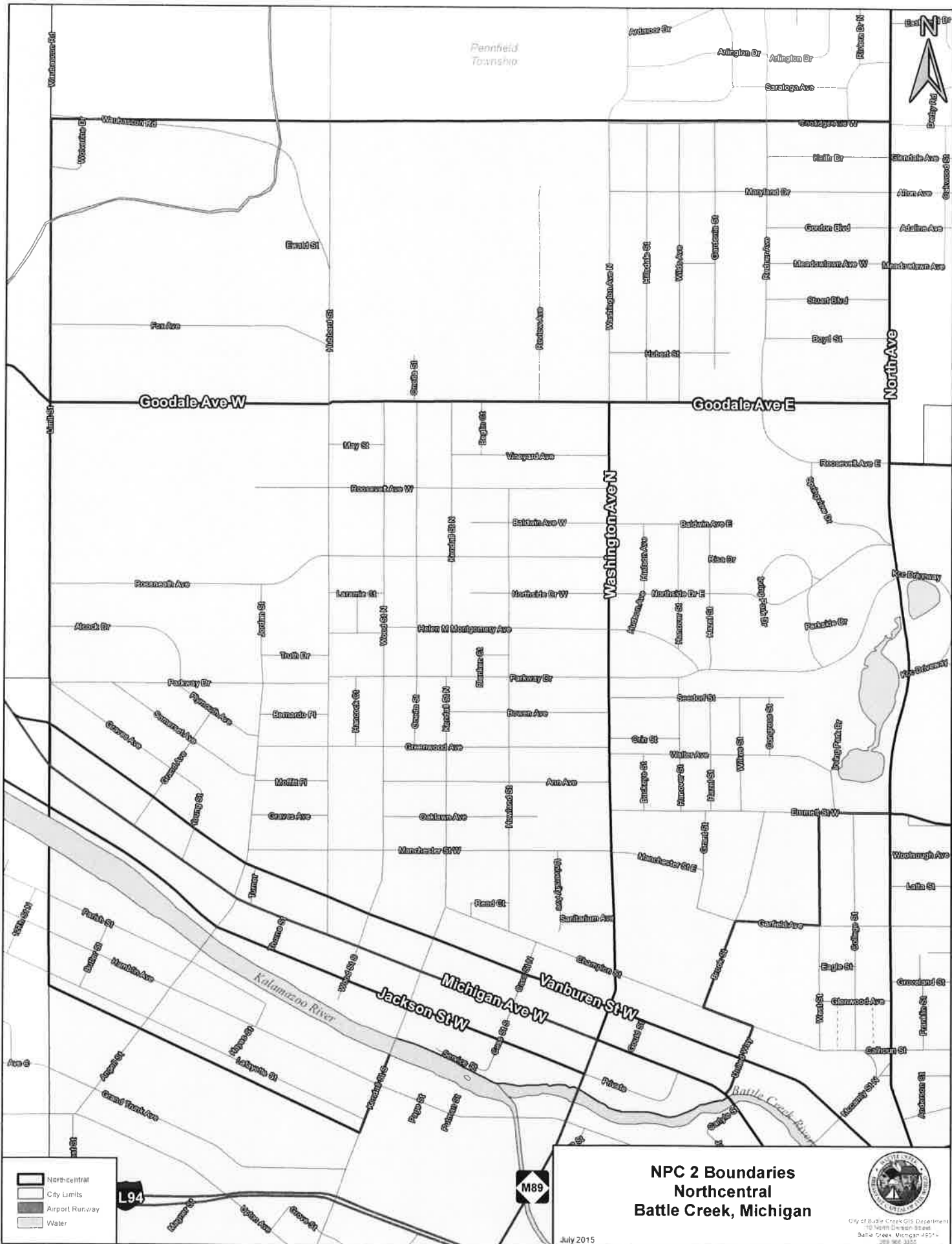
City of Battle Creek GIS Department
 Battle Creek, Michigan 49514
 269.966.1355

