



City of Battle Creek
Blue Ribbon Advisory Committee
Department of Public Works
Multi-Purpose Room
150 South Kendall Street
Battle Creek, MI 49037
April 11, 2018
5:30 PM

CALL TO ORDER - ATTENDANCE

Committee Members Present: Schwarz, Hanner, Champlin, McIlroy, Antaya, Helmboldt (departed 6:32), Burlson, Settles, Whitfield, Weaver, Tomak, Johnson, Moreno, Squires, Godfrey and Fukuyama, Drozdowski (arrived 6:13)

Committee Members Absent: Burton

Others Present: Jill Steele, City Attorney: Rebecca Fleury, City Manager: Victoria Houser, City Clerk

Call to Order: Dr. Schwarz called the meeting to order at 5:30 p.m.

PUBLIC COMMENT

There were no public comments.

APPROVAL OF MINUTES

Minutes from March 21, 2018

Mr. Godfrey, supported by Ms. Tomak, made a motion to approve the March 21, 2018 meeting minutes. All yes, none opposed.

Motion approved.

STATEMENT OF PURPOSE

PRIOR MEETING BUSINESS

Blue Ribbon Advisory Committee Public Survey

Ms. Fleury shared the current Blue Ribbon Advisory Committee survey results with committee members, noting these were preliminary on-line results only. Ms. Fleury noted a paper copy of the survey would be delivered in all May 2018 water bills.

Mr. Weaver cautioned that the survey could be taken multiple times by the same person.

Ms. Settles expressed concern that it was difficult to have confidence in the survey if it can

be taken multiple times.

Additional Consideration/Discussion of Charter Amendments

Dr. Schwarz stated the committee would review each topic and take a vote on each issue to help determine if a majority felt strongly about an issue, which would help to complete the committee's recommendation.

1. Selection of Mayor and Vice Mayor

Dr. Schwarz discussed the goals and the general consensus, requesting the committee review the summary that he provided to each member. Dr. Schwarz asked the committee to provide input to determine the preferences of the committee. Dr. Schwarz stated his impression was that a significant majority felt the Mayor and Vice Mayor should be elected directly.

Mr. McIlroy stated he did not believe there was a benefit to directly electing the mayor and vice mayor, asking that committee members provide additional information why they believe it would be best for the City and the Commission to directly elect both positions.

Ms. Antaya expressed her preference for the direct election of both the mayor and vice mayor, stating she felt this is what the residents want. Ms. Antaya also recognized that the voters may elect someone the other commissioners cannot work with. Ms. Antaya also stated she felt 2 year terms were best, however noting 4 years may allow the council to make progress on initiatives. Ms. Antaya also stated that all commissioners should be elected in the same year, not staggering terms, ensuring equal voting for all commission candidates as some election years have lower voter turnout than others.

Mr. Whitfield expressed agreement with Mr. McIlroy, stating it was important to have a mayor who understands the running of the government, not someone who is just popular, stating he not agree with a direct election of the mayor and vice mayor. Mr. Whitfield expressed confidence in the City Manager and her staff's ability to ensure proper functioning of the city. As to lower voter turnout, Mr. Whitfield noted the election of city commissioners was moved to even years, which would result in high voter turnout than historical odd year elections.

Ms. Settles stated she was open to change, stating she was in favor of direct election of the mayor, stating this position would be accountable to all residents, not just the residents in their wards. Ms. Settles stated she was undecided on the question of staggered terms.

Mr. Moreno felt it was time to embrace an opportunity for change, supporting a direct election of mayor and vice mayor.

Mr. Whitfield stated his ward has experienced good support from the current mayor and at-large commissioners, that he does not agree with direct election of mayor, stating this may result in a candidate with more personal interest in one area of town. Mr. Whitfield stated his preference it was best to have the commissioners nominate a commissioner as mayor who they can work well with, allowing more progress for the city.

