



Agenda: Battle Creek City Commission

Meeting Date: February 20, 2024- 7:00 PM

Location: City Commission Chambers

Chair: Mayor Mark A. Behnke

Title: Battle Creek City Hall - City Commission Chambers - 3rd Floor

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS AWARDS

Beautiful Battle Creek Awards

Proclamation for Government Communicators Day

PRESENTATIONS

Staff Presentation - Finance Department - Aaron Kuhn, Revenue Services
Director

ARPA Community Project Presentation - Pastor Joe Hooper, Southwest
Michigan Community Impact Association

CHAIR NOTES ADDED OR DELETED RESOLUTIONS

PETITIONS COMMUNICATIONS REPORTS

ADOPTION OF ORDINANCES

- 361 A Resolution seeking to adopt Ordinance #01-2024, amending Sections 04, 05, 075, and 19 of Chapter 294 "General Personnel Regulations," by making changes to reference updated City Manager policies, to eliminate an obsolete employee performance evaluation program, and to comply with state law regarding employee residency.

PUBLIC COMMENTS REGARDING CONSENTAGENDAAND RESOLUTIONS NOT ON CONSENTAGENDA

(Limited to three minutes per individual)

COMMISSION COMMENT REGARDING MEETING BUSINESS

CONSENTAGENDA

Minutes:

Minutes for the February 6, 2024 City Commission Regular Meeting

Petitions, Communications, Reports:

City Manager's Report for February 20, 2024

Review Committee Meeting Minutes for February 14, 2024

Resolutions:

- 362 A Resolution appointing Kelly Walden and Bryan Babel as new members and reappointing Mayor Mark Behnke, John Hart, Joel Fulton, Linda Freybler, William Schroer, Paul Conkey, Robert Corder and Leslie Hoffman to the Downtown Parking System Advisory Committee.
- 363 A Resolution reappointing Edward Guzzo to the Battle Creek Downtown Development Authority.
- 364 A Resolution appointing Kristyn Denison, Tommy Moton and Alana White as new members to the Planning Commission.
- 365 A Resolution reappointing Gerardyne Drozdowski to the Historic District Commission.
- 366 A Resolution appointing Bernard Gladney and Colleen Lowe as new members to the Income Tax Board of Review.
- 367 A Resolution reappointing Eric Blair to the Board of Appeals (Housing).
- 368 A Resolution appointing Christopher Bacik as a new member to the Sustainable Battle Creek Committee.
- 369 A Resolution reappointing Shannon Visger, Michelle Darner, Alana White and Justin Hodge to the BCTIFA / Brownfield Redevelopment Authority.
- 370 A Resolution reappointing Alana White to the Local Development Finance Authority.
- 371 A Resolution making permanent Temporary Traffic Control Orders - TTCO #s 1731, 1732 and 1733.
- 372 A Resolution authorizing a contract to purchase an Apex Officer Training Simulator for the City of Battle Creek Police Department with Govred Technology, Inc., in a not-to-exceed amount of \$69,500.00.
- 373 A Resolution setting a Public Hearing on March 5, 2024, for the purpose of reviewing and receiving public comment on a Brownfield Plan for the proposed 161 East Michigan Ave Brownfield Plan.
- 374 A Resolution seeking authorization regarding a contract with Schweitzer Incorporated for the Airport Operations and Maintenance Facility (AOMF) Lobby Renovations project from Schweitzer Incorporated in a not-to-exceed amount of \$65,050.00.

RESOLUTIONS NOT INCLUDED IN THE CONSENT AGENDA

- 375 This Resolution is seeking to affirm and adopt the reduced service levels currently in place for Battle Creek Transit.
- 376 A Resolution seeking authorization for the City Manager to sign Contract No. 23-5518 with the Michigan Department of Transportation. (MDOT) for hot mix asphalt cold milling and resurfacing along 20th Street North from Columbia Avenue (M-96) to Goguac Street West.
- 377 A Resolution seeking authorization for the City Manager to execute the 2023 HOME-funded Neighborhoods, Inc. of Battle Creek Tenant-Based Rental Assistance (TBRA) Grant Agreement for the amount of \$235,810.
- 378 A Resolution Seeking Authorization for Publication of a Notice of Intent to Issue Water and Wastewater System Revenue Bonds.

GENERAL PUBLIC COMMENT

(Limited to three minutes per individual)

COMMISSION COMMENTS

ADJOURNMENT

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 three 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.

(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.

(f) Applicants or Appellants, as defined below, or an attorney retained to represent them, are not bound by the specific time limitations set out above but may have the amount of time deemed reasonably necessary by the Mayor or presiding official to present their case to the City Commission without violating the rules set out below in sub-section 4(a) through (g), with which they are obligated to comply.

(i) Applicant is defined an individual or business entity seeking a City Commission final decision on a matter for which the individual has made application to the City based upon a specific provision in a City Ordinance or state statute for permission to take a specific action;

(ii) Appellant is an individual appealing a decision of a City official or an inferior body based upon a specific provision in City ordinances entitling the individual to appeal the decision to the City Commission.

(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 Mayor, or the presiding Commissioner or official, and not to individual Commissioners or staff members. 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, and the speaker may be required to leave the meeting after having been ruled out-of-order for a breach of the peace committed at the meeting as permitted by the OMA, when the speaker violates above sub-section 3 or the following:

(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 their 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.

(5) Individuals attending City Commission meetings or workshops, excluding City staff, shall not pass the commission chambers bar upon which the podium is affixed (and

which divides the audience section from the well of the chambers) without having been invited to do so by the Mayor or official presiding over the meeting, or after requesting and explicitly being granted permission to do so. Any individual violating this sub-section will be ruled out-of-order by the Mayor or presiding official and the individual may be required to leave the meeting for a breach of the peace committed at the meeting as permitted by the OMA.



General Detail

NO.

Beautiful Battle Creek Awards

BATTLE CREEK, MICHIGAN - 2/20/2024

BEAUTIFUL BATTLE CREEK AWARD FEBRUARY 2024

NPC 1

MEJIA, SEBINO
34 HORTON AVE
BATTLE CREEK, MI 49017

CASTELLANOS, JESUS
GARCIA, IRMA CAMACHO
106 HIGHWAY ST
BATTLE CREEK, MI 49014

CUMMINGS, NIKI A
85 CAINE ST
BATTLE CREEK, MI 49014

CENSKE, DAVID
PEREZ, EUGENIA RUBIO
54 INN RD
BATTLE CREEK, MI 49014

NPC2

WASHINGTON HEIGHTS
UNITED METHODIST CHURCH
153 WOOD ST N
BATTLE CREEK, MI 49037

BARBERA, SCOTT & KAY
99 NORTHSIDE DR E
BATTLE CREEK, MI 49037

NPC 3

RAMOS, BALTAZAR
150 BATTLE CREEK AVE
BATTLE CREEK, MI 49037

NPC 4

NO NOMINATIONS

NPC 5

TORRES, JESUS & ANDREA MARI
30 BRIZSE AVE
BATTLE CREEK, MI 49037

GREATHOUSE, BETTY
27 S WOODLAWN AVE
BATTLE CREEK, MI 49037

NPC 11
NO NOMINATIONS

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Laura Loviska, Permit Technician

Department: Community Development

SUMMARY

Beautiful Battle Creek Awards

BUDGETARY CONSIDERATIONS

HISTORY, BACKGROUND and DISCUSSION

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | Description |
|---|--|
| ❏ BEAUTIFUL_BATTLE_CREEK_AWARD_COVER_SHEET__2024.docx | BEAUTIFUL BATTLE CREEK AWARD FEBRUARY 2024 |
| ❏ BBKA_FEBRUARY_2024_34_HORTON_AVE.pdf | BBKA FEBRUARY 2024 34 HORTON AVE |
| ❏ BBKA_FEBRUARY_2024_106_HIGHWAY_STREET.pdf | BBKA FEBRUARY 2024 106 HIGHWAY STREET |
| ❏ BBKA_FEBRUARY_2024_85_CABE_STREET.pdf | BBKA FEBRUARY 2024 85 CABE STREET |
| ❏ BBKA_FEBRUARY_2024_54_INN_ROAD.pdf | BBKA FEBRUARY 2024 54 INN ROAD |
| ❏ BBKA_FEBRUARY_2024_153_WOOD_STREET_N.pdf | BBKA FEBRUARY 2024 153 WOOD STREET N |

- ▢ BBKA_FEBRUARY_2024_99_NORTHSIDE_DR_E.pdf
- ▢ BBKA_FEBRUARY_2024_150_BATTLE_CREEK_AVENUE.pdf
- ▢ BBKA_FEBRUARY_2024_30_BRIZSE_AVENUE.pdf
- ▢ BBKA_FEBRUARY_2024_27_WOODLAWN_AVENUE_S.pdf

BBKA FEBRUARY 2024 99 NORTHSIDE DR E
BBKA FEBRUARY 2024 150 BATTLE CREEK AVENUE
BBKA FEBRUARY 2024 30 BRIZSE AVENUE
BBKA FEBRUARY 2024 27 WOODLAWN AVENUE S

BEAUTIFUL BATTLE CREEK AWARD FEBRUARY 2024

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150 BATTLE CREEK AVE
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NO NOMINATIONS

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GREATHOUSE,BETTY
27 S WOODLAWN AVE
BATTLE CREEK, MI 49037

NPC 11

NO NOMINATIONS

BEAUTIFUL BATTLE CREEK AWARD

PROUDLY PRESENTED TO

Sebino Mejia
34 Horton Avenue

Are hereby recognized by the Neighborhood Planning Council, and by the City of Battle Creek, for their continuing efforts to improve their neighborhood through property maintenance and beautification that contributes to the community-wide goal of improving the quality of life for Battle Creek's citizens.

In testimony thereof, the Seal of the City of Battle Creek was affixed on the 21st Day of November, Two Thousand Twenty Three.

James Moreno

Mark Beltrame



BEAUTIFUL BATTLE CREEK AWARD

PROUDLY PRESENTED TO

Jesus Castellanos & Irma Garcia
106 Highway Street

Are hereby recognized by the Neighborhood Planning Council, and by the City of Battle Creek, for their continuing efforts to improve their neighborhood through property maintenance and beautification that contributes to the community-wide goal of improving the quality of life for Battle Creek's citizens.

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James Moreno

Mark Belarke



BEAUTIFUL BATTLE CREEK AWARD

PROUDLY PRESENTED TO

Niki A Cummings
85 Caine Street

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Seal of the City of Battle
Creek was affixed on the
21st Day of November, Two
Thousand Twenty Three.

James Moreno

Mark Belarke



BEAUTIFUL BATTLE CREEK AWARD

PROUDLY PRESENTED TO

David Censke & Eugenia Perez
54 Inn Road

Are hereby recognized by the Neighborhood Planning Council, and by the City of Battle Creek, for their continuing efforts to improve their neighborhood through property maintenance and beautification that contributes to the community-wide goal of improving the quality of life for Battle Creek's citizens.

In testimony thereof, the Seal of the City of Battle Creek was affixed on the 21st Day of November, Two Thousand Twenty Three.

James Moreno

Mark Belarke



BEAUTIFUL BATTLE CREEK AWARD



In testimony thereof, the Seal of the City of Battle Creek was affixed on the 21st Day of November, Two Thousand Twenty Three.

PROUDLY PRESENTED TO

Washington Heights Methodist Church 153 Wood Street N

Are hereby recognized by the Neighborhood Planning Council, and by the City of Battle Creek, for their continuing efforts to improve their neighborhood through property maintenance and beautification that contributes to the community-wide goal of improving the quality of life for Battle Creek's citizens.

Pastor Monique French

Mark Belinche



BEAUTIFUL BATTLE CREEK AWARD

PROUDLY PRESENTED TO

Scott & Kay Barbera
99 Northside Dr E.

Are hereby recognized by the Neighborhood Planning Council, and by the City of Battle Creek, for their continuing efforts to improve their neighborhood through property maintenance and beautification that contributes to the community-wide goal of improving the quality of life for Battle Creek's citizens.

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Thousand Twenty Three.

Pastor Monique French

Mark Belarke



BEAUTIFUL BATTLE CREEK AWARD

PROUDLY PRESENTED TO

Baltazar Ramos
150 Battle Creek Avenue

Are hereby recognized by the Neighborhood Planning Council, and by the City of Battle Creek, for their continuing efforts to improve their neighborhood through property maintenance and beautification that contributes to the community-wide goal of improving the quality of life for Battle Creek's citizens.

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Timothy Conlogue

Mark Beland



BEAUTIFUL BATTLE CREEK AWARD

PROUDLY PRESENTED TO

Jesus & Andrea Mari Torres
30 Brizse Avenue

Are hereby recognized by the Neighborhood Planning Council, and by the City of Battle Creek, for their continuing efforts to improve their neighborhood through property maintenance and beautification that contributes to the community-wide goal of improving the quality of life for Battle Creek's citizens.

In testimony thereof, the
Seal of the City of Battle
Creek was affixed on the
21st Day of November, Two
Thousand Twenty Three.

Kathy Antaya

Mark Beland



BEAUTIFUL BATTLE CREEK AWARD

PROUDLY PRESENTED TO

Betty Greathouse
27 S. Woodlawn Avenue

Are hereby recognized by the Neighborhood Planning Council, and by the City of Battle Creek, for their continuing efforts to improve their neighborhood through property maintenance and beautification that contributes to the community-wide goal of improving the quality of life for Battle Creek's citizens.

In testimony thereof, the Seal of the City of Battle Creek was affixed on the 21st Day of November, Two Thousand Twenty Three.

Kathy Antaya

Mark Belenke





General Detail

NO.

Proclamation for Government Communicators Day

BATTLE CREEK, MICHIGAN - 2/20/2024

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

Proclamation for Government Communicators Day


BUDGETARY CONSIDERATIONS

HISTORY, BACKGROUND and DISCUSSION

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | Description |
|--|--|
|  Proclamation_for_Government_Communicators_Day_-_2024.pdf | Proclamation for Government Communicators Day - 2024 |

Proclamation

- WHEREAS,** the role of government communications professions is to inform, educate and engage their communities; and
- WHEREAS,** robust communication in government creates trust and inspires neighbors to take action and be involved; and
- WHEREAS,** government communications create relationships and calls to action, build awareness and understanding through storytelling, engage and foster engagement on civic issues and use all channels to include people in critical decisions; and
- WHEREAS,** it is essential to have strong communications in government because it is a foundational element of living in a democracy where individuals have the freedom to make their voice heard; and
- WHEREAS,** the City of Battle Creek is proud of and has deep gratitude and recognition for government communicators' professionalism, dedication, hard work, commitment, enthusiasm and sacrifice;

NOW, THEREFORE, I, Mark A. Behnke, Mayor of the City of Battle Creek, Michigan, do hereby proclaim February 24, 2024, as

"GOVERNMENT COMMUNICATORS DAY"

in the Greater Battle Creek Area, and urge all neighbors to recognize the members of the Communications Department who have dedicated their careers to ensure the City of Battle Creek has effective, impactful and successful communication strategies that resonate and are relevant.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Logo of the City of Battle Creek, Michigan, to be affixed this 20th day of February 2024.



A handwritten signature in black ink, which appears to read "Mark Behnke". The signature is written in a cursive, flowing style.

Mark A. Behnke, Mayor



General Detail

NO.

Staff Presentation - Finance Department - Aaron Kuhn, Revenue Services Director

BATTLE CREEK, MICHIGAN - 2/20/2024

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

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Staff Presentation - Finance Department - Aaron Kuhn, Revenue Services Director


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|---|---|
|  2024.2.20.Revenue_Services_Group_Presentation.pdf | Staff Presentation - Finance Department - Aaron Kuhn, Revenue Services Director |



Revenue Services Group

REVENUE SERVICES DIRECTOR – AARON KUHN

Revenue Services Group

- ▶ The Revenue Services Group encompasses the following divisions:
 - ▶ Assessing (management of third party contract)
 - ▶ Facilities
 - ▶ Finance
 - ▶ Income Tax
 - ▶ Purchasing
 - ▶ Treasury
 - ▶ Utility Billing

Assessing

- ▶ Assessing is responsible for valuing all property within the City on an annual basis at 50% of market value
 - ▶ The Assessing Division also keeps records on ownership, addresses, homestead exemptions, veterans exemptions, sales, and land and building details for the approximately 25,000 parcels located within the City
- ▶ Beginning in 2020, the City started contracting with WCA Assessing, saving the City approximately \$400-\$500k per year

Assessing By the Numbers

- ▶ Total Assessed Value (2023) - \$1,746,472,921
- ▶ Total Taxable Value (2023) - \$1,442,893,110
- ▶ Abatements
 - ▶ 43 Active Industrial Facilities Tax (IFT) Certificates
 - ▶ 14 Active Obsolete Property Rehabilitation Act (OPRA) Certificates
 - ▶ 1 Active Neighborhood Enterprise Zone (NEZ) Certificate
 - ▶ 13 Active Renaissance Zone items
- ▶ 241 parcels with a veteran exemption
- ▶ Appeals
 - ▶ 2023 March Board of Review – 282
 - ▶ 2023 Michigan Tax Tribunal – 11

Facilities

- ▶ Five FTEs – Facilities Manager, Mailroom Clerk, 2 Maintenance & Repair Technicians, Maintenance & Repair Lead
- ▶ Facilities Manager
 - ▶ *Manage:* Maintenance of City Hall, Print Production, Security, and Mailing Services
 - ▶ *Coordinate:* Printing standards, security access, renovations/remodels, capital projects, maintenance of police and fire facilities, and facilities communications
 - ▶ *Lead:* City Facility Managers, City facilities safety & security, and employee events
- ▶ Mailroom Clerk
 - ▶ 4 P.O. boxes – opening, organizing, postage
 - ▶ Pick up & Delivery – All City Hall internal departments, 16 external buildings

Facilities – Maintenance & Repair

- ▶ *Manage*: City Hall, Police Department, Police Elm St. location and six Fire Stations
- ▶ *Maintenance & Repair*: Equipment, preventative maintenance, general construction, painting, minor electrical, plumbing, fabrication, boiler, HVAC, safety equipment, asbestos mitigation, installation, furniture
- ▶ *Grounds*: Snow removal, salting, irrigation, garbage, recycling, lighting, repairs, concrete and masonry

Facilities – Current Projects

- ▶ New full building generator for City Hall
- ▶ Replacement of historic retaining wall
- ▶ Building of ADA accessible ramp at south entrance of City Hall
- ▶ Remodel of Clerk, Treasurer, Inspections, and Utility Billing suites
- ▶ Valentine Center improvements
- ▶ Facility condition assessments
- ▶ RFP for fire monitoring and suppression services
- ▶ RFP for camera and access control

Finance

- ▶ Nine FTEs
 - ▶ Revenue Services Director
 - ▶ Assistant Revenue Services Director
 - ▶ Finance Services Manager
 - ▶ Budget Officer
 - ▶ Assistant Budget Officer
 - ▶ Finance Officer
 - ▶ Staff Accountant
 - ▶ Accounts Payable Clerk
 - ▶ Payroll Officer

Finance Responsibilities

- ▶ Mission Statement – To provide high quality centralized accounting and financial reporting services for the City of Battle Creek, both to internal customers in other city departments, and to the ultimate customer group, the citizens of Battle Creek
- ▶ Invest, manage, and monitor the City's financial resources according to sound operating practices
- ▶ Provide proactive and ongoing assistance to other city departments, to help them perform basic financial functions
- ▶ Oversee the annual budget process and coordinate the production of the Annual Comprehensive Financial Report (ACFR)

Finance By the Numbers

- ▶ Weekly – payment of 200-400 invoices
- ▶ Bi-weekly – payroll for an average of 600 employees
- ▶ Monthly – reconciliation of 700-1,000 purchasing card transactions
- ▶ Investment portfolio average balance – \$80 million
- ▶ ARPA funding received – \$30.5 million
- ▶ Total adopted budget – \$148.9 million
- ▶ 1 Enterprise Resource Planning (ERP) software project

Income Tax

- ▶ Five FTEs – Administrator, Three Auditors, One Admin. Assistant
- ▶ Battle Creek is one of 24 cities in Michigan that levy a local income tax
 - ▶ 1% for Residents, 0.5% for Non-residents
 - ▶ All but four cities levy this amount (Detroit, Grand Rapids, Highland Park, Saginaw)
- ▶ Administer the local income tax ordinance, passed by voters in 1967 to fund the growing demand for city services
- ▶ Conduct annual compliance programs
- ▶ Assist with taxpayer questions

Income Tax By the Numbers

- ▶ Net income tax collections (2022) – \$18.494 million
 - ▶ Non-resident – \$5.938 million
 - ▶ Resident – \$12.556 million
- ▶ 2022 Returns – 24,204
 - ▶ Non-resident – 12,779
 - ▶ Resident – 11,425
- ▶ 2022 Top 3 Withholders
 - ▶ Denso Manufacturing
 - ▶ Hart Dole Inouye Federal Center
 - ▶ Kellogg Company

Purchasing

- ▶ Three FTEs – Purchasing Agent, Senior Buyer, Purchasing Clerk
- ▶ Act as gatekeeper for contracts, purchase agreements, and change orders to ensure Commission approval is sought when necessary
- ▶ Administer all formal solicitations and contracts for goods and services over \$20,000
- ▶ Review and process all daily requisitions for good and services that are not part of formal solicitation process, to ensure compliance with policy
- ▶ Maintain contract files, process renewals, and review smaller purchase orders for policy compliance

Purchasing By the Numbers

- ▶ Commission resolutions per year – 50
- ▶ Contracts processed per year – 100
- ▶ Purchase orders processed per year – 585
- ▶ Commission threshold for contract approval – \$50,000

Treasury

- ▶ Five FTEs – Treasurer, Operations Coordinator, Two A/R Clerks, Floater
- ▶ Collect, deposit, and disburse money owed to the City for various services
 - ▶ Examples:
 - ▶ Property Tax
 - ▶ Income Tax
 - ▶ Utility Bills
 - ▶ Special Assessments
 - ▶ Animal licenses

Treasury By the Numbers

- ▶ FY 2023 Cash Payments Received – \$2,832,850
- ▶ FY 2023 Check Payments Received – \$103,352,298
- ▶ FY 2023 Total Payments Received – \$138,419,023
- ▶ Total Payments Processed – 191,480

Utility Billing

- ▶ Four FTEs – Utility Billing Coordinator, Utility Billing Clerk, Two Customer Service Representatives
- ▶ Generate monthly utility billing for water, sewer, and garbage (approximately 19,550 customer accounts)
- ▶ Open new utility accounts
- ▶ Signups for automatic bill payment
- ▶ Assist with customer questions and inquiries



General Detail

NO.

ARPA Community Project Presentation - Pastor Joe Hooper, Southwest Michigan Community Impact Association

BATTLE CREEK, MICHIGAN - 2/20/2024

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

ARPA Community Project Presentation - Pastor Joe Hooper, Southwest Michigan Community Impact Association

BUDGETARY CONSIDERATIONS

HISTORY, BACKGROUND and DISCUSSION

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | Description |
|---|--|
| <input type="checkbox"/> ARPA_Community_Project_Presentation_-_Pastor_Joe_Hooper__Southwest_Michigan_Community_Impact_Association.pdf | ARPA Community Project Presentation - Pastor Joe Hooper, Southwest Michigan Community Impact Association |



Celebrating the End of Covid / Pantry Project

After two years of hard work and dedication, we are thrilled to share the success story of the Covid / Pantry Program with you, the commissioners and the community.

J by Joe Hooper

Background of the Covid / Pantry Program

1 Origin

The SOUTHWEST MICHIGAN COMMUNITY IMPACT ASSOCIATION was established as a nonprofit in 2019. In response to the spread of the Covid-19 pandemic and its increasingly impact on food insecurities within our community, the SWMC IMPACT Association opened a Covid/Pantry in 2022 providing Personal Protection Equipment. Then in June of 2022, the Pantry began its food distribution services.

3 Collaboration

The program is a joint effort of several local NGOs and charities. The city of Battle Creek extended its support with ARPA funding for the program. The ARPA funds were used to stock supplies and supported operations that enabled its initial implementation and the overall success of the project.

2 Goals

The primary objectives were to provide essential Covid Protection Equipment and Staple Food items to the families who lost their livelihoods due to the pandemic. Additionally, we aimed to support the families that were already economically challenged. We needed to establish a reliable supply chain to ensure sustainable and continued support.

4 Partners

The Covid/Pantry partnered with both Kalamazoo and Calhoun County agencies that collaborated with vital information, equipment, and resources, from health and wellness organizations. Fresh Fire Outreach of Kalamazoo, RISE Corp. and The Continental Bakery of Battle Creek, aided in distribution of fresh foods. The collaboration with Washington Heights UMC, St. Mark CME churches were supportive providing resources and making contributions to the Pantry. The United Community Ministerial Alliance and BCC Kwanzaa Committee along with able residents offered donations of staple and canned foods and supported with helping hands.

Two-Year Implementation Overview

Phase 1 - Organization Setup

The first step was to establish the infrastructure and supply chain necessary for the implementation of the program. Various stakeholders were consulted, and a team was formed. With the team of volunteers, we began by contacting the Southwest Michigan Food Bank, and the previously mentioned food distributors and was able to establish a routine plan of receiving food goods for the pantry from some.

Phase 3 - Implementation and Monitoring

Essential food items were procured and made available to the target families on a regularly basis. The progress was monitored, and feedback was taken for evaluation and making improvement.

1

2

Phase 2 - Fundraising and Outreach

During the Months of April and May of 2022, SouthWest Michigan Community IMPACT Association (SWM-CIA) began to raised funds through donations and sponsorships. Outreach programs were conducted spreading the word of the soon opening Covid/Pantry at the 382 Washington Ave N. Site. A razor flag was purchased and raised to signal when the pantry would be opened. Flyers with pertinent information were distributed throughout the neighborhood to spread awareness and encourage community engagement. The pantry's location was set up with shelving. and made handicap accessible.

3

4

Phase 4 - Program Evaluation

A comprehensive evaluation was conducted to assess the impact and effectiveness of the program. Lessons learned were documented and used for improving delivery and management in future planned initiatives.

Successes and Achievements of the Program



Community Participation

The program received immense support from the community, which played a crucial role in its success. Volunteers actively participated in the initial outreach and implementation of the Open House event of the Pantry. Their help in the continued operations of the project was most appreciated, everything from cleaning, manning the Pantry, loading food boxes, and making deliveries. Friends like the Continental Bakery offered to donate baked goods. Some local churches offered to lend a hand in distribution to families.



Recognition

The program received accolades for its contribution to the community, including testimonies from participants receiving benefits from the program and others supporting the program with donations. "Thank you so much for helping us," were the words most often shared by the family member. We served over 400 families/individuals providing 85,000 lbs. of food over the two-year period. The majority of those served were repeaters, receiving PPE and Food and made more than five visits during the program. Our senior households received delivery services with fresh food boxes when available.

Challenges Faced During the Program

① Logistic Challenges

The reliable supply chain was essential for the success of the program. However, finding reliable suppliers and distributors became a challenge due to the pandemic-related restrictions, and the strain on the area Food Bank. Unanticipated Transportation for deliveries was needed for some participants. The cost of transportation for picking up food products was also an unanticipated challenge.

② Resource Constraints

The program was heavily reliant on donations and sponsorships for its funding. Limited availability of resources and competition with other organizations made it a challenging task. The Faith Temple Church stepped up to bridge the gap where funding was lacking to keep staple goods on the shelves.

③ Managing Expectations

Managing the expectations of the beneficiaries and ensuring equitable distribution of resources was a constant challenge. Transparency in the process was crucial to building trust among the community NGO's. The Pantry was able to remain engaged by seeking out additional suppliers that were able to assist.

Lessons Learned and Recommendations for Future Initiatives

Lesson Learned

The success of the program heavily relied on effective collaboration and community engagement. Active participation from volunteers and beneficiaries was instrumental in the program's success. Flexibility to adapt and make adjustments when needed due to changing conditions and unforeseen circumstances, such as allocating funds to provide delivery service for seniors.

Recommendations

To ensure the success of future initiatives, we recommend establishing a larger network and reliable supply chain, of two or more sources. Transparent and effective communication with stakeholders, beneficiaries, and active community participation, are all vitally important. The project would have been more impactful by employing a wider network of resources and NGOs to share information, that could assist with experience and expertise.

BUDGET

| 1 | PROJECTED COST ARPA FUNDING | 2 | ACTUAL OPERATING COST | 3 | FAITH TEMPLE AND IN-KIND |
|---|--|---|--|---|--|
| | | | <ul style="list-style-type: none">Personnel cost \$5,760.00Office supplies \$859.00legal Fees \$500.00 | | <ul style="list-style-type: none">Personnel cost \$5,760.00Office supplies \$659.00 |
| | <ul style="list-style-type: none">Office supplies \$200.00Legal Fees \$500.00 | | Travel Expenses \$ 720.00 | | <ul style="list-style-type: none">Travel Expenses \$720.00 |
| | <ul style="list-style-type: none">Advertising and Promotion \$800.00 | | <ul style="list-style-type: none">Advertising and Promotion \$800.00Insurance \$2,400'00Rent \$1,200.00Utilities \$7,320.00 | | <ul style="list-style-type: none">Insurance \$ 2,400.00 |
| | <ul style="list-style-type: none">Rent \$1,200.00 | | <ul style="list-style-type: none">Equipment and supplies \$2,300.00 | | <ul style="list-style-type: none">Utilities \$7,320.00 |
| | | | <ul style="list-style-type: none">Equipment and supplies \$2,300.00 | | |
| | <u>TOTAL \$5,000.00</u> | | <u>TOTAL \$21,859.00</u> | | <u>TOTAL \$16859.00</u> |

Conclusion and Next Steps

Conclusion

The Covid/Pantry Project was a success. We served over 400 families/individuals addressing the increasing food insecurity in our community during the challenging times of the pandemic. The project continues to provide essential food items that include, canned and staple goods, and when available, fresh fruits, vegetables, and meat. Personal protective equipment consisting of hand sanitizer, masks and COVID-19 test kits also went to households in need as a result of the pandemic.

Future Plans

Our aim is to continue the support and assistance to the families in need and establish a sustainable food supply chain to support more families in our community. From the intake forms and conversations with the participants. The need for educational opportunities in food preparation, Financial Literacy, and Health and Exercise activities, along with an array of social services programs are needs that the pantry will address to greatly enhance the Southwest Michigan Community Impact Association efforts in the community.

Thank You.



Resolution

NO. 361

A Resolution seeking to adopt Ordinance #01-2024, amending Sections 04, 05, 075, and 19 of Chapter 294 "General Personnel Regulations," by making changes to reference updated City Manager policies, to eliminate an obsolete employee performance evaluation program, and to comply with state law regarding employee residency.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That the following sections are adopted:

Section 1. An Ordinance, #01-2024, amending Sections 04, 05, 075, and 19 of Chapter 294 "General Personnel Regulations," by making changes to reference updated City Manager policies regarding Paid Time Off and Sickness and Accident Leave, to eliminate an obsolete employee evaluation program, and to eliminate an obsolete residency requirement, which is prohibited by state law, as attached hereto and made a part hereof.

Section 2. Should any section, clause or phrase of this Ordinance be declared to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

Section 3. All ordinances or parts of ordinances, in conflict with any of the provisions of this Ordinance, are hereby repealed, saving any prosecution, criminal or administrative appeal pending on, or violation cited on or before the effective date of this ordinance, which shall remain subject to the ordinance provision existing at the time of the alleged violation.

Section 4. Except as otherwise provided by law, this Ordinance shall take effect ten (10) days from the date of its adoption, in accordance with the provisions of Section 4.3(B) of Chapter 4 of the City Charter.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Jill Humphreys Steele, City Attorney

Department: City Attorney

SUMMARY

A Resolution seeking to adopt Ordinance #01-2024, amending Sections 04, 05, 075, and 19 of Chapter 294 "General Personnel Regulations," by making changes to reference updated City Manager policies, to eliminate an obsolete employee performance evaluation program, and to comply with state law regarding employee residency.

BUDGETARY CONSIDERATIONS

There are none.

HISTORY, BACKGROUND and DISCUSSION

Chapter 294, General Personnel Regulations, was enacted in November of 1978, with Section 185 having been added in 1981; Section 075 and having been added in January of 1987; Section 19 having been added in March of 1994; Section 21 having been added in June of 1996; and Section 20 having been added in 2015.

Of the 23 sections in Chapter 294, fourteen chapters have never been amended in the more than 45 years since they were enacted even though they don't reflect current practice. While there are only four sections proposed to be amended in this ordinance, administration plans to propose amendments to additional sections in the near future. Note that the vast majority of the sections in this Chapter only affect non-represented employees, because for the employees whose positions are governed by a collective bargaining unit, those agreements prevail.

With respect to the proposed amendments in this ordinance #01-2024:

Section 04, "Vacation Leave," was amended in 2005 and 2006 but a former City Manager enacted a policy in October of 2008 that is inconsistent with the current ordinance language. In addition, non-represented employees do not receive "sick time" - they receive a certain amount of time off, based upon how long they have worked for the City, to be used for vacation, personal appointments, sick time, or any other purpose where they would like to be paid but are not working; thus, it is more appropriately referred to as "Paid Time Off (PTO)." Most municipalities do not include paid time off benefits in the ordinances, and it is instead set out in a policy. The proposed ordinance amendment would rename the benefit and simply refer to the most recent City Manager policy.

Section 05, "Sick Leave; Disability and Death." As noted above, non-represented employees are not provided "sick leave," per se. Instead, they receive a certain amount of PTO based upon how long they have worked for the City which can be used for vacation, illness, personal appointments and whatever else they might choose to do. The current language of Section 05 doesn't really address "death," other than to provide that unused "sick time," would be paid out upon the employee's death; however, non-represented employees do not receive specifically designated "sick time," and unused PTO is paid out upon death in accordance with the City Manager policy. The disability payment is not handled as provided in ordinance Section 05, and it is best addressed in a City Manager policy. Thus, the proposed amendments would reference the policy, while leaving in the final provision that any false claims for sick leave would be cause for discipline. This is also a subject most municipalities address by policy rather than in an ordinance.

Section 075, "Performance Evaluation Program." This section was enacted in 1987, but the automatic salary adjustments have not been funded in the budget nor used in several decades. The City Commission authorizes the annual budget *each year* through a set process found in both the ordinance and state statute. Ordinance provisions such as this bind future City Commissions, and that is not a prudent step since budget scenarios and status changes annually, and sometimes mid-year. This proposed ordinance amendment would repeal this section.

Section 19, "Residency Requirements," was enacted in March of 1994. This provision has also not been enforced for several decades. In fact, Michigan enacted Public Act 212 in 1999, "Residency of Public Employees," effective March 10, 2000, which prohibits the provisions of this ordinance as written. The Act does allow a public employer to require that a public employee reside within a specified distance from the nearest boundary of the City, however, the statute prohibits that distance being more than twenty miles. (MCL 15.602(2)).

The prohibition of Public Act 212 of 1999 does not apply if the person is a volunteer or paid on-call firefighter, an elected official, or an unpaid appointed official. (MCL 15.602(4)).

In reviewing Federal Transit Authority (FTA) certifications and assurances for this fiscal year as a condition of receiving FTA funds, one provides as follows:

"(e) Geographic Restrictions. The recipient agrees that it will not use any state or local geographic preference, except as permitted by federal law." (In reference to this provision, the City is the "recipient.") This section would arguably apply to employment residency requirements.

Further, a 2007 Michigan Supreme Court decision established that the twenty mile distance from the boundary of the City nearest to the employee's residence as set out in Act 212 as a permissible restriction is measured in a straight line, rather than being measured by the roads necessary to drive to get to the City limits. This further dilutes the impact of implementing a 20-mile from the closest City boundary as a residency requirement.

Finally, neither the City Manager nor the Human Resources Director favor implementing a 20-Miles from the nearest City boundary as a residency requirement as it may further inhibit employee recruitment. Individuals who work within the City limits are required to pay an income tax on the income earned in the City, so the City still receives compensation for providing services enjoyed by City employees who are not City residents. This ordinance amendment, if adopted, would repeal this Section 19.

Ordinance #01-2024 was introduced by the City Commission at the February 6, 2024 meeting.

DISCUSSION OF THE ISSUE

POSITIONS

The City Manager, Human Resources Director and City Attorney support this proposed ordinance amendment.

ATTACHMENTS:

| File Name | Description |
|--|--|
| ❑ CHAPTER_294_Sec_.04_.05_.075_and_.19_REDLINE.pdf | Ch 294 Admin Regs Sec 04, 05, 075 and 19 REDLINE |
| ❑ Chapter_294_Sec_.04_.05_.075_and_.19_CLEAN.pdf | Ch 294 Admin Regs Sec 04, 05, 075 and 19 CLEAN |

CHAPTER 294

General Personnel Regulations

- 294.01 Hours of work.
- 294.02 Relief periods.
- 294.03 Holidays.
- 294.04 ~~Paid Time Off~~Vacation leave.
- 294.05 Sick leave ~~and Accident; disability and death~~.
- 294.06 Other leaves of absence.
- 294.07 Performance standards; evaluations.
- 294.075 ~~Performance Evaluation Program~~REPEALED.
- 294.08 Use of performance evaluations.
- 294.09 Outside employment.
- 294.10 Employee assistance program.
- 294.11 Health insurance.
- 294.12 Life insurance.
- 294.13 Dental Plan.
- 294.14 Pension Plan.
- 294.15 In-service training.
- 294.16 Safety program.
- 294.17 Accident review policy.
- 294.18 Travel allowances.
- 294.185 Use of City vehicles; mileage allowance.
- 294.19 ~~Residency requirements~~REPEALED.
- 294.20 Equal Employment Opportunity Employer.
- 294.21 Credit card policy.

* * *

294.04 ~~PAID TIME OFF~~VACATION LEAVE.

(a) Employees represented by an employee organization shall be granted Paid Time Off (PTO) ~~vacation~~ leave ~~with pay~~ according to the provisions of the collective bargaining agreement in effect.

~~(b) (1) PTO Vacation leave with pay will be granted to full-time permanent non-represented employees who are eligible in accordance with the most recent City Manager established policy. To be eligible, an employee shall have completed six months of continuous service with the City. Once eligible, the amount of vacation leave with pay shall be granted annually, based on an employee's date of hire and length of service.~~

~~—(2) Employees hired after the effective date of this section shall be subject to the following schedule:~~

- ~~—A. Less than one year: five work days or forty hours;~~
- ~~—B. One, but less than two years: ten work days or eighty hours;~~
- ~~—C. Two, but less than seven years: fifteen work days or 120 hours;~~
- ~~—D. Seven, but less than thirteen years: twenty work days or 160 hours;~~
- ~~—E. Thirteen years or more: twenty-five work days or 200 hours.~~

~~—(3) Employees hired prior to the effective date (1-13-06) of this section may choose to transfer to the schedule set forth in paragraph (b)(2) hereof on or before their next anniversary date or remain on the following schedule:~~

- ~~—A. Less than five years: ten work days or eighty hours;~~
- ~~—B. Five, but less than ten years: fifteen work days or 120 hours;~~
- ~~—C. Ten, but less than fifteen years: twenty work days or 160 hours;~~
- ~~—D. Fifteen, but less than twenty years: twenty-five work days or 200 hours;~~
- ~~—E. Twenty or more years; thirty work days or 240 hours.~~

~~—(4) An employee's vacation schedule selection under paragraph (b)(3) hereof is irrevocable. Failure to make a selection will result in the employee being on the vacation schedule set forth in paragraph (b)(3) hereof.~~

~~—(c) All eligible employees are encouraged to take their entire annual vacation leave with pay in increments of at least five days. Vacation requests should be made to the office of Employee Relations not more than thirty days in advance. However, employees wishing to schedule vacations further in advance should make arrangements with their immediate supervisor. A week of vacation leave with pay shall provide compensation equal to a forty-hour rate of pay for that employee.~~

~~—(d) Vacation leave with pay granted annually in accordance with the provisions of subsection (b) hereof shall be used within one year after qualifying for the same. That which is not used shall be forfeited. Vacation leave with pay shall not be accumulated from year to year, except as may be allowed to overtime-exempt employees with the express approval of the City Manager, who shall not grant more than one additional year of accumulation.~~

~~—(e) Vacation leave with pay is not to be taken in advance of qualifying for it except in unusual circumstances as authorized by the City Manager.~~

~~—(f) If an employee is discharged, resigns, retires or dies, such employee shall receive compensation for all unused vacation leave for which he has qualified and his pro-rata share of vacation leave accumulated thereafter until his termination date.~~

(Ord. 14-78. Passed 11-28-78; Ord. 36-05. Passed 1-3-06.)

294.05 SICK LEAVE AND ACCIDENT; DISABILITY AND DEATH.

(a) Coverage by Employee Organization. Employees represented by an employee organization shall be covered by the sickness and accident plan, if any, of the collective bargaining agreement in effect.

(b) Sickness and Accident Policy. For non-represented employees, the Sickness and Accident following paid sick leave program for employees who are eligible, shall be in accordance with the most recent City Manager established effect, subject to the provisions of the City's insurance program or City policy.

~~—(1) If accidental bodily injury is sustained by an employee while insured hereunder and which, from the date of the accident, directly and independently of all other causes, results in the total disability of such employee, the City shall pay periodically, commencing with the first day of such continuous disability, a weekly indemnity at the rate of the weekly indemnity for which such employee is insured for the period of such disability, but not to exceed twenty-six weeks for any one accident. For each day of any such period of disability for which a weekly indemnity is payable and which is less than a full week, the City shall pay a one-seventh part of the weekly indemnity for which such employee is insured.~~

~~—(2) If sickness causes total disability and if such disability begins while the employee is insured hereunder, the City shall pay periodically, commencing with the eighth day of such disability, a weekly indemnity at the rate of the weekly indemnity for which such employee is insured for the period of such continuous disability, but not to exceed twenty-six weeks for any one disability. For each day of any such disability for which a weekly indemnity is payable and which is less than a full week, the City shall pay a one-seventh part of the weekly indemnity for which the employee is insured.~~

~~—(3) Payment shall not be made under both the weekly indemnity accident provision and the weekly indemnity sickness insurance provision with respect to any day of disability.~~

~~—(4) Successive periods of disability, whether under the weekly indemnity accident insurance or under the weekly indemnity sickness insurance, shall be considered due to one accident or sickness, unless the successive periods are separated by the employee's return to full-time, active work with the City for at least six months.~~

~~—(5) Total disability, as used herein, means:~~

~~—A. Complete inability of the insured employee to perform any of the duties of his regular occupation or employment or other substantially gainful employment during the first twenty-four months of continuous disability after the elimination period; or~~

~~—B. Complete inability to perform any of the duties of any gainful occupation or employment for which he is or may reasonably become qualified for by reason of education, training or experience.~~

~~—(6) Weekly indemnity benefit schedules shall be established by the City Commission. Copies of the schedule and additional information are available from the office of Employee Relations.~~

~~—(c) Accumulated Paid Sick Leave Credits.~~

~~—(1) All accumulated sick leave credits were frozen effective September 1, 1974, and may be used by employees who have such benefits during the period of sickness from the first to the eighth day under the provisions of the sickness and accident insurance policy when such policy does not provide payment. In addition, employees may use accumulated sick leave credits for approved leaves of absence with pay up to forty hours per year.~~

~~—(2) Upon retirement, as specified under the Michigan Municipal Employees' Retirement System, or upon the death of the employee, the employee or his estate shall receive an amount equal to the remaining unused sick leave paid at the rate in effect on August 31, 1974. If the employee resigns, payment for accumulated sick leave will be paid at one-fourth the rate in effect on August 31, 1974.~~

~~—(d) Qualification for Paid Sick Leave Credits. In order to qualify for sick leave payments, the employee must:~~

~~—(1) For those short-term illnesses expected to be of less than one-week duration, notify his department in accordance with this Administration Code prior to his normal starting time on each day of the absence; and~~

~~—(2) For those long-term illnesses expected to be of more than one-week duration, notify his department prior to his normal starting time on the first day of the absence and prior to his return from such absence, unless the circumstances surrounding the absence make such reporting impossible, in which event such report must be made as soon thereafter as possible.~~

(ce) False Claims. Any employee who makes a false claim for paid sick leave shall be subject to disciplinary action.

(Ord. 14-78. Passed 11-28-78.)

* * *

294.075 PERFORMANCE EVALUATION PROGRAM REPEALED.

~~—(a) The Performance Evaluation Program will be based on the following performance evaluation criteria:~~

~~—(1) Distinguished. Performance consistently exceeds that expected of experienced and qualified individuals in this position. Performance is exceptional.~~

~~—(2) Competent. Performance expected of experienced and qualified individuals in this position. "Competent" is the term applied to the basic job standard; solid performance that meets the requirements of the position.~~

~~—(3) Provisional/inadequate. Performance similar to that expected of experienced and qualified individuals in the position with some significant exceptions. Performance at this level may be acceptable for a new employee who is learning the job; overall performance significantly poorer than that expected of experienced or qualified individuals in this position. This performance is unacceptable for an experienced and qualified individual.~~

~~—(b) Individuals demonstrating performance consistent with the criteria referenced in subsection (a) hereof shall receive salary adjustments until such time as their fully competent salary level is reached based on the following:~~

~~—Performance Evaluation Salary Adjustments~~

~~—Distinguished~~

~~4 to 5 percent~~

~~—Competent~~

~~3 percent~~

~~—Provisional/Inadequate~~

~~0 to 2 percent~~

~~—(c) The City Manager is hereby authorized to exceed the fully competent salary level by up to, but not in excess of, five percent for those employees who demonstrate distinguished performance and for those employees whose salary currently exceeds the fully competent salary level.~~

~~—(d) The salary schedule for nonrepresented employees shall be adjusted each year based upon the cost of living as determined by the Consumer Price Index. Such adjustment shall in no case be less than the increase given to represented employees.~~

~~—(e) An employee will be eligible to receive such cost of living adjustment based on performance. Employees performing at the distinguished and competent level will receive 100 percent of the cost of living adjustment. Employees performing at the provisional/inadequate level may receive 0 to 100 percent of such adjustment.~~

~~—(f) Individuals who are currently compensated below the entry level salary for their position shall be raised to the entry level effective July 1, 1987.~~

~~—(g) An individual over the fully competent salary level for his or her position may be given a cost of living increase assuming the employee is demonstrating acceptable performance, and such employee may be given a merit increase if he or she demonstrates distinguished performance. The total of living adjustment and/or merit increase, when added to the employee's existing salary, shall not exceed 105 percent of his or her fully competent salary level.~~

~~—(h) At least once every three years, all nonrepresented positions will be evaluated by a firm, such as Hay Associates, to determine that positions are properly established based upon job functions and that salaries are properly determined based upon market conditions.~~

~~(Res. 585. Passed 1-20-87.)~~

* * *

294.19 ~~RESIDENCY REQUIREMENTS~~REPEALED.