NPC 1 Boundaries Post Franklin Battle Creek, Michigan

July 2015




- Post Franklin
- City Limits
- Airport Runway
- Water

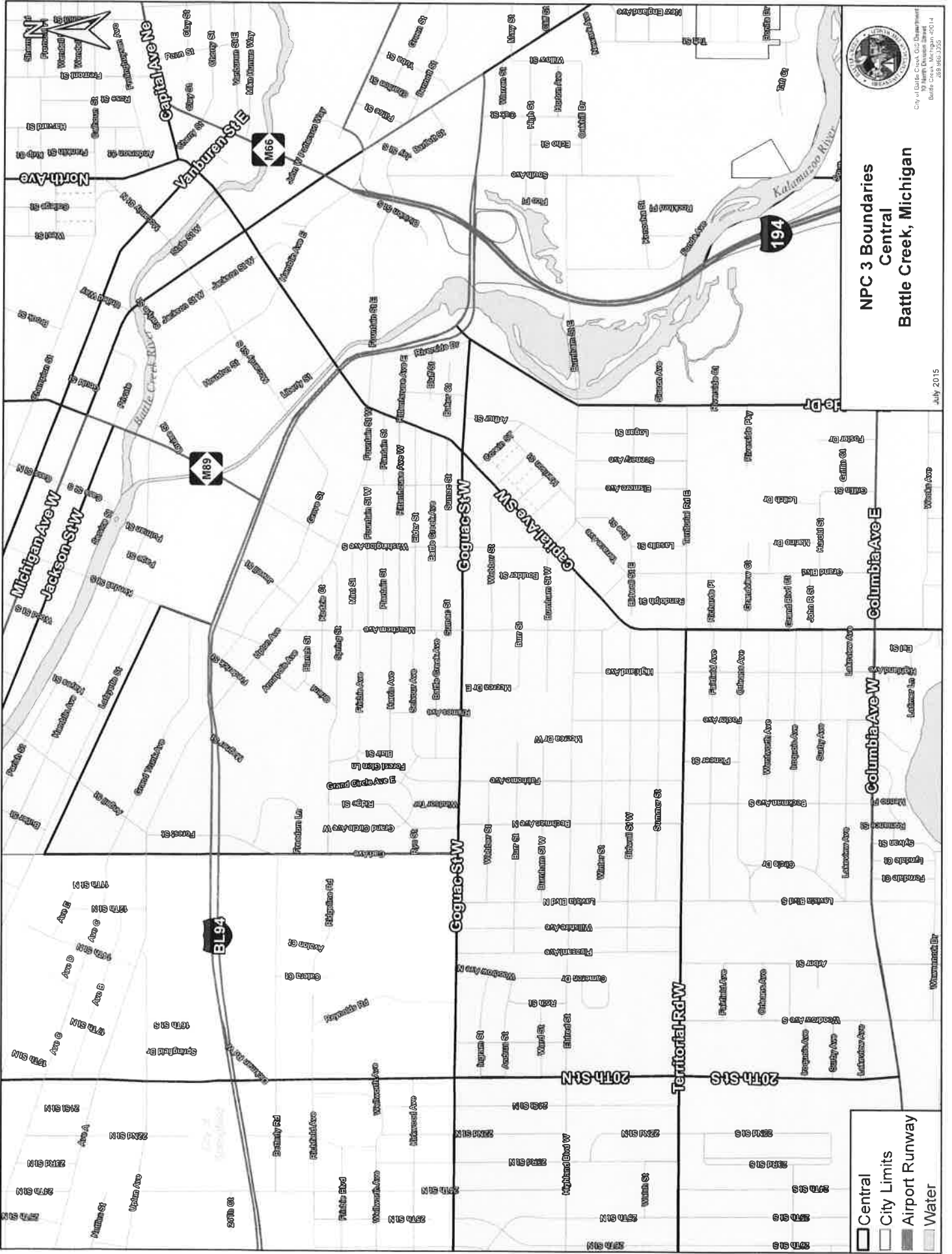


- Northcentral
- City Limits
- Airport Runway
- Water

NPC 2 Boundaries
Northcentral
Battle Creek, Michigan


 City of Battle Creek GIS Department
 101 North Jackson Street
 Battle Creek, Michigan 49714
 269.967.3355

