



Agenda: Battle Creek City Commission

Meeting Date: May 5, 2026 - 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

Proclamation for Professional Municipal Clerks Week 2026

Proclamation for Childcare Provider Appreciation Day 2026

Proclamation for Police Officer Memorial Week and Police Officer Memorial Day 2026

CHAIR NOTES ADDED OR DELETED RESOLUTIONS

PETITIONS COMMUNICATIONS REPORTS

PUBLIC COMMENT REGARDING ANY REMAINING AGENDA ITEMS

INTRODUCTION OF ORDINANCES

#12-2026 - A Proposed Ordinance, 12-2026, to amend Chapter 1281 of Title Six — Zoning of the Code of Ordinances to make text corrections, clarify requirements, correct formatting and make changes substantive in nature to Sections 1281.01(k)(8)B., 1281.01(k)(10), 1281.04(c)(1)A&B and 1280.01(g)A.

#13-2026 - A Proposed Ordinance, 13-2026 to rezone the properties located at 14 Yuba St. (Parcel #8040-00-147-0), 175 Main St. (Parcel #0890-00-075-0), and 169 Main St. (Parcel #0890-00-075-0) from MFR High-Density Multiple Family District to T-3 Neighborhood Commercial District for the purpose of converting an existing vacant single-family residence on the site into an office building to support organization operations. It should be noted that 175 Main St. and 169 Main St. share a common parcel but are separate in their addresses.

COMMISSION COMMENT REGARDING MEETING BUSINESS

CONSENT AGENDA

Minutes

Minutes for the April 21, 2026 City Commission Regular Meeting

Petitions, Communications, Reports

City Manager's Report for May 5, 2026

Planning and Zoning Division 2025 Annual Report

Proclamations Awards

Proclamation for Mental Health Month 2026

Resolutions

374 - A Resolution authorizing a change order to purchase order 20260268 with Stantec Consulting Group, Inc. for additional work on the City's utility rate study in a not-to-exceed amount of \$6,375.00.

375 - A Resolution seeking acceptance of the lowest responsive, responsible bid for Verona Equipment and Painting project from Miller-Davis Company in a not-to-exceed amount of \$91,400.00.

PULLED - 376 - A Resolution appointing Assistant City Manager Marcie Gillette as an alternate representative for the City of Battle Creek on the Firekeepers Local Revenue Sharing Board.

RESOLUTIONS NOT INCLUDED IN THE CONSENT AGENDA

377 - A Resolution seeking authorization for legal signatures in the absence of the City Manager.

378 - A Resolution approving Retention of Outside Counsel for Fire Truck Antitrust Litigation.

379 - A Resolution seeking authorization for the City Manager to sign a contract for the purchase of information technology infrastructure hardware from People Driven Technology, Inc. in an estimated amount of \$1,789,364.00, with unit prices prevailing.

380 - A Resolution seeking acceptance of the lowest responsive, responsible bid for Verona Pumping Station Reroof project from Royalty Roofing USA LLC d/b/a Division 7 Building Contractors in a not-to-exceed amount of \$297,950.00.

381 - A Resolution to approve Petition PSUP26-0001, a special use permit for the expansion of the Sunset Gardens cemetery located at 15769 S Helmer Rd. onto the unaddressed Parcel #0066-00-110-0. The cemetery expansion will include the opening of a new natural burial garden on the cemetery property on Parcel #0066-00-110-0. No new parking will be included with the expansion, as the existing road at Sunset Gardens will provide parking for the expansion with widened cutouts in select areas.

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 speaker's 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 business 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, but only when the law requires a separate period of public comment, 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 public comment period on any specific agenda item, whether it be a public hearing, an ordinance introduction or adoption, a consent agenda item, or a resolution not on the consent agenda, each speaker may address the Commission once, regarding anything on the meeting agenda, for a total not to exceed four minutes regardless of how many agenda items the speaker is addressing, which time period may be lengthened or shortened by the Mayor or presiding officer when appropriate.

(d) 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.

(e) 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 subsection 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 their 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 subsection 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.