



## **Agenda: Battle Creek City Commission**

Meeting Date: July 11, 2017- 7:00 PM  
Location: Commission Chambers City Hall  
Chair: Susan Baldwin, Vice Mayor  
Title: Prepared by Michelle K. Culp

---

### **ATTENDANCE**

Vice Mayor Susan Baldwin	Rebecca Fleury, City Manager
Commissioner Mark Behnke	Ted Dearing, Assistant City Manager
Commissioner Kaytee Faris	Jill Steele, City Attorney
Commissioner Kate Flores	Victoria Houser, City Clerk
Commissioner Lynn Ward Gray	Linda Morrison, Finance Director
Commissioner Andy Helmboldt	Jim Blocker, Police Chief
Commissioner Deb Owens	Chris Dopp, Director of Public Works
Commissioner Mike Sherzer	Carl Fedders, City Engineer
<b>ABSENT:</b>	Steve Siemen, Fleet Services Manager
Mayor Dave Walters	

### **INVOCATION**

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Comm. Owens.

### **ROLL CALL**

### **CHAIR NOTES ADDED OR DELETED RESOLUTIONS**

There were no added or deleted resolutions.

### **PETITIONS COMMUNICATIONS REPORTS**

There were no petitions, communications or reports.

### **INTRODUCTION OF ORDINANCES**

10-2017 A Proposed Ordinance to amend section 36 of Chapter 1064 of the City Code to provide an exception to separately billing owners of multiple residential structures where the owner has entered into a contractual agreement directly with the City refuse contractor.

Motion to Approve  
Moved By: KAYTEE FARIS  
Supported By: KATE FLORES

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

Absent: WALTERS  
MOTION PASSED

**PUBLIC COMMENTS REGARDING CONSENTAGENDA AND RESOLUTIONS NOT ON CONSENTAGENDA**

There were no public comments.

(Limited to five minutes per individual)

**COMMISSION COMMENT REGARDING MEETING BUSINESS**

There were no Commission comments.

**CONSENTAGENDA**

Motion to Approve  
Moved By: KAYTEE FARIS  
Supported By: KATE FLORES

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

Absent: WALTERS  
MOTION PASSED

Battle Creek City Commission Meeting Minutes for June 20, 2017

City Manager's Report for July 11, 2017

**CONSENT RESOLUTIONS**

152      A Resolution authorizing a change order to contract #2017-075B for additional land clearing from Hoffman Bros. Inc., in a not-to-exceed amount of \$22,500.

Motion to Approve  
Moved By: KAYTEE FARIS  
Supported By: KATE FLORES

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

Absent: WALTERS  
MOTION PASSED

153 A Resolution authorizing a change order for additional centrifuge repairs from Andritz Separation, Inc., in a not-to-exceed amount of \$22,300.

Motion to Approve

Moved By: KAYTEE FARIS

Supported By: KATE FLORES

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

Absent: WALTERS

MOTION PASSED

154 A Resolution authorizing a Michigan Department of Transportation Performance Resolution.

Motion to Approve

Moved By: KAYTEE FARIS

Supported By: KATE FLORES

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

Absent: WALTERS

MOTION PASSED

155 A Resolution authorizing the sale of vacant, tax-reverted property.

Motion to Approve

Moved By: KAYTEE FARIS

Supported By: KATE FLORES

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

Absent: WALTERS

MOTION PASSED

156 A Resolution authorizing the City Manager to enter into FY 2015 and 2016 Homeland Security Grant Program Intergovernmental Funding Agreements.

Motion to Approve

Moved By: KAYTEE FARIS

Supported By: KATE FLORES

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

Absent: WALTERS

MOTION PASSED

157 A Resolution appointing a member to the Battle Creek Downtown Development Authority.

Motion to Approve  
Moved By: KAYTEE FARIS  
Supported By: KATE FLORES

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

Absent: WALTERS  
MOTION PASSED

158 A Resolution appointing a new member and reappointing members to the Human Relations Board.

Motion to Approve  
Moved By: KAYTEE FARIS  
Supported By: KATE FLORES

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

Absent: WALTERS  
MOTION PASSED

**RESOLUTIONS NOT INCLUDED IN THE CONSENT AGENDA**

159 A Resolution accepting the proposal of best value for Heating Ventilation and Air Conditioning (HVAC) maintenance from W. Soule & Co. in an estimated three-year amount of \$362,786, with unit prices prevailing.

Motion to Approve  
Moved By: KAYTEE FARIS  
Supported By: KATE FLORES

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

Absent: WALTERS  
MOTION PASSED

160 A Resolution authorizing a contract for the voice switch and voice switch recorder upgrade for the WK Kellogg Airport with Robinson Aviation, Inc. in a not-to-exceed amount of \$167,679.20.

Motion to Approve  
Moved By: KAYTEE FARIS  
Supported By: KATE FLORES

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

Absent: WALTERS  
MOTION PASSED

161 A Resolution to approve petition S-03-17 to allow the addition of 14 single-story duplexes on Parcel 0072-00-615-0, Helmer Road.

Motion to Approve  
Moved By: KAYTEE FARIS  
Supported By: KATE FLORES

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

Absent: WALTERS  
MOTION PASSED

162 A Resolution authorizing Police Officer Charles Pelfrey to purchase 12 months of military time for the purpose of increasing his service credit towards retirement.

Motion to Approve  
Moved By: KAYTEE FARIS  
Supported By: KATE FLORES

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

Absent: WALTERS  
MOTION PASSED

#### **GENERAL PUBLIC COMMENT**

Reece Adkins, 60 Jericho, presented a picture of a vacant house across the street from his home, stating vacant homes are being vandalized and need to be demolished.

(Limited to three minutes per individual)

#### **COMMISSION COMMENTS**

Comm. Gray requested Ms. Fleury provide information on the City Fair the next day.

Ms. Fleury invited everyone to the 2nd Annual City Fair at Festival Market Square from 9:00 am to 1:00 pm. Ms. Fleury noted the event would be moved into the Kellogg Arena if there was inclement weather.

Comm. Helmboldt announced the Battle Creek Pride organization would hold the Pride Parade on Friday evening, with the Pride Festival on Saturday in McCamly Park.

Comm. Flores encouraged everyone to view an equity report found on the PolicyLink website, stating it contains interesting and useful data to address issues and make our city great.

#### **ADJOURNMENT**

Vice Mayor Baldwin adjourned the meeting at 7:18 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.