~~—The following shall constitute the residency policy of the City. It is the goal of the City that this policy be negotiated with each employee organization and then made a part of each union contract. The residency policy for persons accepting a position with the City which is not subject to a collective bargaining agreement with an employee organization shall be as follows:~~

~~—(a) An individual, other than a department head, commencing full-time employment with the City on or after March 11, 1994, who resides outside the metropolitan area, shall establish residency in the metropolitan area within one year from the date of hire.~~

~~—(b) An individual, other than a department head, commencing full-time employment with the City on or after March 11, 1994, who resides within the metropolitan area, shall not be required to establish residency in the City, but if the individual changes domicile, residency must be maintained within the metropolitan area.~~

~~—(c) An individual, other than a department head, who commenced full-time employment before February 28, 1994, shall be required to establish and maintain residency within the metropolitan area. However, full-time employees employed on or before November 28, 1978, other than department heads, shall be exempt from this residency policy.~~

~~—(d) A person accepting a position as a department head shall be required to establish and maintain residency within the City as a condition of employment in conformity with this subsection. This section shall not be construed as amending or obviating Section 5.4 of the City Charter requiring that City officers be or become registered electors of the City.~~

~~—(1) A person not residing in the City who accepts a position as a department head shall be required to establish residency within the corporate limits of the City within sixty days from the first date of employment in such position, unless such requirement is either waived or the time for compliance is extended by the City Commission.~~

~~—(2) All persons holding a department head position on March 11, 1994, who reside within the City shall remain a resident of the City while holding such position.~~

~~—(3) Any person holding a department head position on March 11, 1994, who is not a resident of the City as a result of a waiver by the City Commission, shall establish residency within the corporate limits of the City if and when the individual changes domicile while holding such position.~~

~~—(e) Any person required to establish and/or maintain residency under this section shall do so as a condition of continued employment. Any person who fails to comply with this section, after written notice is given to such person by the City Manager that the individual is in violation of the residency requirement, shall forfeit his or her employment or office with the City, unless the violation is cured within thirty days after receipt of the violation notice. Such forfeiture of~~

~~employment or office shall be considered a voluntary separation from service and shall constitute a resignation by the individual.~~

~~(Ord. 4-94. Passed 3-1-94.)~~

CHAPTER 294

General Personnel Regulations

- 294.01 Hours of work.
- 294.02 Relief periods.
- 294.03 Holidays.
- 294.04 Paid Time Off.
- 294.05 Sick leave and Accident.
- 294.06 Other leaves of absence.
- 294.07 Performance standards; evaluations.
- 294.075 REPEALED.
- 294.08 Use of performance evaluations.
- 294.09 Outside employment.
- 294.10 Employee assistance program.
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- 294.14 Pension Plan.
- 294.15 In-service training.
- 294.16 Safety program.
- 294.17 Accident review policy.
- 294.18 Travel allowances.
- 294.185 Use of City vehicles; mileage allowance.
- 294.19 REPEALED.
- 294.20 Equal Employment Opportunity Employer.
- 294.21 Credit card policy.

* * *

294.04 PAID TIME OFF.

(a) Employees represented by an employee organization shall be granted Paid Time Off (PTO) leave according to the provisions of the collective bargaining agreement in effect.

(b) PTO will be granted to full-time permanent non-represented employees who are eligible in accordance with the most recent City Manager established policy.

(Ord. 14-78. Passed 11-28-78; Ord. 36-05. Passed 1-3-06.)

294.05 SICK LEAVE AND ACCIDENT.

(a) Coverage by Employee Organization. Employees represented by an employee organization shall be covered by the sickness and accident plan, if any, of the collective bargaining agreement in effect.

(b) Sickness and Accident Policy. For non-represented employees, the Sickness and Accident program for employees who are eligible, shall be in accordance with the most recent City Manager established policy.

(c) False Claims. Any employee who makes a false claim for paid sick leave shall be subject to disciplinary action.

(Ord. 14-78. Passed 11-28-78.)

* * *

294.075 REPEALED.

* * *

294.19 REPEALED.



General Detail

NO.

Minutes for the February 6, 2024 City Commission Regular Meeting

BATTLE CREEK, MICHIGAN - 2/20/2024

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

Minutes for the February 6, 2024 City Commission Regular Meeting

BUDGETARY CONSIDERATIONS

HISTORY, BACKGROUND and DISCUSSION

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | Description |
|---|--|
| ☐ Minutes_for_the_February_6_2024_City_Commission_Regular_Meeting.pdf | Minutes for the February 6, 2024 City Commission Regular Meeting |



Agenda: Battle Creek City Commission

Meeting Date: February 6, 2024- 7:00 PM

Location: City Commission Chambers

Chair: Mayor Mark A. Behnke

Title: Battle Creek City Hall - City Commission Chambers - 3rd Floor

VIDEO

ATTENDANCE

COMMISSIONERS

Mayor Mark Behnke

Commissioner Jim Lance

Commissioner Patrick O'Donnell

Commissioner Christopher Simmons

Vice Mayor Sherry Sofia

Commissioner Roger Ballard

Commissioner Jenasia Morris

Commissioner Carla Reynolds

Commissioner Jake Smith

CITY STAFF

Rebecca Fleury, City Manager

Victoria Houser, City Clerk

Shannon Bagely, Police Chief

Miles Weaver, Asst. Aviation Director

Darcy Schmitt, Planning Supervisor

Joby Purucker, Service Desk Tech.

Jill Steele, City Attorney

Ted Dearing, Assistant City Manager

Bill Beaty, Fire Chief

Aaron Kuhn, Revenue Services Director

Steve Skalski, Public Works Director

INVOCATION

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Comm. Reynolds.

ROLL CALL

PROCLAMATIONS AWARDS

Proclamation for Black History Month 2024

Mayor Behnke, in recognition of Black Americans, past and present in our community, proclaimed February 2024 as "Black History Month" in the greater Battle Creek area, urging neighbors and visitors to recognize and support the ideals of human dignity and equal opportunity to which this

nation is committed throughout the international community and which we celebrate during this month. Mayor Behnke further urged Americans to celebrate the rich history and numerous historical contributions of the Black American culture.

Proclamation for American Heart Month 2024

Mayor Behnke proclaimed February 2024 as "American Heart Month" in the greater Battle Creek area, urging neighbors to join in the commitment to fight cardiovascular disease and extend the pursuit of a long and healthy life.

PRESENTATIONS

Interim Financial Statements through December 31, 2023, by Revenue Services
Director Aaron Kuhn

Aaron Kuhn, Revenue Services Director, presented the Interim Financial Statements for the 6 months through December 31, 2023.

Audit Presentation by Nathan Baldermann of Rehmann Robson

Nathan Baldermann, Rehmann Robson, presented information on the audit.

I-194 Pell Study Presentation - MDOT

Josh Grab, Planning and Environmental Manager, MDOT, presented the I-194 PEL Study.

Commissioners discussed their concerns with both plans presented, including noise levels, project completion time, diversion of traffic into neighborhoods and the costs. Concern was also discussed related to the impact on auto dealerships along Dickman Road when not within a specific distance to an interstate highway.

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

01-2024 A Proposed Ordinance, #01-2024, to amend Sections 04, 05, 075, and 19 of Chapter 294 "General Personnel Regulations," by making changes to reference updated City Manager policies, to eliminate an obsolete evaluation program, and to comply with state law regarding employee residency.

Motion to Approve
Moved By: ROGER BALLARD
Supported By: JIM LANCE

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, REYNOLDS, SIMMONS,
SMITH, SOFIA

MOTION PASSED

PUBLIC COMMENTS REGARDING CONSENT AGENDA AND RESOLUTIONS NOT ON CONSENT AGENDA

Reece Adkins commented on resolutions #353 regarding the sale of vacant land and #360 regarding the I-194 corridor.

Nadine Bradshaw commented on resolution #360 regarding the I-194 corridor.

John Kenefick commented on resolutions #355 regarding the millage for county parks, #356 to fly the Pan African flag, and #360 regarding the I-194 corridor.

Autumn Smith also commented on resolution #356.

David Moore commented on the I-194 presentation.

(Limited to three minutes per individual)

COMMISSION COMMENT REGARDING MEETING BUSINESS

There were no commission comments.

CONSENT AGENDA

Motion to Approve

Moved By: ROGER BALLARD

Supported By: JIM LANCE

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, REYNOLDS, SIMMONS, SMITH, SOFIA

MOTION PASSED

Minutes for the January 16, 2024 City Commission Community Development Update Workshop

Minutes for the January 16, 2024 City Commission Regular Meeting

City Manager's Report for February 6, 2024

CONSENT RESOLUTIONS

353 A Resolution authorizing the sale of a vacant, tax-reverted property, Parcel Number 1730-00-009-0.

Motion to Approve

Moved By: ROGER BALLARD

Supported By: JIM LANCE

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, REYNOLDS, SIMMONS, SMITH, SOFIA

MOTION PASSED

- 354 A Resolution seeking authorization for the City Manager to execute an agreement between Consumers Energy Company and the City of Battle Creek in order to install an additional street lighting at Skyline & Hill Brady Rd.

Motion to Approve

Moved By: ROGER BALLARD

Supported By: JIM LANCE

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, REYNOLDS, SIMMONS, SMITH, SOFIA

MOTION PASSED

- 355 A Resolution seeking authorization for the 2024 Local Millage Distribution from the 2020 Calhoun County Parks Millage.

Motion to Approve

Moved By: ROGER BALLARD

Supported By: JIM LANCE

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, REYNOLDS, SIMMONS, SMITH, SOFIA

MOTION PASSED

RESOLUTIONS NOT INCLUDED IN THE CONSENT AGENDA

- 356 A Resolution seeking approval to direct staff to fly the Pan-African flag at City Hall from February 7, 2024 through February 29, 2024.

Motion to Approve

Moved By: ROGER BALLARD

Supported By: JIM LANCE

Vice Mayor Sofia noted she would not be supportive of the resolution.

Comm. Smith stated he believes the flag policy needs more work.

Comm. Simmons expressed disagreement with the flag policy, stating he would like it reverted to only the US, State and City flags.

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, REYNOLDS, SMITH

Nays: SIMMONS, SOFIA

MOTION PASSED

357 A Resolution seeking approval for the Capital Improvement Program for Fiscal Years 2025-2030.

Motion to Approve
Moved By: ROGER BALLARD
Supported By: JIM LANCE

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, REYNOLDS, SIMMONS, SMITH, SOFIA

MOTION PASSED

358 A Resolution seeking approval for updates to the Title VI Non-Discrimination Plan.

Motion to Approve
Moved By: ROGER BALLARD
Supported By: JIM LANCE

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, REYNOLDS, SIMMONS, SMITH, SOFIA

MOTION PASSED

359 A Resolution seeking to approve petition S08-23, a request for a Special Use Permit for a Tentative Approval of a Planned Unit Residential Development (PURD) on part of 14188 Helmer Road (parcel #0072-00-620-0) and the abutting vacant property (parcel #0072-00-615-0).

Motion to Approve
Moved By: ROGER BALLARD
Supported By: JIM LANCE

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, REYNOLDS, SIMMONS, SMITH, SOFIA

MOTION PASSED

360 A Resolution seeking endorsement of the replace in-kind alternative (freeway with grade separated intersections) for the I-194 corridor between I-94 and Hamblin Ave as proposed in the Michigan Department of Transportation (MDOT) I-194 Planning and Environmental Linkages (PEL) Study.

Motion to Approve
Moved By: ROGER BALLARD
Supported By: JIM LANCE

Comm. Simmons thanked Commissioners Smith and O'Donnell for co-sponsoring this resolution. Comm. Simmons shared that he has had extensive engagement with constituents, stating about 90%

endorse the current design. Comm. Simmons noted the main concern was the length of time for construction and the diversion of traffic into the neighborhoods, requesting future projects are done differently.

Comm. O'Donnell stated he has also received several citizen concerns.

Comm. Smith thanked Mr. Grab for the presentation and the information, stating the need to maintain the current thoroughfare.

Ayes: BALLARD, LANCE, MORRIS, O'DONNELL, BEHNKE, SIMMONS, SMITH, SOFIA
Nays: REYNOLDS

MOTION PASSED

GENERAL PUBLIC COMMENT

David Moore commented on traffic throughout the city.

Autumn Smith commented on the proposed battery plant near Marshall and the City's work to supply water to the facility.

Reece Adkins commented on the flag policy.

John Kenefick commented on bond financing, resident taxes and public comment at meetings.

(Limited to three minutes per individual)

COMMISSION COMMENTS

Comm. O'Donnell congratulated Lynn Ward Gray on her appointment to NAACP President.

Comm. O'Donnell encouraged residents to attend the Festivus 2024 event at Leila Arboretum.

ADJOURNMENT

Mayor Behnke adjourned the meeting at 8:32 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 three 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.

(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.

(f) Applicants or Appellants, as defined below, or an attorney retained to represent them, are not bound by the specific time limitations set out above but may have the amount of time deemed reasonably necessary by the Mayor or presiding official to present their case to the City Commission without violating the rules set out below in sub-section 4(a) through (g), with which they are obligated to comply.

(i) Applicant is defined an individual or business entity seeking a City Commission final decision on a matter for which the individual has made application to the City based upon a specific provision in a City Ordinance or state statute for permission to take a specific action;

(ii) Appellant is an individual appealing a decision of a City official or an inferior body based upon a specific provision in City ordinances entitling the individual to appeal the decision to the City Commission.

(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 Mayor, or the presiding Commissioner or official, and not to individual Commissioners or staff members. 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, and the speaker may be required to leave the meeting after having been ruled out-of-order for a breach of the peace committed at the meeting as permitted by the OMA, when the speaker violates above sub-section 3 or the following:

- (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 their 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.

(5) Individuals attending City Commission meetings or workshops, excluding City staff, shall not pass the commission chambers bar upon which the podium is affixed (and which divides the audience section from the well of the chambers) without having been invited to do so by the Mayor or official presiding over the meeting, or after requesting and explicitly being granted permission to do so. Any individual violating this sub-section will be ruled out-of-order by the Mayor or presiding official and the individual may be required to leave the meeting for a breach of the peace committed at the meeting as permitted by the OMA.



General Detail

NO.

City Manager's Report for February 20, 2024

BATTLE CREEK, MICHIGAN - 2/20/2024

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

City Manager's Report for February 20, 2024

BUDGETARY CONSIDERATIONS

HISTORY, BACKGROUND and DISCUSSION

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | Description |
|--|---|
|  City_Manager_Report_02202024.pdf | City Manager's Report for February 20, 2024 |

MEMO

Date: 02/20/2024
To: Mayor and City Commission
From: Rebecca L. Fleury, City Manager
RE: City Manager's February 20, 2024, Agenda Report

361 **A Resolution seeking to adopt Ordinance #01-2024, amending Sections 04, 05, 075, and 19 of Chapter 294 "General Personnel Regulations," by making changes to reference updated City Manager policies, to eliminate an obsolete employee performance evaluation program, and to comply with state law regarding employee residency.**

Chapter 294, General Personnel Regulations, was enacted in November of 1978.

Of the 23 sections in Chapter 294, fourteen chapters have never been amended in the more than 45 years since they were enacted even though they don't reflect current practice. While there are only four sections proposed to be amended in this ordinance, administration plans to propose amendments to additional sections in the near future. Note that the vast majority of the sections in this Chapter only affect non-represented employees, because for the employees whose positions are governed by a collective bargaining unit, those agreements prevail.

This Resolution seeks to adopt Ordinance #01-2024, amending Sections 04, 05, 075, and 19 of Chapter 294 "General Personnel Regulations," by making changes to reference updated City Manager policies, to eliminate an obsolete employee performance evaluation program, and to comply with state law regarding employee residency. **Approval is Recommended**

375 **This Resolution is seeking to affirm and adopt the reduced service levels currently in place for Battle Creek Transit.**

On Saturday, December 24, 2022, Battle Creek Transit reduced both fixed route and demand-responsive services as a result of staffing shortages. These service reductions included the elimination of Saturday service, the elimination of midnight service, and reduced frequency across multiple fixed-routes. Although intended to be temporary changes, these staffing shortages extended beyond the intended period.

This Resolution is seeking to affirm and adopt the reduced service levels currently in place for Battle Creek Transit. **Approval is Recommended**

376 **A Resolution seeking authorization for the City Manager to sign Contract No. 23-5518 with the Michigan Department of Transportation. (MDOT) for hot mix asphalt cold milling and resurfacing along 20th Street North from Columbia Avenue (M-96) to Goguac Street West.**

This proposed resurfacing project from 20th Street North from Columbia Avenue (M-96) to Goguac Street West was identified and designed by City staff and construction will be overseen by City staff. ACT 51 of 1951 requires local political subdivisions meeting population thresholds (based on census

data) to participate in projects when located within their jurisdiction. The Act also includes additional payments through a multiplier to aid in these requirements.

This Resolution seeks authorization for the City Manager to sign Contract No. 23-5518 with the Michigan Department of Transportation. (MDOT) for hot mix asphalt cold milling and resurfacing along 20th Street North from Columbia Avenue (M-96) to Goguac Street West. **Approval is Recommended**

377

A Resolution seeking authorization for the City Manager to execute the 2023 HOME-funded Neighborhoods, Inc. of Battle Creek Tenant-Based Rental Assistance (TBRA) Grant Agreement for the amount of \$235,810.

The City of Battle Creek in its 2020-2024 Consolidated Plan and in subsequent Annual Action Plans identified short-term tenant-based rental assistance as a strategy to address needs to ensure the safety of rental housing, help low-income people access needed affordable housing, and support collaborative efforts to address homelessness.

If approved, the City will contract with Neighborhoods, Inc. of Battle Creek (NIBC) to run a HOME-funded Tenant-Based Rental Assistance (TBRA) program which will help approximately 80 Battle Creek households achieve residential stability and prevent homelessness.

NIBC is an experienced provider of housing services to people in need, having administered housing programs funded by various entities in collaboration with other community groups.

NIBC serves as the Housing Assessment and Resource Agency for Calhoun County. If approved, the grant agreement provides HOME funds in the amount of \$235,810 for rent assistance and program administration costs.

This Resolution seeks authorization for the City Manager to execute the 2023 HOME-funded Neighborhoods, Inc. of Battle Creek Tenant-Based Rental Assistance (TBRA) Grant Agreement for the amount of \$235,810. **Approval is Recommended**

378

A Resolution Seeking Authorization for Publication of a Notice of Intent to Issue Water and Wastewater System Revenue Bonds.

The City was successful in its application for the Drinking Water State Revolving Fund in 2024 and was tied for the highest scoring project in the state. The City's application for the program includes wellfield rehabilitation, lead service line replacement, watermain replacement, and improvements to the water treatment facility.

The total amount approved as part of the City's application is \$24,575,000. The City qualified as an overburdened applicant which means that 50% of the application amount has principal forgiveness, amounting to \$12,287,500.

As outlined in the attached letter, the Revenue Bond Act requires the City to notify electors of its intent to issue bonds by publishing a notice which gives the voters a referendum right on the issuance of the bonds. The bonds can be issued without a vote of the City electors unless a petition is filed with the City Clerk within 45 days of publication of the notice.

It should be noted that the City does not have to borrow the full \$30,000,000 outlined in the Resolution. The City can downsize the bond issue prior to the sale of the bonds after the cost for the project has been determined.

If the Notice of Intent Resolution is approved by the City Commission and the Notice of Intent is published shortly thereafter, the 45 day referendum period will expire in mid-April. After the referendum period expires, in order to issue and sell bonds, the City Commission would need to adopt an ordinance or resolution to authorize the issuance of the bonds which will determine the amount of the bond issue to be financed.

This Resolution seeks authorization for Publication of a Notice of Intent to Issue Water and Wastewater System Revenue Bonds. **Approval is Recommended**



General Detail

NO.

Review Committee Meeting Minutes for February 14, 2024

BATTLE CREEK, MICHIGAN - 2/20/2024

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

Review Committee Meeting Minutes for February 14, 2024

BUDGETARY CONSIDERATIONS

HISTORY, BACKGROUND and DISCUSSION

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | Description |
|--|--|
| ❑ 02.14.2024_-_Review_Committee_Minutes.pdf | 02.14.2024 - Review Committee Minutes |
| ❑ Boards-Committees_Application_Report_-_1.11.2024_-_2.14.2024.pdf | Boards-Committees Application Report - 1.11.2024 - 2.14.2024 |

CITY OF BATTLE CREEK REVIEW COMMITTEE AGENDA

Wednesday, February 14, 2024 at 3:00 PM

Join Zoom Meeting

[Click here to join meeting](#)

Meeting ID: 269 441 1255

Passcode: 269269

One call in: 1-312-626-6799

MINUTES

The Review Committee Meeting started at 3:00pm.

Attendees

- *Mayor Mark Behnke
- *Vice Mayor Sherry Sofia
- *Rebecca Fleury, City Manager
- *Ted Dearing, Assistant City Manager
- *Jason Francisco, Code Compliance Manager
- *Patty Hoch-Melluish, Environmental & Storm Service Manager
- *Andy Helmboldt, Sustainable Battle Creek Committee Chair
- *Vicki Maxson, Income Tax Administrator
- *Marcie Gillette, Community Services Director
- *Joe Sobieralski, BCU President & CEO
- *John Hart, Development Director
- *Patti Worden, Executive Assistant

I. DOWNTOWN PARKING SYSTEM ADVISORY COMMITTEE

- a. 10 applications, 8 reappointments, 2 new appointments
 - i. Kelly Walden – New Appointment – Term to expire 4/13/2026
 - ii. Bryan Babel – New Appointment – Term to expire 4/13/2026
 - iii. Mayor Mark Behnke – Reappointment – Term to expire 4/13/2026
 - iv. John Hart – Reappointment – Term to expire 4/13/2026
 - v. Joel Fulton – Reappointment – Term to expire 4/13/2026
 - vi. Linda Freybler – Reappointment – Term to expire 4/13/2026
 - vii. William Schroer – Reappointment – Term to expire 4/13/2026
 - viii. Paul Conkey – Reappointment – Term to expire 4/13/2026
 - ix. Robert Corder – Reappointment – Term to expires 4/13/2026
 - x. Leslie Hoffman – Reappointment – Term to expire 4/13/2026

- b. Discussion: Behnke, Sofia, Fleury, Liaison & Chair Person (John Hart)

Downtown Parking System Advisory Committee – (Appointing Authority) Mayor and City Commission. (Purpose) To advise city staff and the city's parking administrator on issues related to the municipally-owned and operated parking system.

Fleury: ☒ Yes ☐ No **Comment: Next Commission Meeting for approval**

Behnke: ☒ Yes ☐ No Comment:

Sofia: ☒ Yes ☐ No Comment:

II. BATTLE CREEK DOWNTOWN DEVELOPMENT AUTHORITY (DDA)

- a. 1 application, 1 reappointment

- i. Edward Guzzo – Reappointment – Term to expire 3/20/2028

- b. Discussion: Behnke, Sofia, Fleury, Liaison (Ted Dearing)

Battle Creek DDA – (Appointing Authority) City Manager with City Commission approval. (Purpose) To correct and prevent deterioration in the downtown development district; To encourage historic preservation; To authorize the creation and implementation of development and financial plans in the district; To promote economic in the district; To own, operate, and maintain the Kellogg Center and other facilities in the downtown deployment district; and To authorize the acquisition and disposal of interest in real and personal property.

Fleury: ☒ Yes ☐ No **Comment: Next Commission Meeting for approval**

Behnke: ☒ Yes ☐ No Comment:

Sofia: ☒ Yes ☐ No Comment:

III. PLANNING COMMISSION

- a. 5 applications, 3 vacancies

- i. Kristyn Denison - New Appointment – Term to expire 1/1/2027

- ii. Christopher Bacik – New Appointment – Term to expire 1/1/2027

- iii. Tommy Moton – New Appointment - Term to expire 1/1/2027

- iv. Richard Taylor – New Appointment – Term to expire 1/1/2027

- v. Alana White – New Appointment – Term to expire 1/1/2027

- b. Discussion: Behnke, Sofia, Fleury, Liaison (Marcie Gillette)

Board – (Appointing Authority) Mayor and City Commission. (Purpose) Participation in the planning process by conducting public hearings and recommending a master plan in accordance with which the zoning ordinance is to be prepared and amended. Participation in the legislative process of establishing and amending the zoning ordinance by conducting public hearings and making a recommendation regarding whether proposed ordinance amendments should be adopted by the City Commission. Participation in the administration of the zoning ordinance once adopted, such as conducting the public hearing and making reports and recommendations to the City Commission regarding special land uses, and Planned Unit Developments. Preparation for the City Commission, at least once per year, of a report on the administration and enforcement of the zoning ordinance and recommendations for amendments or supplements to the ordinance.

The Committee approved the appointment of Alana White, Kristyn Denison and Tommy Moton as the applicants to move forward to the City Commission.

Fleury: ☒ Yes ☐ No **Comment: Next Commission Meeting for approval**

Behnke: ☒ Yes ☐ No Comment:

Sofia: ☒ Yes ☐ No Comment:

IV. HISTORIC DISTRICT COMMISSION

a. 1 application, 1 reappointment

i. Gerardyne Drozdowski - Reappointment – Term to expire 1/1/2027

b. Discussion: Behnke, Sofia, Fleury, Liaison (Marcie Gillette), No Chair

Board – (Appointing Authority) Mayor and City Commission. (Purpose) Public Act 169 of 1970 of the State of Michigan provided for the establishment of a Historic District Study Commission; and, further, Ordinance No. 22-81, adopted October 6, 1981, allowed for the establishment of a Historic District Commission to implement said Ordinance.

Fleury: ☒ Yes ☐ No **Comment: Next Commission Meeting for approval**

Behnke: ☒ Yes ☐ No Comment:

Sofia: ☒ Yes ☐ No Comment:

V. INCOME TAX BOARD OF REVIEW

a. 2 applications, 2 vacancies

i. Bernard Gladney – New Appointment – Term to expire 2/20/2027

ii. Colleen Lowe – New Appointment – Term to expire 2/20/2027

b. Discussion: Behnke, Sofia, Fleury, Liaison (Vicki Maxson), No Chair Person

Income Tax Board of Review – (Appointing Authority) City Commission. (Purpose) Consider evidence presented by a taxpayer or employer regarding a final assessment, denial in whole or part of a claim for refund, decision, order, or special ruling of the administrator or the department. After conclusion of the hearing, the income tax board of review by a majority vote of its 3 members shall affirm, reverse, or modify the final assessment, denial, decision, or order under appeal and furnish a copy of the decision to the appellant and to the administrator or the department.

Fleury: ☒ Yes ☐ No **Comment: Next Commission Meeting for approval**

Behnke: ☒ Yes ☐ No Comment:

Sofia: ☒ Yes ☐ No Comment:

VI. BOARD OF APPEALS (HOUSING)

- a. 1 application, 1 reappointment
 - i. Eric Blair – Reappointment – Term to expire 2/1/2027
- b. Discussion: Behnke, Sofia, Fleury, Liaison (Jason Francisco)

Board – (Appointing Authority) Mayor and City Commission. (Purpose) Hearing and deciding appeals concerning the application or interpretation of the provisions and standards of the Housing Code.

Fleury: ☒Yes ☐No **Comment: Next Commission Meeting for approval**
Behnke: ☒Yes ☐No **Comment:**
Sofia: ☒Yes ☐No **Comment:**

VII. SUSTAINABLE BATTLE CREEK COMMITTEE

- a. 1 application, 6 vacancies
 - i. Christopher Bacik – New Appointment - Term to expire 1/16/2026
- b. Discussion: Behnke, Sofia, Fleury, Liaison (Patty Hoch-Melluish), Chair (Andy Helmboldt)

Sustainable Battle Creek Committee - (Appointing Authority) Mayor and City Commission. (Purpose) The purpose of the committee is to increase the city's efforts to incorporate environmentally responsible, cost-effective policy in the planning, administration and economic development of its built infrastructure and natural resources. The committee may make recommendations to the City Commission for its consideration and will be available to the commission as a resource on sustainable policy.

Fleury: ☒Yes ☐No **Comment: Next Commission Meeting for approval**
Behnke: ☒Yes ☐No **Comment:**
Sofia: ☒Yes ☐No **Comment:**

VIII. BATTLE CREEK TIFA / BROWNFIELD REDEVELOPMENT AUTHORITY

- a. 4 applications, 4 reappointments
 - i. Shannon Visger – Reappointment – Term to expire 4/28/2028
 - ii. Michelle Darner – Reappointment – Term to expire 4/28/2028
 - iii. Alana White – Reappointment – Term to expire 4/28/2028
 - iv. Justin Hodge – Reappointment – Term to expire 4/28/2028
- b. Discussion: Behnke, Sofia, Fleury, Liaison (BCU), No Chair

Battle Creek TIFA/Brownfield Redevelopment Authority – (Appointing Authority) City Manager with City Commission approval. (Purpose) To halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

Fleury: ☒ Yes ☐ No **Comment: Next Commission Meeting for approval**
Behnke: ☒ Yes ☐ No Comment:
Sofia: ☒ Yes ☐ No Comment:

IX. LOCAL DEVELOPMENT FINANCE AUTHORITY

- a. 1 application, 1 reappointment
 - i. Alana White – Reappointment – Term to expire 04/28/2028
- b. Discussion: Behnke, Sofia, Fleury, Liaison (BCU)

Local Development Financing Authority – (Appointing Authority) City Manager with approval by City Commission. (Purpose) To conduct those activities authorized under Act 281, Public Acts of 1986, and as amended from time to time (MCLA Section 125.2151 et seq.; MSA Section 3.540 (351) et seq.), and to otherwise govern the affairs of the I-94 Business Park and Certified Technology Park (Smartzone) established by the City of Battle Creek, Michigan, pursuant to an Agreement (The Battle Creek Aviation and E-Learning Smartzone Agreement) with the Michigan Economic Development Corporation.

Fleury: ☒ Yes ☐ No **Comment: Next Commission Meeting for approval**
Behnke: ☒ Yes ☐ No Comment:
Sofia: ☒ Yes ☐ No Comment:

The Meeting ended at 3:18pm.

Boards/Committees Applications
(Received January 11, 2024 – February 14, 2024)

Joel Fulton

Battle Creek Downtown Development Authority
Downtown Parking System Advisory Committee
Economic Development Corporation

Linda Freybler

Downtown Parking System Advisory Committee

William Schroer

Battle Creek Downtown Development Authority
Downtown Parking System Advisory Committee
Tree Advisory Council

Paul Conkey

Airport Advisory Board
Downtown Parking System Advisory Committee

Kelly Walden

Downtown Parking System Advisory Committee

Shannon Visger

Battle Creek TIFA / Brownfield Redevelopment Authority

Edward Guzzo

Battle Creek Downtown Development Authority

Michelle Darner

Battle Creek TIFA / Brownfield Redevelopment Authority

Robert Corder

Battle Creek International Relations Committee
Downtown Parking System Advisory Committee

Bryan Babel

Downtown Parking System Advisory Committee

Kristyn Denison

Planning Commission

Bernard Gladney

Income Tax Board of Review

Water System Advisory Council

Human Relations Board

Colleen Lowe

Income Tax Board of Review

Battle Creek Housing Commission

Gerardyne Drozdowski

Historic District Commission

Alana White

Battle Creek TIFA / Brownfield Redevelopment Authority

Local Development Finance Authority

Planning Commission

Justin Hodge

Battle Creek TIFA / Brownfield Redevelopment Authority

Rebecca Squires

Local Officers' Compensation Commission

License Review Board

Karen Roebuck

License Review Board

Leslie Hoffman

Downtown Parking System Advisory Committee

Christopher Bacik

Planning Commission

Downtown Parking System Advisory Committee

Sustainable Battle Creek Committee

Tree Advisory Council

Eric Blair

Board of Appeals (Housing)

Jana Davis

License Review Board

Historic District Commission (currently on)

Tree Advisory Council



Resolution

NO. 362

A Resolution appointing Kelly Walden and Bryan Babel as new members and reappointing Mayor Mark Behnke, John Hart, Joel Fulton, Linda Freybler, William Schroer, Paul Conkey, Robert Corder and Leslie Hoffman to the Downtown Parking System Advisory Committee.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That Kelly Walden and Bryan Babel are appointed as new members to the Downtown Parking System Advisory Committee, with terms to expire on April 13, 2026.

That Mayor Mark Behnke, John Hart, Joel Fulton, Linda Freybler, William Schroer, Paul Conkey, Robert Corder and Leslie Hoffman are reappointed to the Downtown Parking System Advisory Committee, with terms to expire on April 13, 2026.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution appointing Kelly Walden and Bryan Babel as new members and reappointing Mayor Mark Behnke, John Hart, Joel Fulton, Linda Freybler, William Schroer, Paul Conkey, Robert Corder and Leslie Hoffman to the Downtown Parking System Advisory Committee.

BUDGETARY CONSIDERATIONS

None.

HISTORY, BACKGROUND and DISCUSSION

Started by City Manager Aaron Marsh in 1975 (without a Resolution and chaired by the Director of Transportation) as an in-house Advisory Committee. Commission representation was not originally

included in the committee makeup. The committee was formally created and authorized by the City Commission by Resolution 94 on April 14, 2020.

The Mayor appoints City Commission representative by Resolution. Businesses representative, owners and members at large are appointed by the City Manager in consultation with the Director of Public Works and the representative from the City's parking system administrator and approved by the City Commission.

Purpose: To advise City staff and the City's parking administrator on issues related to the municipally-owned and operated parking system.

Membership: The Committee shall consist of a minimum of 9 and a maximum of 15 members. The Committee shall be composed of the following: - A member of the Battle Creek City Commission - The Director of Public Works (Chair) - A representative from the city's parking system administrator - The Development Director for the City of Battle Creek - The General Manager of the Cereal City Development Corporation (or his or her designee) - The Chief Executive Officer of the Calhoun County Visitor's Bureau (or his or her designee) - The Battle Creek Chief of Police (or his or her designee) - Two members of the public at large, who must be residents of the City of Battle Creek. - Up to six additional members, including property owners or representatives of businesses located in downtown Battle Creek. Special Requirements: At large representatives must be residents of the City of Battle Creek.

DISCUSSION OF THE ISSUE

POSITIONS

The Review Committee is supportive of these appointments and reappointments.

ATTACHMENTS:

| File Name | Description |
|-------------------------------|-----------------------------|
| ❏ Walden__Kelly_-_2024.pdf | Kelly Walden Application |
| ❏ Babel__Bryan_-_2024.pdf | Bryan Babel Application |
| ❏ Fulton__Joel_-_2023.pdf | Joel Fulton Application |
| ❏ Freybler__Linda_-_2024.pdf | Linda Freybler Application |
| ❏ Schroer__William_-_2024.pdf | William Schroer Application |
| ❏ Conkey__Paul_-_2024.pdf | Paul Conkey Application |
| ❏ Corder__Robert_-_2024.pdf | Robert Corder Application |
| ❏ Hoffman__Leslie_-_2024.pdf | Leslie Hoffman Application |

Patricia S Worden

From: noreply@civicplus.com
Sent: Saturday, January 20, 2024 4:43 PM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve. This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|--|
| Name | Kelly Walden |
| Are you 18 years or older? | Yes |
| Home address | 10428 E ML Ave. |
| City | Galesburg |
| State | MI |
| Zip code | 49053 |
| Email address | Kwalden@kelloggarena.com |
| Home phone | 231-638-1923 |
| Work phone | 269-788-1102 |
| Cell phone | 231-638-1923 |
| Current occupation (students, list school activities) | General Manager Kellogg Arena |
| Employer and work address (students, list school) | Kellogg Arena |
| Educational background/degrees | Bachelors from Western Michigan University |

(students, list current year in school)

List any appointed positions, boards, commissions, or committees on which you have served, and years of service

Field not completed.

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations)

Field not completed.

Briefly explain your interest, experience, and/or qualifications for the boards for which you are applying

I would love to join the Downtown Parking System Advisory Committee. With the arena being attached to the Hamblin Ave. Parking structure I think I can bring insight.

Attach additional information

Field not completed.

Please tell us how you found out about our boards and commissions and/or vacancies

Was reached out to by email

Electronic Signature Agreement

I agree.

By signing this form, you acknowledge that any or all information on this form may be verified, and consent to the release of this information for publicity purposes.

Electronic Signature

Kelly P. Walden

Date

1/19/24

(Redacted)

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

| | |
|------|----------------------|
| Rank | Field not completed. |
|------|----------------------|

| | |
|------------|----------------------|
| Experience | Field not completed. |
|------------|----------------------|

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

| | |
|------|----------------------|
| Rank | Field not completed. |
|------|----------------------|

| | |
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| Experience | Field not completed. |
|------------|----------------------|

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

Rank *Field not completed.*

Experience *Field not completed.*

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

Rank *Field not completed.*

Experience *Field not completed.*

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

Rank *Field not completed.*

Experience *Field not completed.*

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

Rank *Field not completed.*

Experience *Field not completed.*

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

Rank *Field not completed.*

Experience *Field not completed.*

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing

matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

Rank *Field not completed.*

Experience *Field not completed.*

Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

Rank *Field not completed.*

Experience *Field not completed.*

Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

Rank *Field not completed.*

Experience *Field not completed.*

Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

Rank 1

Experience *Field not completed.*

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

Rank *Field not completed.*

Experience *Field not completed.*

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

Rank *Field not completed.*

Experience *Field not completed.*

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

Rank *Field not completed.*

Experience *Field not completed.*

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

Rank *Field not completed.*

Experience *Field not completed.*

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

Rank *Field not completed.*

Experience *Field not completed.*

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

Rank *Field not completed.*

Experience *Field not completed.*

Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

Rank *Field not completed.*

Experience *Field not completed.*

License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Rank *Field not completed.*

Experience *Field not completed.*

Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

Experience *Field not completed.*

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

Rank *Field not completed.*

Experience *Field not completed.*

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

Rank *Field not completed.*

Experience *Field not completed.*

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

Rank *Field not completed.*

Experience *Field not completed.*

Email not displaying correctly? [View it in your browser.](#)

Patricia S Worden

From: noreply@civicplus.com
Sent: Thursday, January 25, 2024 12:43 PM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve.
This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|---------------------------|
| Name | Bryan Babel |
| Are you 18 years or older? | Yes |
| Home address | 12092 Highview Shores |
| City | Vicksburg |
| State | MI |
| Zip code | 49097 |
| Email address | Bryan.Babel@Kellanova.com |
| Home phone | Field not completed. |
| Work phone | 269-961-6156 |
| Cell phone | Field not completed. |
| Current occupation (students, list school activities) | Manager |
| Employer and work address (students, list school) | One Kellogg Way |
| Educational background/degrees | Field not completed. |

(students, list current
year in school)

List any appointed
positions, boards,
commissions, or
committees on which
you have served, and
years of service

Field not completed.

List any organizations to
which you belong
(professional, technical,
community, nonprofit;
students, list school
organizations)

CoreNet, Vicksburg Lions Club

Briefly explain your
interest, experience,
and/or qualifications for
the boards for which
you are applying

Real Estate and Facilities Management

Attach additional
information

Field not completed.

Please tell us how you
found out about our
boards and
commissions and/or
vacancies

Representing - Kellanova on the Downtown Parking System
Advisory Committee

Electronic Signature
Agreement

I agree.

*By signing this form, you acknowledge that any or all information on this form may
be verified, and consent to the release of this information for publicity purposes.*

Electronic Signature

Bryan Babel

Date

01/25/24

(Section Break)

(Section Break)

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

| | |
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| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing

matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

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| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

| | |
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| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

| | |
|------|---|
| Rank | 1 |
|------|---|

| | |
|------------|----------------------------------|
| Experience | Downtown business/property owner |
|------------|----------------------------------|

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

| | |
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| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Income Tax Board of Appeals

Attempts to settle city income tax disputes.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

| | |
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| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

Experience *Field not completed.*

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

Rank *Field not completed.*

Experience *Field not completed.*

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

Rank *Field not completed.*

Experience *Field not completed.*

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

Rank *Field not completed.*

Experience *Field not completed.*

Email not displaying correctly? [View it in your browser.](#)



BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street
Battle Creek, Michigan 49014-4004
269.966.3378

PLEASE CHECK THE TOP (3) BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt and will be posted on the City website.)

- | | |
|---|--|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Gogua Lake Board |
| <input type="checkbox"/> AMSA Construction Board of Appeals | <input type="checkbox"/> Historic District Commission |
| <input checked="" type="checkbox"/> Battle Creek Downtown Development Authority | <input type="checkbox"/> Human Relations Board |
| <input type="checkbox"/> Battle Creek Housing Commission | <input type="checkbox"/> Income Tax Board of Appeals |
| <input type="checkbox"/> Battle Creek Transit Local Advisory Council | <input type="checkbox"/> International Relations Committee |
| <input type="checkbox"/> Battle Creek Transit Local Coordinating Committee | <input type="checkbox"/> Lakeview Downtown Development Authority |
| <input type="checkbox"/> Battle Creek TIFA/Brownfield Development Authority | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Bicycle Advisory Committee | <input type="checkbox"/> Local Development Financing Authority |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Local Officers' Compensation Commission |
| <input type="checkbox"/> Board of Review (Assessing) | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Police/Fire Retirement System Board |
| <input type="checkbox"/> Columbia Avenue Business Improvement District | <input type="checkbox"/> Sustainable BC Committee |
| <input type="checkbox"/> Dangerous Building Hearings Officer | <input type="checkbox"/> Technical Review Committee |
| <input type="checkbox"/> Development Area Citizen's Council | <input type="checkbox"/> Tree Advisory Council |
| <input type="checkbox"/> Dickman Road Business Improvement District | <input type="checkbox"/> Water System Advisory Council |
| <input checked="" type="checkbox"/> Downtown Parking System Advisory Committee | <input type="checkbox"/> Youth Advisory Board |
| <input checked="" type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |

Name FULTON JOEL E
Last First M.I.
Home Address: 28 BIDWELL ST. W., BATTLE CREEK 49015 E-mail: joel.fulton45@gmail.com
Telephone: Home _____ Work _____ Cell 269-420-0076

Are you at least 18 years of age? Yes ☒ No ☐

Current occupation (students, list school activities) BUSINESS OWNER

Employer/work address (students, list school) MULTIPLE, ALL IN BATTLE CREEK CITY LIMITS

Educational background/degrees (students, list year in school) BA IN MANAGEMENT & ORGANIZATIONAL DEVELOPMENT

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service _____

DOWNTOWN PARKING SYSTEM ADVISORY COMMITTEE - CURRENT, WATER BOARD OF APPEALS - PAST

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) _____

USCCA, NRA, FPC, SAF, MCRGO, MOC

Briefly indicate your interest, experience, and/or qualifications for the board for which you are applying. Please be specific (use back of form if necessary). I'VE OWNED AND OPERATED MULTIPLE BUSINESSES INSIDE THE

CITY OF BATTLE CREEK FOR OVER 20 YEARS.

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature

Joel E. Fulton

Date

11-8-2023

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

City of Battle Creek Boards, Commissions and Committees – Descriptions

**PLEASE CHECK EXPERIENCE FOR THE (3) BOARD(S) OR COMMISSION(S) ON WHICH
YOU ARE INTERESTED IN SERVING**

Airport Advisory Board – Appointing authority: Mayor and Commission.

The committee makes policy recommendations regarding airport matters in order to support the continued development of the airport and economic growth of the community, and acts as an advocate for the current and potential future economic value of the airport. Meets quarterly.

Contact: Battle Creek Executive Airport at Kellogg Field, 269-966-3470

Experience: ☐ Airport Operations ☐ Economic Development ☐ Live in city limits

AMSA Construction Board of Appeals – Appointing authority: Proposed by AMSA committee, appointed by the Mayor.

This committee hears appeals on building permit denials and from any other decision pursuant or related to. Meets as needed.

Contact: City Clerk, 269-966-3348

Experience: ☐ Architecture ☐ Building Construction ☐ Engineering ☐ Real Estate/Development/Law

Battle Creek Downtown Development Authority – Appointing authority: City Manager, with Commission approval.

The Downtown Development Authority, Public Act 57 of 2018, is designed to be a catalyst in the development of the city's downtown district. The DDA provides for a variety of funding options including a tax increment financing mechanism, which can be used to fund public improvements in the downtown district. Meets quarterly.

Contact: City Manager's Office, 269-966-3378

Experience: ☒ Property Owner ☐ Business Representative ☐ Live in city limits

Battle Creek Housing Commission – Appointing authority: Mayor and Commission.

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments. Meets monthly.

Contact: Community Services Director, 269-966-3387

Experience: ☐ Public Housing ☐ Live in city limits

Battle Creek Transit Local Advisory Council – Appointing authority: Mayor and Commission.

Public Act 51 of 1951, as amended, required there to be a Local Advisory Council whose legal function is to review and comment on the applicant Vehicle Accessibility Plan and annual updates to that plan. Meets annually, with special meetings scheduled if necessary.

Contact: Battle Creek Transit, 269-966-3374

Experience: ☐ Public Transportation ☐ Live in city limits

Battle Creek Transit Local Coordinating Committee – Appointing authority: Mayor and Commission.

Public Act 51 of 1951, as amended, required there to be a local coordination of transportation services to the elderly and disabled. Because of this requirement, the Michigan Department of Transportation directed that each transit agency have a "local coordinating committee" whose legal function is to determine annually how the Specialized Services funds will be allocated among the various sub-recipients. Meets Quarterly.

Contact: Battle Creek Transit, 269-966-3474

Experience: ☐ Public Transportation ☐ Live in city limits

Battle Creek TIFA/Brownfield Redevelopment Authority – Appointing authority: City Manager, with Commission approval.

To halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Property Owner ☐ Business Owner ☐ Live in city limits

Bicycle Advisory Committee – Appointing authority: City Manager for city staff members; Mayor and Commission for remaining members.

The League of American Bicyclists has created a framework for communities to use to become Bicycle Friendly Communities, which includes the creation and maintenance of a bicycle advisory committee to assist the city by providing research, community outreach, and policy recommendations to the Commission and city staff. Meets monthly.

Contact: Recreation Department, 269-966-3431; Engineering Division, 269-966-3343

Experience: ☐ Business Representative ☐ Live in city limits

Board of Appeals – Appointing authority: Mayor, with Commission approval.

Board members hear and decide on appeals concerning the application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Experience: ☐ Building Construction/Engineering ☐ Zoning ☐ Real Estate/Development/Law ☐ Live in city limits

Board of Review (Assessing) – Appointing authority: Mayor and Commission.

Members serve for five years and must be city electors and property owners. Members may correct/amend assessment rolls and increase or decrease taxable property assessment or valuation. Meets for a minimum of five days in March; one day in July; and one day in December.

Contact: City Assessor, 269-966-3369

Experience: ☐ Banking/Finance ☐ Property Appraisal/Assessing ☐ Real Estate/Development/Law ☐ Live in city limits

City Commission – Appointing authority: Elected by City of Battle Creek voters.

City Commissioners serve two-year terms.

City voters elect the mayor as a separate office to serve a two-year term. After an election, the vice mayor is selected by their fellow commissioners to serve a two-year term. The commission is comprised of five ward commissioners, representing geographic wards within the city, and four at-large commissioners.

All interested City Commission candidates must collect signatures, and submit nominating petitions. See more information about commissioner candidate requirements at battlecreekmi.gov/elections. In the case of a position vacancy, the commission will follow a special process, about which information will be released separately.

Contact: City Clerk, 269-966-3348

Civil Service Commission – Appointing authority: Mayor and Commission appoint one member, Fire Department appoints one member, and those two members appoint a third member.

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees.

Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party. Meets monthly.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Columbia Avenue Business Improvement District – Appointing authority: Mayor and City Commission

Undertakes functions, objectives, and powers enumerated in Section 1 of Public Act 49 of the Public Acts of 1999, including the promotion of economic activity in the BID along Columbia Avenue and providing or contracting for the administration, security, and operation of the District, to include physical improvements and joint marketing. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Business Representative ☐ Live in city limits

Dangerous Building Hearings Officer – Appointing authority: Mayor, with Commission approval.

Identifies those structures within the city confines that are considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: an engineer, architect, building contractor, building inspector, or member of a community housing organization. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Experience: ☐ Building Construction/Engineering ☐ Real Estate/Development/Law ☐ Housing

Development Area Citizen's Council – Appointing authority: City Commission An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan. Contact: City Manager, 269-966-3378 Experience: ☐ Lives within authority boundaries

Dickman Road Business Improvement District – Appointing authority: City Manager, with Commission approval; City of Springfield

Undertakes functions, objectives, and powers enumerated in Section 1 of Public Act 49 of the Public Acts of 1999, including the promotion of economic activity in the BID along Dickman Road and providing or contracting for the administration, security, and operation of the District, to include physical improvements and joint marketing. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Non-automotive Business Representative ☐ Automotive Business Representative

Downtown Parking System Advisory Committee – Appointing authority: Mayor appoints commissioners; City Manager appoints owners and members at large with Commission approval.

Advises city staff and the city's parking administrator on issues related to the municipally-owned and operated parking system. Meets as needed.

Contact: Public Works Director, 269-966-3490

Experience: ☒ Downtown Business/Property Owner ☐ Live in city limits

Economic Development Corporation – Appointing authority: Mayor, with Commission approval.

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Experience: ☒ Economic Development ☐ Live in city limits

Goguac Lake Board – Appointing authority: Two representatives and a Goguac Lake property owner by the Mayor and City Commission; a county commissioner by the Calhoun County Board of Commissioners chairperson; the county drain commissioner; a representative of the Michigan Department of Environment, Great Lakes, and Energy.

Pursuant to Public Act 451 of 1994, as amended by Public Act 59 of 1995, formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake. Meets quarterly.

