



Agenda: Battle Creek City Commission

Meeting
Date: April 14, 2020- 7:00 PM

Location: Virtual Meeting

Chair: Mayor Mark A. Behnke

Title: TO PARTICIPATE IN PUBLIC COMMENT: Zoom Telephone Number: 312-626-6799 Meeting ID Number: 878-725-830 *All calls will be placed into a virtual waiting room until it is time to speak during public comment.

VIDEO

ATTENDANCE

Mayor Mark Behnke	Rebecca Fleury, City Manager
Commissioner Susan Baldwin	Jill Steele, City Attorney
Commissioner Kaytee Faris	Ted Dearing, Assistant City Manager
Commissioner Kate Flores	Victoria Houser, City Clerk
Commissioner Lynn Ward Gray	Carl Fedders, City Engineer
Commissioner John Griffin	Jim Blocker, Police Chief
Commissioner James Lance	
Commissioner Christopher Simmons	
Vice Mayor Sherry Sofia	

INVOCATION

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Owen Nofs, Boy Scout Troop 325, from St. Joseph Church.

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.

PUBLIC COMMENTS REGARDING CONSENT AGENDA AND RESOLUTIONS NOT ON CONSENT AGENDA

Mayor Behnke reviewed the City Commission rules for public comment.

There were no public comments.

(Limited to five minutes per individual)

COMMISSION COMMENT REGARDING MEETING BUSINESS

There were no Commission comments.

CONSENT AGENDA

Motion to Approve

Moved By: SUSAN BALDWIN

Supported By: KAYTEE FARIS

Ayes: BALDWIN, FARIS, FLORES, GRAY, BEHNKE, GRIFFIN, LANCE, SIMMONS, SOFIA

MOTION PASSED

City Commission Minutes for March 17, 2020 Workshop

City Commission Minutes for March 17, 2020 Regular Meeting

City Manager's Report for April 14, 2020

CONSENT RESOLUTIONS

- 90 A Resolution accepting the proposal of best value for vehicle extraction equipment from Apollo Fire Equipment Co. in a not-to-exceed amount of \$63,041.00.

Motion to Approve

Moved By: SUSAN BALDWIN

Supported By: KAYTEE FARIS

Ayes: BALDWIN, FARIS, FLORES, GRAY, BEHNKE, GRIFFIN, LANCE, SIMMONS, SOFIA

MOTION PASSED

- 89 A Resolution authorizing the City Manager to execute an easement agreement between Consumers Energy Company and the City of Battle Creek, in order to access Parcel ID No. 0157-00-0059-0 on S. Union St.

Motion to Approve

Moved By: SUSAN BALDWIN

Supported By: KAYTEE FARIS

Ayes: BALDWIN, FARIS, FLORES, GRAY, BEHNKE, GRIFFIN, LANCE, SIMMONS, SOFIA

MOTION PASSED

- 91 A Resolution authorizing the City Manager to sign contract #20-5058 with the Michigan Department of Transportation (MDOT)

Motion to Approve

Moved By: SUSAN BALDWIN

Supported By: KAYTEE FARIS

Ayes: BALDWIN, FARIS, FLORES, GRAY, BEHNKE, GRIFFIN, LANCE, SIMMONS, SOFIA

MOTION PASSED

RESOLUTIONS NOT INCLUDED IN THE CONSENT AGENDA

- 92 A Resolution authorizing the City Manager to sign contract #20-5113 with the Michigan Department of Transportation (MDOT)

Motion to Approve

Moved By: SUSAN BALDWIN

Supported By: KAYTEE FARIS

Ayes: BALDWIN, FARIS, FLORES, GRAY, BEHNKE, GRIFFIN, LANCE, SIMMONS, SOFIA

MOTION PASSED

- 93 A Resolution authorizing the City Manager to sign contract #20-5150 with the Michigan Department of Transportation (MDOT)

Motion to Approve

Moved By: SUSAN BALDWIN

Supported By: KAYTEE FARIS

Ayes: BALDWIN, FARIS, FLORES, GRAY, BEHNKE, GRIFFIN, LANCE, SIMMONS, SOFIA

MOTION PASSED

- 94 A Resolution formally establishing a Downtown Parking System Advisory Committee.

Motion to Approve

Moved By: SUSAN BALDWIN

Supported By: KAYTEE FARIS

Ayes: BALDWIN, FARIS, FLORES, GRAY, BEHNKE, GRIFFIN, LANCE, SIMMONS, SOFIA

MOTION PASSED

GENERAL PUBLIC COMMENT

There were no public comments.

(Limited to three minutes per individual)

COMMISSION COMMENTS

Comm. Flores expressed gratitude to City staff for their hard work and dedication for taking care of the City's safety and services. Comm. Flores also acknowledged residents who are stepping up to help everyone. Comm. Flores requested the City Manager discuss how residents could find assistance and resources during this challenging time.

Rebecca Fleury, City Manager, stated the staff is doing everything in accordance with the Governor's orders. Ms. Fleury discussed the Calhoun County Joint Operations Center, who were doing their best to work together and share information with the residents throughout the county. As for assistance, Ms. Fleury recommended residents call 211 who will connect them with county wide resources to ensure people who need support can access resources. Ms. Fleury stated the United Way, Summit Pointe and CareWell Services have been providing services.

Comm. Baldwin stated it was important to continue with virtual meetings while the Stay Home order was in place, requesting staff continue to monitor executive orders that would allow the extension of virtual meetings.

Comm. Gray thanked City leadership and residents who are working to provide services and resources. Comm. Gray also informed everyone that the Youth Advisory Board is currently taking membership applications, available on the City website at battlecreekmi.gov, noting applications would be accepted through the summer. Comm. Gray also asked residents to go to the stayhomemichigan.com website and take the pledge to comply with the executive order, which will ensure our neighbors are stronger and healthier.

Jill Steele, City Attorney, stated the MML was aware of the expiration, and they had been contacting the Governor's office, stating she expected a continuation of the order to be issued later in the evening or the next day.

Mayor Behnke reiterated the City Manager would be contacting all of the Commissioners regarding future meetings. Mayor Behnke also emphasized the importance of complying with the Executive Order over the next 3 weeks, a very critical period, encouraging everyone to check in with neighbors to let them know you care.

ADJOURNMENT

Mayor Behnke adjourned the meeting at 7:23 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.