July 2015

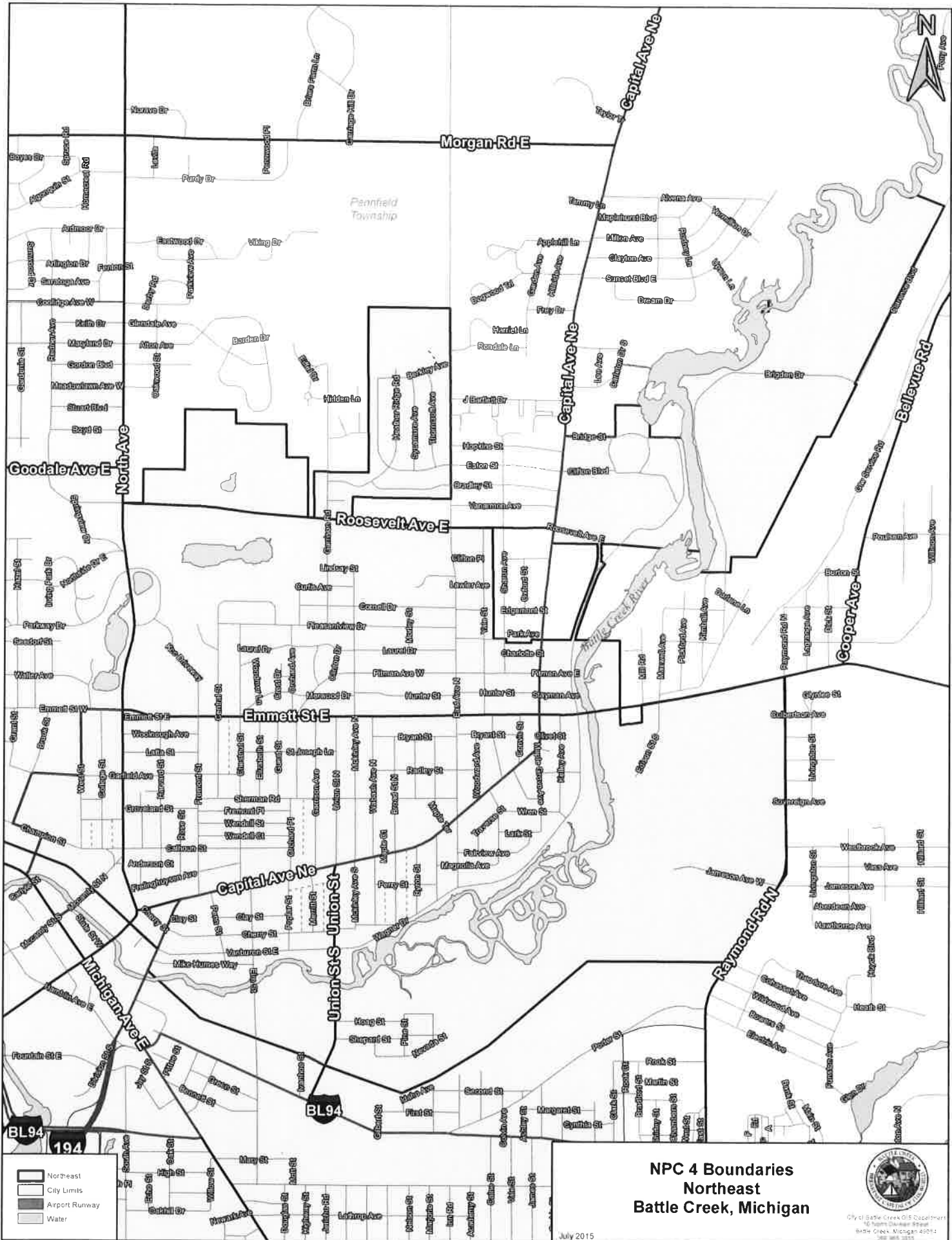


**NPC 3 Boundaries
Central
Battle Creek, Michigan**

City of Battle Creek, GIS Department
Battle Creek, Michigan 49014
269.466.0355

July 2015

- Central
- City Limits
- Airport Runway
- Water



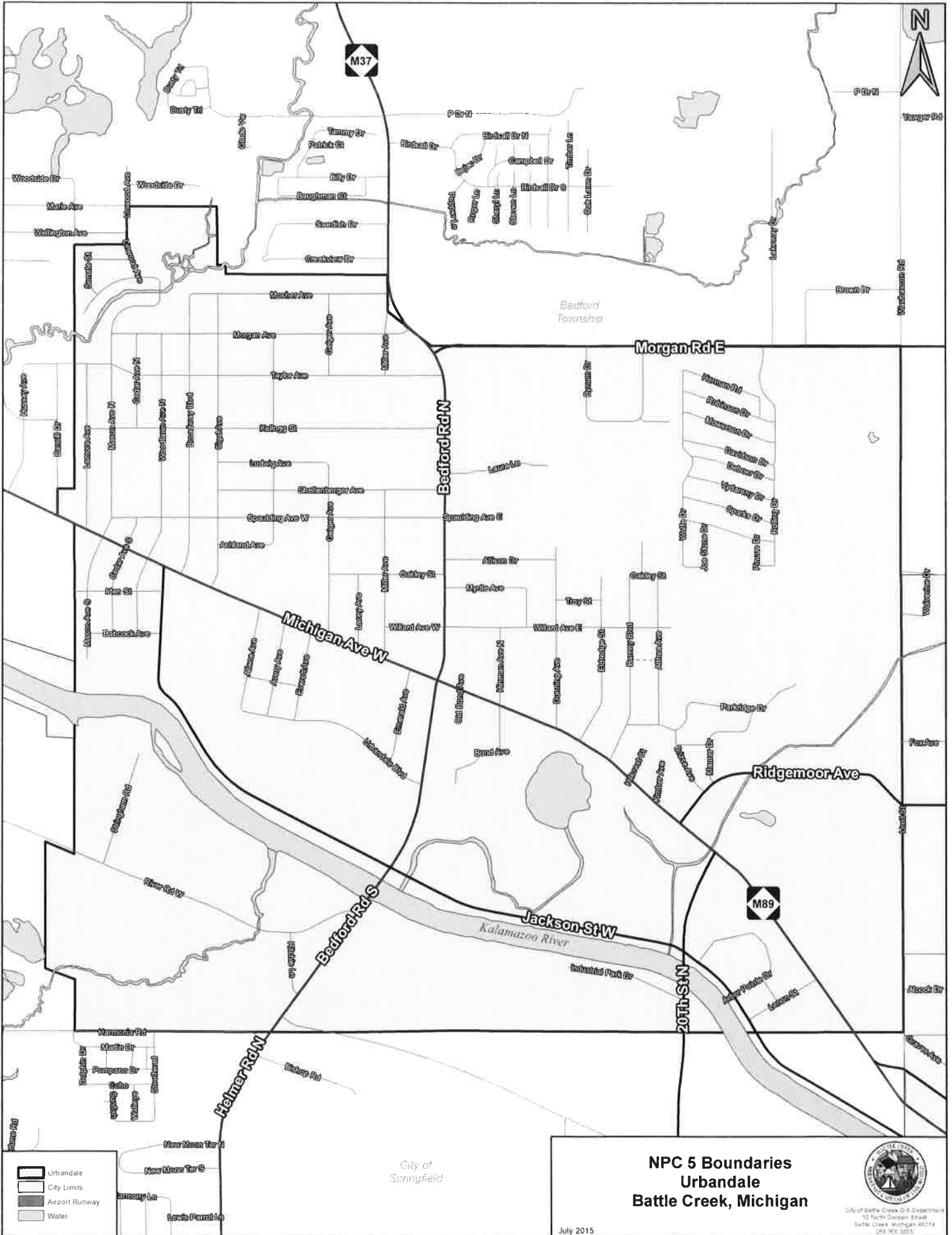
Northeast
 City Limits
 Airport Runway
 Water