Contact: Utility Administrator, 269-966-3343

Experience: ☐ Own property on Goguac Lake

Historic District Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law and local ordinance with reviewing plans for exterior modifications or demolition of buildings within the federal, state or local historic districts. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Construction/Building Trades ☐ History ☐ Architecture ☐ Live in city limits

Human Relations Board – Appointing authority: Mayor, with Commission approval.

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To also increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships

within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations. Meets monthly.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in the metropolitan area

Income Tax Board of Appeals – Appointing authority: Mayor, with Commission approval.

Pursuant to State Act 284 of 1964, attempts to settle city income tax disputes. Meets as needed.

Contact: Income Tax Division, 269-966-3345

Experience: ☐ Income Tax/Accounting ☐ Live in city limits

International Relations Committee – Appointing authority: Mayor, with Commission approval.

To foster cultural promotion of the city and provide a positive environment toward foreign industrialists and their families. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in city limits

Lakeview Downtown Development Authority – Appointing authority: City Manager, with Commission approval.

The LDDA's activities shall include, but are not limited to, the definition of a development area; the origination of a development plan; and the implementation of a development program as provided in Act 197 of PA 1975. Meets bi-annually.

Contact: City Manager, 269-966-3378

Experience: ☐ District Property Owner/Business Representative ☐ Live in city limits

License Review Board – Appointing authority: Mayor, with Commission approval.

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation. Meets as needed.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Local Development Financing Authority – Appointing authority: City Manager, with Commission approval.

To conduct those activities authorized under Act 281, Public Acts of 1986, and as amended from time to time (MCLA Section 125.2151 et seq.; MSA Section 3.540 (351) et seq.), and to otherwise govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, Michigan, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation. Meets as needed.

Contact: City Manager, 269-966-3378

Experience: ☐ Live in city limits ☐ Calhoun County Commission/KCC/MEDC appointment

Local Officers' Compensation Commission – Appointing authority: Mayor, with Commission approval.

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Planning Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law with the adoption of plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Civil/Engineering/Landscape Architecture ☐ Land Use Planning ☐ Real Estate/Development ☐ Law

Police/Fire Retirement System Board – Appointing authority: Two members by City Commission, one member by Fire Department, one member by Police Department.

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

Contact: Finance Division, 269-966-3311

Experience: ☐ Finance and/or investing ☐ Live in city limits

Sustainable BC Committee – Appointing authority: City staff by City Manager; remaining members by Mayor, with Commission approval.

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission. Meets as needed.

Contact: Utility Administrator, 269-966-3343

Experience: ☐ Environmental ☐ Live in city limits ☐ Business Representative

Technical Review Committee – Appointing authority: City staff by City Manager; remaining members by contributing jurisdictions.

Provides review, input, and recommendations to the City and the City Commission regarding various aspects of the Wastewater Treatment system and rates. Meets quarterly.

Contact: Public Works Director, 269-966-3490

Experience: ☐ Engineering ☐ Other Technical Expertise ☐ Industry Representative

Tree Advisory Council – Appointing authority: Mayor, with Commission approval.

Members serve in an advisory capacity to the Department of Public Works and the City Manager in developing the annual Tree Work Plan and the issuance of rules and regulations supplementary to the city's tree ordinance.

Establishment meets a Tree City USA criterion. Meets at least once a year, in September.

Contact: City Engineer, 269-966-3343

Experience: ☐ Horticulture ☐ Forestry

Water System Advisory Council – Appointing authority: Mayor and Commission.

To advise and assist with the creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water. Meets annually.

Contact: Public Works Director, 269-966-3490

Experience: ☐ Interest/knowledge about lead in drinking water and its effects ☐ Live in city limits

Youth Advisory Board – Appointing authority: Mayor, with Commission approval.

Established by Resolution 117 dated April 1, 2003 to involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth. Meets monthly.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in city limits ☐ Age 14-20

Zoning Board of Appeals – Appointing authority: Mayor, with Commission approval.

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Land Use Planning ☐ Real Estate/Development/Law ☐ Building Construction/Engineering ☐ Live in city limits

Patricia S Worden

From: noreply@civicplus.com
Sent: Friday, January 19, 2024 8:02 AM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve.
This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|--|
| Name | Linda Freybler |
| Are you 18 years or older? | Yes |
| Home address | 14094 Peninsula Dr. |
| City | Galesburg |
| State | MI |
| Zip code | 49053 |
| Email address | linda@battlecreekvisitors.org |
| Home phone | 2694198100 |
| Work phone | 2694198100 |
| Cell phone | 2694198100 |
| Current occupation (students, list school activities) | CEO |
| Employer and work address (students, list school) | Calhoun County Visitors Bureau |
| Educational background/degrees | Michigan State University, Masters of Science, Bachelors of Science |

(students, list current year in school)

List any appointed positions, boards, commissions, or committees on which you have served, and years of service

Parking Committee - 10 years, Cereal City Development Corporation Board Chair - 10 years, Michigan Association of Convention and Visitors Bureaus Board Member -7 years, West Michigan Tourist Association - 8 years.

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations)

Michigan Association of Convention and Visitors Bureaus, West Michigan Tourist Association, Tourism Coalition of Michigan

Briefly explain your interest, experience, and/or qualifications for the boards for which you are applying

Parking in downtown is an important asset to the tourism events we bring to downtown. I would like to be part of the committee to share our perspective from visitors to the downtown area. I also manage the Battle Creek Welcome Center, a downtown business so have perspective on downtown parking on a daily basis.

Attach additional information

Field not completed.

Please tell us how you found out about our boards and commissions and/or vacancies

Field not completed.

Electronic Signature Agreement

I agree.

By signing this form, you acknowledge that any or all information on this form may be verified, and consent to the release of this information for publicity purposes.

Electronic Signature

Linda Freybler

Date

01/19/2024

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
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| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

Experience *Field not completed.*

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

Rank *Field not completed.*

Experience *Field not completed.*

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

Rank *Field not completed.*

Experience *Field not completed.*

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

| | |
|------|---|
| Rank | 1 |
|------|---|

| | |
|------------|----------------------------------|
| Experience | Downtown business/property owner |
|------------|----------------------------------|

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

Experience *Field not completed.*

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

Rank *Field not completed.*

Experience *Field not completed.*

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

Rank *Field not completed.*

Experience *Field not completed.*

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

Rank *Field not completed.*

Experience *Field not completed.*

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

Rank *Field not completed.*

Experience *Field not completed.*

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

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| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Email not displaying correctly? [View it in your browser.](#)

Patricia S Worden

From: noreply@civicplus.com
Sent: Friday, January 19, 2024 10:53 AM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve.
This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|-------------------------------|
| Name | William Schroer |
| Are you 18 years or older? | Yes |
| Home address | 5155 JONES RD |
| City | BATTLE CREEK |
| State | MI |
| Zip code | 49017-9412 |
| Email address | naturist18a@gmail.com |
| Home phone | 12699862322 |
| Work phone | Field not completed. |
| Cell phone | 12699862322 |
| Current occupation (students, list school activities) | Owner- Two West Michigan Ave. |
| Employer and work address (students, list school) | 2 MICHIGAN AVE W |
| Educational background/degrees | MBA-WMU, BA, U of Wyoming |

(students, list current
year in school)

List any appointed
positions, boards,
commissions, or
committees on which
you have served, and
years of service

Parking Committee, 12 years, Downtown Business
Partnership, 15 years, Arboretum Board, 15 years, Calhoun
Area Humane Society 7 years

List any organizations to
which you belong
(professional, technical,
community, nonprofit;
students, list school
organizations)

Field not completed.

Briefly explain your
interest, experience,
and/or qualifications for
the boards for which
you are applying

30 year Owner of major office building in front of State Street
Parking lot. long term participation in this committee and
downtown business activities.

Attach additional
information

Field not completed.

Please tell us how you
found out about our
boards and
commissions and/or
vacancies

Received e-mail for renewal

Electronic Signature
Agreement

I agree.

*By signing this form, you acknowledge that any or all information on this form may
be verified, and consent to the release of this information for publicity purposes.*

Electronic Signature

William J. Schroer

Date

01/19/2024

(Section Break)

Section B-11

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

Rank *Field not completed.*

Experience *Field not completed.*

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

Rank *Field not completed.*

Experience *Field not completed.*

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

| | |
|------|---|
| Rank | 3 |
|------|---|

| | |
|------------|---|
| Experience | Property owner, Business representative |
|------------|---|

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing

matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

| | |
|------|---|
| Rank | 1 |
|------|---|

| | |
|------------|----------------------------------|
| Experience | Downtown business/property owner |
|------------|----------------------------------|

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

Rank *Field not completed.*

Experience *Field not completed.*

Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

Rank *Field not completed.*

Experience *Field not completed.*

License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Rank *Field not completed.*

Experience *Field not completed.*

Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

| | |
|------|---|
| Rank | 2 |
|------|---|

| | |
|------------|----------|
| Experience | Forestry |
|------------|----------|

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Email not displaying correctly? [View it in your browser.](#)

Patricia S Worden

From: noreply@civicplus.com
Sent: Friday, January 19, 2024 12:08 PM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Follow Up Flag: Follow up
Flag Status: Flagged

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve.
This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|--|
| Name | Paul Conkey |
| Are you 18 years or older? | Yes |
| Home address | 303 Carpenter |
| City | Battle Creek |
| State | Michigan |
| Zip code | 49017 |
| Email address | mcfurlo@aol.com |
| Home phone | Field not completed. |
| Work phone | 269-965-7206 |
| Cell phone | 12697602835 |
| Current occupation (students, list school activities) | Restrauteur |
| Employer and work address (students, list school) | Griffin Grill and Pub, 38 W.Michigan 49017 |

| | |
|---|--|
| Educational background/degrees (students, list current year in school) | B.A. MSU |
| List any appointed positions, boards, commissions, or committees on which you have served, and years of service | CCDC 8+, DDA,8+ CCVB 8+, BC PARKING ADV. 10 +, CACC CULINARY4, |
| List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) | <i>Field not completed.</i> |
| Briefly explain your interest, experience, and/or qualifications for the boards for which you are applying | I will be business owner. Downtown battle creek for eighteen years and have been an advocate for the downtown ever since. I am interested in continuing on the parking advisory council to add my experience while decisions are being considered. |
| Attach additional information | <i>Field not completed.</i> |
| Please tell us how you found out about our boards and commissions and/or vacancies | Asked by active members |
| Electronic Signature Agreement | I agree. |
| <i>By signing this form, you acknowledge that any or all information on this form may be verified, and consent to the release of this information for publicity purposes.</i> | |
| Electronic Signature | Paul Conkey |
| Date | 1-19-24 |

(Signature Required)

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

Rank 1

Experience *Field not completed.*

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

Rank *Field not completed.*

Experience *Field not completed.*

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

Rank *Field not completed.*

Experience *Field not completed.*

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

Rank *Field not completed.*

Experience *Field not completed.*

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

Rank *Field not completed.*

Experience *Field not completed.*

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

Rank *Field not completed.*

Experience *Field not completed.*

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

Rank *Field not completed.*

Experience *Field not completed.*

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

Rank *Field not completed.*

Experience *Field not completed.*

Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

Rank *Field not completed.*

Experience *Field not completed.*

Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

Rank *Field not completed.*

Experience *Field not completed.*

Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

Rank 1

Experience Downtown business/property owner

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

Rank *Field not completed.*

Experience *Field not completed.*

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

Rank *Field not completed.*

Experience *Field not completed.*

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

Rank *Field not completed.*

Experience *Field not completed.*

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

Rank *Field not completed.*

Experience *Field not completed.*

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

Rank *Field not completed.*

Experience *Field not completed.*

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

Rank *Field not completed.*

Experience *Field not completed.*

Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

Rank *Field not completed.*

Experience *Field not completed.*

License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Rank *Field not completed.*

Experience *Field not completed.*

Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

Rank *Field not completed.*

Experience *Field not completed.*

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

Rank *Field not completed.*

Experience *Field not completed.*

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

Rank *Field not completed.*

Experience *Field not completed.*

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

Rank *Field not completed.*

Experience *Field not completed.*

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

Rank *Field not completed.*

Experience *Field not completed.*

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

Rank *Field not completed.*

Experience *Field not completed.*

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

Rank *Field not completed.*

Experience *Field not completed.*

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

Rank *Field not completed.*

Experience *Field not completed.*

Email not displaying correctly? [View it in your browser.](#)

Patricia S Worden

From: noreply@civicplus.com
Sent: Tuesday, January 23, 2024 3:23 PM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve.
This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|--|
| Name | Robert Corder |
| Are you 18 years or older? | Yes |
| Home address | 274 Blackhawk Street |
| City | Battle Creek |
| State | MI |
| Zip code | 49015 |
| Email address | corder@bcunlimited.org |
| Home phone | <i>Field not completed.</i> |
| Work phone | 269-441-1679 |
| Cell phone | 773-454-3817 |
| Current occupation (students, list school activities) | Vice President, Attraction |
| Employer and work address (students, list school) | Battle Creek Unlimited, 4950 W Dickman Road, Suite 1, Battle Creek, MI 49037 |
| Educational background/degrees | BA in International Relations, American University, Washington, DC (2003) |

(students, list current year in school)

| | |
|---|--|
| List any appointed positions, boards, commissions, or committees on which you have served, and years of service | City of Battle Creek Downtown Parking System Advisory Committee: January 2020 - present City of Battle Creek Downtown International Relations Committee: October 2020 – present Kellogg Community College Business Advisory Committee: November 2019 – present BCCHS Career Academies BEIT Advisory Board: November 2021 – present |
| List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) | BC Ignite Michigan Economic Development Association International Economic Development Council Japan America Society of Chicago, Board of Directors Great Lakes JETAA, Board of Directors |
| Briefly explain your interest, experience, and/or qualifications for the boards for which you are applying | I work for Battle Creek Unlimited (BCU), the city's lead economic development organization. BCU's mission is attracting corporate investments to Battle Creek and creating job opportunities. BCU manages the Fort Custer Industrial Park, which is home to almost 90 companies, which collectively employ almost 14,000 people. In recent years, BCU has expanded its community development efforts, especially in downtown Battle Creek. BCU facilitated the redevelopment of the RecordBox project by Restore(269) and New Holland Brewing's investment in downtown. BCU also is working with Sprout on their proposed project as well as Torti Taco Bar and Grill. BCU is also the owner of the McCamly Hotel and is redeveloping the property. Parking is a key issue for all these projects. |
| Attach additional information | Corder - Resume.pdf |
| Please tell us how you found out about our boards and commissions and/or vacancies | Referral |
| Electronic Signature Agreement | I agree. |

By signing this form, you acknowledge that any or all information on this form may be verified, and consent to the release of this information for publicity purposes.

Electronic Signature Robert A. Corder

Date 1/23/2024

(Section Break)

(Section Break)

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

Rank *Field not completed.*

Experience *Field not completed.*

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

Rank 2

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

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|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
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| Experience | <i>Field not completed.</i> |
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Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

| | |
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| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

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| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

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| Rank | <i>Field not completed.</i> |
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|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

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| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

| | |
|------|---|
| Rank | 1 |
|------|---|

| | |
|------------|--|
| Experience | Downtown business/property owner, Live in BC city limits |
|------------|--|

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

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|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

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|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of

management and labor, various religions, various races, and others who have an interest in human relations.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Income Tax Board of Appeals

Attempts to settle city income tax disputes.

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|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

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| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

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| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

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| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

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| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
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Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

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| Rank | <i>Field not completed.</i> |
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| | |
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| Experience | <i>Field not completed.</i> |
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Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

| | |
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| Rank | <i>Field not completed.</i> |
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| Experience | <i>Field not completed.</i> |
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Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

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| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

Experience

Field not completed.

Email not displaying correctly? [View it in your browser.](#)



BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street
Battle Creek, Michigan 49014-4004
269.966.3378

PLEASE CHECK THE TOP (3) BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt and will be posted on the City website.)

- | | |
|--|--|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Goguc Lake Board |
| <input type="checkbox"/> AMSA Construction Board of Appeals | <input type="checkbox"/> Historic District Commission |
| <input type="checkbox"/> Battle Creek Downtown Development Authority | <input type="checkbox"/> Human Relations Board |
| <input type="checkbox"/> Battle Creek Housing Commission | <input type="checkbox"/> Income Tax Board of Appeals |
| <input type="checkbox"/> Battle Creek Transit Local Advisory Council | <input type="checkbox"/> International Relations Committee |
| <input type="checkbox"/> Battle Creek Transit Local Coordinating Committee | <input type="checkbox"/> Lakeview Downtown Development Authority |
| <input type="checkbox"/> Battle Creek TIFA/Brownfield Development Authority | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Bicycle Advisory Committee | <input type="checkbox"/> Local Development Financing Authority |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Local Officers' Compensation Commission |
| <input type="checkbox"/> Board of Review (Assessing) | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Police/Fire Retirement System Board |
| <input type="checkbox"/> Columbia Avenue Business Improvement District | <input type="checkbox"/> Sustainable BC Committee |
| <input type="checkbox"/> Dangerous Building Hearings Officer | <input type="checkbox"/> Technical Review Committee |
| <input type="checkbox"/> Development Area Citizen's Council | <input type="checkbox"/> Tree Advisory Council |
| <input type="checkbox"/> Dickman Road Business Improvement District | <input type="checkbox"/> Water System Advisory Council |
| <input checked="" type="checkbox"/> Downtown Parking System Advisory Committee | <input type="checkbox"/> Youth Advisory Board |
| <input type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |

Name Hoffmann, Leslie A

Last

First

M.I.

Home Address: 2262 Cameron Street

E-mail leslie.hoffmann@abm.com

Telephone: Home _____ Work 269-966-3605 Cell 269-720-3390

Are you at least 18 years of age? Yes ☒ No ☐

Current occupation (students, list school activities) District Manager for Parking Management

Employer/work address (students, list school) ABM Parking Services, 80 West Michigan Ave., Suite, Battle Creek MI 49017

Educational background/degrees (students, list year in school) High School and some College

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service _____

Downtown Parking System Advisory Committee 4 years

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) _____

Briefly indicate your interest, experience, and/or qualifications for the board for which you are applying. Please be specific (use back of form if necessary): _____

I have managed a downtown parking system for the last 21 years with the last 4 years in Battle Creek.

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature

Leslie A. Hoffmann

Date

2/6/24

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

Dangerous Building Hearings Officer – Appointing authority: Mayor, with Commission approval.

Identifies those structures within the city confines that are considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: an engineer, architect, building contractor, building inspector, or member of a community housing organization. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Experience: ☐ Building Construction/Engineering ☐ Real Estate/Development/Law ☐ Housing

Development Area Citizen's Council – Appointing authority: City Commission An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan. Contact: City Manager, 269-966-3378 Experience: ☐ Lives within authority boundaries

Dickman Road Business Improvement District – Appointing authority: City Manager, with Commission approval; City of Springfield

Undertakes functions, objectives, and powers enumerated in Section 1 of Public Act 49 of the Public Acts of 1999, including the promotion of economic activity in the BID along Dickman Road and providing or contracting for the administration, security, and operation of the District, to include physical improvements and joint marketing. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Non-automotive Business Representative ☐ Automotive Business Representative

Downtown Parking System Advisory Committee – Appointing authority: Mayor appoints commissioners; City Manager appoints owners and members at large with Commission approval.

Advises city staff and the city's parking administrator on issues related to the municipally-owned and operated parking system. Meets as needed.

Contact: Public Works Director, 269-966-3490

Experience: ☒ Downtown Business/Property Owner ☐ Live in city limits

Economic Development Corporation – Appointing authority: Mayor, with Commission approval.

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Economic Development ☐ Live in city limits

Goguac Lake Board – Appointing authority: Two representatives and a Goguac Lake property owner by the Mayor and City Commission; a county commissioner by the Calhoun County Board of Commissioners chairperson; the county drain commissioner; a representative of the Michigan Department of Environment, Great Lakes, and Energy.

Pursuant to Public Act 451 of 1994, as amended by Public Act 59 of 1995, formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake. Meets quarterly.

Contact: Utility Administrator, 269-966-3343

Experience: ☐ Own property on Goguac Lake

Historic District Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law and local ordinance with reviewing plans for exterior modifications or demolition of buildings within the federal, state or local historic districts. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Construction/Building Trades ☐ History ☐ Architecture ☐ Live in city limits

Human Relations Board – Appointing authority: Mayor, with Commission approval.

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To also increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships



Resolution

NO. 363

A Resolution reappointing Edward Guzzo to the Battle Creek Downtown Development Authority.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That Edward Guzzo be reappointed to the Battle Creek Downtown Development Authority, with a term to expire on March 20, 2028;

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution reappointing Edward Guzzo to the Battle Creek Downtown Development Authority.

BUDGETARY CONSIDERATIONS

None.

HISTORY, BACKGROUND and DISCUSSION

The BCDDA was created and authorized by the City Commission pursuant to Act 197 of the Public Acts of 1975 of the State of Michigan (City Commission resolution of January 23, 1979). The membership is made up of the City Manager, plus eight other members, five of whom have an interest in property located in the downtown district.

The City Manager has the appointing authority to the BCDDA, with approval by the City Commission. Additionally, the City Commission can appoint two of its members to serve in an ex-officio capacity. Ex-officio members may attend all meetings of the board and receive copies of communications, records, memorandums, or other Authority documents, but do not have a vote on any decision by the board.

DISCUSSION OF THE ISSUE

POSITIONS

The Review Committee is supportive of this reappointment.

ATTACHMENTS:

| File Name | Description |
|----------------------------|--------------------------|
| 📎 Guzzo__Edward_-_2024.pdf | Edward Guzzo Application |



BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street
Battle Creek, Michigan 49014-4004
269.966.3378

PLEASE CHECK THE TOP (3) BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt and will be posted on the City website.)

- | | |
|---|--|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Goguc Lake Board |
| <input type="checkbox"/> AMSA Construction Board of Appeals | <input type="checkbox"/> Historic District Commission |
| <input checked="" type="checkbox"/> Battle Creek Downtown Development Authority | <input type="checkbox"/> Human Relations Board |
| <input type="checkbox"/> Battle Creek Housing Commission | <input type="checkbox"/> Income Tax Board of Appeals |
| <input type="checkbox"/> Battle Creek Transit Local Advisory Council | <input type="checkbox"/> International Relations Committee |
| <input type="checkbox"/> Battle Creek Transit Local Coordinating Committee | <input type="checkbox"/> Lakeview Downtown Development Authority |
| <input type="checkbox"/> Battle Creek TIFA/Brownfield Development Authority | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Bicycle Advisory Committee | <input type="checkbox"/> Local Development Financing Authority |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Local Officers' Compensation Commission |
| <input type="checkbox"/> Board of Review (Assessing) | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Police/Fire Retirement System Board |
| <input type="checkbox"/> Columbia Avenue Business Improvement District | <input type="checkbox"/> Sustainable BC Committee |
| <input type="checkbox"/> Dangerous Building Hearings Officer | <input type="checkbox"/> Technical Review Committee |
| <input type="checkbox"/> Development Area Citizen's Council | <input type="checkbox"/> Tree Advisory Council |
| <input type="checkbox"/> Dickman Road Business Improvement District | <input type="checkbox"/> Water System Advisory Council |
| <input type="checkbox"/> Downtown Parking System Advisory Committee | <input type="checkbox"/> Youth Advisory Board |
| <input type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |

Name Guzzo, Edward W.

Last

First

M.I.

Home Address: 125 Sterling Ct

E-mail edward.guzzo@gmail.com

Telephone: Home _____ Work _____ Cell 269-924-7866

Are you at least 18 years of age? Yes ☒ No ☐

Current occupation (students, list school activities) Business

Employer/work address (students, list school) Kellanova, One Kellogg Square, Battle Creek, MI 49016

Educational background/degrees (students, list year in school) BA, Economics, Michigan State University; MBA, University of Michigan Business School

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service _____

see Attached

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) _____

Rotary Club of Battle Creek

Briefly indicate your interest, experience, and/or qualifications for the board for which you are applying. Please be specific (use back of form if necessary). see Attached

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature

Edward W. Guzzo

Date 1/21/2024

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

Ed Guzzo

January 21, 2024

Addendum to City of Battle Creek Boards and Commission Application

Commissions/Boards/Committees:

- Battle Creek Area Math & Science Center, Policy Advisory Committee, 2015-Present
- Calhoun County Visitors Bureau Budget/Audit Committee, 2014-Present
- Tiger Room Advisory Committee, 2016-2021
- Co-Chair, Upper Dublin School District Budget and Finance Task Force, 2010-2011
- Woodlawn Preschool Board of Directors; Marketing Chair, Treasurer, VP, President, 2001-2006
- City of Battle Creek, Police and Fire Pension Board, 2018-2023
- City of Battle Creek, Downtown Development Authority, 2018-Present

Why I wish to serve:

I would like to continue to serve on the Battle Creek Downtown Development Authority to support a stronger city. Battle Creek has been my home for most of the last 26 years and I would like to give back to the community in my area of expertise, which is business and finance.

Why I believe I am qualified:

I believe I am qualified to serve on the Battle Creek Tax Increment Finance Authority because of my background in business finance over the last twenty-six years. I have been involved in many business investment decisions and understand how businesses evaluate the many financial and risk factors that can impact their organizations. This experience spans a wide variety of business analyses including those for both business growth and cost savings initiatives.

My educational training includes a Bachelor's degree in Economics from Michigan State University and a MBA from the University of Michigan. I also have a strong understanding of the interaction between government and business from seven years of working in Washington D.C. at the U.S. Department of Commerce and in the office of Congressman Nick Smith.

Finally, my personal style lends itself well to serving on a board with others. I work collaboratively with others, understanding that each person brings his or her own strengths to a team and that we can be most effective by listening to and learning from each other. I can also be helpful in identifying obstacles to agreement and helping to find common ground to bring issues to closure.

Thank you for your consideration.

City of Battle Creek Boards, Commissions and Committees – Descriptions

**PLEASE CHECK EXPERIENCE FOR THE (3) BOARD(S) OR COMMISSION(S) ON WHICH
YOU ARE INTERESTED IN SERVING**

Airport Advisory Board – Appointing authority: Mayor and Commission.

The committee makes policy recommendations regarding airport matters in order to support the continued development of the airport and economic growth of the community, and acts as an advocate for the current and potential future economic value of the airport. Meets quarterly.

Contact: Battle Creek Executive Airport at Kellogg Field, 269-966-3470

Experience: ☐ Airport Operations ☐ Economic Development ☐ Live in city limits

AMSA Construction Board of Appeals – Appointing authority: Proposed by AMSA committee, appointed by the Mayor.

This committee hears appeals on building permit denials and from any other decision pursuant or related to. Meets as needed.

Contact: City Clerk, 269-966-3348

Experience: ☐ Architecture ☐ Building Construction ☐ Engineering ☐ Real Estate/Development/Law

Battle Creek Downtown Development Authority – Appointing authority: City Manager, with Commission approval.

The Downtown Development Authority, Public Act 57 of 2018, is designed to be a catalyst in the development of the city's downtown district. The DDA provides for a variety of funding options including a tax increment financing mechanism, which can be used to fund public improvements in the downtown district. Meets quarterly.

Contact: City Manager's Office, 269-966-3378

Experience: ☒ Property Owner ☐ Business Representative ☒ Live in city limits

Battle Creek Housing Commission – Appointing authority: Mayor and Commission.

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments. Meets monthly.

Contact: Community Services Director, 269-966-3387

Experience: ☐ Public Housing ☐ Live in city limits

Battle Creek Transit Local Advisory Council – Appointing authority: Mayor and Commission.

Public Act 51 of 1951, as amended, required there to be a Local Advisory Council whose legal function is to review and comment on the applicant Vehicle Accessibility Plan and annual updates to that plan. Meets annually, with special meetings scheduled if necessary.

Contact: Battle Creek Transit, 269-966-3374

Experience: ☐ Public Transportation ☐ Live in city limits

Battle Creek Transit Local Coordinating Committee – Appointing authority: Mayor and Commission.

Public Act 51 of 1951, as amended, required there to be a local coordination of transportation services to the elderly and disabled. Because of this requirement, the Michigan Department of Transportation directed that each transit agency have a "local coordinating committee" whose legal function is to determine annually how the Specialized Services funds will be allocated among the various sub-recipients. Meets Quarterly.

Contact: Battle Creek Transit, 269-966-3474

Experience: ☐ Public Transportation ☐ Live in city limits

Battle Creek TIFA/Brownfield Redevelopment Authority – Appointing authority: City Manager, with Commission approval.

To halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Property Owner ☐ Business Owner ☐ Live in city limits



Resolution

NO. 364

A Resolution appointing Kristyn Denison, Tommy Moton and Alana White as new members to the Planning Commission.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That Kristyn Denison, Tommy Moton and Alana White are appointed as new members to the Planning Commission with terms expiring on January 1, 2027.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution appointing Kristyn Denison, Tommy Moton and Alana White as new members to the Planning Commission.

BUDGETARY CONSIDERATIONS

None.

HISTORY, BACKGROUND and DISCUSSION

The Battle Creek Planning Commission was created in accordance with Act 285 of the Public Acts of 1931, State of Michigan as amended; and Part 12, Chapter 1202, of the City Codified Ordinances. There are nine members on the Planning Commission (this is set by State Law). The Mayor appoints eight persons, seven of whom are members of the community, one of whom is a City Commissioner.

DISCUSSION OF THE ISSUE

POSITIONS

The Review Committee is supportive of these appointments.

ATTACHMENTS:

| File Name | Description |
|-------------------------------|-----------------------------|
| 📎 Denison__Kristyn_-_2024.pdf | Kristyn Denison Application |
| 📎 Moton__Tommy_-_2024.pdf | Tommy Moton Application |
| 📎 White__Alana_-_2024.pdf | Alana White Application |



BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street
Battle Creek, Michigan 49014-4004
269.966.3378

PLEASE CHECK THE TOP (3) BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt)

- | | |
|---|--|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Historic District Commission |
| <input type="checkbox"/> AMSA Construction Board of Appeals | <input type="checkbox"/> Human Relations Board |
| <input type="checkbox"/> Battle Creek Downtown Development Authority | <input type="checkbox"/> Income Tax Board of Appeals |
| <input type="checkbox"/> Battle Creek Housing Commission | <input type="checkbox"/> International Relations Committee |
| <input type="checkbox"/> Battle Creek Transit Local Advisory Council | <input type="checkbox"/> Lakeview Downtown Development Authority |
| <input type="checkbox"/> Battle Creek Transit Local Coordinating Committee | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Battle Creek TIFA/Brownfield Development Authority | <input type="checkbox"/> Local Development Financing Authority |
| <input type="checkbox"/> Bicycle Advisory Committee | <input type="checkbox"/> Local Officers' Compensation Commission |
| <input type="checkbox"/> Board of Appeals | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Board of Review (Assessing) | <input type="checkbox"/> Police/Fire Retiree Health Care Insurance Board |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Special Assessment Review Board |
| <input type="checkbox"/> Columbia Avenue Business Improvement District | <input type="checkbox"/> Sustainable BC Committee |
| <input type="checkbox"/> Dangerous Building Hearings Officer | <input type="checkbox"/> Technical Review Committee |
| <input type="checkbox"/> Development Area Citizen's Council | <input type="checkbox"/> Tree Advisory Council |
| <input type="checkbox"/> Dickman Road Business Improvement District | <input type="checkbox"/> Water System Advisory Council |
| <input type="checkbox"/> Downtown Parking System Advisory Committee | <input type="checkbox"/> Youth Advisory Board |
| <input type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Goguac Lake Board | |

Name Denison Kristyn L
Last First M.I.
Home Address: 166 Jennings Rd Battle Creek E-mail: KVdenison@yahoo.com
Telephone: Home 269-420-9054 Work _____ Cell 269-420-9054

Are you at least 18 years of age? Yes ☒ No ☐
Current occupation (students, list school activities) work part-time at Stetler Construction
Employer/work address (students, list school) 291 N. 20th St.
Educational background/degrees (students, list year in school) Assoc. of Applied Science

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service Lakeview Ed Foundation 2007-2020, Junior League of Battle Creek 1995-2006

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) _____

Briefly indicate your interest, experience, and/or qualifications for the board for which you are applying. Please be specific (use back of form if necessary). _____

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature [Signature]

Date 1/25/24

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

As a lifelong resident of Battle Creek, my connection to this community runs deep. Over the years, I have cultivated a unique blend of experiences and qualifications that I believe position me as a valuable candidate for the Battle Creek Planning Commission.

Having spent the majority of my life in Battle Creek, I have witnessed the city's evolution firsthand. My roots in this community have instilled in me a genuine passion for its well-being and development. This commitment serves as the driving force behind my desire to contribute actively to the decision-making processes that shape Battle Creek's future.

One of the pivotal chapters in my professional journey was my decade-long tenure as a realtor. This experience equipped me with a comprehensive understanding of the local real estate landscape. I became intimately familiar with the housing market, zoning regulations, and the intricate dynamics that influence property development. Through assisting individuals and families in finding homes, I developed a keen awareness of the diverse housing needs within our community.

Following my real estate career, I transitioned to the nonprofit sector, dedicating seven years to an organization focused on housing initiatives. This role allowed me to contribute to the community in a more direct and impactful way. Working with a nonprofit exposed me to the challenges faced by vulnerable populations and underscored the importance of thoughtful urban planning. I engaged in projects aimed at improving housing accessibility, affordability, and quality – experiences that honed my ability to navigate complex issues and collaborate with diverse stakeholders.

Currently, I am actively involved in my family's residential housing construction business. This hands-on experience in the construction industry provides me with valuable insights into the practical aspects of development. From navigating regulatory hurdles to understanding the nuances of sustainable construction practices, my involvement in the family business reinforces my commitment to fostering responsible and sustainable growth within Battle Creek.

Joining the Battle Creek Planning Commission represents the next logical step in my journey of community involvement. My multifaceted background uniquely positions me to contribute to the commission's mission of guiding development while considering the diverse needs of our residents. I bring a blend of real-world experience, a deep understanding of local housing dynamics, and a commitment to promoting the well-being of our community.

If given the opportunity to serve on the Battle Creek Planning Commission, I am committed to leveraging my knowledge and experiences to make informed and equitable decisions. I am dedicated to fostering a community that prioritizes inclusivity, sustainability, and thoughtful urban planning. Battle Creek's future holds great promise, and I am eager to be a proactive force in shaping that future for the benefit of all residents.

Demographics

We request the following Affirmative Action and Equal Opportunity information to help determine whether application information for city boards and commissioners is reaching all parts of the community. Providing the following information is optional, and if you wish to leave this section blank or incomplete, it will not affect your potential membership.

Race and Hispanic Origin (Select all that apply)

☐ American Indian and Alaska Native

☐ Asian

☐ Black or African American

☐ Native Hawaiian and Other Pacific Islander

☒ White

☐ Two or More Races

☐ Hispanic or Latinx

☐ Not Hispanic or Latinx

Sexual Orientation

☒ Straight/Heterosexual

☐ Gay or Lesbian

☐ Bisexual

☐ Prefer to self-describe

☐ Prefer not to say

Gender

☐ Man ☒ Woman ☐ Non-binary or third gender ☐ Prefer to self-describe ☐ Prefer not to say

Do you have a disability?

☐ Yes ☒ No ☐ Prefer not to respond

City of Battle Creek Boards, Commissions and Committees – Descriptions

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Experience: ☐ Architecture ☐ Building Construction ☐ Engineering ☐ Real Estate/Development/Law

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Experience: ☐ Property Owner ☐ Business Representative ☐ Live in city limits

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To halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Property Owner ☐ Business Owner ☐ Live in city limits

Bicycle Advisory Committee – Appointing authority: City Manager for city staff members; Mayor and Commission for remaining members.

The League of American Bicyclists has created a framework for communities to use to become Bicycle Friendly Communities, which includes the creation and maintenance of a bicycle advisory committee to assist the city by providing research, community outreach, and policy recommendations to the Commission and city staff. Meets monthly.

Contact: Recreation Department, 269-966-3431; Engineering Division, 269-966-3343

Experience: ☐ Business Representative ☐ Live in city limits

Board of Appeals – Appointing authority: Mayor, with Commission approval.

Board members hear and decide on appeals concerning the application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Experience: ☐ Building Construction/Engineering ☐ Zoning ☐ Real Estate/Development/Law ☐ Live in city limits

Board of Review (Assessing) – Appointing authority: Mayor and Commission.

Members serve for five years and must be city electors and property owners. Members may correct/amend assessment rolls and increase or decrease taxable property assessment or valuation. Meets for a minimum of five days in March; one day in July; and one day in December.

Contact: City Assessor, 269-966-3369

Experience: ☐ Banking/Finance ☐ Property Appraisal/Assessing ☐ Real Estate/Development/Law ☐ Live in city limits

City Commission – Appointing authority: Elected by City of Battle Creek voters.

City Commissioners serve two-year terms.

City voters elect the mayor as a separate office to serve a two-year term. After an election, the vice mayor is selected by their fellow commissioners to serve a two-year term. The commission is comprised of five ward commissioners, representing geographic wards within the city, and four at-large commissioners.

All interested City Commission candidates must collect signatures, and submit nominating petitions. See more information about commissioner candidate requirements at battlecreekmi.gov/elections. In the case of a position vacancy, the commission will follow a special process, about which information will be released separately.

Contact: City Clerk, 269-966-3348

Civil Service Commission – Appointing authority: Mayor and Commission appoint one member, Fire Department appoints one member, and those two members appoint a third member.

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees.

Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party. Meets monthly.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Columbia Avenue Business Improvement District – Appointing authority: Mayor and City Commission

Undertakes functions, objectives, and powers enumerated in Section 1 of Public Act 49 of the Public Acts of 1999, including the promotion of economic activity in the BID along Columbia Avenue and providing or contracting for the administration, security, and operation of the District, to include physical improvements and joint marketing. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Business Representative ☐ Live in city limits

Dangerous Building Hearings Officer – Appointing authority: Mayor, with Commission approval.

Identifies those structures within the city confines that are considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: an engineer, architect, building contractor, building inspector, or member of a community housing organization. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Experience: ☐ Building Construction/Engineering ☐ Real Estate/Development/Law ☐ Housing

Development Area Citizen's Council – Appointing authority: City Commission

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

Contact: City Manager, 269-966-3378

Experience: ☐ Lives within authority boundaries

Dickman Road Business Improvement District – Appointing authority: City Manager, with Commission approval; City of Springfield

Undertakes functions, objectives, and powers enumerated in Section 1 of Public Act 49 of the Public Acts of 1999, including the promotion of economic activity in the BID along Dickman Road and providing or contracting for the administration, security, and operation of the District, to include physical improvements and joint marketing. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Non-automotive Business Representative ☐ Automotive Business Representative

Downtown Parking System Advisory Committee – Appointing authority: Mayor appoints commissioners; City Manager appoints owners and members at large with Commission approval.

Advises city staff and the city's parking administrator on issues related to the municipally-owned and operated parking system. Meets as needed.

Contact: Public Works Director, 269-966-3490

Experience: ☐ Downtown Business/Property Owner ☐ Live in city limits

Economic Development Corporation – Appointing authority: Mayor, with Commission approval.

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Economic Development ☐ Live in city limits

Goguac Lake Board – Appointing authority: Two representatives and a Goguac Lake property owner by the Mayor and City Commission; a county commissioner by the Calhoun County Board of Commissioners chairperson; the county drain commissioner; a representative of the Michigan Department of Environment, Great Lakes, and Energy.

Pursuant to Public Act 451 of 1994, as amended by Public Act 59 of 1995, formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake. Meets quarterly. Contact: Utility Administrator, 269-966-3343

Experience: ☐ Own property on Goguac Lake

Historic District Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law and local ordinance with reviewing plans for exterior modifications or demolition of buildings within the federal, state or local historic districts. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Construction/Building Trades ☐ History ☐ Architecture ☐ Live in city limits

Human Relations Board – Appointing authority: Mayor, with Commission approval.

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To also increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations. Meets monthly.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in the metropolitan area

Income Tax Board of Appeals – Appointing authority: Mayor, with Commission approval.

Pursuant to State Act 284 of 1964, attempts to settle city income tax disputes. Meets as needed.

Contact: Income Tax Division, 269-966-3345

Experience: ☐ Income Tax/Accounting ☐ Live in city limits

International Relations Committee – Appointing authority: Mayor, with Commission approval.

To foster cultural promotion of the city and provide a positive environment toward foreign industrialists and their families. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in city limits

Lakeview Downtown Development Authority – Appointing authority: City Manager, with Commission approval.

The LDDA's activities shall include, but are not limited to, the definition of a development area; the origination of a development plan; and the implementation of a development program as provided in Act 197 of PA 1975. Meets bi-annually.

Contact: City Manager, 269-966-3378

Experience: ☐ District Property Owner/Business Representative ☐ Live in city limits

License Review Board – Appointing authority: Mayor, with Commission approval.

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation. Meets as needed.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Local Development Financing Authority – Appointing authority: City Manager, with Commission approval.

To conduct those activities authorized under Act 281, Public Acts of 1986, and as amended from time to time (MCLA Section 125.2151 et seq.; MSA Section 3.540 (351) et seq.), and to otherwise govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, Michigan, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation. Meets as needed.

Contact: City Manager, 269-966-3378

Experience: ☐ Live in city limits ☐ Calhoun County Commission/KCC/MEDC appointment

Local Officers' Compensation Commission – Appointing authority: Mayor, with Commission approval.

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Planning Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law with the adoption of plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Civil/Engineering/Landscape Architecture ☐ Land Use Planning ☐ Real Estate/Development ☐ Law

Police/Fire Retiree Health Care Insurance Board – Appointing authority: Mayor, with Commission approval.

Consistent with any decisions of the City Commission making funds available, adopting policies governing the further allocation of any funds that may be available pursuant to Section 401(h) of the Internal Revenue Code through the levy of the millage authorized by Public Act 345 of 1937. Meets semi-annually, in November and June.

Contact: Revenue Services Director, 269-966-3388

Experience: ☐ Live in city limits

Special Assessment Review Board – Appointing authority: Mayor, with Commission approval.

Members review and authorize single-lot assessments for expenses chargeable against such premises and their owners.

Meets semi-annually, as needed, as determined by the revenue services director. Meets as needed.

Contact: City Treasurer, 269-966-3325

Experience: ☐ Live in city limits

Sustainable BC Committee – Appointing authority: City staff by City Manager; remaining members by Mayor, with Commission approval.

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission. Meets as needed.

Contact: Utility Administrator, 269-966-3343

Experience: ☐ Environmental ☐ Live in city limits ☐ Business Representative

Technical Review Committee – Appointing authority: City staff by City Manager; remaining members by contributing jurisdictions.

Provides review, input, and recommendations to the City and the City Commission regarding various aspects of the Wastewater Treatment system and rates. Meets quarterly.

Contact: Public Works Director, 269-966-3490

Experience: ☐ Engineering ☐ Other Technical Expertise ☐ Industry Representative

Tree Advisory Council – Appointing authority: Mayor, with Commission approval.

Members serve in an advisory capacity to the Department of Public Works and the City Manager in developing the annual Tree Work Plan and the issuance of rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion. Meets at least once a year, in September.

Contact: City Engineer, 269-966-3343

Experience: ☐ Horticulture ☐ Forestry

Water System Advisory Council – Appointing authority: Mayor and Commission.

To advise and assist with the creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water. Meets annually.

Contact: Public Works Director, 269-966-3490

Experience: ☐ Interest/knowledge about lead in drinking water and its effects ☐ Live in city limits

Youth Advisory Board – Appointing authority: Mayor, with Commission approval.

Established by Resolution 117 dated April 1, 2003 to involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth. Meets monthly.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in city limits ☐ Age 14-20

Zoning Board of Appeals – Appointing authority: Mayor, with Commission approval.

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Land Use Planning ☐ Real Estate/Development/Law ☐ Building Construction/Engineering ☐ Live in city limits



BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street
Battle Creek, Michigan 49014-4004
269.966.3378

JAN - 4 2024

PLEASE CHECK THE TOP (3) BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt and will be posted on the City website.)

- | | |
|---|--|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Goghuac Lake Board |
| <input type="checkbox"/> AMSA Construction Board of Appeals | <input type="checkbox"/> Historic District Commission |
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| <input type="checkbox"/> Downtown Parking System Advisory Committee | <input checked="" type="checkbox"/> Youth Advisory Board |
| <input type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |

Name Moton Tommy
Last first
Home Address: 165 West St Apt 1C M.I. Tm26986@gmail.com
E-mail
Telephone: Home _____ Work _____ Cell (517) 242-6192

Are you at least 18 years of age? Yes ☒ No ☐

Current occupation (students, list school activities) Carer Coach

Employer/work address (students, list school) KRESA Michigan Works

Educational background/degrees (students, list year in school) BA - Criminal Justice Applied Science

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service Freemason
Regional board, Black Men Inc of Lansing, Kresa Law Enforcement Committee

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) Kresa, Battle Creek CAN, Freemason, Woodlawn School board,

Briefly indicate your interest, experience, and/or qualifications for the board for which you are applying. Please be specific (use back of form if necessary). Holding positions on boards in the community and assisting in decision making of the organization.

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature [Signature] Date 1-4-2024

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

Patricia S Worden

From: noreply@civicplus.com
Sent: Wednesday, January 31, 2024 5:10 PM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve.
This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|--|
| Name | Alana White |
| Are you 18 years or older? | Yes |
| Home address | 151 Minges Creek Pl #J7 |
| City | Battle Creek |
| State | MI |
| Zip code | 49015 |
| Email address | Alanagwhite@hotmail.com |
| Home phone | 734-363-3198 |
| Work phone | Field not completed. |
| Cell phone | Field not completed. |
| Current occupation (students, list school activities) | Program Officer |
| Employer and work address (students, list school) | W.K. Kellogg Foundation, 1 E Michigan Ave, Battle Creek, MI 49015 |
| Educational background/degrees | B.S. Architecture, MBA, Doctorate of Social Work (graduation in May of 2024) |

(students, list current year in school)

List any appointed positions, boards, commissions, or committees on which you have served, and years of service

Board Chair of the TIFA, LDFA, and Brownfields Authority. Member of these authorities since 2016. Also serves as the Vice President of the Airport Advisory Board.

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations)

Philanthropic membership organizations. Battle Creek Public Schools Career Academies. Battle Creek College Access Network/ Promise Zone, Battle Creek Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

Briefly explain your interest, experience, and/or qualifications for the boards for which you are applying

I am interested in contributing my skills and expertise to my community in an impactful way. My skills and experience include airport planning, public housing redevelopment, community/ workforce/ economic development. I am happy to provide a formal resume if needed. Thank you for your consideration.

Attach additional information

Field not completed.

Please tell us how you found out about our boards and commissions and/or vacancies

Existing relationships.

Electronic Signature Agreement

I agree.

By signing this form, you acknowledge that any or all information on this form may be verified, and consent to the release of this information for publicity purposes.

Electronic Signature

Alana G. White

Date

1/31/2024

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

Rank *Field not completed.*

Experience *Field not completed.*

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

Rank *Field not completed.*

Experience *Field not completed.*

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

Rank *Field not completed.*

Experience *Field not completed.*

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

Rank *Field not completed.*

Experience *Field not completed.*

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

Rank 1

Experience Live in BC city limits

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

Rank *Field not completed.*

Experience *Field not completed.*

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

Rank *Field not completed.*

Experience *Field not completed.*

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

Rank *Field not completed.*

Experience *Field not completed.*

Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

Rank *Field not completed.*

Experience *Field not completed.*

Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

Rank *Field not completed.*

Experience *Field not completed.*

Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

Rank *Field not completed.*

Experience *Field not completed.*

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

Rank *Field not completed.*

Experience *Field not completed.*

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

Rank *Field not completed.*

Experience *Field not completed.*

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

Rank *Field not completed.*

Experience *Field not completed.*

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

Rank *Field not completed.*

Experience *Field not completed.*

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

Rank *Field not completed.*

Experience *Field not completed.*

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

Rank *Field not completed.*

Experience *Field not completed.*

Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

Rank *Field not completed.*

Experience *Field not completed.*

License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

Rank 2

Experience Live in BC city limits

Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Rank *Field not completed.*

Experience *Field not completed.*

Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

Rank 3

Experience Land use planning, Real estate/development

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

Rank *Field not completed.*

Experience *Field not completed.*

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

Rank *Field not completed.*

Experience *Field not completed.*

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

Rank *Field not completed.*

Experience *Field not completed.*

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

Rank *Field not completed.*

Experience *Field not completed.*

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

Rank *Field not completed.*

Experience *Field not completed.*

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

Rank *Field not completed.*

Experience *Field not completed.*

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

Rank *Field not completed.*

Experience *Field not completed.*

Email not displaying correctly? [View it in your browser.](#)



Resolution

NO. 365

A Resolution reappointing Gerardyne Drozdowski to the Historic District Commission.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That Gerardyne Drozdowski is reappointed to the Historic District Commission, with a term to expire on January 1, 2027.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution reappointing Gerardyne Drozdowski to the Historic District Commission.

