

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
April 28, 2015

Township Board special work session was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at 5:00 p.m.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Nancy Carr
Trustee Dusty Farmer
Trustee Lee Larson
Trustee Grant Taylor

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Fire Chief Mark Barnes, Planning Director Greg Milliken and 16 interested people.

Discussion – Capital Improvement Plan – Township Financial Consultant Steve Bryer from Siegfried, Crandall, P.C. provided information on fund balances, methods to budget assigned and committed funds. Discussion also included the Capital Improvement Plan and budgeting for items in the plan. Planning Director Milliken advised discussion of the CIP is planned for the May 19th joint boards meeting.

Discussion – Center for Public Safety Management (CPSM) Final Report Regarding Police Protection Fire Chief Barnes introduced members of the ad hoc citizen Police Committee present. He advised consultant Leonard Matarese from CPSM will attend the regular meeting to present his final report and recommendation.

Jim Sterenberg, citizen member of the police committee commented he represents the average citizen, his background is in efficiencies, logistics and budgeting; this is a complicated issue, there's no magic answer, a lot of work was done by the committee and he appreciates the Board looking at the different options, he has come full circle and feels the Township needs its own department.

Jack Shepperly, citizen member of the police committee commented as the process as progressed, as the costs line up, he has had a change of opinion and supports the Township starting a department. He commented he is retired from the Battle Creek Police Department and coordinated contracts with neighboring Townships.

Jim Taylor, citizen member of the police committee commented he lives adjacent to a public housing development where there have been issues. He advised he is a dean in law enforcement at KVCC, he feels the growth and diversity will at some point put the Township in a position to make a decision to form a police department, and as a consumer, the level of service he needed was not received; he feels the level of service would increase with a Township department.

Others in attendance included residents from the Leisure Time Condominiums, Redstone Farms and Quail Meadows. Comments included appreciation for the work the Board has done, there have been issues in their neighborhoods, residents want to feel safe and expressed concerns with lack of follow up from KCSD.

Attorney Porter commented he felt the recommendation the Board has received is not a reflection on the deputies who work in the Township.

Other Business –

Attorney Porter advised he has learned of legislation that will further expedite power line projects, further eroding local input.

Trustee Carr advised she has heard from several residents who would like to see tornado sirens. It was noted a study was conducted approximately 10 years ago which advised to adequately cover the Township at least ten sirens would be needed, estimated cost at that time was \$100,000 each. There was discussion of apps now on phones and weather monitors available.

Attorney Porter advised he had received from a resident a suggested change to the text amendment for the Hawkers, Peddlers Ordinance that would add "or property" to the wording regarding approaching "No Solicitation" signs. This item will be taken up on the regular agenda.

The Board work session adjourned at approximately 6:45 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at approximately 7:00 p.m.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Nancy Carr
Trustee Dusty Farmer
Trustee Lee Larson
Trustee Grant Taylor

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Fire Chief Mark Barnes, and approximately 45 interested people.

CITIZEN COMMENTS

Dave Bushouse, 992 North 7th Street commented he felt the audio system in the meeting room should be upgraded; there is difficulty hearing.

CONSENT AGENDA

Items on the consent agenda were:

- a) Minutes of April 14th regular meeting
- b) Receipts & Disbursements Report
- c) Freedom of Information Act Policy amendments.
- d) Update on Continuous Quality Improvement (CQI) for EMS

**DISCUSSION WITH CONSULTANT – CENTER FOR PUBLIC SAFETY MANAGEMENT (CPSM)
FINAL REPORT ON TOWNSHIP POLICE PROTECTION**

Leonard Matarese, consultant from CPSM presented his final report on the study conducted regarding police protection for the Township. He noted their study included level of service the Township is currently receiving, workload and deployment and advised the Board to identify the level of service the community desires; a request for proposal was issued with only the Kalamazoo County Sheriff's Department (KCSD) responding. He noted their proposal is open ended and requires purchase by the Township of gear, vehicles and other items. He advised the Township is left with four options, continue with the current level of service and staffing under the current contract, accept the KCSD new proposal, get out of the business of providing additional police service and strictly rely on the general county KCSD patrols, or create a Township law enforcement agency. He provided information on his recommendation that the Township establish its own police department and provided a proposed organizational chart and estimated annual budgets for start-up costs and annual operations.

Trustee Carr inquired with regard to the option of getting out of the business whether there is danger in considering that option. Mr. Matarese advised very few municipalities the size of the Township with 22,000 population would rely on the rural based law enforcement of the general county patrol. He commented he would hesitate to say that is a good option.

Jim Taylor, citizen member of the police committee commented he is a 20 year resident, he believes because of the diversity and growth of the community it is inevitable at some point the Township will have to make a decision whether to form a police department; he feels that time is now.

Jim Sterenberg, citizen member of the police committee commented he began not knowing a lot about law enforcement; initial data indicated it would not be financially possible for the Township to have its own department, however, with the analysis from CPSM it became clear it might be viable. He further commented he doesn't want to spend more but the need is there, the Township would have control; he considers schools, location, shopping, fire and police, all things that contribute to community pride; he has gone from not wanting to start a department to feeling it is now the best option.