NPC 4 Boundaries
Northeast
Battle Creek, Michigan



City of Battle Creek GIS Department
 14 North Cass Street
 Battle Creek, Michigan 49901
 268.388.3333

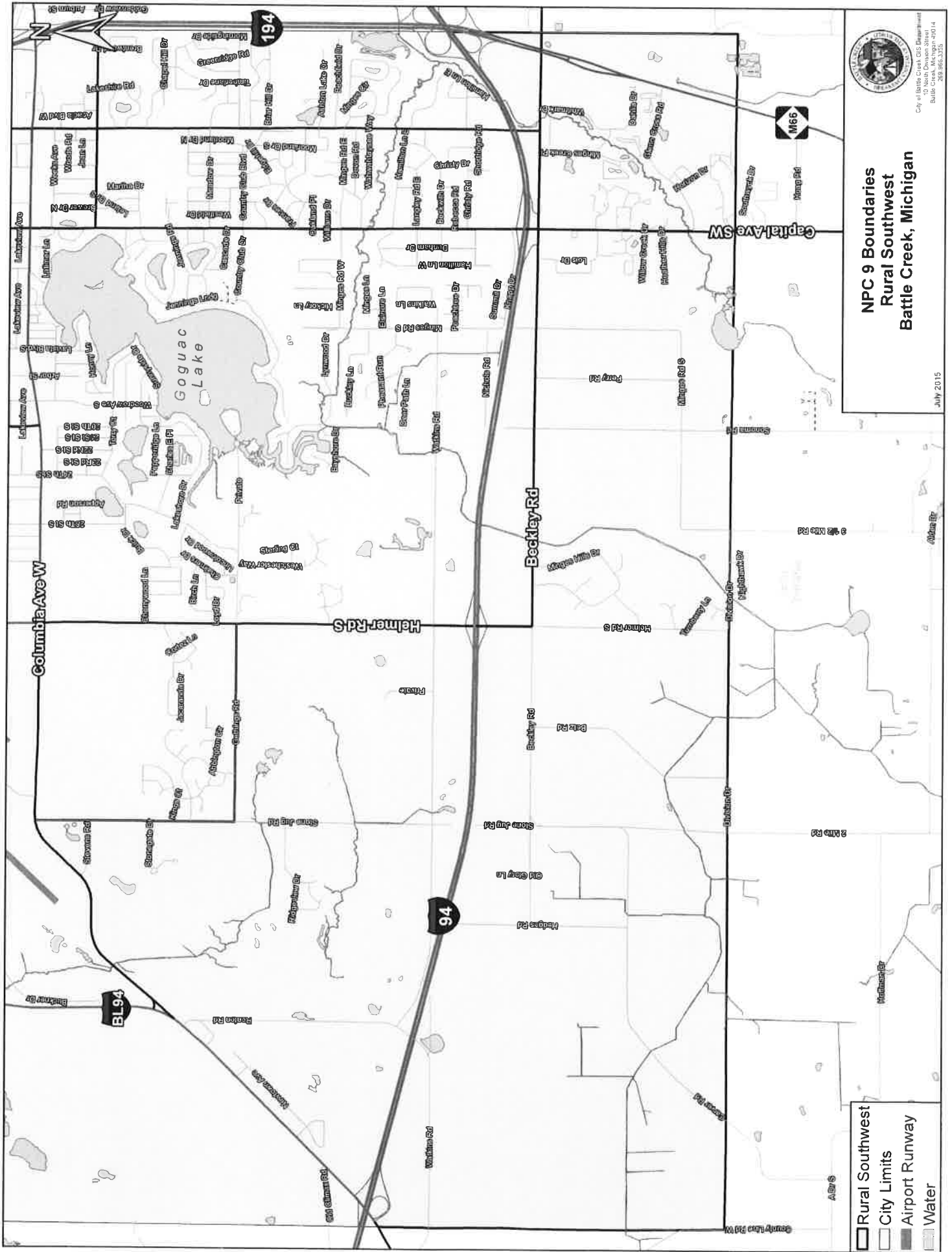
July 2015



NPC 5 Boundaries
Urban/Trade Area
Battle Creek, Michigan


 City of Battle Creek GIS Department
 10 North Division Street
 Battle Creek, Michigan 49718
 269.966.3355

July 2015



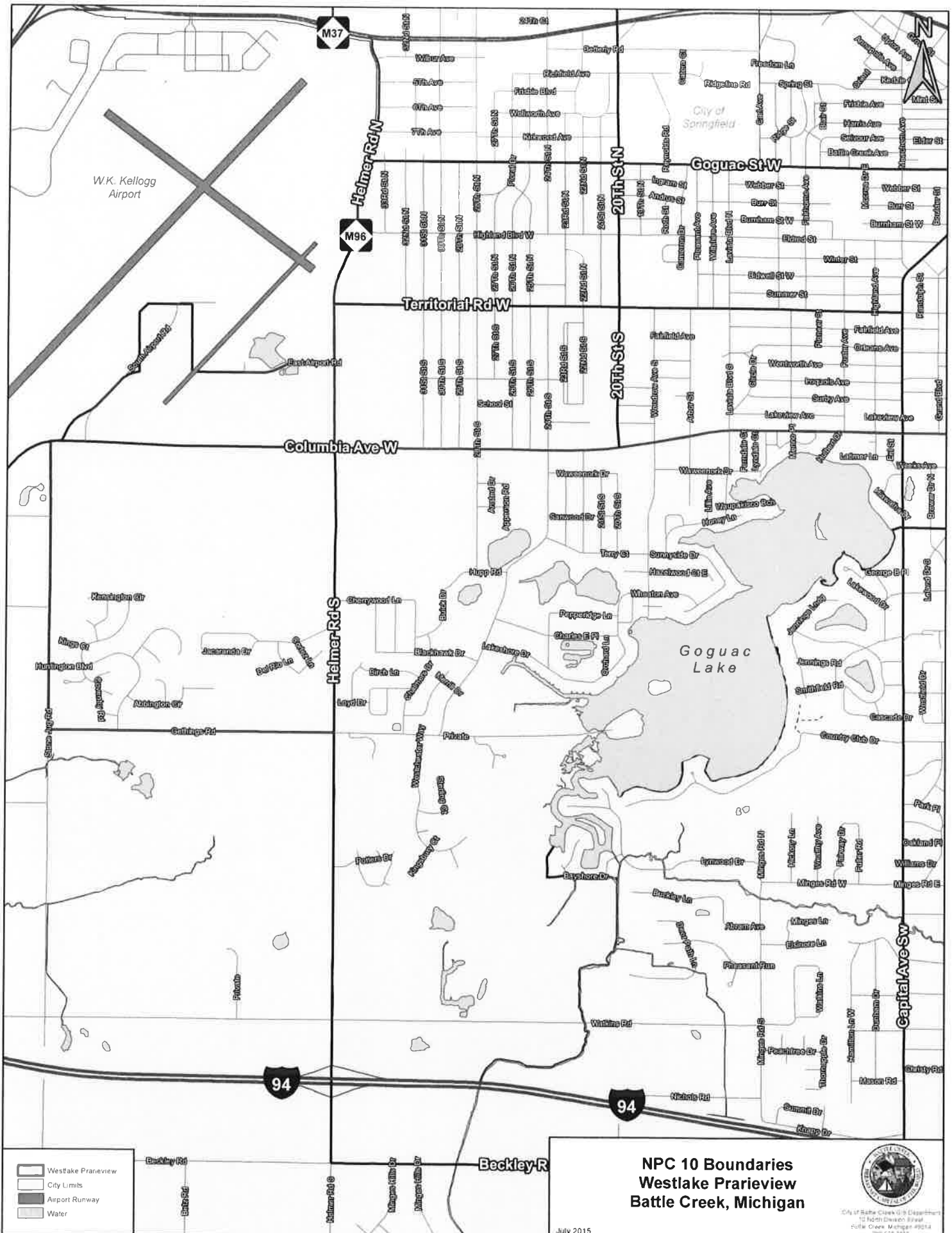
- Rural Southwest
- City Limits
- Airport Runway
- Water