BUDGETARY CONSIDERATIONS

None.

HISTORY, BACKGROUND and DISCUSSION

This Commission is charged under State Law and local ordinance with reviewing plans for the exterior modification or demolition of buildings within the Federal, State, or Local Historic Districts. It is composed of seven (7) members who shall reside in the City, and one of whom shall be a duly registered architect. The appointing authority is the Mayor with concurrence of the City Commission.

DISCUSSION OF THE ISSUE

POSITIONS

The Review Committee is supportive of this reappointment.

ATTACHMENTS:

| File Name | Description |
|--|----------------------------------|
|  Drozdowski__Gerardyne_-_2024.pdf | Gerardyne Drozdowski Application |

Patricia S Worden

From: noreply@civicplus.com
Sent: Wednesday, January 31, 2024 10:38 AM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve.
This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|---|
| Name | Gerardyne "Geri" Drozdowski |
| Are you 18 years or older? | Yes |
| Home address | 474 Country Club Dr |
| City | Battle Creek |
| State | Michigan |
| Zip code | 49015-3624 |
| Email address | drozdogm@wnj.com |
| Home phone | <i>Field not completed.</i> |
| Work phone | 616.752.2110 |
| Cell phone | 269.986.5142 |
| Current occupation (students, list school activities) | lawyer |
| Employer and work address (students, list school) | Warner Norcross & Judd 1500 Warner Building, 150 Ottawa Avenue NW, Grand Rapids, MI 49503 |
| Educational background/degrees | Bachelor of Arts Degree (Theatre) - Michigan State University, 1978; Associate Degree (Nursing) - Kellogg Community |

| | |
|---|--|
| (students, list current year in school) | College, 1980; Juris Doctor - University of Notre Dame Law School, 1989 |
| List any appointed positions, boards, commissions, or committees on which you have served, and years of service | Historic District Commission 2020 - January 1, 2024; Goguaac Lake Board 2009 - present; Battle Creek City Commissioner 1997 - 2001 (Elected not appointed to the Battle Creek City Commission.) |
| List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) | Michigan Bar Association; Battle Creek Area Catholic Schools Foundation Board |
| Briefly explain your interest, experience, and/or qualifications for the boards for which you are applying | Born and raised in Battle Creek, I maintain a strong interest in preserving the city's history and architectural integrity. As a lawyer I recognize the importance of statutory compliance and believe public safety must propel the commission's actions. My experience with local government convinces me of the need for focus and efficiency in serving on the Historic District Commission. |
| Attach additional information | <i>Field not completed.</i> |
| Please tell us how you found out about our boards and commissions and/or vacancies | I served on the Historic District Commission with my term expiring on January 1, 2024. I would like to continue on this commission and request reappointment to the Historic District Commission. |
| Electronic Signature Agreement | I agree. |
| <i>By signing this form, you acknowledge that any or all information on this form may be verified, and consent to the release of this information for publicity purposes.</i> | |
| Electronic Signature | Gerardyne M Drozdowski |
| Date | January 31, 2024 |

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

Rank *Field not completed.*

Experience *Field not completed.*

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

Rank *Field not completed.*

Experience *Field not completed.*

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

Rank *Field not completed.*

Experience *Field not completed.*

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

Rank *Field not completed.*

Experience *Field not completed.*

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

Rank *Field not completed.*

Experience *Field not completed.*

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

Rank *Field not completed.*

Experience *Field not completed.*

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

Rank *Field not completed.*

Experience *Field not completed.*

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

Rank *Field not completed.*

Experience *Field not completed.*

Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

Rank *Field not completed.*

Experience *Field not completed.*

Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

Rank *Field not completed.*

Experience *Field not completed.*

Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

Rank *Field not completed.*

Experience *Field not completed.*

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

Rank *Field not completed.*

Experience *Field not completed.*

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

Rank *Field not completed.*

Experience *Field not completed.*

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

Rank 1

Experience Live in BC city limits

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

Rank *Field not completed.*

Experience *Field not completed.*

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

Rank *Field not completed.*

Experience *Field not completed.*

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

Rank *Field not completed.*

Experience *Field not completed.*

Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

Rank *Field not completed.*

Experience *Field not completed.*

License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Rank *Field not completed.*

Experience *Field not completed.*

Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

Rank *Field not completed.*

Experience *Field not completed.*

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

Rank *Field not completed.*

Experience *Field not completed.*

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

Rank *Field not completed.*

Experience *Field not completed.*

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

Rank *Field not completed.*

Experience *Field not completed.*

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

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Resolution

NO. 366

A Resolution appointing Bernard Gladney and Colleen Lowe as new members to the Income Tax Board of Review.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That Bernard Gladney and Colleen Lowe are appointed as new members to the Income Tax Board of Review, with terms ending on February 20, 2027.

Battle Creek City Commission

2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution appointing Bernard Gladney and Colleen Lowe as new members to the Income Tax Board of Review.

BUDGETARY CONSIDERATIONS

There are none.

HISTORY, BACKGROUND and DISCUSSION

Adoption of State Act 284 of 1964 by voters on February 7, 1967, authorized the establishment of the Income Tax Board of Appeals. Pursuant to the Act, this Board attempts to settle City Income Tax disputes. The Board is made up of three City residents who are not City officials or employees. The Mayor, with Commission approval, appoints members for three-year terms.

DISCUSSION OF THE ISSUE

POSITIONS

The Review Committee is supportive of these appointments.

ATTACHMENTS:

| File Name | Description |
|-------------------------------|-----------------------------|
| 📎 Gladney__Bernard_-_2024.pdf | Bernard Gladney Application |
| 📎 Lowe__Colleen_-_2024.pdf | Colleen Lowe Application |

Patricia S Worden

From: noreply@civicplus.com
Sent: Sunday, January 28, 2024 12:21 AM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve. This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|------|-----------------|
| Name | Bernard Gladney |
|------|-----------------|

| | |
|----------------------------|-----|
| Are you 18 years or older? | Yes |
|----------------------------|-----|

| | |
|--------------|--------------------|
| Home address | 218 Chapel Hill Dr |
|--------------|--------------------|

| | |
|------|--------------|
| City | Battle Creek |
|------|--------------|

| | |
|-------|----|
| State | MI |
|-------|----|

| | |
|----------|-------|
| Zip code | 49015 |
|----------|-------|

| | |
|---------------|----------------------|
| Email address | pastorbgld@gmail.com |
|---------------|----------------------|

| | |
|------------|------------|
| Home phone | 3134187160 |
|------------|------------|

| | |
|------------|------------|
| Work phone | 5174283367 |
|------------|------------|

| | |
|------------|------------|
| Cell phone | 3134187160 |
|------------|------------|

| | |
|---|------------------|
| Current occupation (students, list school activities) | District Manager |
|---|------------------|

| | |
|---|---|
| Employer and work address (students, list school) | Aldi 2625 Stockbridge Rd Webberville MI 48892 |
|---|---|

| | |
|--------------------------------|-----------------|
| Educational background/degrees | Bachelor Degree |
|--------------------------------|-----------------|

(students, list current year in school)

List any appointed positions, boards, commissions, or committees on which you have served, and years of service

Pastor (current)
Serving Northern District Council of the Pentecostal Assemblies of the World on various committees for 10 years

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations)

NA

Briefly explain your interest, experience, and/or qualifications for the boards for which you are applying

My interest is to serve my community where my young family will be growing. I faithfully serve as a local Pastor as well as historically with helping to meet community needs such as food, clothing, shelter, building projects, construction, clean water initiatives, and youth development.

Attach additional information

Field not completed.

Please tell us how you found out about our boards and commissions and/or vacancies

City Hall visit

Electronic Signature Agreement

I agree.

By signing this form, you acknowledge that any or all information on this form may be verified, and consent to the release of this information for publicity purposes.

Electronic Signature

Bernard Gladney

Date

1/28/24

(Section Break)

(Section Break)

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing

matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

| | |
|------|---|
| Rank | 3 |
|------|---|

| | |
|------------|-------------------------------|
| Experience | Live in the metropolitan area |
|------------|-------------------------------|

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

| | |
|--|---|
| Rank | 1 |
| Experience | Income tax/accounting, Live in BC city limits |
| Lakeview Downtown Development Authority | |
| The definition of a development area; the origination of a development plan; and the implementation of a development program | |
| Rank | <i>Field not completed.</i> |
| Experience | <i>Field not completed.</i> |
| License Review Board | |
| Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation. | |
| Rank | <i>Field not completed.</i> |
| Experience | <i>Field not completed.</i> |
| Local Development Financing Authority | |
| To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation. | |
| Rank | <i>Field not completed.</i> |
| Experience | <i>Field not completed.</i> |
| Local Officers' Compensation Commission | |
| Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present. | |
| Rank | <i>Field not completed.</i> |
| Experience | <i>Field not completed.</i> |
| Planning Commission | |

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

Experience *Field not completed.*

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

Rank 2

Experience Interest/knowledge about lead in drinking water and its affects,
Live in BC city limits

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

Rank *Field not completed.*

Experience *Field not completed.*

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

Rank *Field not completed.*

Experience *Field not completed.*

Email not displaying correctly? [View it in your browser.](#)

Patricia S Worden

From: noreply@civicplus.com
Sent: Monday, January 29, 2024 5:19 PM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve.
This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|-------------------------|
| Name | Colleen Lowe |
| Are you 18 years or older? | Yes |
| Home address | 700 Knollwood Dr |
| City | Battle, Creek |
| State | Michigan |
| Zip code | 49015 |
| Email address | clowe269@hotmail.com |
| Home phone | 269-420-7953 |
| Work phone | Field not completed. |
| Cell phone | Field not completed. |
| Current occupation (students, list school activities) | Supply chain management |
| Employer and work address (students, list school) | Valbert, Germany |
| Educational background/degrees | Some college |

(students, list current year in school)

List any appointed positions, boards, commissions, or committees on which you have served, and years of service

N/A

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations)

N/A

Briefly explain your interest, experience, and/or qualifications for the boards for which you are applying

I would like to be more involved in the community. I've worked 10+ years as a tax professional for H&R Block.

Attach additional information

Field not completed.

Please tell us how you found out about our boards and commissions and/or vacancies

Friend

Electronic Signature Agreement

I agree.

By signing this form, you acknowledge that any or all information on this form may be verified, and consent to the release of this information for publicity purposes.

Electronic Signature

Colleen L Lowe

Date

01/29/24

(Section Break)

(Section Break)

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

Rank *Field not completed.*

Experience *Field not completed.*

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

Rank *Field not completed.*

Experience *Field not completed.*

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

| | |
|------|---|
| Rank | 3 |
|------|---|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing

matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
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| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

| | |
|--|---|
| Rank | 1 |
| Experience | Income tax/accounting, Live in BC city limits |
| Lakeview Downtown Development Authority | |
| The definition of a development area; the origination of a development plan; and the implementation of a development program | |
| Rank | <i>Field not completed.</i> |
| Experience | <i>Field not completed.</i> |
| License Review Board | |
| Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation. | |
| Rank | <i>Field not completed.</i> |
| Experience | <i>Field not completed.</i> |
| Local Development Financing Authority | |
| To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation. | |
| Rank | <i>Field not completed.</i> |
| Experience | <i>Field not completed.</i> |
| Local Officers' Compensation Commission | |
| Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present. | |
| Rank | <i>Field not completed.</i> |
| Experience | <i>Field not completed.</i> |
| Planning Commission | |

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

| | |
|------------|-----------------------------|
| Experience | <i>Field not completed.</i> |
|------------|-----------------------------|

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

| | |
|------|-----------------------------|
| Rank | <i>Field not completed.</i> |
|------|-----------------------------|

Experience *Field not completed.*

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

Rank *Field not completed.*

Experience *Field not completed.*

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

Rank *Field not completed.*

Experience *Field not completed.*

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

Rank *Field not completed.*

Experience *Field not completed.*

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Resolution

NO. 367

A Resolution reappointing Eric Blair to the Board of Appeals (Housing).

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That this Resolution reappoints Eric Blair to the Board of Appeals (Housing) with a term to expire on February 1, 2027.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution reappointing Eric Blair to the Board of Appeals (Housing).

BUDGETARY CONSIDERATIONS

None.

HISTORY, BACKGROUND and DISCUSSION

The Board of Appeals shall consist of not less than three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

DISCUSSION OF THE ISSUE

POSITIONS

The Review Committee is supportive of this reappointment.

ATTACHMENTS:

| File Name | Description |
|--|------------------------|
|  Blair__Eric_-_2024.pdf | Eric Blair Application |



BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street
Battle Creek, Michigan 49014-4004
269.966.3378

PLEASE CHECK THE TOP (3) BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt and will be posted on the City website.)

- | | |
|---|--|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Gogua Lake Board |
| <input type="checkbox"/> AMSA Construction Board of Appeals | <input type="checkbox"/> Historic District Commission |
| <input type="checkbox"/> Battle Creek Downtown Development Authority | <input type="checkbox"/> Human Relations Board |
| <input type="checkbox"/> Battle Creek Housing Commission | <input type="checkbox"/> Income Tax Board of Appeals |
| <input type="checkbox"/> Battle Creek Transit Local Advisory Council | <input type="checkbox"/> International Relations Committee |
| <input type="checkbox"/> Battle Creek Transit Local Coordinating Committee | <input type="checkbox"/> Lakeview Downtown Development Authority |
| <input type="checkbox"/> Battle Creek TIFA/Brownfield Development Authority | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Bicycle Advisory Committee | <input type="checkbox"/> Local Development Financing Authority |
| <input checked="" type="checkbox"/> Board of Appeals | <input type="checkbox"/> Local Officers' Compensation Commission |
| <input type="checkbox"/> Board of Review (Assessing) | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Police/Fire Retirement System Board |
| <input type="checkbox"/> Columbia Avenue Business Improvement District | <input type="checkbox"/> Sustainable BC Committee |
| <input type="checkbox"/> Dangerous Building Hearings Officer | <input type="checkbox"/> Technical Review Committee |
| <input type="checkbox"/> Development Area Citizen's Council | <input type="checkbox"/> Tree Advisory Council |
| <input type="checkbox"/> Dickman Road Business Improvement District | <input type="checkbox"/> Water System Advisory Council |
| <input type="checkbox"/> Downtown Parking System Advisory Committee | <input type="checkbox"/> Youth Advisory Board |
| <input type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |

Name BLAIR ERIC R.
Last First M.I.
Home Address: 728 Country Club Dr, Battle Creek, MI 49015 E-mail erblair3@comcast.net
Telephone: Home _____ Work _____ Cell 269-420-6868

Are you at least 18 years of age? Yes X No _____

Current occupation (students, list school activities) Real Estate Broker

Employer/work address (students, list school) 475 E Columbia Ave, Ste 6, Battle Creek, MI 49014

Educational background/degrees (students, list year in school) BA in Business Administration & Finance - Western Michigan University

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service City BC Board of Appeals 6yrs
(board member/chair), BC Assoc Realtors (Director/President - 4yrs), Gov Affairs Committee (Chair - 20yrs), Gogua Lake Assoc (Treasurer - 15yrs)

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) Battle Creek Associ
Battle Creek Association of Realtors, Michigan Association of Realtors, National Association of Realtions, Battle Creek Country Club

Briefly indicate your interest, experience, and/or qualifications for the board for which you are applying. Please be specific (use back of form if necessary). Have been serving on the BOA for the past 6 years. Am a real estate broker and been a landlord for the past 20+ years

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature ERIC BLAIR
ERIC BLAIR

Date 02/07/2024

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

City of Battle Creek Boards, Commissions and Committees – Descriptions

**PLEASE CHECK EXPERIENCE FOR THE (3) BOARD(S) OR COMMISSION(S) ON WHICH
YOU ARE INTERESTED IN SERVING**

Airport Advisory Board – Appointing authority: Mayor and Commission.

The committee makes policy recommendations regarding airport matters in order to support the continued development of the airport and economic growth of the community, and acts as an advocate for the current and potential future economic value of the airport. Meets quarterly.

Contact: Battle Creek Executive Airport at Kellogg Field, 269-966-3470

Experience: ☐ Airport Operations ☐ Economic Development ☐ Live in city limits

AMSA Construction Board of Appeals – Appointing authority: Proposed by AMSA committee, appointed by the Mayor.

This committee hears appeals on building permit denials and from any other decision pursuant or related to. Meets as needed.

Contact: City Clerk, 269-966-3348

Experience: ☐ Architecture ☐ Building Construction ☐ Engineering ☐ Real Estate/Development/Law

Battle Creek Downtown Development Authority – Appointing authority: City Manager, with Commission approval.

The Downtown Development Authority, Public Act 57 of 2018, is designed to be a catalyst in the development of the city's downtown district. The DDA provides for a variety of funding options including a tax increment financing mechanism, which can be used to fund public improvements in the downtown district. Meets quarterly.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Property Owner ☐ Business Representative ☐ Live in city limits

Battle Creek Housing Commission – Appointing authority: Mayor and Commission.

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments. Meets monthly.

Contact: Community Services Director, 269-966-3387

Experience: ☐ Public Housing ☐ Live in city limits

Battle Creek Transit Local Advisory Council – Appointing authority: Mayor and Commission.

Public Act 51 of 1951, as amended, required there to be a Local Advisory Council whose legal function is to review and comment on the applicant Vehicle Accessibility Plan and annual updates to that plan. Meets annually, with special meetings scheduled if necessary.

Contact: Battle Creek Transit, 269-966-3374

Experience: ☐ Public Transportation ☐ Live in city limits

Battle Creek Transit Local Coordinating Committee – Appointing authority: Mayor and Commission.

Public Act 51 of 1951, as amended, required there to be a local coordination of transportation services to the elderly and disabled. Because of this requirement, the Michigan Department of Transportation directed that each transit agency have a "local coordinating committee" whose legal function is to determine annually how the Specialized Services funds will be allocated among the various sub-recipients. Meets Quarterly.

Contact: Battle Creek Transit, 269-966-3474

Experience: ☐ Public Transportation ☐ Live in city limits

Battle Creek TIFA/Brownfield Redevelopment Authority – Appointing authority: City Manager, with Commission approval.

To halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Property Owner ☐ Business Owner ☐ Live in city limits

Bicycle Advisory Committee – Appointing authority: City Manager for city staff members; Mayor and Commission for remaining members.

The League of American Bicyclists has created a framework for communities to use to become Bicycle Friendly Communities, which includes the creation and maintenance of a bicycle advisory committee to assist the city by providing research, community outreach, and policy recommendations to the Commission and city staff. Meets monthly.

Contact: Recreation Department, 269-966-3431; Engineering Division, 269-966-3343

Experience: ☐ Business Representative ☐ Live in city limits

Board of Appeals – Appointing authority: Mayor, with Commission approval.

Board members hear and decide on appeals concerning the application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Experience: ☒ Building Construction/Engineering ☒ Zoning ☒ Real Estate/Development/Law ☒ Live in city limits

Board of Review (Assessing) – Appointing authority: Mayor and Commission.

Members serve for five years and must be city electors and property owners. Members may correct/amend assessment rolls and increase or decrease taxable property assessment or valuation. Meets for a minimum of five days in March; one day in July; and one day in December.

Contact: City Assessor, 269-966-3369

Experience: ☐ Banking/Finance ☐ Property Appraisal/Assessing ☐ Real Estate/Development/Law ☐ Live in city limits

City Commission – Appointing authority: Elected by City of Battle Creek voters.

City Commissioners serve two-year terms.

City voters elect the mayor as a separate office to serve a two-year term. After an election, the vice mayor is selected by their fellow commissioners to serve a two-year term. The commission is comprised of five ward commissioners, representing geographic wards within the city, and four at-large commissioners.

All interested City Commission candidates must collect signatures, and submit nominating petitions. See more information about commissioner candidate requirements at battlecreekmi.gov/elections. In the case of a position vacancy, the commission will follow a special process, about which information will be released separately.

Contact: City Clerk, 269-966-3348

Civil Service Commission – Appointing authority: Mayor and Commission appoint one member, Fire Department appoints one member, and those two members appoint a third member.

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees.

Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party. Meets monthly.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Columbia Avenue Business Improvement District – Appointing authority: Mayor and City Commission

Undertakes functions, objectives, and powers enumerated in Section 1 of Public Act 49 of the Public Acts of 1999, including the promotion of economic activity in the BID along Columbia Avenue and providing or contracting for the administration, security, and operation of the District, to include physical improvements and joint marketing. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Business Representative ☐ Live in city limits

Dangerous Building Hearings Officer – Appointing authority: Mayor, with Commission approval.

Identifies those structures within the city confines that are considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: an engineer, architect, building contractor, building inspector, or member of a community housing organization. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Experience: ☐ Building Construction/Engineering ☐ Real Estate/Development/Law ☐ Housing

Development Area Citizen's Council – Appointing authority: City CommissionAn advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan. Contact: City Manager, 269-966-3378Experience: ☐ Lives within authority boundaries

Dickman Road Business Improvement District – Appointing authority: City Manager, with Commission approval; City of Springfield

Undertakes functions, objectives, and powers enumerated in Section 1 of Public Act 49 of the Public Acts of 1999, including the promotion of economic activity in the BID along Dickman Road and providing or contracting for the administration, security, and operation of the District, to include physical improvements and joint marketing. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Non-automotive Business Representative ☐ Automotive Business Representative

Downtown Parking System Advisory Committee – Appointing authority: Mayor appoints commissioners; City Manager appoints owners and members at large with Commission approval.

Advises city staff and the city's parking administrator on issues related to the municipally-owned and operated parking system. Meets as needed.

Contact: Public Works Director, 269-966-3490

Experience: ☐ Downtown Business/Property Owner ☐ Live in city limits

Economic Development Corporation – Appointing authority: Mayor, with Commission approval.

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Economic Development ☐ Live in city limits

Goguac Lake Board – Appointing authority: Two representatives and a Goguac Lake property owner by the Mayor and City Commission; a county commissioner by the Calhoun County Board of Commissioners chairperson; the county drain commissioner; a representative of the Michigan Department of Environment, Great Lakes, and Energy.

Pursuant to Public Act 451 of 1994, as amended by Public Act 59 of 1995, formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake. Meets quarterly.

Contact: Utility Administrator, 269-966-3343

Experience: ☐ Own property on Goguac Lake

Historic District Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law and local ordinance with reviewing plans for exterior modifications or demolition of buildings within the federal, state or local historic districts. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Construction/Building Trades ☐ History ☐ Architecture ☐ Live in city limits

Human Relations Board – Appointing authority: Mayor, with Commission approval.

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To also increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships

within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations. Meets monthly.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in the metropolitan area

Income Tax Board of Appeals – Appointing authority: Mayor, with Commission approval.

Pursuant to State Act 284 of 1964, attempts to settle city income tax disputes. Meets as needed.

Contact: Income Tax Division, 269-966-3345

Experience: ☐ Income Tax/Accounting ☐ Live in city limits

International Relations Committee – Appointing authority: Mayor, with Commission approval.

To foster cultural promotion of the city and provide a positive environment toward foreign industrialists and their families. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in city limits

Lakeview Downtown Development Authority – Appointing authority: City Manager, with Commission approval.

The LDDA's activities shall include, but are not limited to, the definition of a development area; the origination of a development plan; and the implementation of a development program as provided in Act 197 of PA 1975. Meets bi-annually.

Contact: City Manager, 269-966-3378

Experience: ☐ District Property Owner/Business Representative ☐ Live in city limits

License Review Board – Appointing authority: Mayor, with Commission approval.

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation. Meets as needed.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Local Development Financing Authority – Appointing authority: City Manager, with Commission approval.

To conduct those activities authorized under Act 281, Public Acts of 1986, and as amended from time to time (MCLA Section 125.2151 et seq.; MSA Section 3.540 (351) et seq.), and to otherwise govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, Michigan, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation. Meets as needed.

Contact: City Manager, 269-966-3378

Experience: ☐ Live in city limits ☐ Calhoun County Commission/KCC/MEDC appointment

Local Officers' Compensation Commission – Appointing authority: Mayor, with Commission approval.

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Planning Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law with the adoption of plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Civil/Engineering/Landscape Architecture ☐ Land Use Planning ☐ Real Estate/Development ☐ Law

Police/Fire Retirement System Board - Appointing authority: Two members by City Commission, one member by Fire Department, one member by Police Department.
Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.
Contact: Finance Division, 269-966-3311
Experience: ☐ Finance and/or investing ☐ Live in city limits

Sustainable BC Committee – Appointing authority: City staff by City Manager; remaining members by Mayor, with Commission approval.
Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission. Meets as needed.
Contact: Utility Administrator, 269-966-3343
Experience: ☐ Environmental ☐ Live in city limits ☐ Business Representative

Technical Review Committee – Appointing authority: City staff by City Manager; remaining members by contributing jurisdictions.
Provides review, input, and recommendations to the City and the City Commission regarding various aspects of the Wastewater Treatment system and rates. Meets quarterly.
Contact: Public Works Director, 269-966-3490
Experience: ☐ Engineering ☐ Other Technical Expertise ☐ Industry Representative

Tree Advisory Council – Appointing authority: Mayor, with Commission approval.
Members serve in an advisory capacity to the Department of Public Works and the City Manager in developing the annual Tree Work Plan and the issuance of rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion. Meets at least once a year, in September.
Contact: City Engineer, 269-966-3343
Experience: ☐ Horticulture ☐ Forestry

Water System Advisory Council – Appointing authority: Mayor and Commission.
To advise and assist with the creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water. Meets annually.
Contact: Public Works Director, 269-966-3490
Experience: ☐ Interest/knowledge about lead in drinking water and its effects ☐ Live in city limits

Youth Advisory Board – Appointing authority: Mayor, with Commission approval.
Established by Resolution 117 dated April 1, 2003 to involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth. Meets monthly.
Contact: City Manager's Office, 269-966-3378
Experience: ☐ Live in city limits ☐ Age 14-20

Zoning Board of Appeals – Appointing authority: Mayor, with Commission approval.
Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage. Meets monthly.
Contact: Planning Division, 269-966-3320
Experience: ☐ Land Use Planning ☐ Real Estate/Development/Law ☐ Building Construction/Engineering ☐ Live in city limits

Eric Blair

Board of Appeals (Housing)



Resolution

NO. 368

A Resolution appointing Christopher Bacik as a new member to the Sustainable Battle Creek Committee.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That Christopher Bacik is appointed as a new member to the Sustainable Battle Creek Committee with a term to expire on January 16, 2026.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution appointing Christopher Bacik as a new member to the Sustainable Battle Creek Committee.

BUDGETARY CONSIDERATIONS

None.

HISTORY, BACKGROUND and DISCUSSION

On December 4, 2007, the Battle Creek City Commission established the Environmental Policy Study Committee. The purpose of the Committee, as established, is to increase the City's efforts to incorporate environmentally responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy adopted in August, 2006 and the 15% by 15 renewable energy policy goal adopted in March, 2007.

The current membership of the Committee, many of whom are original members, believe that a refinement of the Committee's purpose statement would be helpful, along with a more reflective Committee name, so on June 18, 2013, the City Commission approved changing the name of the committee from Environmental Policy Study Committee to Sustainable BC Committee, and updated the purpose statement.


On December 19, 2017, the membership guidelines were updated to allow the Mayor and City Commission to appoint one member of the City Commission as an alternate to attend meetings only in the event of the unavailability of an appointed City Commission member.

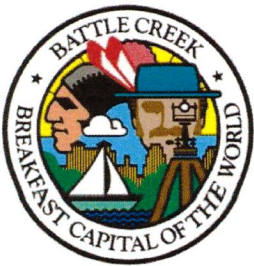
DISCUSSION OF THE ISSUE

POSITIONS

The Review Committee is supportive of this appointment.

ATTACHMENTS:

| File Name | Description |
|---|-------------------------------|
|  Bacik__Christopher_-_2023.pdf | Christopher Bacik Application |



BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street

Battle Creek, Michigan 49014-4004

269.966.3378

PLEASE CHECK THE TOP (3) BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt and will be posted on the City website.)

- | | |
|---|---|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Gogua Lake Board |
| <input type="checkbox"/> AMSA Construction Board of Appeals | <input type="checkbox"/> Historic District Commission |
| <input type="checkbox"/> Battle Creek Downtown Development Authority | <input type="checkbox"/> Human Relations Board |
| <input type="checkbox"/> Battle Creek Housing Commission | <input checked="" type="checkbox"/> 2 Income Tax Board of Appeals |
| <input type="checkbox"/> Battle Creek Transit Local Advisory Council | <input type="checkbox"/> International Relations Committee |
| <input type="checkbox"/> Battle Creek Transit Local Coordinating Committee | <input type="checkbox"/> Lakeview Downtown Development Authority |
| <input type="checkbox"/> Battle Creek TIFA/Brownfield Development Authority | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Bicycle Advisory Committee | <input type="checkbox"/> Local Development Financing Authority |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Local Officers' Compensation Commission |
| <input type="checkbox"/> Board of Review (Assessing) | <input checked="" type="checkbox"/> 1 Planning Commission |
| <input type="checkbox"/> Civil Service Commission | <input checked="" type="checkbox"/> 3 Police/Fire Retirement System Board |
| <input type="checkbox"/> Columbia Avenue Business Improvement District | <input type="checkbox"/> Sustainable BC Committee |
| <input type="checkbox"/> Dangerous Building Hearings Officer | <input type="checkbox"/> Technical Review Committee |
| <input type="checkbox"/> Development Area Citizen's Council | <input type="checkbox"/> Tree Advisory Council |
| <input type="checkbox"/> Dickman Road Business Improvement District | <input type="checkbox"/> Water System Advisory Council |
| <input type="checkbox"/> Downtown Parking System Advisory Committee | <input type="checkbox"/> Youth Advisory Board |
| <input type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |

Name Bacik, Christopher, W.

Last

First

M.I.

Home Address: 314 N. Ridgeway Dr.

E-mail cwback@gmail.com

Telephone: Home 269-964-7125

Work

Cell 269-420-7733

Are you at least 18 years of age?

Yes ☒

No ☐

Current occupation (students, list school activities) Law Enforcement

Employer/work address (students, list school) Calhoun County Sheriff's Office 161 E. Michigan Ave. Battle Creel, MI 49014

Educational background/degrees (students, list year in school) High School, MSU School of Staff and Command

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service

LakeView Neighborhood

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) Knights of Columbus

Knights of Columbus

Briefly indicate your interest, experience, and/or qualifications for the board for which you are applying. Please be specific (use back of form if necessary). Thirty years law enforcement experience. Fifteen years working with unions including several as union president.

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature Christopher Bacik
Christopher Bacik

Date 12/14/2023

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014



Resolution

NO. 369

A Resolution reappointing Shannon Visger, Michelle Darner, Alana White and Justin Hodge to the BCTIFA / Brownfield Redevelopment Authority.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That Shannon Visger, Michelle Darner, Alana White and Justin Hodge be reappointed to the BCTIFA / Brownfield Redevelopment Authority, with terms to expire on April 28, 2028.

Battle Creek City Commission

2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution reappointing Shannon Visger, Michelle Darner, Alana White and Justin Hodge to the BCTIFA / Brownfield Redevelopment Authority.

BUDGETARY CONSIDERATIONS

None.

HISTORY, BACKGROUND and DISCUSSION

Resolution No. 27, dated April 28, 1981, authorized the establishment of an Authority for the Fort Custer Industrial Park District. Its purpose is to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

Resolution No. 138, May 19, 2015, established the following criteria for the Board: city resident – 4

members; property owner, business owner or designee of the TIFA District – 4 members; City Manager or designee – 1 member; not less than nine (9) nor more than thirteen (13).

Resolution No. 230, September 6, 2016, clarified the following criteria for the Board:

Each of the no more than thirteen members shall meet either the City resident criteria or the property owner, business owner or their designee of the TIFA district requirement, with the minimum numbers being four and four. The size of the Board shall not be less than nine nor more than thirteen members as determined and appointed by the City Manager subject to the approval of the City Commission. It, also, further clarified that Board Members shall serve no more than four consecutive, four-year terms, to be determined at the time a member is up for reappointment; and each person interested in a position on the TIFA Board, that meets the established criteria, shall submit an application using the City's Board and Commission application form for review and consideration by the City Manager.

DISCUSSION OF THE ISSUE

POSITIONS

The Review Committee is supportive of these reappointments.

ATTACHMENTS:

| File Name | Description |
|------------------------------|----------------------------|
| ☐ Visger__Shannon_-_2024.pdf | Shannon Visger Application |
| ☐ Damer__Michelle_-_2024.pdf | Michelle Damer Application |
| ☐ White__Alana_-_2024.pdf | Alana White Application |
| ☐ Hodge__Justin_-_2024.pdf | Justin Hodge Application |



BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street
Battle Creek, Michigan 49014-4004
269.966.3378

PLEASE CHECK THE TOP (3) BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt and will be posted on the City website.)

- | | |
|--|--|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Gogua Lake Board |
| <input type="checkbox"/> AMSA Construction Board of Appeals | <input type="checkbox"/> Historic District Commission |
| <input type="checkbox"/> Battle Creek Downtown Development Authority | <input type="checkbox"/> Human Relations Board |
| <input type="checkbox"/> Battle Creek Housing Commission | <input type="checkbox"/> Income Tax Board of Appeals |
| <input type="checkbox"/> Battle Creek Transit Local Advisory Council | <input type="checkbox"/> International Relations Committee |
| <input type="checkbox"/> Battle Creek Transit Local Coordinating Committee | <input type="checkbox"/> Lakeview Downtown Development Authority |
| <input checked="" type="checkbox"/> Battle Creek TIFA/Brownfield Development Authority | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Bicycle Advisory Committee | <input type="checkbox"/> Local Development Financing Authority |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Local Officers' Compensation Commission |
| <input type="checkbox"/> Board of Review (Assessing) | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Police/Fire Retirement System Board |
| <input type="checkbox"/> Columbia Avenue Business Improvement District | <input type="checkbox"/> Sustainable BC Committee |
| <input type="checkbox"/> Dangerous Building Hearings Officer | <input type="checkbox"/> Technical Review Committee |
| <input type="checkbox"/> Development Area Citizen's Council | <input type="checkbox"/> Tree Advisory Council |
| <input type="checkbox"/> Dickman Road Business Improvement District | <input type="checkbox"/> Water System Advisory Council |
| <input type="checkbox"/> Downtown Parking System Advisory Committee | <input type="checkbox"/> Youth Advisory Board |
| <input type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |

Name Visger, Shannon E

Last

First

M.I.

Home Address: 15782 Baseline Road, Bellevue, MI 49021

E-mail s.visger@rosler.com

Telephone: Home 269-317-7506

Work 269-441-3613

Cell _____

Are you at least 18 years of age?

Yes ☒

No ☐

Current occupation (students, list school activities) Chief Financial Officer

Employer/work address (students, list school) Rosler Metal Finishing USA LLC

Educational background/degrees (students, list year in school) BA Degree Accounting and Business Administration, Siena Heights University

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service _____

BC TIFA Current Member & Bellevue Community School Board Elected 2023

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) _____

Briefly indicate your interest, experience, and/or qualifications for the board for which you are applying. Please be specific (use back of form if necessary). Current Member of the Battle Creek TIFA Board

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature

Shannon E. Visger

Date 1/22/2024

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014



BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street
Battle Creek, Michigan 49014-4004
269.966.3378

PLEASE CHECK THE TOP (3) BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt and will be posted on the City website.)

- | | |
|--|--|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Goguac Lake Board |
| <input type="checkbox"/> AMSA Construction Board of Appeals | <input type="checkbox"/> Historic District Commission |
| <input type="checkbox"/> Battle Creek Downtown Development Authority | <input type="checkbox"/> Human Relations Board |
| <input type="checkbox"/> Battle Creek Housing Commission | <input type="checkbox"/> Income Tax Board of Appeals |
| <input type="checkbox"/> Battle Creek Transit Local Advisory Council | <input type="checkbox"/> International Relations Committee |
| <input type="checkbox"/> Battle Creek Transit Local Coordinating Committee | <input type="checkbox"/> Lakeview Downtown Development Authority |
| <input checked="" type="checkbox"/> Battle Creek TIFA/Brownfield Development Authority | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Bicycle Advisory Committee | <input type="checkbox"/> Local Development Financing Authority |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Local Officers' Compensation Commission |
| <input type="checkbox"/> Board of Review (Assessing) | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Police/Fire Retirement System Board |
| <input type="checkbox"/> Columbia Avenue Business Improvement District | <input type="checkbox"/> Sustainable BC Committee |
| <input type="checkbox"/> Dangerous Building Hearings Officer | <input type="checkbox"/> Technical Review Committee |
| <input type="checkbox"/> Development Area Citizen's Council | <input type="checkbox"/> Tree Advisory Council |
| <input type="checkbox"/> Dickman Road Business Improvement District | <input type="checkbox"/> Water System Advisory Council |
| <input type="checkbox"/> Downtown Parking System Advisory Committee | <input type="checkbox"/> Youth Advisory Board |
| <input type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |

Name Darner Michelle L
Last First M.I.
Home Address: 414 Ridgeline Rd, Springfield, MI 49037 E-mail michelle.darner@na.denso.com

Telephone: Home 269-779-6019 Work 269-565-1585 Cell 269-779-6019

Are you at least 18 years of age? Yes ☒ No ☐

Current occupation (students, list school activities) Plant Accounting Manager

Employer/work address (students, list school) Denso International America, Inc.

Educational background/degrees (students, list year in school) BBA Western Michigan University

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service _____

Battle Creek TIFA

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) _____

Briefly indicate your interest, experience, and/or qualifications for the board for which you are applying. Please be specific (use back of form if necessary). I have enjoyed being on the Battle Creek TIFA board over the last several years. I would like to continue serving my community by renewing my term.

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature Michelle Darner Date 1-23-24

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

Demographics

We request the following Affirmative Action and Equal Opportunity information to help determine whether application information for city boards and commissioners is reaching all parts of the community. Providing the following information is optional, and if you wish to leave this section blank or incomplete, it will not affect your potential membership.

Race and Hispanic Origin (Select all that apply)

☐ American Indian and Alaska Native

☐ Asian

☐ Black or African American

☐ Native Hawaiian and Other Pacific Islander

☒ White

☐ Two or More Races

☐ Hispanic or Latinx

☐ Not Hispanic or Latinx

Sexual Orientation

☒ Straight/Heterosexual

☐ Gay or Lesbian

☐ Bisexual

☐ Prefer to self-describe

☐ Prefer not to say

Gender

☐ Man ☒ Woman ☐ Non-binary or third gender ☐ Prefer to self-describe ☐ Prefer not to say

Do you have a disability?

☐ Yes ☒ No ☐ Prefer not to respond

City of Battle Creek Boards, Commissions and Committees – Descriptions

**PLEASE CHECK EXPERIENCE FOR THE (3) BOARD(S) OR COMMISSION(S) ON WHICH
YOU ARE INTERESTED IN SERVING**

Airport Advisory Board – Appointing authority: Mayor and Commission.

The committee makes policy recommendations regarding airport matters in order to support the continued development of the airport and economic growth of the community, and acts as an advocate for the current and potential future economic value of the airport. Meets quarterly.

Contact: Battle Creek Executive Airport at Kellogg Field, 269-966-3470

Experience: ☐ Airport Operations ☐ Economic Development ☐ Live in city limits

AMSA Construction Board of Appeals – Appointing authority: Proposed by AMSA committee, appointed by the Mayor.

This committee hears appeals on building permit denials and from any other decision pursuant or related to. Meets as needed.

Contact: City Clerk, 269-966-3348

Experience: ☐ Architecture ☐ Building Construction ☐ Engineering ☐ Real Estate/Development/Law

Battle Creek Downtown Development Authority – Appointing authority: City Manager, with Commission approval.

The Downtown Development Authority, Public Act 57 of 2018, is designed to be a catalyst in the development of the city's downtown district. The DDA provides for a variety of funding options including a tax increment financing mechanism, which can be used to fund public improvements in the downtown district. Meets quarterly.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Property Owner ☐ Business Representative ☐ Live in city limits

Battle Creek Housing Commission – Appointing authority: Mayor and Commission.

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments. Meets monthly.

Contact: Community Services Director, 269-966-3387

Experience: ☐ Public Housing ☐ Live in city limits

Battle Creek Transit Local Advisory Council – Appointing authority: Mayor and Commission.

Public Act 51 of 1951, as amended, required there to be a Local Advisory Council whose legal function is to review and comment on the applicant Vehicle Accessibility Plan and annual updates to that plan. Meets annually, with special meetings scheduled if necessary.

Contact: Battle Creek Transit, 269-966-3374

Experience: ☐ Public Transportation ☐ Live in city limits

Battle Creek Transit Local Coordinating Committee – Appointing authority: Mayor and Commission.

Public Act 51 of 1951, as amended, required there to be a local coordination of transportation services to the elderly and disabled. Because of this requirement, the Michigan Department of Transportation directed that each transit agency have a "local coordinating committee" whose legal function is to determine annually how the Specialized Services funds will be allocated among the various sub-recipients. Meets Quarterly.

Contact: Battle Creek Transit, 269-966-3474

Experience: ☐ Public Transportation ☐ Live in city limits

Battle Creek TIFA/Brownfield Redevelopment Authority – Appointing authority: City Manager, with Commission approval.

To halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Property Owner ☐ Business Owner ☐ Live in city limits

Representative of DMHI (Business)

Bicycle Advisory Committee – Appointing authority: City Manager for city staff members; Mayor and Commission for remaining members.

The League of American Bicyclists has created a framework for communities to use to become Bicycle Friendly Communities, which includes the creation and maintenance of a bicycle advisory committee to assist the city by providing research, community outreach, and policy recommendations to the Commission and city staff. Meets monthly.

Contact: Recreation Department, 269-966-3431; Engineering Division, 269-966-3343

Experience: ☐ Business Representative ☐ Live in city limits

Board of Appeals – Appointing authority: Mayor, with Commission approval.

Board members hear and decide on appeals concerning the application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Experience: ☐ Building Construction/Engineering ☐ Zoning ☐ Real Estate/Development/Law ☐ Live in city limits

Board of Review (Assessing) – Appointing authority: Mayor and Commission.

Members serve for five years and must be city electors and property owners. Members may correct/amend assessment rolls and increase or decrease taxable property assessment or valuation. Meets for a minimum of five days in March; one day in July; and one day in December.

Contact: City Assessor, 269-966-3369

Experience: ☐ Banking/Finance ☐ Property Appraisal/Assessing ☐ Real Estate/Development/Law ☐ Live in city limits

City Commission – Appointing authority: Elected by City of Battle Creek voters.

City Commissioners serve two-year terms.

City voters elect the mayor as a separate office to serve a two-year term. After an election, the vice mayor is selected by their fellow commissioners to serve a two-year term. The commission is comprised of five ward commissioners, representing geographic wards within the city, and four at-large commissioners.

All interested City Commission candidates must collect signatures, and submit nominating petitions. See more information about commissioner candidate requirements at battlecreekmi.gov/elections. In the case of a position vacancy, the commission will follow a special process, about which information will be released separately.

Contact: City Clerk, 269-966-3348

Civil Service Commission – Appointing authority: Mayor and Commission appoint one member, Fire Department appoints one member, and those two members appoint a third member.

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees.

Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party. Meets monthly.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Columbia Avenue Business Improvement District – Appointing authority: Mayor and City Commission

Undertakes functions, objectives, and powers enumerated in Section 1 of Public Act 49 of the Public Acts of 1999, including the promotion of economic activity in the BID along Columbia Avenue and providing or contracting for the administration, security, and operation of the District, to include physical improvements and joint marketing. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Business Representative ☐ Live in city limits

Dangerous Building Hearings Officer – Appointing authority: Mayor, with Commission approval.

Identifies those structures within the city confines that are considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: an engineer, architect, building contractor, building inspector, or member of a community housing organization. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Experience: ☐ Building Construction/Engineering ☐ Real Estate/Development/Law ☐ Housing

Development Area Citizen's Council – Appointing authority: City CommissionAn advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan. Contact: City Manager, 269-966-3378Experience: ☐ Lives within authority boundaries

Dickman Road Business Improvement District – Appointing authority: City Manager, with Commission approval; City of Springfield

Undertakes functions, objectives, and powers enumerated in Section 1 of Public Act 49 of the Public Acts of 1999, including the promotion of economic activity in the BID along Dickman Road and providing or contracting for the administration, security, and operation of the District, to include physical improvements and joint marketing. Meets quarterly.

Contact: City Manager, 269-966-3378

Experience: ☐ Non-automotive Business Representative ☐ Automotive Business Representative

Downtown Parking System Advisory Committee – Appointing authority: Mayor appoints commissioners; City Manager appoints owners and members at large with Commission approval.

Advises city staff and the city's parking administrator on issues related to the municipally-owned and operated parking system. Meets as needed.

Contact: Public Works Director, 269-966-3490

Experience: ☐ Downtown Business/Property Owner ☐ Live in city limits

Economic Development Corporation – Appointing authority: Mayor, with Commission approval.

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Economic Development ☐ Live in city limits

Goguac Lake Board – Appointing authority: Two representatives and a Goguac Lake property owner by the Mayor and City Commission; a county commissioner by the Calhoun County Board of Commissioners chairperson; the county drain commissioner; a representative of the Michigan Department of Environment, Great Lakes, and Energy.

Pursuant to Public Act 451 of 1994, as amended by Public Act 59 of 1995, formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake. Meets quarterly.

Contact: Utility Administrator, 269-966-3343

Experience: ☐ Own property on Goguac Lake

Historic District Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law and local ordinance with reviewing plans for exterior modifications or demolition of buildings within the federal, state or local historic districts. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Constriction/Building Trades ☐ History ☐ Architecture ☐ Live in city limits

Human Relations Board – Appointing authority: Mayor, with Commission approval.

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To also increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships

within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations. Meets monthly.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in the metropolitan area

Income Tax Board of Appeals – Appointing authority: Mayor, with Commission approval.

Pursuant to State Act 284 of 1964, attempts to settle city income tax disputes. Meets as needed.

Contact: Income Tax Division, 269-966-3345

Experience: ☐ Income Tax/Accounting ☐ Live in city limits

International Relations Committee – Appointing authority: Mayor, with Commission approval.

To foster cultural promotion of the city and provide a positive environment toward foreign industrialists and their families. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in city limits

Lakeview Downtown Development Authority – Appointing authority: City Manager, with Commission approval.

The LDDA's activities shall include, but are not limited to, the definition of a development area; the origination of a development plan; and the implementation of a development program as provided in Act 197 of PA 1975. Meets bi-annually.

Contact: City Manager, 269-966-3378

Experience: ☐ District Property Owner/Business Representative ☐ Live in city limits

License Review Board – Appointing authority: Mayor, with Commission approval.

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation. Meets as needed.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Local Development Financing Authority – Appointing authority: City Manager, with Commission approval.

To conduct those activities authorized under Act 281, Public Acts of 1986, and as amended from time to time (MCLA Section 125.2151 et seq.; MSA Section 3.540 (351) et seq.), and to otherwise govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, Michigan, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation. Meets as needed.

Contact: City Manager, 269-966-3378

Experience: ☐ Live in city limits ☐ Calhoun County Commission/KCC/MEDC appointment

Local Officers' Compensation Commission – Appointing authority: Mayor, with Commission approval.

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Contact: City Clerk, 269-966-3348

Experience: ☐ Live in city limits

Planning Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law with the adoption of plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Civil/Engineering/Landscape Architecture ☐ Land Use Planning ☐ Real Estate/Development ☐ Law

Police/Fire Retirement System Board - Appointing authority: Two members by City Commission, one member by Fire Department, one member by Police Department.

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

Contact: Finance Division, 269-966-3311

Experience: ☐ Finance and/or investing ☐ Live in city limits

Sustainable BC Committee – Appointing authority: City staff by City Manager; remaining members by Mayor, with Commission approval.

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission. Meets as needed.

Contact: Utility Administrator, 269-966-3343

Experience: ☐ Environmental ☐ Live in city limits ☐ Business Representative

Technical Review Committee – Appointing authority: City staff by City Manager; remaining members by contributing jurisdictions.

Provides review, input, and recommendations to the City and the City Commission regarding various aspects of the Wastewater Treatment system and rates. Meets quarterly.

Contact: Public Works Director, 269-966-3490

Experience: ☐ Engineering ☐ Other Technical Expertise ☐ Industry Representative

Tree Advisory Council – Appointing authority: Mayor, with Commission approval.

Members serve in an advisory capacity to the Department of Public Works and the City Manager in developing the annual Tree Work Plan and the issuance of rules and regulations supplementary to the city's tree ordinance.

Establishment meets a Tree City USA criterion. Meets at least once a year, in September.

Contact: City Engineer, 269-966-3343

Experience: ☐ Horticulture ☐ Forestry

Water System Advisory Council – Appointing authority: Mayor and Commission.

To advise and assist with the creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water. Meets annually.

Contact: Public Works Director, 269-966-3490

Experience: ☐ Interest/knowledge about lead in drinking water and its effects ☐ Live in city limits

Youth Advisory Board – Appointing authority: Mayor, with Commission approval.

Established by Resolution 117 dated April 1, 2003 to involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth. Meets monthly.

Contact: City Manager's Office, 269-966-3378

Experience: ☐ Live in city limits ☐ Age 14-20

Zoning Board of Appeals – Appointing authority: Mayor, with Commission approval.

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage. Meets monthly.

Contact: Planning Division, 269-966-3320

Experience: ☐ Land Use Planning ☐ Real Estate/Development/Law ☐ Building Construction/Engineering ☐ Live in city limits

Patricia S Worden

From: noreply@civicplus.com
Sent: Wednesday, January 31, 2024 5:10 PM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve.
This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|--|
| Name | Alana White |
| Are you 18 years or older? | Yes |
| Home address | 151 Minges Creek Pl #J7 |
| City | Battle Creek |
| State | MI |
| Zip code | 49015 |
| Email address | Alanagwhite@hotmail.com |
| Home phone | 734-363-3198 |
| Work phone | Field not completed. |
| Cell phone | Field not completed. |
| Current occupation (students, list school activities) | Program Officer |
| Employer and work address (students, list school) | W.K. Kellogg Foundation, 1 E Michigan Ave, Battle Creek, MI 49015 |
| Educational background/degrees | B.S. Architecture, MBA, Doctorate of Social Work (graduation in May of 2024) |

(students, list current year in school)

List any appointed positions, boards, commissions, or committees on which you have served, and years of service

Board Chair of the TIFA, LDFA, and Brownfields Authority. Member of these authorities since 2016. Also serves as the Vice President of the Airport Advisory Board.

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations)

Philanthropic membership organizations. Battle Creek Public Schools Career Academies. Battle Creek College Access Network/ Promise Zone, Battle Creek Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

Briefly explain your interest, experience, and/or qualifications for the boards for which you are applying

I am interested in contributing my skills and expertise to my community in an impactful way. My skills and experience include airport planning, public housing redevelopment, community/ workforce/ economic development. I am happy to provide a formal resume if needed. Thank you for your consideration.

Attach additional information

Field not completed.

Please tell us how you found out about our boards and commissions and/or vacancies

Existing relationships.

Electronic Signature Agreement

I agree.

By signing this form, you acknowledge that any or all information on this form may be verified, and consent to the release of this information for publicity purposes.

Electronic Signature

Alana G. White

Date

1/31/2024

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

Rank *Field not completed.*

Experience *Field not completed.*

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

Rank *Field not completed.*

Experience *Field not completed.*

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

Rank *Field not completed.*

Experience *Field not completed.*

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

Rank *Field not completed.*

Experience *Field not completed.*

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

Rank 1

Experience Live in BC city limits

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

Rank *Field not completed.*

Experience *Field not completed.*

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

Rank *Field not completed.*

Experience *Field not completed.*

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

Rank *Field not completed.*

Experience *Field not completed.*

Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

Rank *Field not completed.*

Experience *Field not completed.*

Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

Rank *Field not completed.*

Experience *Field not completed.*

Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

Rank *Field not completed.*

Experience *Field not completed.*

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

Rank *Field not completed.*

Experience *Field not completed.*

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

Rank *Field not completed.*

Experience *Field not completed.*

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

Rank *Field not completed.*

Experience *Field not completed.*

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

Rank *Field not completed.*

Experience *Field not completed.*

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

Rank *Field not completed.*

Experience *Field not completed.*

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

Rank *Field not completed.*

Experience *Field not completed.*

Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

Rank *Field not completed.*

Experience *Field not completed.*

License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

Rank 2

Experience Live in BC city limits

Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Rank *Field not completed.*

Experience *Field not completed.*

Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

Rank 3

Experience Land use planning, Real estate/development

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

Rank *Field not completed.*

Experience *Field not completed.*

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

Rank *Field not completed.*

Experience *Field not completed.*

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

Rank *Field not completed.*

Experience *Field not completed.*

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

Rank *Field not completed.*

Experience *Field not completed.*

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

Rank *Field not completed.*

Experience *Field not completed.*

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

Rank *Field not completed.*

Experience *Field not completed.*

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

Rank *Field not completed.*

Experience *Field not completed.*

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BOARD AND COMMISSION APPLICATION

CITY OF BATTLE CREEK

10 N. Division Street
Battle Creek, Michigan 49014-4004
269.966.3378

PLEASE CHECK THE BOARD(S) OR COMMISSION(S) ON WHICH YOU ARE INTERESTED IN SERVING

(This application will remain active for one year from the date of receipt)

- | | |
|--|--|
| <input type="checkbox"/> Airport Advisory Committee | <input type="checkbox"/> Historic District Commission |
| <input type="checkbox"/> Battle Creek Housing Commission | <input type="checkbox"/> Human Relations Board |
| <input type="checkbox"/> Battle Creek Transit Local Advisory Council | <input type="checkbox"/> Income Tax Board of Appeals |
| <input type="checkbox"/> Battle Creek Transit Local Coordinating Committee | <input type="checkbox"/> International Relations Committee |
| <input checked="" type="checkbox"/> Battle Creek TIFA/Brownfield Development Authority | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Bicycle Advisory Committee | <input type="checkbox"/> Local Officers' Compensation Commission |
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Board of Review (Assessing) | <input type="checkbox"/> Sustainable BC Committee |
| <input type="checkbox"/> City Commission (see description for details) | <input type="checkbox"/> Special Assessment Review Board |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Tree Advisory Council |
| <input type="checkbox"/> Dangerous Building Hearings Officer | <input type="checkbox"/> Youth Advisory Board |
| <input type="checkbox"/> Economic Development Corporation | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Goguac Lake Board | |

Name Hodge, Justin M.

Last

First

M.I.

Home Address 13273 Haddon Street Fenton, MI

E-mail jhodge@advantagesintered.com

Telephone: Home 248-595-4214

Work 269-964-1212

Cell _____

Are you are resident of the City of Battle Creek?

Yes _____

No ☒ _____

For how long? NA

Are you at least 18 years of age?

Yes ☒ _____

No _____

Current occupation (students, list school activities) COO

Employer/work address (students, list school) Advantage Sintered Metals, 5701 Dickman Rd Battle Creek, MI

Educational background/degrees (students, list year in school) BSME and MBA

List any appointive positions/boards/commissions or committees on which you have served and year(s) of service _____

Macomb Community College - 2 Years

List any organizations to which you belong (professional, technical, community, nonprofit; students, list school organizations) _____

Briefly state why you wish to serve and why you believe that you are qualified for the position. Please be specific (use back of form if necessary) Community growth is vital to the success of our community. As a business leader, I have an indepth understanding of what the local business needs are and how they can both negatively and positively impact the community. It is our responsibility to take care of the community to insure positive growth for our future generation.

I understand that any or all information on this form may be verified. I consent to the release of this information for publicity purposes.

Signature Justin M. Hodge

Digitally signed by Justin M. Hodge
Date: 2020.04.17 10:41:08 -04'00'

Date 02/01/2024

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

City of Battle Creek

Boards, Commissions and Committees – Descriptions

Airport Advisory Committee – Appointing authority: Mayor and Commission.

Members are appointed for a one-year term. The committee studies current conditions and future potential development of the airport, making periodic reports to the City Commission. Meets bi-monthly.

Contact: W.K. Kellogg Airport, 269-966-3470

Battle Creek Housing Commission – Appointing authority: Mayor and Commission.

Members are appointed for five-year terms and must be city residents for at least two years. Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments. Meets monthly.

Contact: Community Services Director, 269-966-3387

Battle Creek Transit Local Advisory Council – Appointing authority: Mayor and Commission.

Members serve for two years. Public Act 51 of 1951, as amended, required there to be a Local Advisory Council whose legal function is to review and comment on the applicant Vehicle Accessibility Plan and annual updates to that plan.

Meets annually, with special meetings scheduled if necessary.

Contact: Battle Creek Transit, 269-966-3374

Battle Creek Transit Local Coordinating Committee – Appointing authority: Mayor and Commission.

Public Act 51 of 1951, as amended, required there to be a local coordination of transportation services to the elderly and disabled. Because of this requirement, the Michigan Department of Transportation directed that each transit agency have a “local coordinating committee” whose legal function is to determine annually how the Specialized Services funds will be allocated among the various sub-recipients. Meets Quarterly.

Contact: Battle Creek Transit, 269-966-3474

Battle Creek TIFA/Brownfield Redevelopment Authority – Appointing authority: City Manager, with Commission approval.

To halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park. There must be between nine and 13 members: four city residents; four property owners, business owners, or designees of the TIFA district; City Manager or designee. Terms are four years, but no more than four consecutive terms.

Contact: City Manager, 269-966-3378

Bicycle Advisory Committee – Appointing authority: City Manager for city staff members; Mayor and Commission for remaining members.

The League of American Bicyclists has created a framework for communities to use to become Bicycle Friendly Communities, which includes the creation and maintenance of a bicycle advisory committee to assist the city by providing research, community outreach, and policy recommendations to the Commission and city staff. The committee may have up to 15 members: two city commissioners; one Recreation Department staff member; one Engineering Division staff member; one resident from each of the five wards; three representatives from the business community; no more than three other at-large members.

Contact: Recreation Department, 269-966-3431; Engineering Division, 269-966-3343

Board of Appeals – Appointing authority: Mayor, with Commission approval.

Hears and decides on appeals made regarding the application or interpretation of the Housing Code and Rental Housing

RETURN APPLICATION TO: City Manager’s Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

Code. The HBA also serves in hearing cases and affirming, modifying or reversing the decisions of the Dangerous Buildings Hearing Officer. Five members must be a building contractor, a registered architect or engineer, two members of the general public, and a registered building official, plan reviewer or inspector who may be a city employee. Terms are three years. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Board of Review (Assessing) – Appointing authority: Mayor and Commission.

Members serve for five years and must be city electors and property owners. Composed of five voting members who may correct/amend assessment rolls and increase or decrease taxable property assessment or valuation. Meets for a minimum of five days in March; one day in July; and one day in December.

Contact: City Assessor, 269-966-3369

City Commission –

City Commissioners typically serve two-year terms. Those elected in 2017 will serve three-year terms, after the previous commission approved moving city elections from odd to even years. Each November, the mayor and vice mayor are selected by their fellow commissioners to serve one-year terms. The commission is comprised of five ward commissioners, representing geographic wards within the city, and four at-large commissioners.

All interested City Commission candidates must collect signatures, and submit nominating petitions. See more information about commissioner candidate requirements at battlecreekmi.gov/elections. In the case of a position vacancy, the commission will follow a special process, about which information will be released separately.

Contact: City Manager, 269-966-3378

Civil Service Commission – Appointing authority: Mayor and Commission appoint one member, Fire Department appoints one member, and those two members appoint a third member for six-year terms.

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees.

Members must be city residents for one year, county residents for three years, and hold no other government office.

There may be no more than two members of the same political party. Meets monthly.

Contact: City Clerk, 269-966-3348

Dangerous Building Hearings Officer – Appointing authority: Mayor, with Commission approval, for an open-ended term.

Identifies those structures within the city confines that are considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: an engineer, architect, building contractor, building inspector, or member of a community housing organization. Meets monthly.

Contact: Code Compliance Manager, 269-966-3387

Economic Development Corporation – Appointing authority: Mayor, with Commission approval.

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek. Composed of nine members. No more than three members shall be officers or employees of the city, and at least two shall be representatives of the neighborhood residents likely to be affected by the activities of the corporation. Terms are for six years. Meets as needed.

Contact: City Manager's Office, 269-966-3378

Goguac Lake Board – Appointing authority: Two representatives by the Mayor and City Commission, a county commissioner by the Calhoun County Board of Commissioners chairperson, the county drain commissioner, a

representative of the Michigan Department of Environmental Quality, and a Goguac Lake resident.

Pursuant to Public Act 451 of 1994, as amended by Public Act 59 of 1995, formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake. If the current Goguac Lake Association represents the majority of lakefront property owners, the association may submit three names of residents to the board. The remaining board members then select from this list. If the association does not represent the majority, the committee may select a resident from the pool of lakefront property owners. Terms are open-ended, with the exception of the Goguac Lake resident, who has a four-year term. Meets quarterly.

Contact: Utility Administrator, 269-966-3343

Historic District Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law and local ordinance with reviewing plans for exterior modifications or demolition of buildings within the federal, state or local historic districts. It is comprised of seven members who live in the city, one of whom is a registered architect. They have three-year terms. Meets monthly.

Contact: Planning Division, 269-966-3320

Human Relations Board – Appointing authority: Mayor, with Commission approval.

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To also increase construction communication between residents, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all.

There are 12 members with staggered terms of one, two, and three years. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

Contact: Community Development Division, 269-966-3315

Income Tax Board of Appeals – Appointing authority: Mayor, with Commission approval.

Pursuant to State Act 284 of 1964, attempts to settle city income tax disputes. Comprised of three city residents who are not city officials or employees. Terms are for three years. Meets as needed.

Contact: Income Tax Division, 269-966-3345

International Relations Committee – Appointing authority: Mayor, with Commission approval.

To foster cultural promotion of the city and provide a positive environment toward foreign industrialists and their families. Meets as needed.

Contact: City Manager's Office, 269-966-3378

License Review Board – Appointing authority: Mayor, with Commission approval.

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation. Five members, one representing each city ward, for one-year terms. Meets as needed.

Contact: City Clerk, 269-966-3348

Local Officers' Compensation Commission – Appointing authority: Mayor, with Commission approval.

Determine salaries of elected officials. Comprised of seven registered electors of the city who are not members or employees of any branch of government, nor the immediate family of a member or employee of any branch of government. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present. Terms are seven years.

Contact: City Clerk, 269-966-3348

RETURN APPLICATION TO: City Manager's Office, 10 N. Division Street,
Room 206, Battle Creek, MI 49014

Planning Commission – Appointing authority: Mayor, with Commission approval.

Charged under state law with the adoption of plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code. Comprised of seven community members, one city commissioner and the mayor. Terms are three years. Meets monthly.

Contact: Planning Division, 269-966-3320

Special Assessment Review Board – Comprised of five members who review and authorize single-lot assessments for expenses chargeable against such premises and their owners. Terms are two years. Meets semi-annually, as needed, as determined by the finance director.

Contact: City Treasurer, 269-966-3325

Sustainable BC Committee – Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. May have up to 19 members and will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission. The committee shall be comprised of up to four city commissioners, two city staff, as well as representation from the community. Community representatives shall live in the city or represent small businesses located in the city; moderate-to-large businesses in the city; conservation; manufacturing; recreation; legal or technical in environmental issues; other interests as determined to be appropriate by the commission. Meets as needed. Contact: Utility Administrator, 269-966-3343

Tree Advisory Council – Appointing authority: Mayor, with Commission approval.

Comprised of five members who serve in an advisory capacity to the Department of Public Works and the City Manager in developing the annual Tree Work Plan and the issuance of rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion. Meets at least once a year, in September. Terms are three years.

Contact: City Engineer, 269-966-3343

Youth Advisory Board – Appointing authority: Mayor and City Commission.

Established by Resolution 117 dated April 1, 2003 to involve young residents in local government policy development and administrative procedures that will improve the leadership development of the community's youth. Has 18 members. Initially, members will serve one- and two-year terms; terms shall be two years thereafter. Members must be between the ages of 14 and 20.

Contact: City Manager's Office, 269-966-3378

Zoning Board of Appeals – Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage. Comprised of seven members, one of whom must be a Planning Commission member. Meets monthly.

Contact: Planning Division, 269-966-3320



Resolution

NO. 370

A Resolution reappointing Alana White to the Local Development Finance Authority.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That Alana White is reappointed to the Local Development Finance Authority, with a term to expire on April 28, 2028.

Battle Creek City Commission

2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution reappointing Alana White to the Local Development Finance Authority.

BUDGETARY CONSIDERATIONS

None, except for reimbursement for actual and necessary expenses incurred in the performance of their official duties.

HISTORY, BACKGROUND and DISCUSSION

Resolution No. 32, approved December 17, 2002, authorized the creation of the Local Development Financing Authority. Its purpose includes governing the affairs of the I-94 Business Park and Certified Technology Part (Smartzone) established by the City of Battle Creek, Michigan, pursuant to an Agreement (The Battle Creek Aviation and E-Learning Smartzone Agreement) with the Michigan Economic Development Corporation.

There are seven members, with one member appointed by the Calhoun County Commission, one member appointed by the CEO of Kellogg Community College, and one member appointed by the Michigan Economic Development Corporation.

DISCUSSION OF THE ISSUE

POSITIONS

The Review Committee is supportive of this reappointment.

ATTACHMENTS:

| File Name | Description |
|---|-------------------------|
|  White__Alana_-_2024.pdf | Alana White Application |

Patricia S Worden

From: noreply@civicplus.com
Sent: Wednesday, January 31, 2024 5:10 PM
To: Rebecca D. Forbes; Ted E. Dearing; Patricia S Worden
Subject: Online Form Submittal: *New* City of Battle Creek Boards and Commissions Application

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

New City of Battle Creek Boards and Commissions Application

City of Battle Creek Board and Commission Application

Please select the **top 3** board(s) or commission(s) on which would like to serve. This application will remain active for one year from the date we receive it and will be posted on the City's website. Thank you for applying!

| | |
|---|--|
| Name | Alana White |
| Are you 18 years or older? | Yes |
| Home address | 151 Minges Creek PI #J7 |
| City | Battle Creek |
| State | MI |
| Zip code | 49015 |
| Email address | Alanagwhite@hotmail.com |
| Home phone | 734-363-3198 |
| Work phone | Field not completed. |
| Cell phone | Field not completed. |
| Current occupation (students, list school activities) | Program Officer |
| Employer and work address (students, list school) | W.K. Kellogg Foundation, 1 E Michigan Ave, Battle Creek, MI 49015 |
| Educational background/degrees | B.S. Architecture, MBA, Doctorate of Social Work (graduation in May of 2024) |

(students, list current
year in school)

List any appointed
positions, boards,
commissions, or
committees on which
you have served, and
years of service

Board Chair of the TIFA, LDFA, and Brownfields Authority.
Member of these authorities since 2016. Also serves as the
Vice President of the Airport Advisory Board.

List any organizations to
which you belong
(professional, technical,
community, nonprofit;
students, list school
organizations)

Philanthropic membership organizations. Battle Creek Public
Schools Career Academies. Battle Creek College Access
Network/ Promise Zone, Battle Creek Alumnae Chapter of
Delta Sigma Theta Sorority, Inc.

Briefly explain your
interest, experience,
and/or qualifications for
the boards for which
you are applying

I am interested in contributing my skills and expertise to my
community in an impactful way. My skills and experience
include airport planning, public housing redevelopment,
community/ workforce/ economic development. I am happy to
provide a formal resume if needed. Thank you for your
consideration.

Attach additional
information

Field not completed.

Please tell us how you
found out about our
boards and
commissions and/or
vacancies

Existing relationships.

Electronic Signature
Agreement

I agree.

*By signing this form, you acknowledge that any or all information on this form may
be verified, and consent to the release of this information for publicity purposes.*

Electronic Signature

Alana G. White

Date

1/31/2024

Boards, Councils, and Commissions Interest

Please rank your first, second, and third choices for boards on which you would like to serve. Please check the boxes to indicate your experience and/or credentials for each of your three choices. Thank you!

Airport Advisory Board

Makes policy recommendations to support continued airport development and community economic growth; acts as advocate for current and potential economic value of the airport.

Rank *Field not completed.*

Experience *Field not completed.*

BC Area International Relations Committee

To foster cultural promotion of the city, and provide a positive environment toward foreign industrialists and their families

Rank *Field not completed.*

Experience *Field not completed.*

BC Downtown Development Authority

Provides for a variety of funding options, including tax increment financing mechanism, which can be used to fund public improvements in the downtown district.

Rank *Field not completed.*

Experience *Field not completed.*

BC Housing Commission

Manages all public housing facilities and rental voucher (Section 8) programs in the city. Public housing facilities include scattered site rental housing, home purchase programs and senior residential developments.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Advisory Council

Advises the City in areas relating to planning, delivery, and operation of public transportation in the community and to provide recommendations and input regarding accessibility including the annual approval of Battle Creek Transit's Vehicle Accessibility Plan.

Rank *Field not completed.*

Experience *Field not completed.*

BC Transit Local Coordinating Committee

Determines annually how the Specialized Services funds will be allocated among the various sub-recipients, related to transportation services for the elderly and those with disabilities.

Rank *Field not completed.*

Experience *Field not completed.*

BC TIFA/Brownfield Redevelopment Authority

BC Tax Increment Finance Authority. Works to halt a decline of property values, increase property tax valuation, eliminate causes of decline in value, and promote growth in the Fort Custer Industrial Park.

Rank 1

Experience Live in BC city limits

Board of Review (Assessing)

Members serve for five years, and must be city electors and property owners. Members may correct/amend assessment rolls, and increase or decrease taxable property assessment or valuation.

Rank *Field not completed.*

Experience *Field not completed.*

Civil Service Commission

Establishes rules applicable to all regular and full-time Fire Department personnel, excluding civilian employees. Members must reside in the city limits for one year, reside within the county for three years, and hold no other government office. There may be no more than two members of the same political party.

Rank *Field not completed.*

Experience *Field not completed.*

Construction Board of Appeals

To hear appeals on building permit denials, and from any other decision pursuant or related to the Act or the State Construction Code. There are five members and one alternate. Members serve two-year terms. A member of the board shall be qualified by experience or training to perform the duties of the board. The board meets as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Community Development Advisory Council

Recommend to City Commission effective and efficient spending of federal Community Development Block Grant Funds. Meets at least once per year, then as needed.

Rank *Field not completed.*

Experience *Field not completed.*

Dangerous Buildings Hearing Officer

Identifies structures in the city considered to be a public nuisance; serves written notice of a hearing to the owner or party of interest at the address shown on the tax records; and shows cause why the structure(s) should not be ordered demolished, otherwise made safe, or properly maintained. Must have expertise in housing matters, including, but not limited to: engineer, architect, building contractor, building inspector, or member of a community housing organization.

Rank *Field not completed.*

Experience *Field not completed.*

Development Area Citizens Council

An advisory body to a development authority and, ultimately, the City Commission, related to updates to the authority's development plan.

Rank *Field not completed.*

Experience *Field not completed.*

Dickman Road Business Improvement District

Promotes economic activity in the BID along Dickman Road, and provides or contracts for the administration, security, and operation of the district, to include physical improvements and joint marketing.

Rank *Field not completed.*

Experience *Field not completed.*

Downtown Parking System Advisory Committee

Advises city staff and the city's parking administrator on issues related to the city-owned and operated parking system.

Rank *Field not completed.*

Experience *Field not completed.*

Economic Development Corporation

Alleviates unemployment conditions, assists in industry retention and promotes the general welfare of Battle Creek.

Rank *Field not completed.*

Experience *Field not completed.*

Goguac Lake Board

Formed to protect the public health, safety and welfare, and conserve the natural resources and preserve property values around Goguac Lake.

Rank *Field not completed.*

Experience *Field not completed.*

Historic District Commission

Reviews plans for exterior modifications or demolition of buildings within the federal, state, or local historic districts.

Rank *Field not completed.*

Experience *Field not completed.*

Housing Board of Appeals

Hears and decides on appeals concerning application or interpretation of the provisions and standards of the Building Code, the International Property Maintenance Code and Chapter 842 of these Codified Ordinances, and to hear appeals of decisions of the Dangerous Buildings Hearing Officer.

Rank *Field not completed.*

Experience *Field not completed.*

Human Relations Board

To increase constructive communication among all people regardless of actual or perceived race, ethnicity, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity, or socioeconomic status. To increase constructive communication between community members, public officials, and community organizations, thereby promoting harmonious and productive relationships within the community, and equitable access to community resources for all. Board shall be representative of management and labor, various religions, various races, and others who have an interest in human relations.

Rank *Field not completed.*

Experience *Field not completed.*

Income Tax Board of Appeals

Attempts to settle city income tax disputes.

Rank *Field not completed.*

Experience *Field not completed.*

Lakeview Downtown Development Authority

The definition of a development area; the origination of a development plan; and the implementation of a development program

Rank *Field not completed.*

Experience *Field not completed.*

License Review Board

Provides an opportunity to appeal when an application to operate as a vendor within the city limits is denied or a current Vendor's License becomes subject to suspension or revocation.

Rank *Field not completed.*

Experience *Field not completed.*

Local Development Financing Authority

To govern the affairs of the I-94 Business Park and Certified Technology Park (SmartZone) established by the City of Battle Creek, pursuant to an Agreement (The Battle Creek Aviation and E-Learning SmartZone Agreement) with the Michigan Economic Development Corporation.

Rank 2

Experience Live in BC city limits

Local Officers' Compensation Commission

Determine salaries of elected officials. Shall meet for at least one, and not more than 15, session days in each odd-numbered year. "Session day" is a calendar day on which the commission meets and for which a quorum is present.

Rank *Field not completed.*

Experience *Field not completed.*

Planning Commission

Adopts plans for the city. Also considers requests for zoning classifications and special use permits, and makes recommendations to the City Commission on amendments to the planning and zoning code.

Rank 3

Experience Land use planning, Real estate/development

Police/Fire Retirement System Board

Make rules and regulations necessary to properly conduct the business of the police and fire pension system, as directed by law.

Rank *Field not completed.*

Experience *Field not completed.*

Sustainable BC Committee

Increase the city's efforts to incorporate environmentally-responsible policies in the management of its facilities and services, including initiatives outlined in the Climate Protection Act Policy, adopted in August 2006, and the 15 percent by '15 renewable energy policy goal, adopted in March 2007. Will review and recommend environmental/conservation policy for the city, including recommendations for action to the City Commission.

Rank *Field not completed.*

Experience *Field not completed.*

Technical Review Committee

Provides review, input, and recommendations to the city and the City Commission regarding various aspects of the wastewater treatment system and rates.

Rank *Field not completed.*

Experience *Field not completed.*

Tree Advisory Council

Helps develop the annual Tree Work Plan, and issue rules and regulations supplementary to the city's tree ordinance. Establishment meets a Tree City USA criterion.

Rank *Field not completed.*

Experience *Field not completed.*

Water System Advisory Council

Advises and assists with creation of materials and plans to educate the community about the dangers of lead in drinking water, assist with development of public awareness campaign materials, advise and consult on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded, advise and consult on efforts to replace private lead service lines, assist in promoting transparency of data and documents related to lead in drinking water, and collaborate with local community groups to ensure those living in the city have the opportunity to be involved in efforts to educate the community about lead in drinking water.

Rank *Field not completed.*

Experience *Field not completed.*

Youth Advisory Board

To involve area youth in local government policy development and administrative procedures that will improve the leadership development of the community's youth.

Rank *Field not completed.*

Experience *Field not completed.*

Zoning Board of Appeals

Considers requests for variances to the requirement of the planning and zoning code. Typical variance requests include yard setback reductions and the size of commercial signage.

Rank *Field not completed.*

Experience *Field not completed.*

Email not displaying correctly? [View it in your browser.](#)



Resolution

NO. 371

A Resolution making permanent Temporary Traffic Control Orders - TTCO #s 1731, 1732 and 1733.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That the City Manager is authorized to approve and make permanent the temporary traffic control orders at locations as notes in the attached TTCO #1731-1733.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Darren Campbell - Traffic Engineering Manager

Department: Traffic Engineering

SUMMARY

A Resolution making permanent Temporary Traffic Control Orders - TTCO #s 1731, 1732 and 1733.

BUDGETARY CONSIDERATIONS

Not applicable.

HISTORY, BACKGROUND and DISCUSSION

The attached TTCOs have been in effect for at least sixty (60) days and are recommended for approval to permanent status. The Traffic Engineering staff has verified the need for these modifications and appropriate controls have been installed.

TTCO #1731

Three parallel parking spaces on the south side of State Street east of McCamly Street shall now be prohibited for parking and be reserved as a loading area for commercial deliveries.

Based on a request from Downtown Development Director, John Hart, supported by nearby businesses.

TTCO #1732

Elimination of "No Parking" designation on north side of Massachusetts Ave.

Based on requests from residents on Massachusetts Ave.

TTCO #1733

Elimination of all on-street parking restrictions on Fonda Ave.

Based on Traffic department observations of inconsistent and unnecessary prohibition of on-street parking for Fonda Ave. residents.

DISCUSSION OF THE ISSUE

POSITIONS

The Public Works Department supports this Resolution.

ATTACHMENTS:

| File Name | Description |
|---|------------------|
|  TTCOs_1731-1733.pdf | TTCOs #1731-1733 |

Department of Public Works



To: Victoria L. Houser, City Clerk
From: Darren Campbell, Traffic Engineering Manager
Date: July 18, 2023
Re: State. St Parking Restrictions TTCO #1731

Pursuant to the provisions set forth in Section R 28.1153 of the Uniform Traffic Code, the following regulations will become effective upon modification of the appropriate traffic control devices:

THAT, the three parallel parking spaces on the south side of State Street east of McCamly Street shall now be prohibited for parking and be reserved as a loading area for commercial deliveries.

THAT, this temporary traffic control order hereby rescinds and supersedes all previous traffic control orders referring to the above locations.

The traffic control devices will be modified in accordance with the provisions set forth in the "Michigan Manual of Uniform Traffic Control Devices."

Cc: Rebecca Fleury, City Manager
Shannon Bagley, Chief of Police
Ron Worthington, Signs and Signals Supervisor

Department of Public Works



To: Victoria L. Houser, City Clerk
From: Darren Campbell, Traffic Engineering Manager
Date: September 25, 2023
Re: TTCO #1732 - Rescission of Massachusetts Ave. Parking Restrictions

Pursuant to the provisions set forth in Section R 28.1153 of the Uniform Traffic Code, the following regulations will become effective upon modification of the appropriate traffic control devices:

THAT, the “No Parking” on the north side of Massachusetts Ave. starting at a point 150 feet from Main St. and extending 100 feet westerly for 100 feet be rescinded.

THAT, this temporary traffic control order hereby rescinds and supersedes all previous traffic control orders referring to the above locations.

The traffic control devices will be modified in accordance with the provisions set forth in the “Michigan Manual of Uniform Traffic Control Devices.”

Cc: Rebecca Fleury, City Manager
Shannon Bagley, Chief of Police
Ron Worthington, Signs and Signals Supervisor

Department of Public Works



To: Victoria L. Houser, City Clerk
From: Darren Campbell, Traffic Engineering Manager
Date: October 3, 2023
Re: TTCO #1733 - Rescission of Fonda Ave. Parking Restrictions

Pursuant to the provisions set forth in Section R 28.1153 of the Uniform Traffic Code, the following regulations will become effective upon modification of the appropriate traffic control devices:

THAT, all on-street parking restrictions starting at a point 50 feet from E Burnham St. and extending 1000 feet westerly for 1000 feet be rescinded.

THAT, this temporary traffic control order hereby rescinds and supersedes all previous traffic control orders referring to the above locations.

The traffic control devices will be modified in accordance with the provisions set forth in the "Michigan Manual of Uniform Traffic Control Devices."

Cc: Rebecca Fleury, City Manager
Shannon Bagley, Chief of Police
Ron Worthington, Signs and Signals Supervisor



Resolution

NO. 372

A Resolution authorizing a contract to purchase an Apex Officer Training Simulator for the City of Battle Creek Police Department with Govred Technology, Inc., in a not-to-exceed amount of \$69,500.00.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That the City Manager is authorized to execute Contract No. 2024-050C with Govred Technology, Inc., to purchase an Apex Officer Training Simulator for the Police Department in a not-to-exceed amount of \$69,500.00, which will be paid from account 101.14.3220.973.010.

Battle Creek City Commission

2/20/2024

Action Summary

Staff Member: Chris Huff, Purchasing Agent

Department: Purchasing

SUMMARY

A Resolution authorizing a contract to purchase an Apex Officer Training Simulator for the City of Battle Creek Police Department with Govred Technology, Inc., in a not-to-exceed amount of \$69,500.00.

BUDGETARY CONSIDERATIONS

HISTORY, BACKGROUND and DISCUSSION

The attached memo from Deputy Police Chief Doug Bagwell explains the history and need for this training equipment.

The City's Administrative Code provides exceptions to the sealed bid requirement when it is in the City's best interest to do so, but requires City Commission approval for purchases exceeding \$50,000.

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | | Description |
|-----------|---|------------------------------|
| ▣ | Deputy_Chief_Bagwell_Memo.docx | Deputy Chief Bagwell memo |
| ▣ | 2024-050C_APEX_Officer_Training_Simulator_Govred_Technology.pdf | Contract and vendor proposal |



CITY OF BATTLE CREEK

POLICE DEPARTMENT

TO: Chris Huff, Purchasing Agent

FROM: Deputy Chief Doug Bagwell

DATE: 01/26/2024

SUBJECT: Apex Officer Training VR Simulator Purchasing Request

DESCRIPTION OF THE SUPPLIES/SERVICES REQUESTED:

Apex Officer Training VR Simulator.

Summary:

Resolution No.359 dated 4/19/2022 authorized the Department to enter into a five-year contract with Axon for Tasers and Axon's Virtual Reality Training System.

Since entering this contract, Axon has changed directions in its roadmap to the VR Training System. This has caused significant delay in scenario-based training being pushed out to current customers with no timeline for improvements. Currently the Department has only been able to utilize Axon VR system for de-escalation training which does not allow for changes within the scenario as was originally proposed.

The original roadmap was for a more robust, interactive, instructor-led training scenario. This would allow for real-time changes within the scenario based on the officer's skills, performance, and responses to VR actions and environments.

Due to the deficiencies listed above, Axon VR Training System has not delivered a product that serves to enhance our officer's abilities. The Department is currently in the process of terminating this portion of the contract.

The Department recently tested Apex Officer VR Training System, which demonstrated that all the above needs were met. This is a one-time purchase with no reoccurring costs and will allow for us to immediately provide on-shift micro training blocks without impacting the Department's daily operations and service to the community.

GL STRING: 101.14.3220.973.010

**CITY OF BATTLE CREEK
AGREEMENT FOR SERVICES
No. 2024-050C**

THIS AGREEMENT is made and entered into this 7th day of February, 2024, by and between the CITY OF BATTLE CREEK, hereinafter referred to as the "CITY," and **GOVRED TECHNOLOGY INC**, hereinafter referred to as the "Contractor."

I. SCOPE OF SERVICES

Per attached proposal dated January 29, 2024.

II. COMPENSATION AND METHOD OF PAYMENT

In consideration of the performance of the services described in the Scope of Services, the City shall pay the Contractor in an amount of **\$69,500** as detailed in the attached proposal, and Contractor shall charge the City only in accordance with that same amount.

The City will pay the Contractor following the submission of itemized correct invoice(s) for the services rendered. Payment will be made within 30 days upon receipt of a correct invoice. Expenses shall be billed at cost without markup, and must be supported by actual receipts. Mileage and per diem rates, if applicable, shall not exceed the federal rates.

III. DURATION, TERMINATION, RENEWAL

The Contractor shall complete all work to the satisfaction of the City in accordance with the Scope of Services. The term of this Agreement shall be until warranty completion unless terminated or canceled as otherwise provided herein.

This Agreement may be terminated at any time by mutual written consent, or by the City with or without cause, upon giving thirty (30) days written notice. The City reserves the right to immediately terminate the whole or any part of this Agreement due to failure of Contractor to carry out any term, promise, or condition of this Agreement. If this Agreement is terminated, the City shall be liable only for payment for authorized services rendered and accepted material received by the City before the effective date of termination.

Cancellation for cause: The City may, by written notice to the Contractor, cancel this agreement if it is found that gratuities, in the form of entertainment, gifts or otherwise, were offered or given by the Contractor or any agent or representative of the Contractor, to any officer or employee of the City.

The City also reserves the right to cancel the whole or any part of this contract due to failure by the contractor to carry out any material obligation, term, or condition of the contract. The City shall issue written notice to the contractor for any of the following circumstances:

- A. The contractor fails to adequately perform the services set forth in the specifications of the contract:
- B. The contractor fails to make progress in the performance of the contract or gives the City reason to believe that the contractor will not or cannot perform to the requirements of the contract.

Upon receipt of the written notice of concern, the contractor shall have ten calendar days to provide a satisfactory response to the City. Failure on the part of the contractor to adequately address all issues of concern may result in the City resorting to any single or combination of the following remedies.

- 1. Cancel any contract:
- 2. Reserve all rights or claims to damage for breach of any covenant of the Contract:
- 3. In case of default, the City reserves the right to complete the required work. The City may recover reasonable excess cost from the contractor by any remedies as provided by law.

Termination for Convenience: The City may terminate this contract at any time for any reason by giving at least 30 days' notice in writing to Contractor. If the contract is canceled by the City as provided herein, the Contractor will be paid a fair payment as negotiated with the City for the work completed or goods received as of the date of termination.

IV. ENFORCEMENT, LAWS AND ORDINANCES

This agreement shall be enforced under the laws of the State of Michigan. Contractor must comply with all applicable federal, state, county, and City laws, ordinances, and regulations. Contractor shall ensure payment of all taxes, licenses, permits, and other expenses of any nature associated with the provision of services herein. Contractor shall maintain in current status all Federal, State and Local licenses and permits required for the operation of the business conducted by the Contractor.

VENUE: Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement or the transactions it contemplates shall bring the legal action or proceeding:

(i) in the United States District Court for the Western District of Michigan; or

(ii) in any court of the State of Michigan sitting in Calhoun County, if there is no federal subject matter jurisdiction.

GOVERNING LAW: This agreement shall be enforced under the laws of the State of Michigan. Contractor must comply with all applicable federal, state, county, and City laws, ordinances, and regulations. Contractor shall ensure payment of all taxes, licenses, permits, and other expenses of any nature associated with the provision of services herein. Contractor shall maintain in current status all Federal, State and Local licenses and permits required for the operation of the business conducted by the Contractor.

V. INDEPENDENT CONTRACTOR

It is clearly understood that each party shall act in its individual capacity and not as an agent, employee, partner, joint venturer, or associate of the other. An employee or agent of one party shall not be deemed or construed to be the employee or agent of the other party.

The Contractor is advised that taxes or social security payments shall not be withheld from a City payment issued hereunder and that Contractor should make arrangements to directly pay such expenses, if any.

The City will not provide any insurance coverage to the Contractor including Workers' Compensation coverage.

VI. MODIFICATIONS

This Agreement may only be modified by a written amendment signed by persons duly authorized to enter into contracts on behalf of the City and the Contractor.

VII. WAIVER

The failure of either party of this Agreement to take affirmative action with respect to any conduct of the other that is in violation of the terms of this contract shall not be construed as a waiver thereof, or of any future breach or subsequent wrongful conduct.

VIII. INDEMNIFICATIONS

Contractor shall indemnify, defend, and hold harmless the City of Battle Creek, from any and all claims, demands, suits, actions, proceedings, loss, cost, and reasonable attorney's fees and/or litigation expenses arising or alleged to have arisen out of any negligent act, omission, professional error, fault, mistake, or negligence of the Contractor, its employees, agents, representatives, or subcontractors, their employees, agents, or representatives in connection with or incidental to the performance of this agreement. The Contractor's obligation under this section shall not extend to any liability caused by the sole negligence of the City, or its employees.

The amount and type of insurance required shall not in any way be construed as limiting the scope of the indemnification set forth above.

IX. INSURANCE

The Contractor agrees to:

- A. Obtain insurance coverage of the types and amount required in this section and keep such insurance coverage in force throughout the life of this contract. All policies will contain an endorsement providing that written notice be given to the City at least ten (10) calendar days prior to termination, cancellation, or reduction in coverage in any policy. The City of Battle Creek shall be listed as an additional insured on all general liability coverages, and shall be provided verification.

| | |
|-------------------|-------------|
| General Liability | \$1,000,000 |
|-------------------|-------------|

X. MISCELLANEOUS PROVISIONS (where applicable)

- A. No assignment of this Agreement or subcontract shall be made by the Contractor with any other party for furnishing any of the services herein contracted for without the advance written approval of the City. All subcontracts shall comply with Federal and State laws and regulations that are applicable to the services covered by the subcontract and shall include all the terms and conditions set forth herein, which shall apply with equal force to the subcontract, as if the subcontractor were the contractor referred to herein. The Contractor is responsible for contract performance whether or not subcontractors are used.
- B. The Contractor shall establish and maintain procedures and controls that are acceptable to the City for the purpose of assuring that no information contained in its records or obtained from the City or from others in carrying out its functions under the contract shall be used by or disclosed by it, its agents, officers, or employees, except as required to efficiently perform duties under the contract. Persons requesting such information must be referred to the City.
- C. All services, information, computer program elements, reports, and other deliverables that are created under this Agreement shall be the property of the City and shall not be used by the Contractor or any other person except with the prior written permission of the City. The City shall hold the copyright to any copyrightable material. Patents for any item created under this contract shall be assigned to the City.
- D. The Contractor shall comply with all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and applicable federal regulations under the Act.
- E. The Contractor, with regard to the work performed during this contract, agrees not to discriminate against any employee or applicant for employment, to be employed in the performance of such contract with respect to hire tenure, terms, conditions or privileges, of employment, or any matter directly or indirectly related to employment because of his or her actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, or gender identity. Breach of this covenant may be regarded as a material breach of the contract as provided for in Act 220 and Act 453 of the Public Acts of 1976, as amended, entitled "Michigan Handicapper's Civil Rights Act" and/or the "Michigan Elliott Larson Civil Rights Act" and/or City of Battle Creek Chapter 214 "Discrimination Prohibited" Ordinance. The bidder further agrees to require similar provisions from any subcontractors, or suppliers. The bidder agrees to comply with the Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967, as supplemented in Department of Labor regulations (41 CFR, Chapter 60).

F. **WARRANTY:** Where applicable, Contractor shall remove and replace at no additional cost to the City any defects in workmanship or materials that may be apparent or may develop within a period of one (1) year from the date of final acceptance.

G. **ENTIRE AGREEMENT:** This Agreement represents the entire agreement between the City of Battle Creek and the Contractor relating to this requirement and shall prevail over any and all previous verbal and written agreements. In cases of conflicts between this contract and any attached or referenced documents, this contract shall prevail.

I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder, and that our firm is not debarred from doing business under the Federal Excluded Parties List System (epls.gov).

I, the Contractor or Contractor's legally authorized signer, further certify compliance with the City of Battle Creek Ordinance Chapter 214, Discrimination Prohibited. I further acknowledge and agree that the Contractor's violation of Chapter 214 shall be a material breach of this contract. In addition, Contractor acknowledges and agrees that it shall be liable for any costs or expenses incurred by the City in obtaining from other sources, the work and services to be rendered or performed or the goods or properties to be furnished or delivered to the City under the contract as a result of a material breach in the Contract for violations of Chapter 214.

CITY OF BATTLE CREEK:

City Manager

Date

Witnessed By:

Approval as to form

CONTRACTOR:



Authorized Signature

Chase Dittmer

Printed Name

GOVRED TECHNOLOGY, INC.

Name of Company

5006 Bond Street

Address

Las Vegas, NV 89118

City/State/Zip

(702) 901-5344 orders@apexofficer.com

Phone Email

I. YOUR FIRM'S BACKGROUND:

Is your firm an MBE (at least 51% minority ownership)? ☐ YES ☒ NO

Is your firm a WBE (at least 51% woman ownership)? ☐ YES ☒ NO

Are you subcontracting any part of this project? ☐ YES ☒ NO

II. SUBCONTRACTING INFORMATION: If subcontracting any part of the project, the bidder/contractor expressly agrees that:

- (1) If awarded a contract as a result of this bid, the major subcontractors used in the prosecution of the work will be those listed below, and
- (2) The following list includes all subcontractors who will perform work representing approximately five percent (5%) or more of the Total Base Bid.
- (3) The Bidder represents that the subcontractors listed below are financially responsible and are qualified to do the work required.

| SUBCONTRACTOR NAME | City/State | Trade or Commodity | MBE Y / N | WBE Y / N | Approximate dollar value |
|--------------------|------------|--------------------|--------------|--------------|--------------------------|
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Apex Officer Training Simulator

Interactive Crisis Intervention, De-Escalation, and Use of Force Training Simulator

Proposal Prepared For

Kris Brown

Battle Creek Police Department

34 Division St N, Battle Creek, MI 49014

January 29, 2024

Dear Kris Brown,

Thank you for your interest in the interactive Apex Officer virtual reality training simulator from Govred Technology, Inc. This proposal and attached sole source letter will provide you with the requested system information, specifications, pricing, and details for the system and equipment you've inquired about.

The Apex Officer training system is a comprehensive solution designed to allow law enforcement trainers to give presentations and classes, conduct interactive testing and assessment, and provide immersive, hands-on scenario-based exercises with detailed debriefing and after-action reviews. Each Apex Officer system is designed to increase trainee de-escalation knowledge, skills, and confidence in a safe, challenging environment that is highly interactive and engaging.

Through our history of providing innovative interactive simulation training solutions, Apex Officer has become widely regarded as a low-risk, highly reliable contracting and business partner. We have the industry's most dedicated and customer-committed sales and support team on staff. All Apex Officer customers receive the best technical service in the industry, including software updates, newly developed and released training content with new exercises and environments to keep trainee interest high and skills sharp.

On behalf of the Apex Officer team, I sincerely appreciate the consideration of our proposal for this requirement and the opportunity to serve the men and women of Battle Creek Police Department.

Chase Dittmer
Founder and CEO

Govred Technology, Inc.
Direct: 702-901-5344
chase@apexofficer.com
www.apexofficer.com

| APEX OFFICER – PRO TRAINING SIMULATOR SUITE | | |
|---|------|-------------|
| Description | Qty | Price |
| Apex Officer® – Pro Training Simulator System Includes: <ul style="list-style-type: none">• Apex Officer® Content Library• High-Performance VR-Ready Workstation• Virtual Reality Head Mounted Display• Virtual Training Accessories• Apex Wireless• Dynamic Scenario Generator• After Action Debriefing• Advanced Officer Analytics• Apex Reporting and Monitoring• Apex Officer Training with Setup | 1 | \$99,868.00 |
| Apex Officer Content Library Every Apex Officer training system includes 24/7 access to Apex Officer's proprietary content library. Apex Officer's content library of virtual reality police and law enforcement training scenarios is the most extensive in the industry. With our unique blend of randomization, artificial intelligence, and voice recognition Apex Officer provides police departments and law enforcement agencies with an infinite number of training opportunities and scenarios. | Inc. | |
| High-Performance VR-Ready Wearable Workstation Every Apex Officer simulator comes equipped with the world's most powerful wearable backpack workstation – optimized for free-roam experiences. Experience full training immersion with unprecedented freedom of movement and the most reliable connectivity that no wireless VR device can provide. <ul style="list-style-type: none">• Intel Core i7 8 Core/16 Thread Processor• Nvidia RTX Graphics Card• 16GB DDR4 RAM• NVMe Solid State Storage• Windows 10 Pro 64-Bit Operating System• Hot-Swappable Batteries• | Inc. | |

| | | |
|---|------|--|
| <p>Virtual Reality Head Mounted Display (HMD)</p> <p>Apex Officer utilizes a state-of-the-art virtual reality head-mounted display to create the world's most realistic and immersive judgmental training simulator. With our HMD, we're capable of producing active engagements from a 360-degree environment surrounding the trainees. Our systems utilize multi-directional audio technology and seamless software simulations that simulate different environments and situations that will challenge trainees.</p> | Inc. | |
| <p>Virtual Training Accessories</p> <p>Apex Officer's proprietary virtual training accessories are designed to look, weigh, and feel just like their real-life counterpart. We worked hand and hand with multiple engineers in designing the firearms and training equipment used in our simulations.</p> <p>VR-Training Accessories Included:</p> <ul style="list-style-type: none">• Apex-VTW-U1 (Universal Device)• Apex-VTW-G1 (Pistol)• Apex-VTW-T1 (Taser)• Apex-VTW-R1 (Rifle) <p>Every Apex Officer Virtual Training Weapon is equipped with:</p> <ul style="list-style-type: none">• Up to 32 low power, ASIC sensors, for 360-degree coverage• Built-in 1000Hz IMU for low latency, high-resolution tracking• Bluetooth and wireless connectivity• Rechargeable battery | Inc. | |
| <p>Apex Wireless (AW)</p> <p>The Apex Wireless system is a proprietary combination of wireless networking systems working in harmony to deliver a fully immersive wireless virtual reality experience.</p> <ul style="list-style-type: none">• 4x Wireless Base Stations• Bluetooth Transmitters and Receivers | Inc. | |
| <p>After Action Debriefing (AAD)</p> <p>Our After-Action Debriefing system provides real-time monitoring, recording, and playback during debriefing sessions of trainees. Includes software and hardware that integrates into the Apex Officer line of simulators.</p> | Inc. | |

| | | |
|--|------|---------------------|
| Advanced Officer Analytics (AOA) Apex Officer's Advanced Officer Analytics system allows law enforcement agencies to optimize their recent training activities and provides unprecedented learning opportunities for every officer using the simulator. With the AOA, police departments can track the training results and behaviors of each trainee that uses the simulator. With this data, the departments have an unprecedented insight into the strengths and weaknesses of each trainee, thus, allowing for follow-up training exercises. | Inc. | |
| Apex Reporting and Monitoring Audio and picture-in-picture color video capture trainee's actions in a scenario that can be used for immediate or later debriefing and review. All footage can be scheduled for permanent deletion at a specified time interval (i.e., 24 hours, 72 hours, etc.). | Inc. | |
| Apex Officer Training with Setup Instructor/Operator Master course covering the Apex Officer system, hardware setup, software updates, troubleshooting, and more for up to six instructors. | Inc. | |
| Apex Officer – Pro Training Simulator: | | \$99,868.00 |
| First In Ohio Discount: | | -\$50,368.00 |
| Total: | | \$49,500.00 |
| OPTIONAL UPGRADES | | |
| Apex Officer X2 – Hardware Upgrade: | | \$40,000.00 |
| Discount: | | -\$20,000.00 |
| Total: | | \$20,000.00 |
| Total With Optional Upgrades: | | \$69,500.00 |

Additional Notes:

FOB Destination, freight pre-paid and added.

-See Important Terms and Conditions Below-

Standard Terms and Conditions

1. Please make the purchase order (PO) out to GOVRED Technology, Inc.
2. Payment Terms: Net 30 from the invoice date.
3. U.S. Delivery Lead Time:
 - a. Standard Production System: 30-60 Days ARO
 - b. Custom System Production: 120-180 ARO dependent on the level of customization and component requirements.
4. Warranty: 12 Months from the date of shipment.
5. If this sale is subject to Use Tax, then you are liable for the tax and should make payment direct to your taxing authority. However, we may collect Sales Tax for the following states: CA, FL, HI, IA, KY, MA, MI, NV, NY, UT, WA, and WV.
6. Quote Valid: 45 days.
7. All prices are quoted in US Dollars (\$USD).
8. Late Payment Penalties: Invoices not paid within 30 days of the invoice date will accrue interest at 2% per week.

Purchasing/Contracting Information

1. Company Name: Govred Technology, Inc.
2. Company Address: 5006 Bond St, Las Vegas, NV 89118
3. Order POC: Chase Dittmer
4. Order Email: orders@apexofficer.com
5. Phone: 702-901-5344
6. Cage Code: 7Z1H2
7. Tax ID: 82-1742313
8. DUNS: 080742556

Sole Source Letter

Govred Technology, Inc.
5006 Bond St, Las Vegas, NV 89118
Phone: 702-901-5344
<https://www.apexofficer.com>

RE: Sole Source Letter
January 29, 2024
To Whom It May Concern:

This letter is to confirm that the Apex Officer® Pro Training Simulator and Apex Officer X1, X2, X3, X4, X6, and X9 – Pro Training Simulator are all sole-source products, manufactured, sold, and distributed exclusively by Govred Technology, Inc. Currently, Govred Technology, Inc. is the sole manufacturer and provider of Apex Officer; nor any other company makes a similar or competing product. Additionally, no other vendors can legally provide the Apex Officer® product. This product must be purchased directly by institutions from Govred Technology, Inc. at the below address. There are no agents or dealers authorized to represent this product.

There are no other like item(s) or product(s) available for purchase that would meet the urgent fulfillment timeline and serve the same purpose or function because of the proprietary and exclusive Apex Officer® content library, training modules, dynamic scenario generator, haptic feedback system, backpack-mounted modular wearable workstations, virtual reality training technology accessories and more. Additionally, given Apex Officer's technical history and domain expertise, it would take multiple years for an alternative vendor to create a similar product.

If you desire additional information, do not hesitate to contact me at 702-901-5344 at any time or visit our website at <https://www.apexofficer.com>. Thank you for your interest in our products.

Sincerely,
Chase Dittmer
Co-Founder

Govred Technology, Inc.
5006 Bond St, Las Vegas, NV 89118
Phone: 702-901-5344
Email: chase@apexofficer.com
<https://www.apexofficer.com/>

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

| | | |
|---|---|--|
| 1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. GOVRED TECHNOLOGY, INC. | | |
| 2 Business name/disregarded entity name, if different from above | | |
| 3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ▶ _____ | 4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small> | |
| 5 Address (number, street, and apt. or suite no.) See instructions. 5006 BOND ST | Requester's name and address (optional) | |
| 6 City, state, and ZIP code LAS VEGAS, NV 89118 | | |
| 7 List account number(s) here (optional) | | |

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

| | | | | | | | | | | |
|--------------------------------|---|--|---|---|---|---|---|---|---|---|
| Social security number | | | | | | | | | | |
| | | | - | | | | - | | | |
| or | | | | | | | | | | |
| Employer identification number | | | | | | | | | | |
| 8 | 2 | | - | 1 | 7 | 4 | 2 | 3 | 1 | 3 |

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

| | | |
|-----------|--|------------------------|
| Sign Here | Signature of U.S. person ▶  | Date ▶ 1/1/2023 |
|-----------|--|------------------------|

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/29/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| PRODUCER Next First Insurance Agency, Inc. PO Box 60787 Palo Alto, CA 94306 | CONTACT NAME: PHONE (A/C, No, Ext): (855) 222-5919 FAX (A/C, No): E-MAIL ADDRESS: support@nextinsurance.com | | | | | | | | | | | | | | | | | | | | | |
|---|--|-------------------------------|--|--------|------------|--|-------|------------|--|--|------------|--|--|------------|--|--|------------|--|--|------------|--|--|
| INSURED Govred Technology, Inc. 5006 Bond St Las Vegas, NV 89118 | <table><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A:</td><td>State National Insurance Company, Inc.</td><td>12831</td></tr><tr><td>INSURER B:</td><td></td><td></td></tr><tr><td>INSURER C:</td><td></td><td></td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></table> | INSURER(S) AFFORDING COVERAGE | | NAIC # | INSURER A: | State National Insurance Company, Inc. | 12831 | INSURER B: | | | INSURER C: | | | INSURER D: | | | INSURER E: | | | INSURER F: | | |
| INSURER(S) AFFORDING COVERAGE | | NAIC # | | | | | | | | | | | | | | | | | | | | |
| INSURER A: | State National Insurance Company, Inc. | 12831 | | | | | | | | | | | | | | | | | | | | |
| INSURER B: | | | | | | | | | | | | | | | | | | | | | | |
| INSURER C: | | | | | | | | | | | | | | | | | | | | | | |
| INSURER D: | | | | | | | | | | | | | | | | | | | | | | |
| INSURER E: | | | | | | | | | | | | | | | | | | | | | | |
| INSURER F: | | | | | | | | | | | | | | | | | | | | | | |

COVERAGES

CERTIFICATE NUMBER: 268746954

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-----------|----------|------------------|-------------------------|-------------------------|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER: | X | | NXT2VBRKNV-02-GL | 06/05/2023 | 06/05/2024 | EACH OCCURRENCE \$1,000,000.00 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000.00 MED EXP (Any one person) \$15,000.00 PERSONAL & ADV INJURY \$1,000,000.00 GENERAL AGGREGATE \$2,000,000.00 PRODUCTS - COMP/OP AGG \$2,000,000.00 \$ |
| | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY | | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| | UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | <input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |
| A | Professional Liability | X | | NXT2VBRKNV-02-GL | 06/05/2023 | 06/05/2024 | Each Occurrence: \$1,000,000.00 Aggregate: \$2,000,000.00 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is City of Battle Creek. This Certificate Holder is an Additional Insured on the General Liability policy per the Additional Insured Automatic Status Endorsement. All Certificate Holder privileges apply only if required by written agreement between the Certificate Holder and the insured, and are subject to policy terms and conditions.

CERTIFICATE HOLDER

City of Battle Creek
102 S 2nd St
Battle Creek, NE 68715

LIVE CERTIFICATE



[Click or scan to view](#)

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CERTIFICATE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)
01/29/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

| PRODUCER Next First Insurance Agency, Inc. PO Box 60787 Palo Alto, CA 94306 | CONTACT NAME: PHONE (A/C, No, Ext): (855) 222-5919 FAX (A/C, No): E-MAIL ADDRESS: support@nextinsurance.com PRODUCER CUSTOMER ID: | | | | | | | | | | | | | | |
|--|--|-------------------------------|--------|---|-------|-------------------|--|-------------------|--|-------------------|--|-------------------|--|-------------------|--|
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| INSURER(S) AFFORDING COVERAGE | NAIC # | | | | | | | | | | | | | | |
| INSURER A: Next Insurance US Company | 16285 | | | | | | | | | | | | | | |
| INSURER B: | | | | | | | | | | | | | | | |
| INSURER C: | | | | | | | | | | | | | | | |
| INSURER D: | | | | | | | | | | | | | | | |
| INSURER E: | | | | | | | | | | | | | | | |
| INSURER F: | | | | | | | | | | | | | | | |

COVERAGES

CERTIFICATE NUMBER: 268746954

REVISION NUMBER:

LOCATION OF PREMISES / DESCRIPTION OF PROPERTY (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YYYY) | POLICY EXPIRATION DATE (MM/DD/YYYY) | COVERED PROPERTY | LIMITS |
|----------|-------------------------------------|--|------------------|------------------------------------|-------------------------------------|---|---------------|
| A | <input checked="" type="checkbox"/> | PROPERTY | NXTY0ZE1SZ-02-CP | 06/05/2023 | 06/05/2024 | <input checked="" type="checkbox"/> BUILDING | \$ |
| | | CAUSES OF LOSS | | | | <input checked="" type="checkbox"/> PERSONAL PROPERTY | \$ 165,000.00 |
| | | BASIC | | | | <input checked="" type="checkbox"/> BUSINESS INCOME | \$ Included |
| | | BROAD | | | | <input checked="" type="checkbox"/> EXTRA EXPENSE | \$ Included |
| | <input checked="" type="checkbox"/> | SPECIAL | | | | RENTAL VALUE | \$ |
| | | EARTHQUAKE | | | | BLANKET BUILDING | \$ |
| | | WIND | | | | BLANKET PERS PROP | \$ |
| | | FLOOD | | | | BLANKET BLDG & PP | \$ |
| | | | | | | | \$ |
| | | | | | | | \$ |
| | <input type="checkbox"/> | INLAND MARINE | TYPE OF POLICY | | | EQUIPMENT | \$ |
| | | CAUSES OF LOSS | POLICY NUMBER | | | MISC TOOLS | \$ |
| | | NAMED PERILS | | | | BORROWED TOOLS | \$ |
| | | OPEN PERILS | | | | | \$ |
| | <input type="checkbox"/> | CRIME | | | | | \$ |
| | | TYPE OF POLICY | | | | | \$ |
| | | | | | | | \$ |
| | <input type="checkbox"/> | BOILER & MACHINERY / EQUIPMENT BREAKDOWN | | | | | \$ |
| | | | | | | | \$ |
| | | | | | | | \$ |
| | | | | | | | \$ |

SPECIAL CONDITIONS / OTHER COVERAGES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Proof of Insurance.

CERTIFICATE HOLDER

City of Battle Creek
102 S 2nd St
Battle Creek, NE 68715

LIVE CERTIFICATE



[Click or scan to view](#)

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1995-2015 ACORD CORPORATION. All rights reserved.

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
FILING ENDORSEMENT

This is to Certify that the APPLICATION FOR CERTIFICATE OF AUTHORITY TO
TRANSACTION BUSINESS IN MICHIGAN
for

GOVRED TECHNOLOGY, INC.

ID Number: 803166400

received by electronic transmission on February 08, 2024 ***, is hereby endorsed.***

Filed on February 08, 2024 ***, by the Administrator.***

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

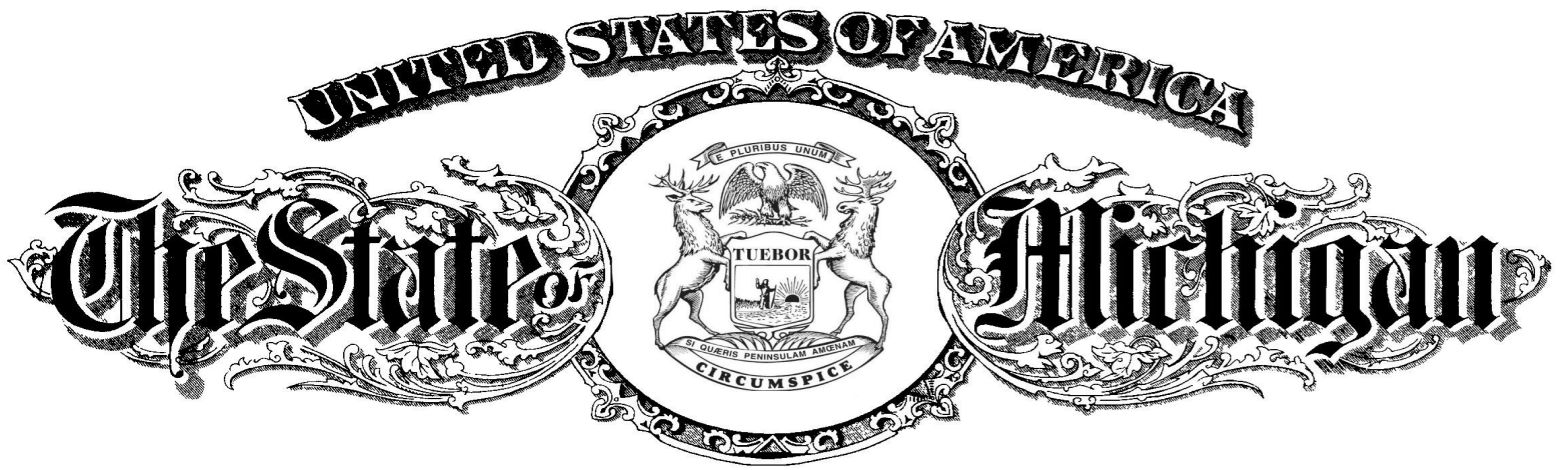


In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 8th day of February, 2024.

Linda Clegg

Linda Clegg, Director

Corporations, Securities & Commercial Licensing Bureau



Department of Licensing and Regulatory Affairs
Lansing, Michigan

This is to Certify That

GOVRED TECHNOLOGY, INC.

a FOREIGN PROFIT CORPORATION existing under the laws of the state of Delaware

*was validly authorized to transact business in Michigan on the 8th day of February, 2024,
in conformity with 1972 PA 284.*

*Said corporation is authorized to transact in this state any business of the character set forth in its
application which a domestic corporation formed under this act may lawfully conduct. The authority shall
continue as long as said corporation retains its authority to transact such business in the jurisdiction of its
incorporation and its authority to transact business in this state has not been surrendered, suspended or
revoked.*

*This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit
given it in every court and office within the United States.*



*In testimony whereof, I have hereunto set my hand, in
the City of Lansing, this 8th day of February, 2024.*

Linda Clegg

Linda Clegg, Director

Corporations, Securities & Commercial Licensing Bureau



Resolution

NO. 373

A Resolution setting a Public Hearing on March 5, 2024, for the purpose of reviewing and receiving public comment on a Brownfield Plan for the proposed 161 East Michigan Ave Brownfield Plan.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That the City of Battle Creek, in accordance with the Brownfield Redevelopment Financing Act, Public Act 381 of 1996 as amended, is required to hold a Public Hearing on the Brownfield Plan for the proposed 161 East Michigan Ave Brownfield Plan.

It is resolved that the Battle Creek City Commission will hold a Public Hearing to receive citizen comments on the Brownfield Plan on Tuesday, March 5, 2024 at 7:00 p.m. in the City Commission Chambers, City Hall, Room 301.

The Brownfield Redevelopment Authority, via Battle Creek Unlimited, shall publish a notice of the Public Hearing twice in a newspaper of general circulation, the first of which shall occur no later than February 22, 2024 and the second notice on February 29, 2024.

The Brownfield Plan will be available for review in the City Manager's Office.

Battle Creek City Commission

2/20/2024

Action Summary

Staff Member: Patti Worden, Executive Assistant

Department: City Manager

SUMMARY

A Resolution setting a Public Hearing on March 5, 2024, for the purpose of reviewing and receiving public comment on a Brownfield Plan for the proposed 161 East Michigan Ave Brownfield Plan.

BUDGETARY CONSIDERATIONS

None

HISTORY, BACKGROUND and DISCUSSION

This Plan will allow the Brownfield to reimburse 161 East Michigan Ave Brownfield Plan for the costs of eligible environmental and non-environmental activities needed to safely redevelop three tax parcels:

52-2620-40-006-0 161 E Michigan Ave 10.93 Part 201 “facility”

52-2620-36-020-0 Unaddressed Elm Street parcel 3.82 Adjacent and contiguous

52-2620-36-016-0 Unaddressed Elm Street parcel 0.74 Adjacent and contiguous

The Brownfield Plan, if approved, provides for the use of tax incremental financing, to reimburse 161 East Michigan Ave Brownfield Plan.

DISCUSSION OF THE ISSUE

POSITIONS

The Brownfield Redevelopment Authority is expected to approve the Plan at their next meeting.

ATTACHMENTS:

File Name

Description

No Attachments Available



Resolution

NO. 374

A Resolution seeking authorization regarding a contract with Schweitzer Incorporated for the Airport Operations and Maintenance Facility (AOMF) Lobby Renovations project from Schweitzer Incorporated in a not-to-exceed amount of \$65,050.00.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That the City Manager is authorized to execute contract #2024-025B for the Airport Operations and Maintenance Facility Lobby Renovations project with Schweitzer Incorporated in a not-to-exceed amount of \$65,050.00. This contract will be paid from 580.20.5384.971.040, project code BCEA24-5.

The City Manager or her designee is also authorized to execute up to 10% in total for City-initiated and pre-approved change orders.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Christine Huff, Purchasing Agent

Department: Purchasing

SUMMARY

A Resolution seeking authorization regarding a contract with Schweitzer Incorporated for the Airport Operations and Maintenance Facility (AOMF) Lobby Renovations project from Schweitzer Incorporated in a not-to-exceed amount of \$65,050.00.

BUDGETARY CONSIDERATIONS

HISTORY, BACKGROUND and DISCUSSION

A solicitation was issued October 13, 2023, for the improvement of the Airport Operations and Maintenance Facility (AOMF) reception area including the addition of sound dampening measures and

improvement of access control and security. This contract was estimated to be less than \$50,000, so it did not initially contain a prevailing wages or bonding requirements. This issue is addressed later in this background.

Copies of the IFB were provided to all contractors and construction plan houses registered in our online vendor registration system. Construction companies and the trades subscribe to planhouses to be aware of all jobs being bid around the region. In addition, an advertisement was placed on the City's website and the Battle Creek Shopper. Contractors were advised that they could contact Miles Weaver, Assistant Director at the Airport, if they wanted to see the site.

Bid responses were due on December 5, 2023, and they were submitted via our online secure website, and read aloud via Zoom.

Bids came in over twice the best budget estimate we had. In part, this can be explained by the price increases we've seen in general, but also the overage primarily came from adapting the area from a copy/printing and storage area to an appropriate workspace for the administrative assistant, which added to the cost more than was to be expected. The bids were:

\$105,000 Schweitzer Incorporated
\$131,980.25 JS Bondi, Inc.

Even if we could put together the money to fund the lowest bid, we couldn't award it as-is because this IFB had been issued as a construction bid under \$50,000, which means with no prevailing wages and no bonding requirements.

We had two options:

Option 1: Reject all bids, and scale down the project and re-bid it. Since Airport staff would not feasibly be able to do this, we'd have to hire an architect/engineer, at additional cost, to revise the scope of work. The architect/engineer would then provide specifications and drawings so that we could re-bid the project.

Option 2: (recommended) Work with the lowest responsive, responsible bidder (Schweitzer) to substantially decrease the scope of work through a value engineering process. This would bring the project in line with the budget, and yet still get the project done minimally as the Airport needs. This option would not change the relative standing of the bidders to decrease the low bid further, and Chris Huff, Purchasing Agent, suggested this as being a good course of action. A large factor in that recommendation is the good working history we've had with the low bidder, Schweitzer, who is currently doing the City Hall retaining wall and the interior remodel project.

Airport staff chose to proceed with Option 2 and contacted Schweitzer to come up with the attached revised scope of work that significantly decreased the cost to the City.

Purchasing worked with Schweitzer to work prevailing wages into the agreement (which they already pay anyway, required or not), as well as bonding as required for contracts over \$50,000. Included in the price is the cost of the bonds, which was \$650; it's routine for the cost of the bonds to be included in the price, as are all things that are considered a cost of doing business.

A recommendation was made to accept the lowest, responsive, responsible bid, as modified in the attached proposal, from Schweitzer who was the apparent low bidder. I concur with the department's recommendation that contract award to this firm would be in the best interest of the City of Battle Creek. The City Commission can approve contracts over \$50,000 when it's in the City's best interest to do so, such as in this case.

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | Description |
|---|----------------------------------|
| ❏ AOMF_contract_DRAFT.docx | Draft contract |
| ❏ Schweitzer_proposal.pdf | Schweitzer revised scope of work |
| ❏ 2024-025B_AOMF_Reception_Lobby_Improvements.xlsx | Original bid tab |
| ❏ 2024-025B_Incomplete_AOMF_Reception_Lobby_Improvements.docx | Original IFB |

CONTRACT FORM
CONTRACT NO. 2024-025B

THIS AGREEMENT, made and entered into this 14th day of February, 2024, by and between Schweitzer Incorporated hereinafter called the "Contractor" and the City of Battle Creek, hereinafter called the "Owner."

WITNESSETH: In consideration for the mutual covenants hereinafter stated, the parties agree for themselves, their personal representatives, successors, assigns as follows:

I. The Contractor promises and agrees, for the renovations to the Airport Administration, Operations, and Maintenance Facility (AOMF) Reception/Lobby per proposal dated February 2, 2024. Contractor shall abide by all the requirements set forth in Section 208.09, Prevailing Wages on City projects, of the City's Administrative Code, with wages and fringes attached as General Decision Number: MI20240079 01/05/2024.

A. To furnish all materials, construction water, equipment, tools, dewatering devices, skill and labor of every description necessary or reasonable incidental to carrying forth and completing in good, firm, substantial and workmanlike manner, the work specified, in strict conformity with the true intent of the NOTICE TO BIDDERS, SPECIAL INSTRUCTIONS, GENERAL INSTRUCTIONS, INVITATION FOR BID, SPECIAL CONDITIONS, GENERAL CONDITIONS, AGREEMENT, BONDS, GENERAL SPECIFICATIONS, Contractor's bid, and Project Specifications, and other contract documents and addenda thereto, which are hereby made a part hereof as fully and to the same effect as though they had been set forth at length herein. In cases of conflict, the most recent document shall take precedence.

B. To commence work under this contract on or before a date to be specified by the owner in a written Notice to Proceed and complete the project by the date specified in Invitation for Bid.

C. Requirements for a specific trade or contract will generally be described in that portion of the specifications or drawings related to that trade or contract. Such requirements may, however, be described in other sections of the Contract Documents. The Contractor will be held responsible for having carefully examined all drawings and read all requirements of the specifications and all Contract Documents to avoid omissions or duplications and to insure a complete job.

D. The Contractor must be fully informed about conditions relating to the construction of the project and the employment of labor thereon. Failure to do so will not relieve a successful bidder of their obligation to furnish all material and labor necessary to carry out the provisions of their contract.

E. Any claim by the Contractor of an inability to meet any requirement set forth in the Contract Documents, or that any requirement of these documents is impractical or unreasonable, will not be recognized, unless the claim was made at the time their bid was submitted, and specific provision is made for such claim in the Agreement between Owner and Contractor (Bid and Agreement).

F. Warranty: Contractor shall remove and replace at no additional cost to the City any defects in workmanship or materials that may be apparent or may develop within a period of one (1) year from the date of final acceptance.

G. NON-DISCRIMINATION CLAUSE: The bidder agrees not to discriminate against any employee or applicant for employment, to be employed in the performance of such contract with respect to hire tenure, terms, conditions or privileges, of employment, or any matter directly or indirectly related to employment because of his or her actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, or gender identity. Breach of this covenant may be regarded as a material breach of the contract as provided for in Act 220 and Act 453 of the Public Acts of 1976, as amended, entitled "Michigan Handicapper's Civil Rights Act" and/or the "Michigan Elliott Larson Civil Rights Act" and/or City of Battle Creek Chapter 214 "Discrimination Prohibited" Ordinance. The bidder further agrees to require similar provisions from any subcontractors, or suppliers. The bidder agrees to comply with the Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967, as supplemented in Department of Labor regulations (41 CFR, Chapter 60).

II. The Owner promises and agrees:

A. To pay the Contractor for said work when completed in accordance with the provisions of these contract documents, and for the contract sum of:

Sixty-five thousand and fifty dollars and 00/100 (\$65,050.00). Payment for work is subject to additions provided therein and for the authorized work complete in place and accepted by the Owner or its authorized representatives.

III. It is further understood and agreed between the parties hereto as follows:

A. The said work is to be done in accordance with the laws of the State of Michigan to the entire satisfaction and approval of the Owner or its duly authorized representatives.

B. The decision of said Owner's authorized representative upon any questions connected with the execution of this Agreement or any failure or delay in the prosecution of the work by said Contractor shall be final and conclusive.

C. If, at any time after the execution of the Agreement and the Bond for its faithful performance, the Owner shall deem the surety or sureties then upon said bond to be unsatisfactory or, if, for any reason said bond shall cease to be adequate security for the performance of the work, the Contractor shall, at their expense, within fifteen (15) calendar days after receipt of written notice from the Owner to do so, furnish an additional bond or bonds in such form and amount and with such surety or sureties as shall be satisfactory to the Owner. In such event, no further payment to the Contractor shall be deemed to be due under this Agreement until such new or additional security for the faithful performance of the work shall be furnished in a manner and form satisfactory to the Owner.

D. **VENUE:** Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement or the transactions it contemplates shall bring the legal action or proceeding:

(i) in the United States District Court for the Western District of Michigan; or

(ii) in any court of the State of Michigan sitting in Calhoun County, if there is no federal subject matter jurisdiction.

E. **GOVERNING LAW:** This agreement shall be enforced under the laws of the State of Michigan. Contractor must comply with all applicable federal, state, county, and City laws, ordinances, and regulations. Contractor shall ensure payment of all taxes, licenses, permits, and other expenses of

CITY OF BATTLE CREEK PURCHASING
INVITATION FOR BID NO. 2024-025B

any nature associated with the provision of services herein. Contractor shall maintain in current status all Federal, State and Local licenses and permits required for the operation of the business conducted by the Contractor.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and affixed their seals, the day and year first above written.

STATE OF MICHIGAN)
) ss
COUNTY OF CALHOUN)

I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder, and that our firm is not debarred from doing business under the Federal Excluded Parties List System (epls.gov).

I, the Contractor or Contractor's legally authorized signer, further certify compliance with the City of Battle Creek Ordinance Chapter 214, Discrimination Prohibited. I further acknowledge and agree that the Contractor's violation of Chapter 214 shall be a material breach of this contract. In addition, Contractor acknowledges and agrees that it shall be liable for any costs or expenses incurred by the City in obtaining from other sources, the work and services to be rendered or performed or the goods or properties to be furnished or delivered to the City under the contract as a result of a material breach in the Contract for violations of Chapter 214.

In the Presence of:

Notary Public

CONTRACT FORM APPROVED BY:

City Attorney

SIGNED, SEALED, AND
EXECUTED BY CONTRACTOR:

I swear, under penalty of perjury, that I have the legal authorization to bind the firm hereunder:

By: _____

Title: _____

SIGNED, SEALED, & EXECUTED
BY CITY OF BATTLE CREEK

City Manager

PERFORMANCE BOND

KNOW ALL BY THESE PRESENTS, that _____, as Principal, and _____, as Surety, are held and firmly bound unto the City of Battle Creek in the full and just sum of _____ Dollars (\$_____) lawful money of the United States of America for the payment of which sum of money well and truly to be made, we bind ourselves, heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract dated the _____ day of _____, 20____ for the _____ complete, as described in the foregoing Bid and Agreement.

NOW THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if the said Principal shall in all respects well and truly keep and perform the said contract, and shall pay all sums of money due or to become due, for any labor, materials, apparatus, fixtures or equipment furnished for the purpose of constructing the work provided in said contract, and shall defend, indemnify and save harmless said City of Battle Creek and any Consultant working on this project against any and all liens, encumbrances, damages, claims, demands, expenses, costs and charges of every kind except as otherwise provided in said specifications and other Contract Documents arising out of or in relation to the performance of said work and the provisions of said contract, and shall remove and replace any defects in workmanship or materials which may be apparent or may develop within a period of one (1) year from the date of final acceptance, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

And the said Surety, for value received, hereby stipulates and agreed that no change, extension of time, alteration or addition to the terms of the contract or to work to be performed thereunder or the specifications accompanying the same shall in any wise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or to the specifications.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 20__.

PRINCIPAL ATTEST:

Principal Business Name

Principal Secretary Signature & Seal

Address

Principal Secretary Printed Name

City, State, Zip

Witness of Principal

SURETY ATTEST:

Surety Business Name

BY: _____
Attorney-in-Fact Signature & Seal

Address

Attorney-in-Fact Printed Name

City, State, Zip

LABOR AND MATERIALS BOND

KNOW ALL BY THESE PRESENT, that we, the undersigned, _____, hereinafter called the "Principal," and _____, a corporation organized and existing under the laws of the State of _____, having its principal office at _____, hereinafter called the "Surety," are held and firmly bound unto the City of Battle Creek, hereinafter called the "Owner," for use of any and every person, co-partnership, association or corporation interested in the full and just sum of _____ Dollars (\$_____), lawful money of the United States of America, to be paid to the said obligees or its or their assigns, to which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents. Sealed with our respective seals and dated this ____ day of _____, 20____.

WHEREAS, the above bounded _____, Principal, has entered into a contract with the City of Battle Creek.

Dated the _____ day of _____, 20____, for the _____.

NOW, THEREFORE, THE CONDITION OF THIS CONDITION IS SUCH, that if the above bounded Principal shall and will promptly pay or cause to be paid all sums of money which may be due any person, co-partnership, association or corporation for all material furnished and labor supplied or performed in the prosecution of the work, whether or not the said material or labor enter into and become component parts of the work or improvement contemplated, then this obligation to be void; otherwise to remain in full force and effect.

The Principal and Surety further jointly and severally agree with the obligee herein that every person, co-partnership, association or corporation who, whether as subcontractor or otherwise, has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefore may sue in assumption on this bond in the name of the Owner for their use, prosecute the same to final judgment for such sum or sums as may be justly due them, and have execution thereon, provided, however, that the Owner shall not be liable for payment of any costs or expenses of any such suit.

IT IS FURTHER AGREED, that any alterations which may be made in the terms of the contract or in the work to be done or materials to be furnished or labor to be supplied or performed under it or the giving by the Owner or any extension of time for the performance of the contract or any other forbearance on the part of either the Owner or the Principal to the other, shall not in any way release the Principal and Surety or Sureties or either or any of them their heirs, executors, administrators, successors or assigns, from their liability hereunder, notice to the Surety or Sureties of any such alteration, extension or forbearance being hereby waived.

IN WITNESS WHEREOF, the said Principal and Surety have duly executed this bond under the seal and day and year first above written.

ATTEST:

(Seal)

Principal

BY: _____

Surety

ATTEST

BY: _____
Attorney-in-Fact

PREVAILING WAGES

"General Decision Number: MI20240079 01/05/2024

Superseded General Decision Number: MI20230079

State: Michigan

Construction Type: Building

County: Calhoun County in Michigan.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

| | |
|--|--|
| <p>If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:</p> | <p>Executive Order 14026 generally applies to the contract.</p> <p>The contractor must pay all covered workers at least \$17.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2024.</p> |
| <p>If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:</p> | <p>Executive Order 13658 generally applies to the contract.</p> <p>The contractor must pay all covered workers at least \$12.90 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2024.</p> |

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

CITY OF BATTLE CREEK PURCHASING
INVITATION FOR BID NO. 2024-025B

ASBE0047-002 07/01/2023

| | Rates | Fringes |
|--|----------|---------|
| ASBESTOS WORKER/HEAT & FROST INSULATOR..... | \$ 36.62 | 19.78 |

BOIL0169-001 06/01/2023

| | Rates | Fringes |
|------------------|----------|---------|
| BOILERMAKER..... | \$ 39.95 | 35.38 |

BRMI0009-031 08/01/2023

| | Rates | Fringes |
|--------------------|----------|---------|
| BRICKLAYER..... | \$ 33.95 | 23.52 |
| TILE FINISHER..... | \$ 26.35 | 17.90 |
| TILE SETTER..... | \$ 24.30 | 23.77 |

CARP0525-003 06/01/2023

| | Rates | Fringes |
|---|----------|---------|
| CARPENTER, Includes Acoustical Ceiling Installation, Drywall Hanging, and Form Work..... | \$ 28.29 | 21.42 |

CARP1102-001 06/01/2019

| | Rates | Fringes |
|-----------------|----------|---------|
| MILLWRIGHT..... | \$ 28.59 | 24.79 |

ELEC0445-011 05/31/2023

| | Rates | Fringes |
|------------------|----------|---------|
| ELECTRICIAN..... | \$ 35.97 | 24.49 |

ENGI0324-002 06/01/2023

| | Rates | Fringes |
|---------------------------|----------|---------|
| OPERATOR: Power Equipment | | |
| GROUP 1..... | \$ 45.48 | 25.25 |
| GROUP 2..... | \$ 42.18 | 25.25 |
| GROUP 3..... | \$ 40.50 | 25.25 |
| GROUP 4..... | \$ 37.82 | 25.25 |
| GROUP 5..... | \$ 37.82 | 25.25 |
| GROUP 6..... | \$ 31.96 | 25.25 |
| GROUP 7..... | \$ 29.48 | 25.25 |

FOOTNOTES:

Crane operator with main boom and jib 300' or longer: \$1.50
per hour above the group 1 rate.
Crane operator with main boom and jib 400' or longer: \$3.00
per hour above the group 1 rate.

CITY OF BATTLE CREEK PURCHASING
INVITATION FOR BID NO. 2024-025B

PAID HOLIDAYS: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Crane operator with main boom and jib 400', 300', or 220' or longer.

GROUP 2: Crane operator with main boom and jib 140' or longer, tower crane, gantry crane, whirley derrick

GROUP 3: Backhoe/Excavator/Trackhoe; Crane; Concrete Pump; Grader/Blade; Highlift; Hoist; Loader; Roller; Scraper; Stiff Leg Derrick; Trencher

GROUP 4: Bobcat/Skid Loader; Broom/Sweeper; Fork Truck (over 20' lift)

GROUP 5: Boom Truck (non-swinging)

GROUP 6: Fork Truck (20' lift and under for masonry work)

GROUP 7: Oiler

IRON0025-005 06/01/2022

| | Rates | Fringes |
|-------------------------------|----------|---------|
| IRONWORKER (REINFORCING)..... | \$ 31.43 | 34.77 |
| IRONWORKER (STRUCTURAL)..... | \$ 34.50 | 38.44 |

LABO0355-022 06/01/2022

| | Rates | Fringes |
|---|----------|---------|
| LABORER Common or General; Grade Checker; Mason Tender - Brick; Mason Tender - Cement/Concrete; Sandblaster..... | \$ 26.70 | 12.95 |
| Pipelayer..... | \$ 20.34 | 12.85 |

PAIN0312-002 06/01/2023

| | Rates | Fringes |
|---|----------|---------|
| PAINTER: Brush and Roller..... | \$ 23.74 | 13.35 |
| PAINTER: Drywall Finishing/Taping..... | \$ 23.74 | 13.35 |
| PAINTER: Spray..... | \$ 26.18 | 15.86 |

PLAS0016-007 04/01/2014

| | Rates | Fringes |
|----------------|----------|---------|
| PLASTERER..... | \$ 21.18 | 12.43 |

PLUM0333-006 06/01/2023

CITY OF BATTLE CREEK PURCHASING
INVITATION FOR BID NO. 2024-025B

| | Rates | Fringes |
|--|----------|---------|
| PIPEFITTER, Includes HVAC Pipe and Unit Installation..... | \$ 43.29 | 24.94 |
| PLUMBER, Excludes HVAC Pipe and Unit Installation..... | \$ 43.29 | 24.94 |

FOOTNOTE:

Paid Holidays: Memorial Day, Independence Day and Labor Day,
if the employee works the work day preceding and following
the holiday unless proven illness or injury prevents the
employee from working.

| | | |
|-------------------------|----------|---------|
| ROOF0070-002 06/01/2022 | | |
| | Rates | Fringes |
| ROOFER..... | \$ 30.03 | 16.84 |

| | | |
|--|----------|---------|
| SFMI0669-001 04/01/2023 | | |
| | Rates | Fringes |
| SPRINKLER FITTER (Fire Sprinklers)..... | \$ 40.48 | 25.80 |

| | | |
|---|----------|---------|
| SHEE0007-004 05/01/2023 | | |
| | Rates | Fringes |
| SHEET METAL WORKER (Including HVAC Duct Installation; Excluding HVAC System Installation)..... | \$ 38.09 | 19.66 |

| | | |
|--|-------------|---------|
| SUMI2011-004 02/01/2011 | | |
| | Rates | Fringes |
| CEMENT MASON/CONCRETE FINISHER... | \$ 25.23 | 1.80 |
| IRONWORKER, ORNAMENTAL..... | \$ 18.48 | 7.93 |
| LABORER: Landscape & Irrigation..... | \$ 10.38 ** | 0.50 |
| OPERATOR: Bulldozer..... | \$ 19.68 | 6.64 |
| OPERATOR: Compactor..... | \$ 17.68 | 6.70 |
| OPERATOR: Tractor..... | \$ 19.10 | 8.48 |
| TRUCK DRIVER, Includes Dump and Tandem Truck..... | \$ 17.26 | 11.42 |
| TRUCK DRIVER: Lowboy Truck..... | \$ 14.50 ** | 0.44 |
| TRUCK DRIVER: Tractor Haul Truck..... | \$ 13.57 ** | 1.18 |

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.

CITY OF BATTLE CREEK PURCHASING
INVITATION FOR BID NO. 2024-025B

=====
** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$17.20) or 13658 (\$12.90). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (iii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate

CITY OF BATTLE CREEK PURCHASING
INVITATION FOR BID NO. 2024-025B

changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour National Office because National Office has responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the

CITY OF BATTLE CREEK PURCHASING
INVITATION FOR BID NO. 2024-025B

Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

=====
END OF GENERAL DECISION"

City of Battle Creek

**Re: BC Airport Admin Building
Lobby Reno - 15551 S. Airport Rd
Battle Creek, MI**

Hard-Bid No. 23-260 – REV2

February 2, 2024

Schweitzer Incorporated is pleased to provide the following reduced scopes of work to perform the requested value engineering options discussed. These options are based on the drawings by Driven Design, designated: BTL WORKSPACE RENO dated:10/4/2023 Construction Documents and the discussions with City of Battle Creek representatives.

Our scope of work is as follows:

- Rework existing wall to accommodate new window and door
- Furnish and install new sliding window as specified
- Furnish and install new transaction shelf
- Furnish and install new door frame and hardware as specified
- Paint walls and new door frame
- Furnish and Install Office 106 Acoustical Ceiling System as specified
- Office 106 Fire Extinguisher Cabinet relocation
- Office 106 Fire Sprinkler Rework
- Rework Mechanical Ductwork
- Rework Office 106 Electrical
- Includes Performance and Payment Bond

Our total cost for the above scope of work is: \$65,050.00

On behalf of Schweitzer Inc, I would like to express our gratitude for the opportunity to collaborate with the City of Battle Creek on the Value Engineering of the Battle Creek Airport Administration Building Lobby Renovation.

Our team is dedicated to ensuring the success of this project. We look forward to continuing our partnership and contributing to the positive development of Battle Creek.

If there are any further details or clarifications needed, please do not hesitate to reach out. We are committed to delivering the highest standards of service and excellence in our work.

Wishing the City of Battle Creek continued success in all future endeavours.

Respectfully,



Alex Robertson
Project Manager | Estimator

City of Battle Creek BID TABULATION
2024-025B AOMF Reception/Lobby Improvements
Due Date: December 5, 2023

| | | | | | | |
|--------------------|--------------------|----------------------------|-----------------|--|--|--|
| BIDDER NAME | | Schweitzer Incorporated | JS Biondi, Inc. | | | |
| Item # | DESCRIPTION | | | | | |
| | Total bid | \$105,000.00 | \$131,980.25 | | | |



TABLE OF CONTENTS

SECTION I - SPECIAL INFORMATION FOR BIDDERS 3

SECTION II – OFFER TO CONTRACT..... 6

SECTION III - CONTRACTOR'S BID FORMS..... 10

SECTION IV – DRAWINGS 15

**CITY OF BATTLE CREEK, MICHIGAN
NOTICE OF INVITATION FOR BIDS
IFB # 2024-025B**

Airport Administration, Operations, and Maintenance Facility (AOMF) Reception/Lobby Improvements

IFB DUE DATE and TIME: December 5, 2023 at 2:00 pm local time **BIDS MUST BE SUBMITTED ELECTRONICALLY.**

BID SUBMITTAL: Bids must be submitted electronically as ONE PDF. **DO NOT EMAIL BIDS.** Submittal at: <http://battlecreekmi.gov/230/Bid-Proposal-Solicitations> then follow the link for Bids and Proposals Solicitations, which will take you to the VendorRegistry page. You may also email purchasing@battlecreekmi.gov for links. Click on the notice for this project, then click submit bid. You must be a registered vendor (quick and no charge) in order to submit a bid. You may withdraw your bid at any time before the due date/time. To withdraw your electronic bid, click "submit bid" again and you will see the link to withdraw. All bids will be publicly opened and read aloud via Zoom, details listed in IFB in VendorRegistry. Upload your bid and bonds as ONE PDF (not multiple uploads).

PROJECT DESCRIPTION: The City of Battle Creek will accept sealed bids for the Airport Administration, Operations, and Maintenance Facility (AOMF) Reception/Lobby Improvements Project. This project, in general, consists of improvement of the AMOF reception area including the addition of sound dampening measures and improvement of access control and security.

| | |
|---|---|
| PRE-BID CONFERENCE: None | FUNDING: This project has NO federal or state funding. All project funding is provided by the City of Battle Creek. |
| TECHNICAL QUESTIONS OR SITE VISITATION: Miles Weaver 269-966-3470 | PREVAILING WAGES: NOT REQUIRED FOR THIS PROJECT. |
| COPIES OF IFB and PLANHOLDERS' LIST: EMAIL purchasing@battlecreekmi.gov | FEE: No fee |
| | IFB ISSUE DATE: October 13, 2023 |
| DOCUMENT EXAMINATION: | ADDENDA: Each addendum will be on file in the Office of the Purchasing Agent. To the extent possible, copies will be mailed to each person registered as having received a set of bid documents. It shall be the bidder's responsibility to make inquiry as to addenda issued. All such addenda shall become a binding part of the contract. |
| BID BOND: NOT REQUIRED FOR THIS PROJECT | PERFORMANCE/LABOR/MATERIALS BONDS: NOT REQUIRED FOR THIS PROJECT |

Bids may be withdrawn up to the time and date of the bid opening. After the bid opening, bids may not be withdrawn for a period of ninety (90) days thereafter. The City of Battle Creek reserves the right to waive any irregularity or informality in bids, to reject any and/or all bids, in whole or in part, or to award any contract to other than the low bidder, should it be deemed in its best interest to do so.

SECTION I - SPECIAL INFORMATION FOR BIDDERS

1. Order Of Precedence

The plans and specifications shall be considered to be one complete document and what is called for in one shall be considered as being called for in all. In the event that there is a conflict between the parts, the following order of precedence shall govern:

Addenda to bidding documents

The Contract Drawings

The Invitation for Bid

2. Registration Requirements for Contractors

All bidders, including General Contractors and Specialty Contractors, shall hold or obtain such Contractors or Business Licenses as required State and Local statutes.

3. Currency

Prices calculated by the bidder shall be stated in U.S. dollars.

4. Unit Price

Not applicable.

5. Liquidated Damages

None.

6. Listing of Subcontractors

Bidders must list in the appropriate place in their proposal the names of all subcontractors and major suppliers that will be used in the construction of the project. Failure to list subcontractors may be cause for rejection of the Bidder's proposal as non-responsive.

7. Non-collusion:

By signing the Offer to Contract, the bidder, by its officers and authorized agents or representatives present at the time of filing this bid, being duly sworn on their oaths say, that neither they nor any of them have in any way, directly or indirectly entered into any arrangement or agreement with any other bidder or with any public officer of such City of Battle Creek, Michigan, whereby such affidavit or affiants or either of them has paid or is to pay to such other bidder or public officer any sum of money, or has given or is to give to such other bidder or public officer anything of value whatever, or such affidavit or affiants or either of them has not directly or indirectly, entered into any arrangement or agreement with any other bidder or bidders, which tends to or does lessen or destroy free competition in the letting of the contract sought for by the attached bids, that no inducement of any form or character other than that which appears on the face of the bid will be suggested, offered, paid or delivered to any person whomsoever to influence the acceptance of the bid or awarding of the contract, nor has this bidder any agreement or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds of the contract sought by this bid.

8. Contractor's Insurance

- a. The Contractor shall at the time of execution of this contract, file with the City the Certificate of Insurance, which shall cover all insurance as required herein, including evidence of payment of premiums thereon, and the policy or policies or insurance covering said City and their officers, agents and employees. Each such policy and certificate shall be satisfactory to the City. Nothing contained in these insurance requirements is to be construed as limiting the extent of the Contractor's responsibility for payment of damages resulting from their operations under this Contract. The contractor shall maintain insurances in force at all times during the term of this agreement at the minimum amounts and types as indicated.

Coverage Afforded

Workers' Compensation:

Commercial General Liability: Bodily Injury

(including XCU if appropriate) Property Damage

or Combined Single Limit

Automobile Liability:

Bodily Injury

Liability

Property Damage

or Combined Single Limit

Limits of Liability

\$ 100,000 or statutory limit

\$1,000,000 each occurrence

\$1,000,000 each occurrence

\$2,000,000

\$ 300,000 each person

\$ 500,000 each occurrence

\$ 500,000

\$ 500,000

The City of Battle Creek shall be listed as an **additional insured on general liability coverage**, and shall be provided with a Certificate of Insurance that reflects this additional insured status. A 30-day notice of cancellation or material change shall be provided to the City and so noted on the Certificate of Insurance. All certificates and notices shall be sent to City of Battle Creek, 10 N. Division, Suite 216, Battle Creek, MI 49014.

9. Vendor Evaluation: Experience with the City shall be taken into consideration when evaluating responsibility of the vendor.

10. Permits: Contractor shall secure all necessary permits to complete the work as described in this IFB. These costs shall be included in the bid price.

11. Bid Protest Procedure: Protests about the bid procedure must be in writing. This written protest must be received by the City of Battle Creek, located at 10 N. Division, Suite 216, Battle Creek, MI 49014. This written protest must be received by the City no later than ten (10) working days after notification to all bidders of the contract award decision. The City of Battle Creek must issue its written decision no more than ten (10) business days from the day the written protest was received.

If a protester thinks that the City of Battle Creek has not followed these protest procedures, the protester has ten (10) business days from the alleged infraction to file a subsequent protest with the City of Battle Creek City Manager or federal granting agency if applicable.

12. FEDERAL TERMS AND CONDITIONS

If there are federal terms and conditions attached to this solicitation, they are hereby incorporated as a material part of this contract. In cases of conflict between terms in this agreement, the federal terms shall prevail.

13. OTHER FEDERAL COMPLIANCE: Where applicable, contractor shall comply with: Copeland Anti-kickback Act (18 U.S.C. 874); Sections 3702 and 3704 of the Contract Work Hours and Safety Standards Act (40 USC 40 USC 3701-3708); Section 306 of the Clean Air Act (42 USC 7602, Air Pollution Prevention and Control); Section 508 of the Clean Water Act (33 U.S.C. 1368); Executive Order 11738, and EPA regulations (40 CFR, Part 15); and the Energy Policy and Conservation Act (Pub. L. 94A 163, 89 Stat. 871).
14. RECORD ACCESS: Contract shall grant access, if requested, by the City, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor that are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.
15. RECORD RETENTION: Contractor shall retain all required records for three years after final payments and all other pending matters are closed.
16. CLEAN AIR ACT: Contractor shall comply with all applicable standards, orders, or requirements issued under Clean Air Act (42 U. S.C. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended. For contracts and subcontracts of amounts in excess of \$100,000 the contractor or subcontractor shall comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.). Violations shall be reported to the Federal awarding agency and the Regional Agency (EPA).
17. ENERGY EFFICIENCY: Contractor shall maintain mandatory standards and policies relating to energy efficiency that are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163).
18. Debarment and Suspension (E.O.s 12549 and 12689) No contract shall be made to parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension." This list contains the names of parties debarred, suspended or otherwise excluded by agencies, and contractors declared ineligible under statutory or regulatory authority other than E.O. 12549. Contractors with awards that exceed the small purchase threshold shall provide the required certification regarding its exclusion status and that of its principal employees.

TERMS AND CONDITIONS

CONSTRUCTION/INSTALLATION/DEMOLITION where applicable

1. **ACCIDENT PREVENTION:** The Contractor shall exercise proper precaution at all times for the protection of persons and property and shall be responsible for all the damages to persons or property either on or off the site, which occur as a result of the contractor's fault or negligence in connection with the prosecution of the work. The safety provisions of applicable laws and OSHA standards shall be observed and the Contractor shall take or cause to be taken such additional safety and health measures as the city may determine to be reasonably necessary.
2. **CONFLICTS AND OMISSIONS:** The intent of the contract documents is to provide everything necessary for the proper execution of the work. In case of conflict, the work shall not proceed until a decision has been agreed upon by all parties concerned. The City's decision shall be final.
3. **WORKING CONDITIONS:** All work shall be done in accordance with all regulations governing the City Unit wherein the work is to be performed and with minimum possible interference with the proper functioning of the activities of the City Unit. Materials, tools, etc., shall be confined so as not to unduly encumber the premises.
4. **PRIOR EXAMINATION:** Contractor shall be familiar with local conditions affecting the job prior to submitting the bid. Contractor shall take their own measurements and be responsible for the correctness of same. Contractor shall be held to have made such examinations and no allowances will be made in their behalf by reason of error or omission on their part. If any part of the Contractor's work depends for proper results upon existing work or the work of another contractor, the Contractor, before commencing work, shall notify the Director in writing of any defects that will affect the results.
5. **OTHER CONTRACTS:** The City may let other contracts in connection with the work and the Contractor shall properly connect and coordinate their work with the work of such other contractors. The City shall not be liable for any damages or increased costs occasioned by the failure of other contractors or sub-contractors to execute their work as may be anticipated by these documents.
6. **INSPECTION:** Contractor shall at all times permit and facilitate inspection of the work by the City.
7. **CHANGES:** Contractor shall make changes in the contracted work only as ordered in writing by the City. The actual work performed under this contract may be increased 50% or decreased 25% from the approximate quantities set forth in the Schedule included herein. Work will be performed only based on written authorization from the City. The City reserves the right to include other similar projects in this contract over and above those mentioned in said tabulations within these limitations. If extra work orders are given in accordance with the provisions of this contract, such work shall be considered a part hereof and subject to each and all of its terms and requirements.
8. **GUARANTEE:** Contractor guarantees to remedy any defects due to faulty materials or workmanship, which appear in the work within one year from the date of final acceptance by the City.
9. **PROTECTION:** Contractor shall properly protect all new and existing structures from damage. Contractor shall comply with all safety rules and regulations as published by the Michigan Dept. of Labor, Bureau of Safety and Regulations.
10. **CLEAN-UP:** Contractor shall at all times keep the premises free from accumulations of waste materials or rubbish caused by their employees or work and at the completion of the work they shall remove all their waste, tools, equipment, staging and surplus materials from the structure and grounds used by the contractor and leave work clean and ready for use.
11. **SAFETY RULES:** Contractor shall perform all work under this contract in conformance with the State of Michigan general safety rules and regulations for the construction industry, as set out or authorized by the Michigan Occupational Safety and Health Act, Public Act 154 of 1974, as amended.
12. **TERMINATION FOR BREACH:** The City may terminate this contract for violations hereof when violations are not stopped immediately and corrected within a reasonable length of time after notification by the City. In the event of such termination, the City may complete the contracted work and the Contractor will be liable for any excess cost occasioned the City thereby and in such case the City may take possession of and utilize in completing the work such materials and equipment as may be on the site and necessary therefore.
13. **SUBCONTRACTORS:** Bidders shall submit with the Bid any and all subcontractors to be associated with their bid, including the type of work to be performed. Any and all subcontractors shall be bound by all of the terms, conditions and requirements of the bid/contract; however, the prime contractor shall be responsible for the performance of the total work requirements. Contractor must provide copies of licenses for subcontractors.
14. **EMPLOYEES AND SUPERINTENDENCE:** Contractor shall enforce good order among their employees and shall not employ on the work site any disorderly, intemperate or unfit person or anyone not skilled in the work assigned to them. Contractor, or a competent person having authority to act for them, shall be at the work site at all times.

SECTION II – OFFER TO CONTRACT

DATE : _____

NAME OF BIDDER: _____

BUSINESS ADDRESS: _____

To: The City of Battle Creek, Michigan

The undersigned, as Bidder, declares that the only person or parties interested in this bid as principals are those named herein; that this bid is made without collusion with any person, firm or corporation; that they have carefully examined the location of the proposed work, the proposed forms of Agreement and Bonds, and the Contract Drawings and Specifications for the above designated work, all other documents referred to or mentioned in the Contract Documents, the Contract Drawings and Specifications, including Addenda issued thereto; and they propose and agree if this bid is accepted that they will contract with the City of Battle Creek, Michigan, in the form of the copy of the Agreement included in these Contract Documents, to provide all necessary machinery, tools, apparatus, and other means of construction, including utility and transportation services necessary to do all the work and furnish all materials and equipment specified or referred to in the Contract Documents, in the manner and time therein prescribed and according to the requirements of the City of Battle Creek, Michigan, as therein set forth and to furnish the Contractor's Bonds and Insurance, and to do all other things required of the Contractor by the Contract Documents, and that they will take in full payment therefore the sums set forth BELOW;

TOTAL PRICE \$ _____

Acknowledgement of addenda: _____; _____; _____; _____; _____; _____

BID CONDITIONS

The undersigned has carefully checked the attached Bidding Schedule against the Contract Drawings and Specifications and other Contract Documents before preparing this Bid and accepts the aforementioned to be substantially correct as listing the complete work to be done in accordance with the Contract Drawings, Specifications and other Contract Documents.

COMPLETION

If awarded a contract under this proposal, the undersigned agrees to start work at the site after the receipt from the Owner of a Notice to Proceed. The undersigned further agrees to complete the project by **July 8, 2024**.

LIQUIDATED DAMAGES

No Liquidated damages will be assessed for failure to meet any deadline, as noted in the Project Specifications.

BIDDER'S SIGNATURE

Complete the TOP "Offer" portion of the following page:

OFFER TO CONTRACT:

TO THE CITY OF BATTLE CREEK: We propose to furnish all labor, materials, equipment, tools, transportation and services required to complete the work in accordance with the specifications and conditions contained herein in consideration of the sum or sums stated below and agree that this document will constitute the contract if accepted by the City.

We hereby offer and agree to furnish the material or service in compliance with all terms, conditions, specifications, and amendments in the Invitation for Bid and any written exceptions in the offer. We understand that the items in this Invitation to Bid, including, but not limited to, all required certificates are fully incorporated herein as a material and necessary part of the contract. Warranty: Contractor shall remove and replace at no additional cost to the City any defects in workmanship or materials that may be apparent or may develop within a period of one (1) year from the date of final acceptance.

We agree to complete the contract within the times specified in this Invitation for Bid.

We acknowledge receipt of the following addendum(s): _____.

I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder, and that our firm is not debarred from doing business under the Federal Excluded Parties List System (epls.gov).

I, the Contractor or Contractor's legally authorized signer, further certify compliance with the City of Battle Creek Ordinance Chapter 214, Discrimination Prohibited. I further acknowledge and agree that the Contractor's violation of Chapter 214 shall be a material breach of this contract. In addition, Contractor acknowledges and agrees that it shall be liable for any costs or expenses incurred by the City in obtaining from other sources, the work and services to be rendered or performed or the goods or properties to be furnished or delivered to the City under the contract as a result of a material breach in the Contract for violations of Chapter 214.

Company Name

For clarification of this offer, contact:

Address

Name: _____

City State Zip

Phone: _____

Signature of Person Authorized to Sign

Fax: _____

Printed Name

E-mail: _____

Title

ACCEPTANCE OF OFFER:

The Offer is hereby accepted.

The Contractor is now bound to sell the materials or services listed by the attached contract and based upon the Invitation for Bid, including all terms, conditions, specification, amendments, etc. and the Contractor's Offer as accepted by the City.

This contract shall henceforth be referred to as Contract No. **2024-025B**. The Contractor has been cautioned not to commence any billable work or to provide any material or service under this contract until Contractor receives purchase order and/or a notice to proceed from the City of Battle Creek Purchasing Agent.

COUNTERSIGNED:

APPROVED AS TO FORM BY:

City Manager

Date

City Attorney

Witness Signature

Date

SECTION III - CONTRACTOR'S BID FORMS

THESE FORMS MUST BE RETURNED WITH THE BID OR YOU BID MAY BE DEEMED NON-RESPONSIVE

TABLE OF CONTENTS

CORPORATION CERTIFICATE

SUBCONTRACTOR AND DBE FORM

STATEMENT OF EXPERIENCE OF BIDDERS

CERTIFICATE TO BE EXECUTED

IF

CONTRACTOR IS A CORPORATION

I, _____, certify that I am the _____ of the Corporation named as Contractor hereinabove; that _____ who signed the foregoing Agreement on behalf of the Contractor was then the _____ of said Corporation; that said Agreement was duly signed for and in behalf of said Corporation by authority of its governing body and is within the scope of its corporate powers.

(Corporate Seal)

SUBCONTRACTOR AND DBE FORM – submit with bid

I. YOUR FIRM’S BACKGROUND:

Is your firm an MBE (at least 51% minority ownership)? ____YES ____NO

Is your firm a WBE (at least 51% woman ownership)? ____YES ____NO

Are you subcontracting any part of this project? ____YES ____NO

II. SUBCONTRACTING INFORMATION: If subcontracting any part of the project, the bidder/contractor expressly agrees that:

- (1) If awarded a contract as a result of this bid, the major subcontractors used in the prosecution of the work will be those listed below, and
- (2) The following list includes all subcontractors who will perform work representing approximately five percent (5%) or more of the Total Base Bid.
- (3) The Bidder represents that the subcontractors listed below are financially responsible and are qualified to do the work required.

| SUBCONTRACTOR NAME | City/State | Trade or Commodity | MBE | WBE | Approximate dollar value |
|--------------------|------------|-----------------------|-------|-------|--------------------------|
| _____ | _____ | _____ | Y / N | Y / N | \$ _____ |
| _____ | _____ | _____ | Y / N | Y / N | \$ _____ |
| _____ | _____ | _____ | Y / N | Y / N | \$ _____ |
| _____ | _____ | _____ | Y / N | Y / N | \$ _____ |
| _____ | _____ | _____ | Y / N | Y / N | \$ _____ |
| _____ | _____ | _____ | Y / N | Y / N | \$ _____ |
| _____ | _____ | _____ | Y / N | Y / N | \$ _____ |

STATEMENT OF EXPERIENCE OF BIDDER

NOT REQUIRED FOR CONTRACTORS WHO HAVE SUCCESSFULLY DONE WORK FOR THE CITY IN THE LAST TWO YEARS; HOWEVER, THE CITY RESERVES THE RIGHT TO REQUEST THIS INFORMATION OF THOSE BIDDERS IF IT IS OUR BEST INTEREST TO DO SO.

The Bidder shall state below the work of similar magnitude or character that they have done, and shall give references that will enable the City of Battle Creek to judge their experience, skill and business standing and of their ability to conduct the work as completely and as rapidly as required under the terms of this contract.

| PROJECT AND LOCATION | REFERENCES (include name and phone number) |
|-----------------------------|---|
| (1) _____ _____ | _____ _____ |
| (2) _____ _____ | _____ _____ |
| (3) _____ _____ | _____ _____ |
| (4) _____ _____ | _____ _____ |
| (5) _____ _____ | _____ _____ |
| (6) _____ _____ | _____ _____ |
| (7) _____ _____ | _____ _____ |
| (8) _____ _____ | _____ _____ |
| (9) _____ _____ | _____ _____ |

CONTRACT FORM
CONTRACT NO. 2024-025B

THIS AGREEMENT, made and entered into this 7th day of February, 2024, by and between Schweitzer Incorporated hereinafter called the "Contractor" and the City of Battle Creek, hereinafter called the "Owner."

WITNESSETH: In consideration for the mutual covenants hereinafter stated, the parties agree for themselves, their personal representatives, successors, assigns as follows:

I. The Contractor promises and agrees, for renovation at the Airport Operations and Maintenance Facility Reception Lobby, as modified per attached proposal dated:

A. To furnish all materials, construction water, equipment, tools, dewatering devices, skill and labor of every description necessary or reasonable incidental to carrying forth and completing in good, firm, substantial and workmanlike manner, the work specified, in strict conformity with the true intent of the NOTICE TO BIDDERS, SPECIAL INSTRUCTIONS, GENERAL INSTRUCTIONS, INVITATION FOR BID, SPECIAL CONDITIONS, GENERAL CONDITIONS, AGREEMENT, BONDS, GENERAL SPECIFICATIONS, Contractor's bid, and Project Specifications, and other contract documents and addenda thereto, which are hereby made a part hereof as fully and to the same effect as though they had been set forth at length herein. Contractor shall abide by all the requirements set forth in Section 208.09, Prevailing Wages on City Projects, of the City's Administrative Code.

B. To commence work under this contract on or before a date to be specified by the owner in a written Notice to Proceed and complete the project by the date specified in Invitation for Bid.

C. Requirements for a specific trade or contract will generally be described in that portion of the specifications or drawings related to that trade or contract. Such requirements may, however, be described in other sections of the Contract Documents. The Contractor will be held responsible for having carefully examined all drawings and read all requirements of the specifications and all Contract Documents to avoid omissions or duplications and to insure a complete job.

D. The Contractor must be fully informed about conditions relating to the construction of the project and the employment of labor thereon. Failure to do so will not relieve a successful bidder of their obligation to furnish all material and labor necessary to carry out the provisions of their contract.

E. Any claim by the Contractor of an inability to meet any requirement set forth in the Contract Documents, or that any requirement of these documents is impractical or unreasonable, will not be recognized, unless the claim was made at the time their bid was submitted, and specific provision is made for such claim in the Agreement between Owner and Contractor (Bid and Agreement).

F. Warranty: Contractor shall remove and replace at no additional cost to the City any defects in workmanship or materials that may be apparent or may develop within a period of one (1) year from the date of final acceptance.

G. NON-DISCRIMINATION CLAUSE: The bidder agrees not to discriminate against any employee or applicant for employment, to be employed in the performance of such contract with respect to hire tenure, terms, conditions or privileges, of employment, or any matter directly or indirectly

related to employment because of his or her actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, or gender identity. Breach of this covenant may be regarded as a material breach of the contract as provided for in Act 220 and Act 453 of the Public Acts of 1976, as amended, entitled "Michigan Handicapper's Civil Rights Act" and/or the "Michigan Elliott Larson Civil Rights Act" and/or City of Battle Creek Chapter 214 "Discrimination Prohibited" Ordinance. The bidder further agrees to require similar provisions from any subcontractors, or suppliers. The bidder agrees to comply with the Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967, as supplemented in Department of Labor regulations (41 CFR, Chapter 60).

II. The Owner promises and agrees:

A. To pay the Contractor for said work when completed in accordance with the provisions of these contract documents, and for the contract sum of:

One million, two hundred eighty-nine thousand, one hundred fourteen dollars and 00/100 (\$1,289,114.00). Payment for work is subject to additions provided therein and for the authorized work complete in place and accepted by the Owner or its authorized representatives.

III. It is further understood and agreed between the parties hereto as follows:

A. The said work is to be done in accordance with the laws of the State of Michigan to the entire satisfaction and approval of the Owner or its duly authorized representatives.

B. The decision of said Owner's authorized representative upon any questions connected with the execution of this Agreement or any failure or delay in the prosecution of the work by said Contractor shall be final and conclusive.

C. If, at any time after the execution of the Agreement and the Bond for its faithful performance, the Owner shall deem the surety or sureties then upon said bond to be unsatisfactory or, if, for any reason said bond shall cease to be adequate security for the performance of the work, the Contractor shall, at their expense, within fifteen (15) calendar days after receipt of written notice from the Owner to do so, furnish an additional bond or bonds in such form and amount and with such surety or sureties as shall be satisfactory to the Owner. In such event, no further payment to the Contractor shall be deemed to be due under this Agreement until such new or additional security for the faithful performance of the work shall be furnished in a manner and form satisfactory to the Owner.

D. VENUE: Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement or the transactions it contemplates shall bring the legal action or proceeding:

(i) in the United States District Court for the Western District of Michigan; or

(ii) in any court of the State of Michigan sitting in Calhoun County, if there is no federal subject matter jurisdiction.

E. GOVERNING LAW: This agreement shall be enforced under the laws of the State of Michigan. Contractor must comply with all applicable federal, state, county, and City laws, ordinances, and regulations. Contractor shall ensure payment of all taxes, licenses, permits, and other expenses of any nature associated with the provision of services herein. Contractor shall maintain in current status all Federal, State and Local licenses and permits required for the operation of the business conducted by the Contractor.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and affixed their seals, the day and year first above written.

STATE OF MICHIGAN)
) ss
COUNTY OF CALHOUN)

I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder, and that our firm is not debarred from doing business under the Federal Excluded Parties List System (epls.gov).

I, the Contractor or Contractor's legally authorized signer, further certify compliance with the City of Battle Creek Ordinance Chapter 214, Discrimination Prohibited. I further acknowledge and agree that the Contractor's violation of Chapter 214 shall be a material breach of this contract. In addition, Contractor acknowledges and agrees that it shall be liable for any costs or expenses incurred by the City in obtaining from other sources, the work and services to be rendered or performed or the goods or properties to be furnished or delivered to the City under the contract as a result of a material breach in the Contract for violations of Chapter 214.

In the Presence of:

Notary Public

CONTRACT FORM APPROVED BY:

City Attorney

SIGNED, SEALED, AND
EXECUTED BY CONTRACTOR:

I swear, under penalty of perjury, that I have the legal authorization to bind the firm hereunder:

By: _____

Title: _____

SIGNED, SEALED, & EXECUTED
BY CITY OF BATTLE CREEK

City Manager

PERFORMANCE BOND

KNOW ALL BY THESE PRESENTS, that _____, as Principal, and _____, as Surety, are held and firmly bound unto the City of Battle Creek in the full and just sum of _____ Dollars (\$_____) lawful money of the United States of America for the payment of which sum of money well and truly to be made, we bind ourselves, heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract dated the _____ day of _____, 20____ for the _____ complete, as described in the foregoing Bid and Agreement.

NOW THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if the said Principal shall in all respects well and truly keep and perform the said contract, and shall pay all sums of money due or to become due, for any labor, materials, apparatus, fixtures or equipment furnished for the purpose of constructing the work provided in said contract, and shall defend, indemnify and save harmless said City of Battle Creek and any Consultant working on this project against any and all liens, encumbrances, damages, claims, demands, expenses, costs and charges of every kind except as otherwise provided in said specifications and other Contract Documents arising out of or in relation to the performance of said work and the provisions of said contract, and shall remove and replace any defects in workmanship or materials which may be apparent or may develop within a period of one (1) year from the date of final acceptance, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

And the said Surety, for value received, hereby stipulates and agreed that no change, extension of time, alteration or addition to the terms of the contract or to work to be performed thereunder or the specifications accompanying the same shall in any wise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or to the specifications.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 20__.

PRINCIPAL ATTEST:

Principal Business Name

Principal Secretary Signature & Seal

Address

Principal Secretary Printed Name

City, State, Zip

Witness of Principal

SURETY ATTEST:

Surety Business Name

BY: _____
Attorney-in-Fact Signature & Seal

Address

Attorney-in-Fact Printed Name

City, State, Zip

LABOR AND MATERIALS BOND

KNOW ALL BY THESE PRESENT, that we, the undersigned, _____, hereinafter called the "Principal," and _____, a corporation organized and existing under the laws of the State of _____, having its principal office at _____, hereinafter called the "Surety," are held and firmly bound unto the City of Battle Creek, hereinafter called the "Owner," for use of any and every person, co-partnership, association or corporation interested in the full and just sum of _____ Dollars (\$_____), lawful money of the United States of America, to be paid to the said obligees or its or their assigns, to which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents. Sealed with our respective seals and dated this ____ day of _____, 20____.

WHEREAS, the above bounded _____, Principal, has entered into a contract with the City of Battle Creek.

Dated the _____ day of _____, 20____, for the _____.

NOW, THEREFORE, THE CONDITION OF THIS CONDITION IS SUCH, that if the above bounded Principal shall and will promptly pay or cause to be paid all sums of money which may be due any person, co-partnership, association or corporation for all material furnished and labor supplied or performed in the prosecution of the work, whether or not the said material or labor enter into and become component parts of the work or improvement contemplated, then this obligation to be void; otherwise to remain in full force and effect.

The Principal and Surety further jointly and severally agree with the obligee herein that every person, co-partnership, association or corporation who, whether as subcontractor or otherwise, has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefore may sue in assumption on this bond in the name of the Owner for their use, prosecute the same to final judgment for such sum or sums as may be justly due them, and have execution thereon, provided, however, that the Owner shall not be liable for payment of any costs or expenses of any such suit.

IT IS FURTHER AGREED, that any alterations which may be made in the terms of the contract or in the work to be done or materials to be furnished or labor to be supplied or performed under it or the giving by the Owner or any extension of time for the performance of the contract or any other forbearance on the part of either the Owner or the Principal to the other, shall not in any way release the Principal and Surety or Sureties or either or any of them their heirs, executors, administrators, successors or assigns, from their liability hereunder, notice to the Surety or Sureties of any such alteration, extension or forbearance being hereby waived.

IN WITNESS WHEREOF, the said Principal and Surety have duly executed this bond under the seal and day and year first above written.

ATTEST:

Principal

BY: _____

(Seal)

Surety

ATTEST

BY: _____
Attorney-in-Fact

SECTION IV – DRAWINGS

See 2024-025B Drawings, which is a separate file.

PREVAILING WAGES

"General Decision Number: MI20240079 01/05/2024

Superseded General Decision Number: MI20230079

State: Michigan

Construction Type: Building

County: Calhoun County in Michigan.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

| | |
|--|--|
| If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022: | . Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least \$17.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2024. |
| If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022: | . Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least \$12.90 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2024. |

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

Modification Number
0

Publication Date
01/05/2024

CITY OF BATTLE CREEK PURCHASING
INVITATION FOR BID NO. 2024-025B

Page 22 of 27

ASBE0047-002 07/01/2023

| | Rates | Fringes |
|--|----------|---------|
| ASBESTOS WORKER/HEAT & FROST INSULATOR..... | \$ 36.62 | 19.78 |

BOIL0169-001 06/01/2023

| | Rates | Fringes |
|------------------|----------|---------|
| BOILERMAKER..... | \$ 39.95 | 35.38 |

BRMI0009-031 08/01/2023

| | Rates | Fringes |
|--------------------|----------|---------|
| BRICKLAYER..... | \$ 33.95 | 23.52 |
| TILE FINISHER..... | \$ 26.35 | 17.90 |
| TILE SETTER..... | \$ 24.30 | 23.77 |

CARP0525-003 06/01/2023

| | Rates | Fringes |
|---|----------|---------|
| CARPENTER, Includes Acoustical Ceiling Installation, Drywall Hanging, and Form Work..... | \$ 28.29 | 21.42 |

CARP1102-001 06/01/2019

| | Rates | Fringes |
|-----------------|----------|---------|
| MILLWRIGHT..... | \$ 28.59 | 24.79 |

ELEC0445-011 05/31/2023

| | Rates | Fringes |
|------------------|----------|---------|
| ELECTRICIAN..... | \$ 35.97 | 24.49 |

ENGI0324-002 06/01/2023

| | Rates | Fringes |
|---------------------------|----------|---------|
| OPERATOR: Power Equipment | | |
| GROUP 1..... | \$ 45.48 | 25.25 |
| GROUP 2..... | \$ 42.18 | 25.25 |
| GROUP 3..... | \$ 40.50 | 25.25 |
| GROUP 4..... | \$ 37.82 | 25.25 |
| GROUP 5..... | \$ 37.82 | 25.25 |
| GROUP 6..... | \$ 31.96 | 25.25 |
| GROUP 7..... | \$ 29.48 | 25.25 |

FOOTNOTES:

Crane operator with main boom and jib 300' or longer: \$1.50
per hour above the group 1 rate.
Crane operator with main boom and jib 400' or longer: \$3.00
per hour above the group 1 rate.

PAID HOLIDAYS: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Crane operator with main boom and jib 400', 300', or 220' or longer.

GROUP 2: Crane operator with main boom and jib 140' or longer, tower crane, gantry crane, whirley derrick

GROUP 3: Backhoe/Excavator/Trackhoe; Crane; Concrete Pump; Grader/Blade; Highlift; Hoist; Loader; Roller; Scraper; Stiff Leg Derrick; Trencher

GROUP 4: Bobcat/Skid Loader; Broom/Sweeper; Fork Truck (over 20' lift)

GROUP 5: Boom Truck (non-swinging)

GROUP 6: Fork Truck (20' lift and under for masonry work)

GROUP 7: Oiler

IRON0025-005 06/01/2022

| | Rates | Fringes |
|-------------------------------|----------|---------|
| IRONWORKER (REINFORCING)..... | \$ 31.43 | 34.77 |
| IRONWORKER (STRUCTURAL)..... | \$ 34.50 | 38.44 |

LABO0355-022 06/01/2022

| | Rates | Fringes |
|---|----------|---------|
| LABORER Common or General; Grade Checker; Mason Tender - Brick; Mason Tender - Cement/Concrete; Sandblaster..... | \$ 26.70 | 12.95 |
| Pipelayer..... | \$ 20.34 | 12.85 |

PAIN0312-002 06/01/2023

| | Rates | Fringes |
|---|----------|---------|
| PAINTER: Brush and Roller..... | \$ 23.74 | 13.35 |
| PAINTER: Drywall Finishing/Taping..... | \$ 23.74 | 13.35 |
| PAINTER: Spray..... | \$ 26.18 | 15.86 |

PLAS0016-007 04/01/2014

| | Rates | Fringes |
|----------------|----------|---------|
| PLASTERER..... | \$ 21.18 | 12.43 |

PLUM0333-006 06/01/2023

| | Rates | Fringes |
|--|----------|---------|
| PIPEFITTER, Includes HVAC Pipe and Unit Installation..... | \$ 43.29 | 24.94 |
| PLUMBER, Excludes HVAC Pipe and Unit Installation..... | \$ 43.29 | 24.94 |

FOOTNOTE:

Paid Holidays: Memorial Day, Independence Day and Labor Day,
if the employee works the work day preceding and following
the holiday unless proven illness or injury prevents the
employee from working.

| | | |
|-------------------------|----------|---------|
| ROOF0070-002 06/01/2022 | | |
| | Rates | Fringes |
| ROOFER..... | \$ 30.03 | 16.84 |

| | | |
|--|----------|---------|
| SFMI0669-001 04/01/2023 | | |
| | Rates | Fringes |
| SPRINKLER FITTER (Fire Sprinklers)..... | \$ 40.48 | 25.80 |

| | | |
|---|----------|---------|
| SHEE0007-004 05/01/2023 | | |
| | Rates | Fringes |
| SHEET METAL WORKER (Including HVAC Duct Installation; Excluding HVAC System Installation)..... | \$ 38.09 | 19.66 |

| | | |
|--|-------------|---------|
| SUMI2011-004 02/01/2011 | | |
| | Rates | Fringes |
| CEMENT MASON/CONCRETE FINISHER... | \$ 25.23 | 1.80 |
| IRONWORKER, ORNAMENTAL..... | \$ 18.48 | 7.93 |
| LABORER: Landscape & Irrigation..... | \$ 10.38 ** | 0.50 |
| OPERATOR: Bulldozer..... | \$ 19.68 | 6.64 |
| OPERATOR: Compactor..... | \$ 17.68 | 6.70 |
| OPERATOR: Tractor..... | \$ 19.10 | 8.48 |
| TRUCK DRIVER, Includes Dump and Tandem Truck..... | \$ 17.26 | 11.42 |
| TRUCK DRIVER: Lowboy Truck..... | \$ 14.50 ** | 0.44 |
| TRUCK DRIVER: Tractor Haul Truck..... | \$ 13.57 ** | 1.18 |

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.

=====

** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$17.20) or 13658 (\$12.90). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (iii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate

changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour National Office because National Office has responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the

Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION"



Resolution

NO. 375

This Resolution is seeking to affirm and adopt the reduced service levels currently in place for Battle Creek Transit.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That this Resolution seeks to approve affirming the service changes necessitated by the staffing shortage that have extended beyond the intended 12-month period at Battle Creek Transit.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Donna Hutchison, Grants Program Administrator

Department: Transit

SUMMARY

This Resolution is seeking to affirm and adopt the reduced service levels currently in place for Battle Creek Transit.

BUDGETARY CONSIDERATIONS

There is no budgetary impact. These service reductions are not a result of budgetary conflicts.

HISTORY, BACKGROUND and DISCUSSION

On Saturday, December 24, 2022 Battle Creek Transit reduced both fixed route and demand-responsive services as a result of staffing shortages. These service reductions included the elimination of Saturday service, the elimination of midnight service, and reduced frequency across multiple fixed-routes. Although intended to be temporary changes, these staffing shortages extended beyond the intended period.

On January 16, 2024, a Public Hearing was held providing an opportunity for citizen input regarding these changes as the Commission considered action that will affirm the current levels of fixed route and demand-responsive service. This affirmation shall not preclude Battle Creek Transit from restoring service levels if

and when staffing levels allow.

DISCUSSION OF THE ISSUE

POSITIONS

This information was discussed with the Public Transportation Committee at a meeting held on November 3, 2023, and the Public Hearing held on January 16, 2023.

ATTACHMENTS:

File Name

Description

No Attachments Available



Resolution

NO. 376

A Resolution seeking authorization for the City Manager to sign Contract No. 23-5518 with the Michigan Department of Transportation. (MDOT) for hot mix asphalt cold milling and resurfacing along 20th Street North from Columbia Avenue (M-96) to Goguac Street West.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That the City Manager is authorized to sign Contract number 23-5518, Job number 218378CON, or one substantially similar that has been approved by the City Attorney, with the Michigan Department of Transportation for the following work:

Hot mix asphalt cold milling and resurfacing along 20th Street North from Columbia Avenue (M-96) to Goguac Street West; and all together with necessary related work.

Battle Creek City Commission
2/20/2024

Action Summary

Staff Member: Marcel Stoetzel, Deputy City Attorney

Department: City Attorney

SUMMARY

A Resolution seeking authorization for the City Manager to sign Contract No. 23-5518 with the Michigan Department of Transportation. (MDOT) for hot mix asphalt cold milling and resurfacing along 20th Street North from Columbia Avenue (M-96) to Goguac Street West.

BUDGETARY CONSIDERATIONS

The total estimated cost of the project is \$463,325 with cost participation as follows:

| | |
|--|------------------|
| Grand Total Estimated Cost | \$463,325 |
| Less MDOT Funds 80% not to exceed(Aid) | <u>\$370,000</u> |
| City of Battle Creek's 20% share | \$ 93,325 |

The City share will be charged to: 402.22.4021.801.310 - Major Streets Capital Projects.

HISTORY, BACKGROUND and DISCUSSION

This proposed resurfacing project was identified and designed by City staff and construction will be overseen by City staff. ACT 51 of 1951 requires local political subdivisions meeting population thresholds (based on census data) to participate in projects when located within their jurisdiction. The Act also includes additional payments through a multiplier to aid in these requirements.

DISCUSSION OF THE ISSUE

POSITIONS

City Engineer Jarret Geering recommends approval.

ATTACHMENTS:

| File Name | Description |
|--|---------------|
|  218378_23-5518_resurfacing_on_20th_St..pdf | MDOT Contract |

TED (F)
NON FED

| | |
|-----------------|-----------|
| COM | |
| Control Section | EDF 13000 |
| Job Number | 218378CON |
| Contract No. | 23-5518 |

THIS CONTRACT is made by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT;" and the CITY OF BATTLE CREEK, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY;" for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements, in Battle Creek, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I," dated November 14, 2023, attached hereto and made a part hereof:

Hot mix asphalt cold milling and resurfacing along 20th Street North from Columbia Avenue (M-96) to Goguac Street West; and all together with necessary related work.

WITNESSETH:

WHEREAS, the State of Michigan is hereinafter referred to as the "State;" and

WHEREAS, the PROJECT has been approved for financing in part with funds from the State appropriated to the Transportation Economic Development Fund, hereinafter referred to as "TED FUNDS," qualifies for funding pursuant to PA 231, Section 11(2)(b); Public Act of 1987, as amended, and is categorized as:

CATEGORY "F" FUNDED PROJECT

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto shall undertake and complete the PROJECT in accordance with the terms of this contract.
2. The term "PROJECT COST," as herein used, is hereby defined as the cost of the physical construction necessary for the completion of the PROJECT.

The costs incurred by the REQUESTING PARTY for preliminary engineering, construction engineering and inspection, and right-of-way are excluded from the PROJECT COST as defined by this contract.

The Michigan Department of Environment, Great Lakes, and Energy has informed the DEPARTMENT that it adopted new administrative rules (R 325.10101, et. seq.) which prohibit any governmental agency from connecting and/or reconnecting lead and/or galvanized service lines to existing and/or new water main. Questions regarding these administrative rules should be directed to the Michigan Department of Environment, Great Lakes, and Energy. The cost associated with replacement of any lead and/or galvanized service lines, including but not limited to contractor claims, will be the sole responsibility of the REQUESTING PARTY.

3. The DEPARTMENT is authorized by the REQUESTING PARTY to perform, at no cost to the PROJECT, such administration of the PROJECT covered by this contract as is necessary to assist the REQUESTING PARTY to qualify for funding. Such administration may include performing such review, legal, financing, any other PROJECT related activities as are necessary to assist the REQUESTING PARTY in meeting applicable State requirements.

The DEPARTMENT shall provide the REQUESTING PARTY with a notice to proceed with the award of the construction contract for the PROJECT.

The DEPARTMENT shall make a final acceptance inspection of the PROJECT as necessary to ensure the PROJECT meets State requirements. Failure to comply with State requirements may result in forfeiture of future distributions of the Michigan Transportation Fund as described in Section 5. No charges will be made by the DEPARTMENT to the PROJECT for any inspection work or construction engineering.

4. The REQUESTING PARTY, under the terms of this contract, shall advertise and award the PROJECT work in accordance with the following:

- A. The REQUESTING PARTY will, at no cost to the DEPARTMENT or the PROJECT, design, or cause to be designed, the PROJECT, and shall accept full responsibility for that design. Any review undertaken by the DEPARTMENT is for its own purposes and is not to nor does it relieve the REQUESTING PARTY of liability for any claims, causes of action or judgments arising out of the design of the PROJECT.
- B. The REQUESTING PARTY, hereby, certifies to the DEPARTMENT that the plans, specifications, and estimates for the PROJECT have been prepared in compliance with applicable State laws, standards, and regulations.

C. The REQUESTING PARTY, hereby, certifies to the DEPARTMENT that the contracting procedures to be followed by the REQUESTING PARTY in connection with the solicitation of the construction contract for the PROJECT shall be based on an open competitive bid process. It is understood that the proposal for the PROJECT shall be publicly advertised and the contract awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State statutes and regulations.

(1) The REQUESTING PARTY shall not award the construction contract prior to receipt of a notice to proceed from the DEPARTMENT.

(2) Upon verification that contractor selection by the REQUESTING PARTY was made in accordance with the terms of this contract and upon receipt of the "Request for Payment" form from the REQUESTING PARTY, the DEPARTMENT will authorize payment to the REQUESTING PARTY for the eligible amount in accordance with Section 5.

D. The REQUESTING PARTY will, at no cost to the PROJECT or the DEPARTMENT, comply with all applicable State statutes and regulations, including, but not limited to, those specifically relating to construction contract administration and obtain all permits and approvals with railway companies, utilities, concerned State, Federal, and local agencies, etc., and give appropriate notifications as may be necessary for the performance of work required for the PROJECT.

The REQUESTING PARTY agrees to comply with all applicable requirements of Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended by 1995 PA 60 and 1996 PA 173, MCL 324.9101 et. seq., for all PROJECT work performed under this contract, and the REQUESTING PARTY shall require its contractors and subcontractors to comply with the same.

E. All work in connection with the PROJECT shall be performed in conformance with the DEPARTMENT'S current Standard Specifications for Construction, special provisions, and the supplemental specifications and plans pertaining to the PROJECT. All materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. Any changes in the scope of work for the PROJECT will require approval by the DEPARTMENT.

- F. The REQUESTING PARTY shall, at no cost to the PROJECT or to the DEPARTMENT, appoint a project engineer who shall administer the PROJECT and ensure that the plans and specifications are followed, and shall perform or cause to be performed the construction engineering and inspection services necessary for the completion of the PROJECT.

Should the REQUESTING PARTY elect to use consultants for construction engineering and inspection, the REQUESTING PARTY shall provide a full-time project manager employed by the REQUESTING PARTY who shall ensure that the plans and specifications are followed.

- G. The REQUESTING PARTY shall require the contractor who is awarded the contract for the construction of the PROJECT to provide, as a minimum, insurance in the amounts specified in and in accordance with the DEPARTMENT'S current Standard Specifications for Construction, and to:

- (1) Maintain bodily injury and property damage insurance for the duration of the PROJECT.
- (2) Provide owner's protective liability insurance naming as insureds the State of Michigan, the Michigan State Transportation Commission, the DEPARTMENT and its officials, agents and employees, the REQUESTING PARTY and any other party with jurisdiction for the roadway being constructed as the PROJECT, and their employees, for the duration of the PROJECT and to provide copies of certificates of insurance to the insureds. It is understood that the DEPARTMENT does not assume either ownership of any portion of the PROJECT or jurisdiction of any REQUESTING PARTY highway as a result of being named as an insured on the owner's protective liability insurance policy.
- (3) Comply with the requirements of notice of cancellation and reduction of insurance set forth in the current Standard Specifications for Construction and to provide copies of notices and reports prepared to those insured.

5. The PROJECT COST shall be met in part by contributions by TED FUNDS. TED FUNDS Category F shall be applied to the eligible items of the PROJECT COST up to an amount not to exceed the lesser of: (1) 80 percent of the approved and responsible low bid amount, or (2) \$370,000, the grant amount. The balance, if any, of the PROJECT COST, after deduction of TED FUNDS, is the sole responsibility of the REQUESTING PARTY.

The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of PROJECT work.

Based upon the final cost of the PROJECT and/or a request by the REQUESTING PARTY, a payment adjustment may be initiated and/or authorized by the DEPARTMENT for eligible items of the PROJECT COST such that the total amount of TED FUNDS does not exceed the grant amount. The REQUESTING PARTY shall certify all actual costs incurred for work performed under this contract that are eligible for payment with TED FUNDS and will be required to repay any TED FUNDS it received in excess of 80 percent of the total of such costs.

6. The REQUESTING PARTY shall establish and maintain adequate records and accounts relative to the cost of the PROJECT. Said records shall be retained for a period of three (3) years after completion of construction of the PROJECT and shall be available for audit by the DEPARTMENT. In the event of a dispute with regard to allowable expenses or any other issue under this contract, the REQUESTING PARTY shall continue to maintain the records at least until that dispute has been finally decided and the time after all available challenges or appeals of that decision has expired.

The DEPARTMENT, or its representative, may inspect, copy, or audit the records at any reasonable time after giving reasonable notice.

The REQUESTING PARTY, within six (6) months of completion of the PROJECT and payment of all items of PROJECT COST related thereto, shall make a final reporting of construction costs to the DEPARTMENT and certify that the PROJECT has been constructed in accordance with the PROJECT plans, specifications, and construction contract.

In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense, and (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate arrangements to conveniently and reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any

disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT'S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, P.L. 998-502 and applicable State laws and regulations relative to audit requirements.

7. Upon completion of construction of the PROJECT, the REQUESTING PARTY will cause to be enacted and enforced such ordinances or regulations as may be necessary to prohibit parking in the roadway right-of-way throughout the limits of the PROJECT.

8. The REQUESTING PARTY certifies that it is not aware if and has no reason to believe that the property on which the work is to be performed under this agreement is a facility, as defined by the Michigan Natural Resources and Environmental Protection Act [(NREPA), PA 451, 1994, as amended 2012]; MCL 324.20101(1)(s). The REQUESTING PARTY also certifies that it is not a liable party pursuant to either Part 201 or Part 213 of NREPA, MCL 324.20126 et seq. and MCL 324.21323a et seq. The REQUESTING PARTY is a local unit of government that has acquired or will acquire property for the use of either a transportation corridor or public right-of-way and was not responsible for any activities causing a release or threat of release of any hazardous materials at or on the property. The REQUESTING PARTY is not a person who is liable for response activity costs, pursuant to MCL 324.20101 (vv) and (ww).

9. If, subsequent to execution of this contract, previously unknown hazardous substances are discovered within the PROJECT limits, which require environmental remediation pursuant to either State or federal law, the REQUESTING PARTY, in addition to reporting that fact to the Michigan Department of Environment, Great Lakes, and Energy, shall immediately notify the DEPARTMENT, both orally and in writing of such discovery. The DEPARTMENT shall consult with the REQUESTING PARTY to determine if it is willing to pay for the cost of remediation and to determine the eligibility, for reimbursement, of the remediation costs. The REQUESTING PARTY shall pay all costs associated with such remediation, including all delay costs of the contractor for the PROJECT. If the REQUESTING PARTY refuses to participate in the cost of remediation, the amount of TED FUNDS the REQUESTING PARTY received from Grant #1087 shall be forfeited back to the DEPARTMENT.

10. If State funds administered by the DEPARTMENT are used to pay the cost of remediating any hazardous substances discovered after the execution of this contract and if there is a reasonable likelihood of recovery, the REQUESTING PARTY, in cooperation with the Michigan Department of Environment, Great Lakes, and Energy and the DEPARTMENT, shall make a diligent effort to recover such costs from all other possible entities. If recovery is made, the DEPARTMENT shall be reimbursed from such recovery for the proportionate share of the amount paid by the DEPARTMENT and the DEPARTMENT shall credit such sums to the appropriate funding source.

11. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the State.

Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT pursuant to the terms of this contract are done to assist the REQUESTING PARTY in meeting program guidelines in order to qualify for available funds. Such approvals, reviews, inspections and recommendations by the DEPARTMENT shall not relieve the REQUESTING PARTY and the local agencies, as applicable, of their ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT does not relieve the REQUESTING PARTY and the local agencies, as applicable, of their exclusive jurisdiction of the highway and responsibility under MCL 691.1402 et seq., as amended.

When providing approvals, reviews and recommendations under this contract, the DEPARTMENT is performing a governmental function, as that term is defined in MCL 691.1401 et seq. as amended, which is incidental to the completion of the PROJECT.

12. The DEPARTMENT, by executing this contract, and rendering services pursuant to this contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402 et seq., as amended. Exclusive jurisdiction of such

highway for the purposes of MCL 691.1402 et seq., as amended, rest with the REQUESTING PARTY and other local agencies having respective jurisdiction.

13. The REQUESTING PARTY shall approve all of the plans and specifications to be used on the PROJECT and shall be deemed to have approved all changes to the plans and specifications when put into effect. It is agreed that ultimate responsibility and control over the PROJECT rests with the REQUESTING PARTY and local agencies, as applicable.

Upon completion of the PROJECT, the REQUESTING PARTY shall accept the facilities constructed as built to specifications within the contract documents. It is understood that the REQUESTING PARTY shall own the facilities and shall operate and maintain the facilities in accordance with all applicable Federal and State laws and regulations, including, but not limited to, Title II of the Americans with Disabilities Act (ADA), 42 USC 12131 et seq., and its associated regulations and standards, and DEPARTMENT Road and Bridge Standard Plans and the Standard Specifications for Construction.

14. The REQUESTING PARTY agrees that the costs reported to the DEPARTMENT for this contract will represent only those items that are properly chargeable in accordance with this contract. The REQUESTING PARTY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this contract that apply to the reporting of costs incurred under the terms of this contract.

15. Each party to this contract will remain responsible for any and all claims arising out of its own acts and/or omissions during the performance of the contract, as provided by this contract or by law. In addition, this is not intended to increase or decrease either party's liability for or immunity from tort claims. This contract is also not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this contract.

16. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964 being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.

17. The REQUESTING PARTY and other local agencies, as applicable parties, understand and agree that the highway(s) or street(s) being improved under the terms of this agreement and funded with Transportation Economic Development Funds, shall not be subject to any restriction by local authorities in using certain commercial vehicles on such highway(s) or street(s). Such restrictions are in conflict with the basic concept of the Transportation Economic Development Program and Funding. The REQUESTING PARTY, by signing this agreement,

agrees to obtain concurrence from other local governmental agencies within whose jurisdiction or control the highway(s) or street(s) are being improved.

18. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed as written below.