Dave Bushouse, citizen member of the police committee commented he is a 60 year resident of the Township, a lot of time has been spent on this issue with the committee and consultant, the Township needs to be more proactive, he supports the Township having its own police department. He further commented the Township has been conservative financially, a special assessment district was created to support the Fire Department, the same can be done for police; special assessments are reconsidered annually unlike a millage.

Jack Shepperly, member of the ad hoc citizen committee commented he has a 25 year background in law enforcement, was originally opposed to starting a Township department, bids were sought, now is the time to choose, he feels the Township would be better served having its own department to serve the stakeholders in the community.

Chief Barnes provided an overview of the police committee work and statistics on crime in the Township and information from the community survey conducted in 2013 which generally supported law enforcement as a budgeting priority.

Themi Corakis commented he is a 44 year resident, the community is no longer rural and will need more police protection, we need to move forward, it is a big expense but with its own department the Township would have control.

Karen Curtis commented she is a 24 year resident of the Skyridge neighborhood which has had among other problems drag racing, speeding, and thefts. She commented they are forming a neighborhood watch, they feel they do not receive a lot of follow up from the KCSD; the neighborhood is feeling quite frustrated.

Tom Doherty, commented he is a resident of Redstone Farms, a growing community with a new phase developing; the neighborhood needs clean up and hopes the proposal will be seriously considered.

Jackie Kimble, resident of the Skyridge neighborhood commented more police are needed, they are not getting a lot of response from KCSD but realize they are spending most of their time at businesses. She further commented residents pay for State Police, KCSD, and additional to the Township but hardly ever see a police car; the Township allowed the additional traffic in their neighborhood, she is not eager to pay more.

Leroy Robertson, resident of the Skyridge neighborhood inquired how many police on duty during the day, afternoon, and night shift and had the Township thought about cross training as the City of Kalamazoo does.

Supervisor Heiny-Cogswell advised the number of officers on duty varies from zero to four depending on the KCSD determined schedule, between 2 a.m. and 7 a.m. there are no dedicated Oshtemo deputies and while cross training was not discussed as the preferred direction there could be some efficiencies. In response to a question regarding the State Police, Supervisor Heiny-Cogswell and Chief Barnes advised the Township did request patrols. The initial MSP response was "no" due to staffing, however the Township is aware of MSP doing patrols here when they have adequate staffing. Local policing is not their mandated primary mission.

Trustee Carr commented there has been a lot heard about growth, there has been residential growth in Texas Township and Mattawan, Oshtemo has seen growth in big box stores; she is not and has never been in favor of a Township police department and would like to work with the current six deputies with the special assessment and work to be more efficient. She noted she would also like to see the question of whether to start a Township department go to the voters.

Attorney Porter advised State law does not allow the Township to place an advisory question on a ballot.

Trustee Taylor commented he felt there was another option of going back to KCSD, he has concerns of unforeseen costs in both proposals, there would be benefits to having a Township department, if the decision is to move forward with establishing a police department, the consultant recommendation of a public safety department encompassing fire, police, ordinance enforcement and animal control, etc. should be explored with one special assessment.

Trustee Larson commented he felt after review, the KCSD proposal is not a viable option, open ended with no limit on costs, the Township is at the place where there is a need to establish a department as with fire and work for collaboration in other areas.

Trustee Farmer commented while she was opposed to establishing a Township department based on the cost, the recent proposal has closed that gap and she is leaning toward a Township department especially in consideration of the value of local control and community engagement with officers who know the community. She further commented she would like to work with KCSD but their proposal would require changes.

Supervisor Heiny-Cogswell commented she sees two options, further negotiations with KCSD or start a Township department. She also commented she was not originally in favor of a Township department, but the research has opened the door; there has been a growth in crime that needs to be addressed, considering a Township department addresses the need to look down the road.

Clerk Everett commented she has concerns of unintended consequences and unknown costs in establishing a Township department, more detailed cost information is needed, is not opposed to further discussion with KCSD but the same proposal would leave no alternative.

Mr. Matarese commented he thinks the costs presented in his recommendation are realistic based on his past experience and local cost information provided by Chief Barnes. He further commented the decision should not be driven by cost; the cost differential between the KCSD proposal and having a Township department is small in terms of the overall budget; the discussion should focus on service, and the questions he posed in the final CPSM report; there is a level of dissatisfaction in the community, the Board has done their due diligence.

Treasurer Culp commented she would support further negotiation with KCSD.

Supervisor Heiny-Cogswell commented she had been contacted by Sheriff Fuller and will bring information from their discussion back to the Board, most likely in June. Further Board comments included discussion there is more budget work needed, the cost of the KCSD contract will continue to increase, and further discussion would be needed on facility needs for either option.

**TEXT AMENDMENTS
LIFE & DISMEMBERMENT INSURANCE PLAN ORDINANCE
HAWKERS, PEDDLERS ORDINANCE**

A text amendment to correct the term "volunteer" to "paid on call" firefighters in the Life & