

MEMO

Date: 09/03/2024

To: Mayor and City Commission

From: Rebecca L. Fleury, City Manager

RE: City Manager's September 03, 2024, Agenda Report

15-2024

A Proposed Ordinance, #15-2024, amending Chapter 882 "Real Estate Taxation," by amending Section 23, modifying the terms of a Payment in Lieu of Taxes for the Housing Development to be known as "Station Side Lofts."

This proposed development, now called Station Side Lofts, is proposed to take place at the former Dolliver building site at 135 N Washington Avenue, near Fire Station 2. According to the Developer, the approximately \$15 million development will comprise up to 60 units in an up to 4-story, elevator served, urban-style building.

This Proposed Ordinance, seeks to amend Chapter 882 "Real Estate Taxation," by amending Section 23, modifying the terms of a Payment in Lieu of Taxes for the Housing Development to be known as "Station Side Lofts." **Introduction is Recommended.**

16-2024

A Proposed Ordinance, #16-2024, amending Chapter 882 "Real Estate Taxation," by amending Section 22, modifying the terms of a Payment in Lieu of Taxes to Northern Pines Apartments previously approved on October 17, 2023.

This proposed request would amend the PILOT for Northern Pines Apartments, which proposes construction of a 56-unit Permanent Supportive Housing Community.

Permanent Supportive Housing (PSH) is an intervention that combines affordable housing assistance with voluntary support services to address the needs of people experiencing homelessness. PSH is long-term assistance meant for the most vulnerable homeless populations.

This Proposed Ordinance, would amend Chapter 882 Real Estate Taxation by amending Section 22, modifying the terms of a Payment in Lieu of Taxes to Northern Pines Apartments previously approved on October 17, 2023. **Introduction is Recommended.**

17-2024

A Proposed Ordinance, #17-2024, amending Chapter 882 "Real Estate Taxation," by amending Section 24, modifying the terms of a Payment in Lieu of Taxes for the Housing Development to be known as "Manchester Place."

This proposed development, "Manchester Place," is planned to take place at the former Bronson Behavioral Health Facility, commonly referred to as the "Fieldstone Site" at 165 N Washington Avenue. The subject site consists of 8.81 acres.

According to the Developer, the development will consist of three, 20-unit, two-story walk up apartment buildings that are non-age restricted. The residential units will include a mixture of one, two, and three-bedroom unit types that range in size from approximately 800 - 1,385 square feet.

This Proposed Ordinance, would amend Chapter 882 "Real Estate Taxation," by amending Section 24, modifying the terms of a Payment in Lieu of Taxes for the Housing Development to be known as "Manchester Place." **Introduction is Recommended.**

537

A Resolution seeking adoption of Proposed Ordinance #13-2024, amending Section 02, Articles X and XVII, of Chapter 212, "Rules of Procedure of the Commission," regarding Public Comment to ensure a better flow to the Business Meeting.

The Open Meetings Act (OMA), Act 267 of 1976, requires Public Comment be offered at meetings of public bodies, but it only requires that one opportunity for public comment be offered at a meeting. MCL 15.263(5) also provides that persons must be permitted to address a meeting of the "public body under rules established and recorded by the public body."

The City of Battle Creek Rules of Procedure as set out in Chapter 212 currently permit a separate period of Public Comment, not to exceed three minutes, for comment specifically regarding the ordinance introductions and ordinance adoptions. Battle Creek's Rules of Procedure also currently provide for three minutes of Public Comment for any consent agenda item and/or resolutions not on the consent agenda, in addition to three minutes of General Public Comment at the end of the meeting.

This proposed ordinance amendment provides one collective period of public comment for all legislative items on the agenda, one period of general public comment, and public comment for public hearings where required by law. The exception is that this proposed amendment increases public comment for all legislative agenda items from three minutes to four.

In addition, this proposed ordinance amendment would move up the period of public comment for all agenda items to take place prior to any ordinance introductions or adoptions.

The amendment to the ordinance was requested by Commissioner Lance and supported by Mayor Behnke and Vice Mayor Sofia.

This Proposed Ordinance, #13-2024, would amend Section 02, Articles X and XVII, of Chapter 212, "Rules of Procedure of the Commission," regarding Public Comment to ensure a better flow to the Business Meeting. **Approval is Recommended.**

541

A Resolution seeking acceptance of the lowest responsive, responsible bid for Air Traffic Control Tower Rehabilitation project from Berglund Construction Company in a not-to-exceed amount of \$373,500.00.

The Invitation for Bids (IFB) was issued May 31, 2024, for the Air Traffic Control Tower (ATCT) Rehabilitation project, which consists of crack repair of the existing precast concrete shaft and removal and replacement of certain ATCT electronic equipment located in the ATCT CAB and ATCT Equipment Room.

This Resolution seeks acceptance of the lowest responsive, responsible bid for Air Traffic Control Tower Rehabilitation project from Berglund Construction Company in a not-to-exceed amount of \$373,500.00. **Approval is Recommended.**

542

A Resolution seeking authorization for the City Manager to execute a grant agreement with Battle Creek Area Habitat for Humanity for the development and resale of a single-family home to a low-income and moderate-income household at 273 W. Spaulding, Battle Creek, MI 49037, with federal HOME Investment Partnership funding.

This Resolution seeks authorization for the City Manager to execute a grant agreement with Battle Creek Area Habitat for Humanity for the development and resale of a single-family home to a low-income and moderate-income household at 273 W. Spaulding, Battle Creek, MI 49037, with federal HOME Investment Partnership funding. **Approval is Recommended.**

A Resolution seeking to approve Petition PSUP24-0002, a special use permit request for the expansion of an existing gas station at 1439 W Michigan Avenue in the B-1, Corridor Commercial District located at 1439 W Michigan Avenue Parcel #4000-00-036-0.

The subject site is located at 1439 W Michigan Avenue between Bond Avenue and S Bedford Road. The applicant Walters-Dimmick Petroleum Inc. owns the property. It is zoned B-1, Corridor Commercial District which allows Automobile Service Stations as a Special Land Use (Section 1240.11). The subject site currently has a convenience store and eight fuel pumps under a canopy and a commercial building used to house Speed's Coffee.

This Resolution seeks to approve Petition PSUP24-0002, a special use permit request for the expansion of an existing gas station at 1439 W Michigan Avenue in the B-1, Corridor Commercial District located at 1439 W Michigan Avenue Parcel #4000-00-036-0. **Approval is Recommended.**