Mr. Godfrey expressed agreement with Mr. Moreno, stating citizens have been concerned with the election of the mayor since 2004. Mr. Godfrey noted the City would have to make great efforts to inform the public that the responsibilities of the mayor do not change simply because they are directly elected. As to concerns about north vs. south areas of town, Mr. Godfrey stated a candidate for mayor would understand the need to represent all city residents.

Mr. Champlin stated it was important the public understands there is little difference in the responsibilities of the mayor in relation to other commissioners.

Mr. Godfrey stated City administration immediately informs a newly appointed mayor of his responsibility to appoint members to boards and committees. Mr. Godfrey stated residents have requested that they be able to participate in the selection of the mayor.

Dr. Schwarz expressed his view that mayors that are directly elected seem to have more clout and recognition when representing the city to outside organizations or other municipal and state businesses, stating this is important when testifying before a committee.

Ms. Squires agreed voters should be educated, stating she believes residents want to be able to chose their mayor and vice mayor. Ms. Squires recalled her previous experience on the commission, stating the organizational meeting when the mayor and vice mayor is nominated can be the most contentious meeting of the year, resulting in long lasting detrimental effects.

Mr. Helmboldt asked why the committee continued to discuss the direct election of the mayor, stating he thought the committee had already agreed direct election was best.

Dr. Schwarz noted there was not unanimous agreement, stating they were seeking each committee member's input.

Mr. Whitfield confirmed that the committee was simply making a recommendation, but the Commission did not have to accept all of the recommendations.

Mr. Champliin, referencing the data regarding other municipalities' council information, stated he was hoping the information could inform them whether the direct election of a mayor ensured a municipality was more successful. Mr. Champlin noted the survey showed that respondents who knew the most about how the city functioned preferred the appointment of mayor by the commission. Mr. Champlin also thought it was interesting that Dr. Schwarz felt a directly elected mayor had more clout outside of the city, stating he thought a mayor elected by peers would also have recognition. However, Mr. Champlin, noting the committee members who previously served on the commission were accepting of the direct election of the mayor, stated he would be in favor of direct election. Mr. Champlin cautioned the committee to refer to the comments received on the survey, more so than the numbers.

Ms. Fukuyama expressed her preference for the direct election of the mayor, stating residents may have more interest and pride in the City if they could elect their mayor.

A motion was made by Mr. Moreno, supported by Mr. Godfrey, that the mayor and vice mayor of the city of Battle Creek be chosen by direct election.

Yes: Antay, Burleson, Champlin, Fukuyama, Godfrey, Hanner, Helmboldt, Johnson, Moreno, Schwarz, Settles, Squires, Tomak, Weaver

No: McIlroy, Whitfield

Motion passed.

2. Changing the Size of the Commission

Dr. Schwarz asked the committee to discuss the size of the commission.

Mr. Helmboldt reminded the committee that the previous meeting discussion leaned toward 7 ward commissioners and a mayor and vice mayor.

Mr. McIlroy asked city staff if it would be difficult to redraw ward lines.

Clerk Houser noted it would not be difficult, but that it would take time to gather the data

needed to ensure each ward had an equivalent number of residents, within a certain percentage.

Ms. Antaya suggested the ward boundaries more closely resemble neighborhoods.

Ms. Fukuyama said she was leaning in favor of 7 wards, asking if a draft of seven proposed wards could be provided.

Mr. Moreno suggested the proposed map be provided with the proposed charter changes the committee recommends.

Mr. Helmboldt informed the committee that there were many websites for redistricting, based on census blocks. Mr. Helmboldt noted that regardless of the number of wards, there will still be a neighborly areas within the city.

Ms. Drozdowski noted 9 elected council members has worked well for several years, stating increasing the number of commissioners could be unwieldy. Ms. Drozdowski stated her preference that the City stay with 5 wards, stating that unless the city were to go to 50 wards, it would be difficult to accomplish neighborhood representation. Ms. Drozdowski stated there may be a disadvantage to having only ward commissioners, stating they may only take care of their ward, not representing all city residents, noting at-large commissioners do represent all residents.

Comm. Helmboldt expressed his preference of 9 commissioners, with 7 wards.

Attorney Steele informed the committee that the charter requires the wards be redrawn when there is a 10% imbalance, and every 10 years after the census if needed. Attorney Steele noted the Home Rule City Act requires wards that are as nearly of equal population as is practicable and contiguous and compact. Attorney Steele also noted that ward changes will require precinct changes also.

Mr. Godfrey suggested the NPCs be restructured to more closely coincide with wards, creating a more neighborly representation.

Attorney Steele noted the Charter and the ordinances do not reference NPCs, stating NPCs were created by resolution.

Ms. Tomak asked prior commissioners if the city would lose benefits if a change was made from 5 to 7 wards, such as commissioners no longer attending NPCs outside of their ward.

Ms. Squires noted most at-large commissioners do not attend every NPC meeting.

Mr. Whitfield, expressing disagreement, stated at-large commissioners attend his NPC meetings regularly, at least quarterly.

Mr. Godfrey noted the at-large commissioners would be the mayor and vice mayor, noting their commission roles will not change. Mr. Godfrey also noted ward commissioners attend several NPC meetings, including NPCs outside of their ward. Mr. Godfrey stated part of their duties could be the attendance of one to two meetings at each NPC per year. Mr. Godfrey stated it is well understood that all commissioners, whether at-large or ward, are required to represent all residents of the city.

Ms. Squires asked what the cost would be to make the ward, and resulting precinct, map changes.

Ms. Fleury stated staff would be required to review all wards in 2021 after the 2020 census, stating the City's GIS department will be able to make the map changes.

Mr. McIlroy noted the committee was recommending a small change to the make up of the commission, to add 2 ward commissioners, remove 2 at-large commissioners, and electing 2 at-large commissioners as mayor and vice mayor.

Mr. Champlin stated he was supportive of the 7 wards and the at-large representatives be the mayor and vice mayor, acknowledging a neighborhood feel could not be achieved with only 7 wards.

Attorney Steele informed the committee that they were not responsible for determining how the wards would be set, stating the determination would be set by legal guidelines.

Mr. McIlroy stated his preference that a motion be made to keep the make up of the commission the same as it currently is.

A motion was made by Ms. Squires, supported by Mr. Moreno, to stay with a 9 member commission, with a direct election of the mayor and vice mayor, and 7 ward commissioners.

Ms. Antaya recommended an amendment that the changes be made after the 2020 census when changes are made in 2021.

Mr. Schwarz stated he was opposed to a delay.

Mr. Moreno stated they needed to embrace change and move forward, expressing concern delay may allow for complications.

Mr. Godfrey expressed agreement with recommending changes be implemented as soon as possible.

Mr. Champlin, noting that the committee has stated they want to make sure all residents are heard, stated the proposed change to 7 ward commissioners reduces the number of candidates each resident can vote for.

Mr. Schwarz stated his preference would be that all city commissioners be at-large, not ward candidates, stating he understands everyone's concerns.

Yes: Burleson, Fukuyama, Godfrey, Hanner, Johnson, Moreno, Schwarz, Settles, Squires, Tomak, Weaver

No: Antaya, Champlin, Drozdowski, McIlroy, Whitfield

Motion passed.

Dr. Schwarz requested the City Attorney put the committees recommendations in writing, which included 9 commissioners, with 7 ward commissioners and 2 at-large commissioners elected as mayor and vice mayor, each for 2 year, non-staggered terms.

Attorney Steele clarified if the mayor and vice mayor would run independently, or as at-large commissioners, would it be the highest voter recipient as mayor and the second as vice-mayor.

Ms. Drozdowski expressed her belief that if there was an open position, someone would run.

3. Staggering Commission Terms

Dr. Schwarz asked if the Committee was interested in staggering Commission terms.

Mr. Godfrey noted staggering of council terms would only be applicable for 4 year terms, noting two year staggered terms would require an election every year, which would contradict the recent recommendation of the Local Officers Compensation Committee and the action of the City Commission to move City Commission elections from odd years to even years.

A motion was made by Ms. Squires, supported by Ms. Drozdowski, not to stagger the terms of the elected officials. All in favor, none opposed. Motion approved.

4. Length of Commission Terms

Dr. Schwarz stated the next issue was the term length of the mayor and vice mayor, asking if they should be 2 years or 4 years, and whether terms should be staggered.

Mr. Moreno expressed his preference for 2 year terms, with elections in even years.

Mr. Hanner expressed agreement with Mr. Moreno, expressing concern that if the terms were for 4 years, commissioners that do not work well with the other commissioners or who sought office to advance their personal agendas, could cause turmoil. Mr. Hanner stated the election of mayor and vice mayor should coincide with all other commission terms. Mr. Hanner also stated that if commissioners were elected for 4 years, the residents would be stuck with an elected official who does not represent the priorities of the city. Mr. Hanner expressed hope that someone who ran for mayor would have the best interest of city, not a particular political party.

Mr. Helmboldt stated he was initially interested in 4 year staggered terms, but based upon discussions, he is in favor of retaining the 2 year, non-staggered terms.

Ms. Antaya requested committee members discuss the benefits of 4 year terms.

Mr. Schwarz stated an elected official would have more time to learn the government process during a longer term, allowing them to do a better job. Mr. Schwarz also noted election costs may be reduced if the terms were changed to 4 years. Mr. Schwarz stated he had no strong feelings either way.

Ms. Squires expressed concern an elected official may get burned out with a 4 year term, only running for one term, stating her preference the terms remain at 2 years.

A motion was made by Ms. Squires, supported by Mr. Champlin, to keep the terms of elected officials, commissioners, mayor and vice mayor, at 2 years.

Yes: Antaya, Burleson, Champlin, Drozdowski, Fukuyama, Godfrey, Hanner, Helmboldt, Johnson, McIlroy, Moreno, Settles, Squires, Tomak, Weaver, Whitfield

No: Schwarz

Motion passed.

NEW BUSINESS

Other Relevant Charter Amendments

Ms. Fukuyama requested the committee consider discussing commission term limits.

Dr. Schwarz expressed his opinion term limits are unconstitutional, stating you cannot take

away a legitimate voting citizen's right to run for office. Dr. Schwarz stated the City Commission has not had a problem with commissioners who have served numerous terms. Dr. Schwarz stated term limits have limited legislative process, stating term limits are not effective.

Attorney Steele noted some communities have term limits in their charter, stating the Attorney General has approved the language.

Dr. Schwarz, based on committee interest, stated the topic of term limits would be put on the next meeting agenda.

Mr. Burlison requested data on commission terms and the commission history.

COMMITTEE DISCUSSION

NEXT MEETING: TBD - April _____, 2018 at 5:30 pm, DPW Multi-purpose Room

Committee members set the next meeting of the Blue Ribbon Advisory Committee to be held on Wednesday, May 16, 2018 at the DPW Multipurpose Room.

Ms. Fleury questioned whether the committee still wanted the survey to be mailed to water customers, as several preliminary decisions had been made by the committee.

Attorney Steele reminded the committee that the Commission may want additional input, reminding the committee they are advisory and would simply be making a recommendation. Attorney Steele noted the Commission may request a public hearing or community conversations, in addition to the survey data.

Committee members agreed it would be beneficial to provide public survey data to the Commission, allowing everyone's input to be considered.

ADJOURNMENT

The meeting was adjourned at 7:06 p.m

PARKING LOT/FUTURE CONSIDERATIONS

Number and Characteristics of Wards

- One Ward - All At-Large
- All Wards - All Ward Council
- Combination - Ward and At-Large