**NPC 9 Boundaries
Rural Southwest
Battle Creek, Michigan**




City of Battle Creek GIS Department
Battle Creek, Michigan
289.866.3355

JULY 2015



- Westlake Prarieview
- City Limits
- Airport Runway
- Water

NPC 10 Boundaries
Westlake Prarieview
Battle Creek, Michigan



 City of Battle Creek © R. Dagerthorn
 10 North Division Street
 Battle Creek, Michigan 49814
 313.526.1235

July 2015



-  Minges Brook Riverside
-  City Limits
-  Airport Runway
-  Water

**NPC 11 Boundaries
Minges Brook Riverside
Battle Creek, Michigan**


 City of Battle Creek GIS Data Incent
 12 North Division Street
 Battle Creek, Michigan 49714
 269.966.3355

July 2015

NPC Bylaws Template

Purpose

The purpose of this NPC Bylaws Template is to provide an outline and preferences for the basic organizational structure and operating rules of Neighborhood Planning Councils. It is not intended to impose a “one size fits all” document on each NPC, but rather is meant to be used as a guideline for each NPC.¹

Article I. NAME

The name of the organization shall be City of Battle Creek Neighborhood Planning Council #N. It may sometimes be referred to as the _____ NPC or NPC # N.

Article II. ROLES AND PURPOSE

Section 1. The purpose of this NPC is to provide a forum to inform and discuss with neighborhood residents and representatives of the city staff and City Commissioners issues and concerns of that neighborhood. This organization is advisory only in nature and is not empowered by the City Commission to exercise any governmental authority or perform any governmental function. However, the NPC is permitted and expected to reflect the collective citizen interest of its membership and neighbors, including petitioning the City Commission with requests for action and providing the City Commission as well as other city governmental decision-making bodies with recommendations.

Section 2. In furtherance of its purpose the NPC will seek to:

- (a) Act as a forum through which residents and other neighborhood interests can discuss and express preferences to the various departments, boards, committees, employees and officers of the City of Battle Creek on neighborhood or community issues, including responding to planning issues that impact the neighborhood.
- (b) Act as a venue for persons to exchange information and share concerns with City staff and officials concerning neighborhood issues such as housing code compliance, crime and traffic concerns, street and park maintenance, and the delivery of other City-based services.
- (c) Generate new plans and strategies for the improvement of their neighborhood.

Article III. MEMBERSHIP

Section 1. Number of Council Members

The NPC shall be comprised of a minimum of 9 qualified persons recommended by the NPC and appointed by the City Commission to serve as NPC Council Members.

Section 2. Qualifications for Council Membership

- (a) Any competent adult is qualified to be a Council Member and who has or can demonstrate a substantial interest in the NPC geographic area. As used in these bylaws, a “substantial interest” means residing, employed, operating a business, or owning real property within the NPC geographic area.
- (b) No Council Member shall be a member of more than one Neighborhood Planning Council.

- (c) Eligibility for Council Membership is open to all persons meeting the qualifications described in this Section regardless of religion, race, color, national origin, age, sex, height, weight, familial status, marital status or disability, unless accommodation of the disability imposes an undue hardship on the City.

Section 3. Appointment and Removal Process

- (a) The Battle Creek City Commission, upon recommendation by this NPC, may by resolution appoint and, upon recommendation of a two-thirds vote of the remaining NPC, may remove Council Members.
- (b) A Council Member who misses three consecutive regular meetings in any operational year may be removed from office upon the majority vote of the remaining Council Members without further action by the City Commission

Section 4. Holding Other City Offices

So as to avoid the appearance of bias or prejudice, a Council Member who is also a member of the City Commission, Planning Commission, Zoning Board of Appeals, Historic District Commission, Housing Board of Appeals or any other governmental decision-making body of the City, shall not take a position on matters, such as, but limited to, proposed Planned Unit Development projects, Special Use Permits, variances to the City Zoning Code likely to come before the City Commission, Planning Commission, Zoning Board of Appeals, Historic District Commission, Housing Board of Appeals or other decision making board of the City on which the NPC member sits. Nothing in this Section is intended to preclude any Council Member from seeking information or clarification on any issue coming before the NPC.

Section 5. Terms

A Council Member shall serve a three (3) year term or until his or her successor is appointed. Members may be reappointed at the end of their term. Council membership shall consist of staggered three-year appointments so that terms of approximately one-third of the Council Members expire each year. Except for the appointment of persons to fill an unexpired term, the terms of all appointees shall commence with the first meeting of the operational year of the NPC.

Section 6. Unexpired Terms

Appointment of qualified persons to fill unexpired terms due to vacancies shall be made in the manner provided for in Section 3 of this Article for Council Members

Section 7. Resignations and Vacancies

- a) A person desiring to resign from Council Membership should submit his or her resignation to the Secretary of the Council who shall present it to the Council for acceptance and note such action in the minutes of the meeting.
- b) A vacancy is deemed to occur in the event a Council Member no longer maintains nor can demonstrate a "substantial interest" as defined in Section 2 of this Article.