CITY OF BATTLE CREEK

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
for Department Director MDOT

By _____
Title:



November 14, 2023

EXHIBIT I

| | |
|-----------------|-----------|
| CONTROL SECTION | EDF 13000 |
| JOB NUMBER | 218378CON |

ESTIMATED COST

Estimated PROJECT COST

| | |
|-----------------|-----------|
| Contracted Work | \$463,325 |
|-----------------|-----------|

ESTIMATED COST PARTICIPATION

| | |
|------------------------------------|------------------|
| GRAND TOTAL ESTIMATED COST | \$463,325 |
| Less TED FUNDS* | <u>\$370,000</u> |
| BALANCE (REQUESTING PARTY'S SHARE) | \$ 93,325 |

NO DEPOSIT

*TED FUNDS for the PROJECT are limited to an amount as described in Section 5.

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011



Resolution

NO. 377

A Resolution seeking authorization for the City Manager to execute the 2023 HOME-funded Neighborhoods, Inc. of Battle Creek Tenant-Based Rental Assistance (TBRA) Grant Agreement for the amount of \$235,810.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

That the City Manager is authorized to execute the 2023 HOME TBRA Neighborhoods, Inc. of Battle Creek Tenant-Based Rental Assistance Grant Agreement for the amount of \$235,810 to provide and administer a tenant-based rental assistance program to help unhoused and very low-income people access needed affordable housing in Battle Creek.

Battle Creek City Commission

2/20/2024

Action Summary

Staff Member: Michelle Salazar, Community Development Specialist

Department: Community Development

SUMMARY

A Resolution seeking authorization for the City Manager to execute the 2023 HOME-funded Neighborhoods, Inc. of Battle Creek Tenant-Based Rental Assistance (TBRA) Grant Agreement for the amount of \$235,810.

BUDGETARY CONSIDERATIONS

These funds come from Federal HOME Investment Partnership Program. None of the funds will be coming from City funds.

HISTORY, BACKGROUND and DISCUSSION

The City of Battle Creek in its 2020-2024 Consolidated Plan and in subsequent Annual Action Plans identified short-term tenant-based rental assistance as a strategy to address needs to ensure the safety of rental housing, help low-income people access needed affordable housing, and support collaborative efforts to address homelessness.

The City of Battle Creek receives federal HOME Investment Partnership funds from the U.S. Department of Housing and Urban Development (HUD). The intent of the HOME program is to provide decent affordable housing to lower-income households, expand the capacity of nonprofit housing providers, strengthen the ability of state and local governments to provide housing and leverage private-sector participation.

Contracting with Neighborhoods, Inc. of Battle Creek to run a HOME-funded Tenant-Based Rental Assistance (TBRA) will help approximately 80 Battle Creek households achieve residential stability and prevent homelessness, filling a need identified in the City's 2020-2024 Consolidated Plan and are listed in the 2021, 2022 and 2023 Annual Action Plans. Neighborhoods, Inc. of Battle Creek is an experienced provider of housing services to people in need having administered housing programs funded by various entities in collaboration with other community groups. Neighborhoods Inc. of Battle Creek serves as the Housing Assessment and Resource Agency for Calhoun County. The grant agreement provides HOME funds in the amount of \$235,810 for rent assistance and program administration costs.

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | Description |
|---|--|
|  FINAL_NIBC_HOME_TBRA_Agreement_Clean_2.12.24_Signed.pdf | AGREEMENT BETWEEN THE CITY OF BATTLE CREEK AND NEIGHBORHOODS INC. OF BATTLE CREEK FOR A HOME-funded TENANT-BASED RENTAL ASSISTANCE PROGRAM |

**AGREEMENT BETWEEN THE
CITY OF BATTLE CREEK
AND
NEIGHBORHOODS INC. OF BATTLE CREEK
FOR A HOME-funded
TENANT-BASED RENTAL ASSISTANCE PROGRAM**

This Agreement is entered into on this ___ day of _____, 2024, by and between the City of Battle Creek, a Michigan municipal corporation organized under the laws of the State of Michigan, whose address is 10 N. Division Street, Battle Creek, MI 49014, (herein called the “Grantee”) and Neighborhoods Inc. of Battle Creek, a Michigan non-profit organization, whose address is 47 N. Washington Avenue, Battle Creek, MI 49037 (herein called the “Subrecipient”).

Background: The City of Battle Creek in its 2020-2024 Consolidated Plan and in subsequent Annual Action Plans identified short-term tenant-based rental assistance as a strategy to address needs to ensure the safety of rental housing, help low-income people access needed affordable housing, and support collaborative efforts to address homelessness.

The City of Battle Creek receives federal HOME Investment Partnership funds from the U.S. Department of Housing and Urban Development (HUD). The intent of the HOME program is to provide decent affordable housing to lower-income households, expand the capacity of nonprofit housing providers, strengthen the ability of state and local governments to provide housing, and leverage private-sector participation in developing and operating affordable housing.

Contracting with Neighborhoods Inc. of Battle Creek to run a HOME-funded Tenant-Based Rental Assistance (TBRA) will help approximately 160 Battle Creek households achieve residential stability and prevent homelessness, filling a need identified in the City’s 2020-2024 Consolidated Plan and 2020-2021, 2021-2022, 2022-2023, and 2023-2024 Annual Action Plans. Neighborhoods Inc. of Battle Creek is an experienced provider of supportive services to people in need having administered a housing programs funded by various entities in collaboration with other community groups. Neighborhoods Inc. of Battle Creek serves as Calhoun County’s Housing Assessment and Resource Agency (HARA).

I. Scope of Work:

A. Activities

Grantee will make available federal HOME Investment Partnership funding through the U.S. Department of Housing and Urban Development (HUD) for Subrecipient to administer a Tenant-Based Rental Assistance (TBRA) Program. Funding shall total \$235,810 and consist of \$32,023

from 2021-2022 HOME funds, \$70,000 from 2022-2023 HOME funds, \$133,787 from 2023-2024 HOME funds as published in the Grantee's last three Annual Action Plans. This program activity provides short-term rental assistance (three to six months) to eligible low-income households experiencing a housing emergency, as determined by Subrecipient. Households assisted must be at or below 60% area medium income for the Battle Creek Area.

1. Budget:

| <u>Line Item / Account Description</u> | <u>Amount</u> |
|---|------------------|
| Tenant-Based Rental Assistance | \$212,229 |
| <u>Indirect Cost 10% of Direct Cost</u> | <u>\$ 23,581</u> |
| Total | \$235,810 |

2. Subrecipient shall:

- (a) Recruit and identify qualified households to assist;
- (b) Document two months of household income to determine income eligibility;
- (c) Provide necessary supportive services, or partner with other supportive services providers;
- (d) Determine the amount rent that is a tenant's responsibility (no more than 30% of household income) and the rent to be paid to the landlord;
- (e) Verify whether the property where assistance is to be provided is a registered rental;
- (f) Request a Property Maintenance Code Inspection to be conducted by the Grantee's Code Compliance Division;
- (g) Issue rent checks to landlords for qualified households;
- (h) Provide monthly accomplishment reports on implementation to the Grantee;
- (i) Bill Grantee monthly for funding not to exceed the amount provided in above paragraph I. A.;
- (j) Provide rental assistance initially available for a three-month period, renewable month-by-month for up to an additional six months at Subrecipient's discretion;

- (k) Seek other local funding payment of security deposits and first month's rent, and if provided and documented will serve as match to Grantee's HOME program. If other funding is unavailable, HOME TBRA funds may pay for security deposits and first month's rent. If the HOME TBRA program funds a security deposit for housing, it can also fund utility deposits for gas, electricity and/or water/sewer services;
- (l) Use an affirmative marketing plan for services provided under this agreement. The plan shall identify demographic groups least likely to access service; identify language and access barriers, recommend strategies to eliminate or reduce such barriers and increase access; and evaluate implementation; and
- (m) Provide assistance in compliance with the HOME program rules at Part 24 CFR 92.

3. Grantee will:

- (a) Make available to Subrecipient \$235,810.00 in HOME program funds to administer a TBRA program;
- (b) Conduct Property Maintenance Code Inspections before occupancy and ensure rental properties are registered;
- (c) Monitor performance and review monthly accomplishment reports;
- (d) Fulfill reporting requirements to HUD; and
- (e) Provide guidance and assistance to Subrecipient to maintain compliance with the HOME program rules at Part 24 CFR 92.

4. Households requesting assistance must:

- (a) Provide income documentation to determine eligibility;
- (b) Find rental housing that is or will be registered with the City of Battle Creek and will pass a Property Maintenance Code Inspection, conducted by a City Code Compliance officer; and
- (c) Sign a lease and fulfill the requirements of a lease agreement.

B. Program Rules:

1. **Tenant Located Housing:** The tenant must apply for the assistance, not the landlord. The tenant must find housing before assistance will be given. The tenant must choose their own housing. TBRA assistance shall not be provided to a tenant seeking to lease trailer or mobile home.
2. **No Conflicts of Interest:** The tenant and landlord shall not be related. The HOME program rule at 24 CFR 92.356(b) on conflict of interest define related as immediate family ties to include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), brother or sister (including a stepbrother or stepsister), grandparent, grandchild, or in-laws of a covered person.
3. **No double subsidy permitted:** Tenants receiving ongoing rental assistance, such as HUD funded housing choice vouchers (Sec. 8), from another source are ineligible for assistance.
4. **Jurisdiction:** HOME-funded TBRA shall only be provided to rental units located within the limits of the City of Battle Creek. All assisted rental units shall be registered as a rental with the City of Battle Creek.
5. **One-time assistance:** Households may only be assisted one time with HOME funds, although additional assistance may be provided monthly past the initial three months for up to six total months.
6. **Three-to-six months of rental assistance:** The landlord, the tenant, and Subrecipient shall sign a three month TBRA rental assistance contract. Rental assistance shall begin on the first day of the lease between the owner and the tenant. Rental assistance shall terminate after the third month of assistance. The contract may be renewed, depending on the availability of TBRA funds, at the discretion of Subrecipient month by month for up to a total of six months.
7. **Unit Selection Approval:** The selected housing unit must pass a HUD Housing Quality Standards (HQS), or any subsequent housing inspection protocol required by HUD, and a City of Battle Creek Property Maintenance Code Inspection. The HUD HQS form will be completed until October 2024. Beginning November 1, 2024 the Subrecipient will be required to use an INSPIRE standard. If a unit initially fails inspection, the owner will be given 60 days to correct deficiencies, or the household may elect to look for another unit. The results of each inspection will be recorded on an inspection form and retained

in the household's file. A housing inspection must be completed before a check is written to the landlord.

8. **Lead Paint Notification:** Housing shall be lead-based paint compliant. Households eligible for services shall receive a Lead Hazard Information Pamphlet. Residents must also receive, from the owner, a lead disclosure notice notifying them of any known lead-based paint or hazard in the unit prior to occupancy.
9. **Income Limits:** All households assisted shall be low income with household incomes below 60% of area median income. HUD updates its income limits annually. Grantee will notify the Subrecipient when HUD updates its income limits.

For Program Year 2023, household income eligibility is:

| 60% Area Median Income - Battle Creek | | | | | | | | |
|--|----------|----------|----------|----------|----------|----------|----------|----------|
| Household Size | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 2023 Income Limits | \$32,100 | \$36,660 | \$41,220 | \$45,780 | \$49,500 | \$53,160 | \$56,820 | \$60,480 |

10. **Written leases required:** The tenant shall have a written lease with a mutually agreed upon time frame. Lease agreements shall comply with HOME requirements as set forth in 24 CFR 92.253(b), and not contain any prohibited lease clauses.
11. **Income Verification:** Two months of household income shall be verified and documented at the time assistance is given. Income verification may include acceptable source documents, including but not limited to, wage statements, interest statements, unemployment statements, income tax statements, and third-party written verification from the information source such as public benefit statements.
12. **Tenant Selection Policy:** The tenant must be at least 18 years of age, present a valid Government-issued ID, and provide proof of monthly household income and proof of homelessness and/or proof of unsafe housing resulting in a need to move. Proof of unsafe housing will consist of a short case history/narrative and verification from a third party such as an eviction notice, or documented phone call or statement from a shelter or other supportive services provider. Participants must be participating in housing case management, employment training or another self-sufficiency program. Participation will be first-come, first served for qualified applicants.
13. **Reasonable Rent:** A reasonable rent test shall be completed on each unit utilizing the Michigan State Housing Development Authority (MSHDA) Housing Locator Rent

Comparable at <https://www.affordablehousing.com>. Documentation of three comparable units will be pulled.

14. **Rent Standard:** Grantee shall use the Fair Market Rent (FMR) standard listed by number of bedrooms that HUD establishes for the Section 8 Housing Choice Voucher Program to limit the amount of rental assistance available to each household. HUD updates the FMRs for Battle Creek annually.
15. **Payment Standard:** Household Income shall be documented at intake. Payment standards will be calculated by the Subrecipient and documented in the household's file.
16. **Tenant Rent:** Tenant rent is the portion paid by the assisted household. The expected tenant rent is 30% of a household income adjusted for tenant paid utility allowance. Grantee will provide and annually update the utility allowance schedule as published by MSHDA. The utility allowance is the estimated average monthly cost of utilities paid by the tenant, separately from rent to the owner. Tenant rent will be rounded to the closest whole dollar amount.
17. **Minimum Household Rent:** Grantee's TBRA program has set a minimum household rent contribution of \$5.00. The TBRA program is based on the assumption that an appropriate contribution toward housing costs is 30% of monthly household income and that the tenant will pay this portion of the housing costs.
18. **Housing Choice:** As long as a household still has adequate income for other household expenses and housing expenses do not exceed 40% of their household monthly income, a household may choose a more expensive rental unit and pay the difference in rent. The Subrecipient will not pay for rental assistance more than the 30% payment standard of household income adjusted by utilities.
19. **Client Files:** All documents shall be maintained in a client file using a checklist developed by the Subrecipient to ensure compliance with program rules.
20. **Occupancy Standards:** From the Public Housing Authorities (PHA) Occupancy Guidebook, June 2003, HUD does not specify the number of persons who may live in public housing units of various sizes. PHAs are permitted to develop appropriate occupancy standards as long as the standards do not have the effect of discriminating against families with children. A HUD Notice of Statement of Policy published in the Federal Register on December 18, 1998, states that "...an occupancy policy of two persons in a bedroom, as a general rule, is reasonable under the Fair Housing Act." In creating an occupancy standard PHAs are permitted to consider the following issues in

establishing their own occupancy standards: Applicable state or local housing or occupancy codes (if any); Size and configuration of the PHA's housing units; Limitations imposed by the capacity of water and sewer systems; Site density issues; Characteristics of individual families; and avoiding both under-utilizing space and overcrowding families.

Grantee's TBRA program will follow occupancy standards that the Michigan State Housing Development (MSHDA) has developed that comply with HQS requirements and outline how the number of bedrooms required by the household will be determined. The following basic standards can be modified to take into consideration specific household composition and circumstances (for example, child custody cases, chronic illnesses, family member who is absent most of the time).

- (a) No more than two persons are required to occupy a bedroom.
- (b) Persons of different generations (e.g. grandparents, parents, children), persons of the opposite sex (other than spouses/couples) and unrelated adults are not required to share a bedroom.
- (c) Children of the same sex (regardless of age) and couples co-habiting (whether or not legally married) must share the same bedroom for purpose of assigning the number of bedrooms, except as provided in below subparagraph (e).
- (d) A live-in care attendant who is not a member of the family is not required to share a bedroom with another household member.
- (e) Individual medical problems (e.g. chronic illness) sometimes require either separate bedrooms for household members who would otherwise be required to share a bedroom or an extra bedroom to store medical equipment.
- (f) In most instances, a bedroom is not provided for a family member who will be absent most of the time, such as a member who is away in the military.
- (g) Occupancy standards are used to provide consistent criteria for determining the unit size for which the household is eligible and thus, the amount of assistance to be provided. Fair housing rules permit a household to select smaller units that do not create seriously overcrowded conditions. A tenant may select a larger unit if it meets the FMR for the actual number of bedrooms for which they are eligible according to the eligibility guidelines. Tenants are not allowed to give the landlord additional funds for larger units.

- (h) Undersized Units: If a family elects to occupy a unit with fewer bedrooms than specified in the Occupancy Guidelines, the FMR is based on the actual number of bedrooms.
- (i) Oversized Units: If a family elects to occupy a unit with more bedrooms than specified in the Occupancy Guidelines, the FMR is based on the number of bedrooms specified in the Occupancy Guidelines.
- (j) If an additional bedroom is required for an individual who would normally be required to share a room, the reason must be documented in the file. For example: If an additional room is needed because of a medical condition, documentation may be a note from their doctor; otherwise, if the case manager determines an additional room is needed (medical condition, care-giver, medical equipment etc.) the case manager must document the reason in the case management notes.
- (k) In cases where college students and children staying only for weekends etc., the amount of time spent in the unit should be taken into consideration before assigning additional bedroom(s). If student/children will be in the unit the majority of the time and future rent will not be a burden, then an additional bedroom can be assigned.
- (l) TBRA assistance is short-term and a smaller unit is acceptable if it does not create serious overcrowding; a living room can be counted as a sleeping room.
- (m) A separate bedroom cannot be issued for an unborn child. Once the baby is born a second bedroom can be issued unless the baby has an older, same sex sibling who has already been issued a bedroom.

II. Eligible Costs:

1. Eligible costs are rental payments to landlords for three to six months including security deposits, and utility deposits if the program pays a security deposit or provides rental assistance.
2. CFR 92.209 describes “eligible costs are the rental assistance and security deposits payments made to provide tenant-based rental assistance for a family pursuant to this section. Eligible costs also include utility deposits assistance, but only if this assistance is provided with tenant-based rental assistance or security-deposit payment. Administration of tenant-based rental assistance is eligible only under general

management oversight and coordination at CFR 92.207(a), except that the costs of inspecting the housing and determining the income eligibility of the family are eligible as costs of the tenant-based rental assistance.”

3. Invoices shall be submitted monthly. Grantee will attempt to make payment within 7 days, but not later than 30 days of the submittal of a correct invoice for payments to landlords, utility deposits, costs of income determinations and program administration. Expenses shall be billed at cost, without markup, and shall be supported by actual receipts. Mileage and per diem rates, if applicable, shall not exceed the federal rates. Under this Contract, a cost incurred or expenditure made by or pursuant to this Contract shall be fully documented and shall be in conformance with any limitations or exclusions of applicable Federal, State and local laws, rules and regulations and conditions mandated by the Grantee.
4. The Subrecipient will be reimbursed only for actual costs incurred and the Grantee will only reimburse against line items in a Grantee-approved project budget prepared and submitted by the Subrecipient.
5. Checks shall be issued by the Subrecipient directly to the landlord or utility provider on behalf of the tenant.
6. Security deposits shall usually be paid out of other local funds. If other local funds are not available, HOME-funded TBRA funds may be used to pay for security deposits and first month's rent expenses. Security and/or utility deposits shall be provided as a grant. The maximum amount of a security deposit allowed to be paid is the equivalent of one and a half months' rent for the unit as allowable under Michigan law.

III. General Terms and Conditions:

1. **Constitutional Requirement:** Notwithstanding any provision in this Contract to the contrary, and in accordance with Article I, Section 26 of the Constitution of Michigan of 1963, Subrecipient or its general contractors shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of this Contract. This section shall not prohibit any action that must be taken to establish or maintain eligibility for any federal program if ineligibility would result in a loss of federal funds in connection with this Contract, nor shall this section be interpreted as prohibiting bona fide qualifications based on sex that are reasonable necessary to the execution of this Contract. In the

event of conflict between any term of this Contract and this section, the language of this section shall control.

2. **Venue:** Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement or the transactions it contemplates shall bring the legal action or proceeding:

(a) in the United States District Court for the Western District of Michigan; or

(b) in any court of the State of Michigan sitting in Calhoun County, if there is no federal subject matter jurisdiction.

3. **Non-Discrimination Clause:** Subrecipient agrees not to discriminate against any employee or applicant for employment, to be employed in the performance of such contract, with respect to hire, tenure, terms, conditions or privileges, of employment, or any matter directly or indirectly related to employment, because of his or her actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, or gender identity. Breach of this covenant may be regarded as material breach of the Contract as provided for in Act 220 and Act 453 of the Public Acts of 1976, as amended, entitled "Michigan Handicapper's Civil Rights Act" and the Michigan Elliott Larson Civil Rights Act, with respect to those categories protected under those Michigan Acts, and for the remaining categories it shall be considered a material breach of the Contract as provided for in City Ordinance Chapter 214. The Subrecipient further agrees to require similar provisions from any subcontractors, or suppliers providing services under this Contract.
4. **Assignment of Contract:** Subrecipient shall assign no right or interest in this Contract in whole or in part and no delegation of any duty of Subrecipient shall be made without prior written permission of Grantee.
5. **Indemnification:** The parties shall protect, defend, and save each other, their respective officials, directors, employees, departments and agents, harmless from and against any and all claims, demands, suits, actions, or proceedings of any kind or nature, in any way resulting from acts or omissions of the other party or any of its agents, employees, boards, commissions, divisions, departments, or authorities in performing obligations under this agreement. This paragraph, however, shall not be construed in any manner as a waiver or relinquishment, express or implied, of either parties' right to governmental immunity. Each party to this agreement agrees that any bond or

insurance protection required by this agreement or otherwise provided shall in no way limit the terms of this indemnification provision. In case of any action or proceeding brought against Grantee by reason of any such claim, suit, action or demand, upon prompt notice from Grantee, Subrecipient covenants to defend such action or proceeding by counsel that is reasonably satisfactory to Grantee.

6. **Contract:** The Contract shall contain the entire agreement between Grantee and Subrecipient relating to this requirement and shall prevail over any and all previous contracts, proposals, negotiations, or master agreements in any form.
7. **Provisions Required by Law:** Each and every provision of law and any clause required by law to be in the contract shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party the contract shall forthwith be physically amended to make such insertion or correction.
8. **Relationship of Parties:** It is clearly understood that each party shall act in its individual capacity and not as an agent, employee, partner, joint venture, or associate of the other. An employee or agent of one party shall not be deemed or construed to be the employee or agent of the other party for any purpose whatsoever. Subrecipient is advised that taxes or social security payments shall not be withheld from a Grantee payment issued hereunder and that Subrecipient should make arrangements to directly pay such expenses, if any.
9. **Rights and Remedies:** No provision in this document offer shall be construed, expressly or by implication as a waiver by either party of any existing or future right and/or remedy available by law in the event of any claim or default or breach of contract. The failure of either party to insist upon the strict performance of any term or condition of the contract or to exercise or delay the exercise of any right or remedy provided in the contract, or by law, or the acceptance of materials or services, obligations imposed by this contract or by law, and shall not be deemed a waiver of any right of either party to insist upon the strict performance of the contract.
10. **Advertising:** Except for the marketing program required in paragraph I(A)(2)(I) above, Subrecipient shall not advertise, issue a press release, or otherwise publish information concerning this Contract without prior written consent of Grantee. Grantee shall not unreasonably withhold permission.

11. **Applicable Regulations/Policies:** Both parties shall comply with the Revised Code of the State of Michigan, the Charter of the City of Battle Creek, the Codified Ordinances of the City of Battle Creek, the City of Battle Creek's HOME Program Operating Policies and Procedures, and HOME program rule at Part 24 CFR 92 in carrying out the terms of this Contract that relate to or concern the subject matter herein. It shall be the responsibility of Subrecipient to be familiar and comply with said regulations/policies.
12. **Subcontractors:** No subcontract shall be made by Subrecipient with any other party for furnishing any of the services herein contracted for without the advance written approval of Grantee. All subcontractors shall comply with federal and state laws and regulations that are applicable to the services covered by the subcontractor and shall include all the terms and conditions set forth herein which shall apply with equal force to the subcontract, as if the subcontractor were Subrecipient referred to herein. Subrecipient is responsible for contract performance whether or not subcontractors are used.

IV. Special Terms and Conditions:

1. **Term and Renewal:** The term of the contract shall commence on the signing of the contract by Grantee, unless otherwise identified herein or a sooner date is required. The contract shall remain in effect for a period of one (1) year, unless terminated, canceled or extended as otherwise provided herein. Subrecipient agrees that Grantee shall have the right, dependent on the availability of continue federal funding, and upon the written mutual consent of the parties hereto, to renew the contract for up to three (3) additional one-year periods. In the event that the parties agree to such any extensions or renewal periods, all terms, conditions and provisions of the original contract shall remain the same and apply during the renewal period. The amount available for rental assistance and administration could change in subsequent renewal periods. Notwithstanding any term herein, either party, in its sole discretion, may terminate this Agreement, at any time without cause, and without liability except for required payment for services rendered or reimbursement for authorized expenses incurred, prior to the termination date, by providing at least 90 days' prior written notice to the other party.
2. **Key Personnel:** Subrecipient shall provide adequate experienced personnel, capable of and devoted to the successful accomplishment of work to be performed under this contract. Subrecipient agrees to assign specific individuals to the key positions.

If key personnel are not available for work under this Contract for a continuous period exceeding thirty calendar days, or are expected to devote substantially less effort to the work than initially anticipated, Subrecipient shall immediately notify Grantee, and shall, subject to the concurrence of Grantee, replace such personnel with personnel of substantially equal ability and qualifications.

3. **Cancellation:** Grantee reserves the right to cancel the whole or any part of this Contract due to failure by Subrecipient to carry out any material obligation, term, or condition of the contract.

(a) Grantee shall issue written notice to Subrecipient for any of the following circumstances:

- (1) Subrecipient fails to adequately perform the services set forth in the specifications of the contract; and/or
- (2) Subrecipient fails to make progress in the performance of the contract and/or gives Grantee reason to believe that Subrecipient will not or cannot perform to the requirements of the contract.

(b) Upon receipt of the written notice of concern, Subrecipient shall have ten (10) calendar days to provide a satisfactory response to Grantee. Failure on the part of Subrecipient to adequately address all issues of concern may result in Grantee resorting to any single or combination of the following remedies:

- (1) Cancel any contract.
- (2) Reserve all rights or claims to damage for breach of any covenant of the Contract.

(c) Grantee intends to maintain a budget to cover all expenses related to this Contract; however, Grantee may cancel this contract if funds are no longer available. In such case, Grantee shall provide Subrecipient with a 60-day written notice of cancellation. Grantee will pay for all *authorized* completed work or received goods.

4. **Insurance:** Subrecipient shall at the time of execution of this Contract, file with Grantee the Certificate of Insurance, which shall cover all of Subrecipient's insurance as required herein, including evidence of payment of premiums thereon, and the policy or policies or insurance covering Subrecipient and their officers, agents and employees. Each such

policy and certificate shall be satisfactory to Grantee. Nothing contained in these insurance requirements is to be construed as limiting the extent of Subrecipient responsibility for payment of damages resulting from its operations under this Contract.

Subrecipient shall maintain insurances in force at all times during the term of this agreement at the minimum amounts and types as indicated.

| <u>Coverage Afforded</u> | | <u>Limits of Liability</u> |
|-------------------------------|--------------------------|-------------------------------|
| Workers' Compensation: | | \$ 100,000 or statutory limit |
| Commercial General Liability: | Bodily Injury | \$1,000,000 each occurrence |
| | Property Damage | \$1,000,000 each occurrence |
| | or Combined Single Limit | \$1,000,000 |
| Automobile Liability: | Bodily Injury | \$300,000 each person |
| | Liability | \$500,000 each occurrence |
| | Property Damage | \$500,000 |
| | or Combined Single Limit | \$500,000 |

Grantee shall be listed as an additional insured on general liability coverage, and shall be provided with a Certificate of Insurance that reflects this additional insured status. A 30-day notice of cancellation or material change shall be provided to Grantee and so noted on the Certificate of Insurance. All certificates and notices shall be sent to City of Battle Creek Community Development, City Hall, Room 104, 10 N. Division Street, Battle Creek, Michigan 49014.

Information and documentation of all required insurances is subject to review by Grantee and Grantee reserves the right, at its discretion, to require increases in coverage.

- Conflict of Interest:** Subrecipient warrants and covenants that it presently has no interest and shall not acquire any interest, directly or indirectly, which could conflict in any manner or degree with the performance of its services under this Contract. Subrecipient further warrants and covenants that in the performance of this Contract, no person having such interest shall be employed.

HOME conflict of interest provisions, as stated in CFR 24, part 92.356, apply to the award of any contracts under the agreement and the selection of households to occupy HOME-assisted units.

No employee, agent, consultant, elected official, or appointed official of Subrecipient may obtain a financial interest or unit benefits from a HOME-assisted activity, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. This prohibition includes the following:

- (a) Any interest in any contract, subcontract or agreement with respect to a HOME-assisted project or program administered by Subrecipient, or the proceeds thereunder; or
 - (b) Any unit benefits or financial assistance associated with HOME projects or programs administered by Subrecipient, including:
 - (1) Occupancy of a rental housing unit in a HOME-assisted rental project;
 - (2) Receipt of HOME tenant-based rental assistance;
 - (3) Purchase or occupancy of a homebuyer unit in a HOME-assisted project;
 - (4) Receipt of HOME homebuyer acquisition assistance; or
 - (5) Receipt of HOME owner-occupied rehabilitation assistance.
 - (6) This prohibition does not apply to an employee or agent of Subrecipient who occupies a HOME-assisted unit as the on-site project manager or maintenance worker.
 - (7) No member of Congress of the United States, official or employee of HUD, or official or employee of the participating jurisdiction shall be permitted to receive or share any financial or unit benefits arising from the HOME-assisted project or program.
6. **Drug Free Workplace (48 CFR 52.223-6):** All federal grants are subject to the Drug-Free Workplace Act of 1988 and all organizations receiving federal funds are required to provide a drug-free workplace.
- (a) Definitions. See 48 CFR 52.223-6(a) Definitions.
 - (b) Subrecipient shall within 30 days after this Contract is signed:

- (1) Publish a statement notifying its employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in Subrecipient's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
- (2) Establish an ongoing drug-free awareness program to inform such employees about:
 - (i) the dangers of drug abuse in the workplace;
 - (ii) the Subrecipient's policy of maintaining a drug-free workplace;
 - (iii) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (iv) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- (3) Provide all employees engaged in performance of the contract with a copy of the statement required by subparagraph (b)(1) of this clause;
- (4) Notify such employees in writing in the statement required by subparagraph (6)(a) of this clause that, as a condition of continued employment on this Contract, the employee will:
 - (i) abide by the terms of the statement; and
 - (ii) notify the employer in writing of the employee's conviction under a criminal drug statute for a violation occurring in the workplace no later than 5 days after such conviction.
- (5) Notify the Grantee in writing within 10 days after receiving notice under subdivision (b)(4)(ii) of this clause, from an employee or otherwise receiving actual notice of such conviction. The notice shall include the position title of the employee.
- (6) Within 30 days after receiving notice under subdivision (b)(4)(ii) of this clause of a conviction, take one of the following actions with respect to any employee who is convicted of a drug abuse violation occurring in the workplace: (i) Taking appropriate personnel action against such employee, up to and including termination; or (ii) Require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for

such purposes by a federal, state, or local health, law enforcement, or other appropriate agency; and

(7) Make a good faith effort to maintain a drug-free workplace through implementation of subparagraphs (b)(1) through (b)(5) of this clause. A Subrecipient or grantee who fails to comply with these requirements is subject to certain penalties.

(8) In addition to other remedies available to HUD or Grantee, Subrecipient's failure to comply with the requirements of paragraph (b) of this clause may, pursuant to FAR 23.506, render the Subrecipient subject to suspension of contract payments, termination of the contract for default, and suspension or debarment.

7. **Communication:** Correspondence concerning this Contract shall be directed to the following contract representatives:

City of Battle Creek:

Michelle Salazar, Community Development Specialist
City of Battle Creek Community Development
City Hall, Room 104
10 N. Division Street, Battle Creek, MI 49014
(269) 966-3364

Neighborhoods Inc. of Battle Creek:

Whitney Wardell, President & CEO
Neighborhoods Inc. of Battle Creek
47 N. Washington Avenue
Battle Creek, MI 49037
(269) 968-1113

8. **City office:** It is agreed by the parties hereto that Grantee's Community Development Division shall be responsible for the administration of this Contract on behalf of Grantee; provided however, that authority and responsibility for the administration of this Contract may be transferred to any other office or department of Grantee, by Grantee in its sole discretion.

9. **Federal Award Identification**

Subrecipient Name: Neighborhoods Inc. of Battle Creek

DUNS #: 861011088

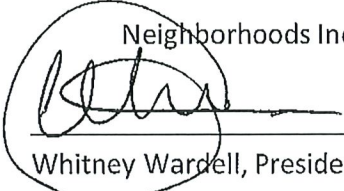
Employer Tax ID Number: 38-2375773

Subrecipient Unique Identifier: HOME-Funded Tenant-Based Rental Assistance (TBRA)

Total Federal Award Amount: \$235,810.00 HOME program funds

10. I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder, and that our firm is not debarred from doing business under the Federal Excluded Parties List System (www.epls.gov).
11. I, Subrecipient or Subrecipient's legally authorized signer, further certify compliance with the City of Battle Creek Ordinance Chapter 214, Discrimination Prohibited. I further acknowledge and agree that Subrecipient's violation of Chapter 214 shall be a material breach of this Contract. In addition, Subrecipient acknowledges and agrees that it shall be liable for any costs or expenses incurred by Grantee in obtaining from other sources, the work and services to be rendered or performed or the goods or properties to be furnished or delivered to Grantee under the contract as a result of a material breach in the Contract for violations of Chapter 214.

IN WITNESS WHEREOF, the City and the Subrecipient have executed this Contract as of the date first above written:

Neighborhoods Inc. of Battle Creek

Whitney Wardell, President & CEO

02/12/24

Date


Witness

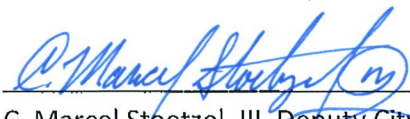
City of Battle Creek

Rebecca L. Fleury, City Manager

Date

Witness

Approved as to form and legal sufficiency:


C. Marcel Stoetzel, III, Deputy City Attorney

Date:



Resolution

NO. 378

A Resolution Seeking Authorization for Publication of a Notice of Intent to Issue Water and Wastewater System Revenue Bonds.

BATTLE CREEK, MICHIGAN - 2/20/2024

Resolved by the Commission of the City of Battle Creek:

PREAMBLE

That WHEREAS, the City of Battle Creek, County of Calhoun, State of Michigan (the “City”), proposes to acquire, construct and equip various improvements to the City’s Water and Wastewater System, including Water Treatment Plant improvements, wellfield improvements, pump station improvements, lead service line replacements and all related site improvements, appurtenances and attachments (collectively, the “Project”); and

WHEREAS, the City has been advised by the Michigan Department of Environment, Great Lakes and Energy (“EGLE”) that financial assistance to accomplish the acquisition and construction of all or a portion of the Project is available through the Drinking Water State Revolving Fund (“DWSRF”) loan program administered by EGLE and the Michigan Finance Authority; and

WHEREAS, the City has made application for participation in the DWSRF loan program; and

WHEREAS, the Revenue Bond Act, Act 94, Public Acts of Michigan, 1933, as amended (“Act 94”), permits the City to borrow money to finance the acquisition, construction, improvement, enlargement, extension, and repair of public improvements such as the Project through the issuance of revenue bonds; and

WHEREAS, the issuance of revenue bonds under Act 94 payable from revenues of the City’s Water and Wastewater System in an amount to be determined prior to the sale of the revenue bonds, but in any event not to exceed Thirty Million Dollars (\$30,000,000) (the “Revenue Bonds”) for the purpose of financing the Project, the funding of reserve funds, if necessary, and costs of issuing the Revenue Bonds appears to be the most practical means to that end; and

WHEREAS, a notice of intent to issue revenue bonds must be published before the issuance of the Revenue Bonds in order to comply with the requirements of Section 33 of Act 94; and

WHEREAS, the City intends at this time to state its intentions to be reimbursed from proceeds of the Revenue Bonds for any expenditures undertaken by the City for the Project prior to issuance of the Revenue Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Revenue Bonds in *The Battle Creek Shopper News*, a newspaper of general circulation in the City. The notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the form attached hereto as Exhibit A.

2. The City Commission hereby determines that the form of the notice of intent shown in Exhibit A, and the manner of publication directed, is adequate notice to the electors of the City and the users of the Water and Wastewater System and is the method best calculated to give them notice of the City’s intent to issue the

Revenue Bonds, the purpose of the Revenue Bonds, the source of payment of the Revenue Bonds, the security for the Revenue Bonds, and the right of referendum of the electors with respect thereto. The City Commission hereby determines that the newspaper named for publication will reach the largest number of persons to whom the notice is directed.

3. The City may incur expenditures for the Project prior to receipt of proceeds of the Revenue Bonds and may advance moneys for that purpose from the water and wastewater system enterprise fund or other funds available to the City, to be reimbursed from proceeds of the Revenue Bonds when available. The City hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 of the Internal Revenue Code of 1986, as amended:

(1) The City reasonably expects to reimburse itself with proceeds of debt to be incurred by the City for certain costs associated with acquisition and construction of the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof from the funds of the Water and Wastewater System.

(2) The maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$30,000,000.

(3) A reimbursement allocation of the expenditures described in paragraph (1) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the use of the proceeds of the debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this resolution.

4. The City retains PFM Financial Advisors LLC, as municipal advisor to assist the City in preparation and planning for the marketing and sale of the Revenue Bonds.

5. The City hereby retains Miller, Canfield, Paddock and Stone, P.L.C. to continue as bond counsel to the City for the Revenue Bonds.

6. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and convenient to facilitate preparation for sale of the Revenue Bonds. The Revenue Bonds shall not be sold until this City Commission adopts an ordinance authorizing issuance of the Revenue Bonds.

7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

Action Summary

Staff Member: Aaron B. Kuhn, Revenue Services Director

Department: Finance

SUMMARY

A Resolution Seeking Authorization for Publication of a Notice of Intent to Issue Water and Wastewater System Revenue Bonds.

BUDGETARY CONSIDERATIONS

This will eventually result in debt being incurred by the Water Fund of the City of Battle Creek. The City recently issued \$10 million in water revenue bonds after not having any water system debt for several years. Even with the recent issuance, the City's water system will be able to accommodate the debt service from current revenues.

The Revenue Bonds will be sold to the Michigan Finance Authority and may be issued in 20 or 30 annual principal installments at the FY 2024 interest rate of 2.00% per annum, well below the current market rate for similar issuances.

The "not to exceed" amounts in the Resolution is based on the estimated Project amount submitted in the application, plus a contingency buffer in the event bids come in higher than estimates.

HISTORY, BACKGROUND and DISCUSSION

The City was successful in its application for the Drinking Water State Revolving Fund in 2024 and was tied for the highest scoring project in the state. The City's application for the program includes wellfield rehabilitation, lead service line replacement, watermain replacement, and improvements to the water treatment facility.

The total amount approved as part of the City's application is \$24,575,000. The City qualified as an overburdened applicant which means that 50% of the application amount has principal forgiveness, amounting to \$12,287,500.

As outlined in the attached letter, the Revenue Bond Act requires the City to notify electors of its intent to issue bonds by publishing a notice which gives the voters a referendum right on the issuance of the bonds. The bonds can be issued without a vote of the City electors unless a petition is filed with the City Clerk within 45 days of publication of the notice.

It should be noted that the City does not have to borrow the full \$30,000,000 outlined in the Resolution. The City can downsize the bond issue prior to the sale of the bonds after the cost for the project has been determined.

If the Notice of Intent Resolution is approved by the City Commission and the Notice of Intent is published shortly thereafter, the 45 day referendum period will expire in mid-April. After the referendum period expires, in order to issue and sell bonds, the City Commission would need to adopt an ordinance or resolution to authorize the issuance of the bonds which will determine the amount of the bond issue to be financed.

DISCUSSION OF THE ISSUE

POSITIONS

ATTACHMENTS:

| File Name | Description |
|-------------------------------------|---------------------|
| 📎 Bond_Counsel_Letter_for_DWSRF.pdf | Bond Counsel Letter |
| 📎 EXHIBIT_A_Notice_of_Intent.pdf | Exhibit A |

Founded in 1852
by Sidney Davy Miller



PATRICK F. MCGOW
TEL (313) 496-7684
FAX (313) 496-8450
E-MAIL mcgow@millercanfield.com

Miller, Canfield, Paddock and Stone, P.L.C.
150 West Jefferson, Suite 2500
Detroit, Michigan 48226
TEL (313) 963-6420
FAX (313) 496-7500
www.millercanfield.com

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February 13, 2024

Mr. Aaron B. Kuhn
Revenue Services Director
City of Battle Creek
10 N. Division Street
Battle Creek, MI 49014

Re: City of Battle Creek - Notice of Intent Resolution
Water and Wastewater System Revenue Bonds (DWSRF)

Dear Aaron:

I have enclosed a Notice of Intent Resolution for consideration for approval by the City Commission at its meeting on February 20th. This is the next step in the financing process that began last year when the City approved and submitted its applications for funding Water System improvements through the Michigan Finance Authority's ("MFA") Drinking Water State Revolving Fund Program ("DWSRF").

The Michigan Department of Environment, Great Lakes, and Energy ("EGLE") has approved financing through the DWSRF for the Projects (Water Treatment Plant, Lead Service Line Replacements and Well) at an estimated project amount of \$24,575,000, of which approximately 50% will be paid for through principal forgiveness, and the remaining \$12,287,500 paid by a loan, which will be evidenced by the Revenue Bonds. The exact amounts will not be determined until late spring when the project bids are due and the project costs and financing details are finalized. The Revenue Bonds will be sold to the MFA and may be issued in 20 or 30 annual principal installments at the FY 2024 interest rate of 2.00% per annum.

The enclosed Notice of Intent Resolution and Notice indicates the City's intent to issue its Revenue Bonds in an amount not to exceed 30,000,000 to pay all or part of the cost to acquire, construct and equip various improvements to the City's Water and Wastewater System, including Water Treatment Plant improvements, wellfield improvements, pump station improvements, lead service line replacements and all related site improvements, appurtenances and attachments (the "Project").

The proceeds of the Bonds may be used to pay for the construction of the Project as well as reimburse the City for the engineering, design and other preliminary costs related to the Project. The Bonds will also be used to pay issuance costs related to the Bonds. The Notice provides that the City will pledge the net revenues of the System as security for the Bonds. In addition, the City

Mr. Aaron B. Kuhn

-2-

February 13, 2024

has the ability to pledge its limited tax full faith and credit as security for the Bonds or pledge its state revenue sharing, if necessary, in order to satisfy MFA's investment grade credit requirements. The City intends to pay the debt service solely from the user charges of the City's Water and Wastewater System.

The "not to exceed" amounts in the Resolution is based on the estimated Project amount submitted in the application, plus a contingency buffer in the event the bids come in higher than estimates. The actual size of the Bond issue/loan amount will be resized at the time of issuance to the amount that is required based on the actual bids and final costs. The City can reduce the amount of the Bonds for the Project from the amount indicated in the notice, but the City would not be able to increase the size of the Bonds for this Project over the amount in the notice without republishing a new notice for the increased amount. The EGLE will require the bonds to be sized based on the actual bids and costs after the bids have been received, plus a 6% contingency.

The Bonds will be payable from the Net Revenues of the City's Water and Wastewater System. The proceeds of the Bonds may be used to pay for the construction of the Project as well as reimburse the City for any engineering, design and other preliminary costs related to the Project. The Bonds will also be used to pay issuance costs related to the Bonds.

The Revenue Bond Act requires the City to notify the electors of the City of its intent to issue the Bonds by publishing a notice which gives the voters a referendum right on the issuance of the Bonds. The Bonds can be issued without a vote of the City electors unless a petition is filed with the City Clerk within 45 days of publication of the notice. The form of Notice of Intent is included in the Resolution as Exhibit A. **The Notice of Intent must be published as a display advertisement at least one-quarter (1/4) page in size in a newspaper of general circulation in the City.**

Paragraph 3 of the Resolution contains language which authorizes the City to reimburse itself from Bond proceeds for certain costs relating to the project incurred prior to issuance of the Bonds, including costs for engineering and design. It will also allow the City to reimburse for any hard construction or acquisition costs which were incurred within 60 days before the adoption of the Resolution.

If the Notice of Intent Resolution is approved by Commission and the Notice of Intent is published shortly thereafter, the 45 day referendum period will expire in mid-April. After the referendum period expires, in order to issue and sell the Bonds, the City Commission would need to adopt an ordinance or resolution to authorize the issuance of the Bonds which will determine the amount of the Bond issue to be financed.

We would appreciate receiving three (3) certified copies of the Resolution upon its adoption as well as three (3) Affidavits of Publication from the newspaper in which the Notice of Intent is published. **Please remind the newspaper that the Notice must be a quarter page ad.**

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

Mr. Aaron B. Kuhn

-3-

February 13, 2024

If you have any questions, please do not hesitate to contact me.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

A handwritten signature in blue ink, appearing to read "Patrick F. McGow", written over a horizontal line.

By:

Patrick F. McGow

cc: Rebecca Fleury
Kari Blanchett
Sarah Moore
Juli Baker

41739206.1/006548.00125

EXHIBIT A

NOTICE TO ELECTORS OF THE CITY OF BATTLE CREEK AND TO USERS OF THE CITY'S WATER AND WASTEWATER SYSTEM OF INTENT TO ISSUE REVENUE BONDS PAYABLE FROM THE REVENUES OF THE WATER AND WASTEWATER SYSTEM AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Commission of the City of Battle Creek intends to issue and sell the City's Water and Wastewater System Revenue Bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in the maximum aggregate principal amount of Thirty Million Dollars (\$30,000,000) (the "Revenue Bonds"), for the purpose of paying costs to acquire, construct and equip various improvements to the City's Water and Wastewater System, including Water Treatment Plant improvements, wellfield improvements, pump station improvements, lead service line replacements and all related site improvements, appurtenances and attachments.

The Revenue Bonds will mature in annual installments not to exceed thirty (30) years, with interest on the unpaid balance from time to time remaining outstanding on the Revenue Bonds at interest rates to be determined at sale of the Revenue Bonds but in no event to exceed such rates as may be permitted by law. The Revenue Bonds may be issued in one or more series and may be combined with revenue bonds issued for other purposes as shall be determined by the City Commission.

SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the City from the operations of the Water and Wastewater System (the "System") except as provided below in the case of revenue bonds sold to the Michigan Finance Authority in connection with the State of Michigan's Drinking Water State Revolving Fund program. The revenues will consist of rates, fees and charges billed to the users of the System, a schedule of which is presently on file in the City's Utility Billing Department and posted at www.battlecreekmi.gov. The rates, fees and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the System, to pay the principal of and interest on the Revenue Bonds and any other revenue bonds of the System, and to pay other obligations of the System.

ADDITIONAL SOURCES OF PAYMENTS FOR REVENUE BONDS SOLD TO MICHIGAN FINANCE AUTHORITY

IN THE EVENT THAT THE REVENUE BONDS ARE SOLD TO THE MICHIGAN FINANCE AUTHORITY, THE CITY MAY PLEDGE FOR THE PAYMENT OF THE REVENUE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. The City may enter into an agreement providing for the payment of taxes, which taxes are collected by the State and returned to the City as provided by law, to the Michigan Finance Authority or a trustee, and such funds may be pledged for the payment of the revenue bonds.

IN THE EVENT THAT THE REVENUE BONDS ARE SOLD TO THE MICHIGAN FINANCE AUTHORITY, THE CITY MAY PLEDGE ITS LIMITED TAX FULL FAITH AND

CREDIT AS SECURITY FOR THE REVENUE BONDS, IN WHICH EVENT DEBT SERVICE ON THE REVENUE BONDS SHALL BE PAYABLE EITHER FROM REVENUES OF THE SYSTEM OR FROM AD VALOREM TAXES THAT MAY BE LEVIED ON ALL TAXABLE PROPERTY IN THE CITY, SUBJECT HOWEVER, TO CONSTITUTIONAL, STATUTORY AND CHARTER TAX RATE LIMITATIONS.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT VOTE OF THE ELECTORS UNLESS A VALID PETITION REQUESTING AN ELECTION ON THE QUESTION OF ISSUING THE REVENUE BONDS, SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY, IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. If such petition is filed, the Revenue Bonds cannot be issued unless approved by a majority vote of the electors of the City voting on the question of their issuance.

THIS NOTICE is given pursuant to the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended. Additional information may be secured from the City Clerk's office.

Victoria L. Houser
City Clerk, City of Battle Creek