Article IV. OFFICERS

Section 1. Officers

- a) The officers of the NPC shall be a Chairperson, Vice-Chairperson, and Secretary each of whom shall be elected by the NPC Members and perform the duties prescribed by these bylaws.
- b) The NPC may elect such additional officers and prescribe the duties of those offices as needed.

Section 2. Duties of Officers

- a) The Chairperson shall preside at all NPC meetings, assure that there is an agenda or program for each NPC meeting and perform any such duties as established by custom for the office.
- b) The Vice-Chairperson shall perform the duties of the office of the Chairperson, whenever the Chairperson is unable to do so.
- c) The Secretary shall give proper notice of all NPC meetings, prepare accurate and complete minutes, provide copies of all minutes to the City Neighborhood Services Department in a timely manner and attend to correspondence and perform such duties as ordinarily pertains to the office.
- d) *The Immediate Past Chairperson may serve as either an active or ex-officio member of the council to act in an advisory capacity to the organization and its officers and shall perform the duties of the Chairperson in the event that both the Chairperson and Vice-Chairperson are unable to discharge those duties.*
- e) *The Assistant Secretary shall act in the absence of the Secretary and assist the Secretary when needed or requested.*

Section 3. Election and Term of Office

- a) The NPC shall appoint a Nominating Committee and it shall be the duty of this committee to nominate candidates for the officer positions to be elected at the Annual Meeting to be held in the month of _____ each year. Additional nominations from the floor shall be permitted.
- b) Elected officers shall assume office at the next regular meeting of the NPC following the Annual Meeting and hold office for a term of one year.

Section 4. Limitation

- a) No Council Member shall hold more than one NPC office at a time.
- b) *Non-resident Council Members of the NPC shall be eligible to occupy an office of the Council in the event no resident Council Member expresses a desire to serve in the position.*

Article V. MEETINGS and OPERATIONAL YEAR

Section 1. Operational Year.

The operational year for the NPC shall be from _____ to _____. [An operational year should be established by each individual NPC based on its own criteria, past practices and exigencies.]

Section 2. Date, Time and Location of Regular Meetings

The goal of the NPC is to meet once a month, every month at the same time and same location in an effort to assure maximum resident attendance and participation, However vacations, holidays and building access may dictate schedule changes which will be adopted by a majority of the NPC. A tentative operational year meeting schedule shall be approved at the Annual Meeting and a copy provided to the City Neighborhood Services Department.

Section 3. Special meetings

- a) Special meetings of the NPC may be called in writing to the remainder of the Council by any Officer or by written request to the Chairperson by three Council Members. The purpose of the special meeting shall be stated in the call. Written notice of the special meeting shall be provided to Council Members at least 48 hours notice before the time and place of the meeting.
- b) A Council Member may waive the notice of the time and place of a special meeting either before or after such a meeting has been held.

Section 4. Definition of a Quorum

The physical presence of seven (7) Council Members shall constitute a quorum.

Section 5. Right of Participation

A person shall be permitted to address a meeting of the NPC under rules established by the NPC which shall encourage the participation of persons in attendance in the discussion of matters under consideration by the NPC. No person shall be excluded from a meeting otherwise open to the public.

Section 6. Parliamentary Process

In the event a question of parliamentary process arises during a NPC meeting, the rules contained in *Roberts Rules (Newly Revised), Eighth Edition* or later, shall govern the meetings of the NPC.

[Any other source of parliamentary procedure may be substituted for Roberts Rules (Newly Revised), including, but not limited to: (1) The Standard Code of Parliamentary Procedure, Third Edition or later, (2) Modern Parliamentary Procedure, Revised Edition, or (3) Roberts Rules in Plain English.]

Article VI. COMMITTEES

Section 1. Standing Committees

The Council may appoint one or more of its Members to the following standing committees:

- a) *Program Committee*
- b) *Membership Committee*
- c) *Beautiful Battle Creek Committee*
- d) *Code and Ordinance Enforcement Committee*
- e) *Planning and Zoning Committee*
- f) *Public Relations Committee*
- g) *Other Standing Committees as so designated by the NPC*

Section 2. Special Committees

Such other committees as are needed may be appointed by the NPC as may be deemed necessary or desirable by the NPC

Article VII. BYLAWS AMENDMENTS

These Bylaws may be amended at any regular meeting of the Council by a two-thirds vote of the Council Membership and approval by the City Commission.

¹ The italicized language appearing in this Template is intended to be instructive when appearing in brackets and in other cases to provide suggested or example text. In all cases the italicized language is not required or mandatory.

Neighborhood Planning Council Dissolution and Reinstatement Policy

1.0 The purpose and need to have a written Dissolution & Reinstatement Policy and Procedure

The NPC Charter promotes shared values to include: Honest, open communication; Inclusion of diverse voices in dialogue; Inclusive, information based and open decision making with clearly defined non-negotiables where these exist; Equality of support and response; The charter is designed to provide ways for both the City and NPC members to consistently work to promote these principles to the fullest.

In order to fulfill the established NPC purpose and shared values, NPC members must work collectively toward ensuring there is resident representation at NPC meetings in order to fully represent the opinions and recommendations of the residents from that area. Failure to provide an open and diverse forum representing the NPC boundary may warrant dissolution.

In addition to addressing dissolution, this policy establishes guidelines and City support services to residents who have a desire to reinstate an NPC that experienced dissolution.

2.0 Dissolution Requirements

An NPC may be dissolved by resolution and vote of City Commission for any one or combination of the following:

- Not holding a minimum of 6 NPC meetings per calendar year
- Not having a quorum (minimum 7 members) for three (3) consecutive meetings
- Non-compliance with the Open Meetings Act
 - First violation of the Open Meetings Act – Written notification of the violation will be sent to the NPC Chair in addition to providing training and coaching
- Failure to follow any other provisions enumerated in the NPC Charter or NPC Bylaws
- At the request of the NPC

3.0 NPC Review Committee

There shall be a created an NPC Review Committee consisting of all current NPC Chairpersons and one City staff member.

- Quorum shall be five (5) members
- NPC Chair may designate the NPC Vice Chair as the committee member
- Passing vote shall be a majority of those in attendance

4.0 Dissolution Procedures

City staff shall be responsible for monitoring if an NPC meets the outlined dissolution requirements in addition to preparing all information and action required under this policy.

City staff shall be responsible for presenting any NPC specific findings made pursuant to Section 2.0 to the committee and requesting a Notice of Determination based upon those findings.

If the findings are deemed valid by the NPC Review Committee, a Notice of Determination shall be mailed by the City to all members of said NPC.

The NPC Chair, with voted support from the NPC membership, may submit to the City Manager's Office an appeal of the Notice of Determination. An appeal must be submitted within 14 calendar

days of the Notice of Determination and include: NPC name, list of members voting in support of the appeal, rationale for why the determination should be overturned, and a detailed plan outlining corrective action that the NPC commits to taking to operate in compliance with the NPC Charter, Bylaws, and Dissolution and Reinstatement Policy.

The Community Services Director will review the appeal and make a final determination. If the Community Services Director deems the NPC has not met one or more of the dissolution requirements, the Community Services Director shall overturn the Notice of Determination. If the Community Service Director deems that an NPC meets one or more of the dissolution requirements, a Dissolution Resolution for said NPC will be created and presented to the City Commission.

Dissolution shall take effect on the date the resolution is approved by the City Commission. Within 30 days following City Commission resolution approval, the elected NPC Officials shall be responsible for finalizing NPC business to include submission to the City the following:

- Ending membership list to include: name, address, phone, email
- Submission of all outstanding NPC official business (meeting minutes, meeting agenda, etc.)
- Name and title of NPC Officials

If dissolution of an NPC is approved, the NPC in that geographic area will continue to be dissolved until official reinstatement by resolution approved by the City Commission pursuant to Sections 5.0 and 6.0.

5.0 Reinstatement Requirements

City staff shall create a resolution for reinstatement of an NPC after the following has been demonstrated:

- A minimum of 10 qualified persons each file an application requesting NPC membership appointment
 - Qualifications for Council Membership
 - A person is qualified to be a Council Member who is at least 18 years of age and who has or can demonstrate a substantial interest in the NPC geographic area. A substantial interest is defined by residing, employed, operating a business, or owning real property within the NPC geographic area.
 - No Council Member shall be a member of more than one Neighborhood Planning Council.
 - Eligibility for Council Membership is open to all persons meeting the qualifications described above regardless of religion, race, color, national origin, age, sex, height, weight, familial status, marital status or disability, unless accommodation of the disability imposes an undue hardship on the City.
- Application for NPC appointment are to be filed with the City Manager's Office

6.0 City Responsibility and Support for Reinstatement

The City of Battle Creek will provide support to residents interested in reinstating an NPC in the following manner:

- Verify resident qualification for membership

- Create NPC reinstatement resolution and resolution to appoint new members
- Organize initial NPC reinstatement meeting (date, time, location, advertisement)
- Facilitate the initial three NPC meetings
 - 1st Meeting – Review NPC Charter (Purpose, Roles and Responsibilities, NPC Boundaries, By-laws, and Dissolution and Reinstatement Policy. Establish meeting schedule.
 - 2nd Meeting –Open Meetings Act Requirements, Review Roberts Rules of Order, NPC election of officers
 - 3rd Meeting – Support to new officers in facilitation of meeting
- Provide coaching and support as needed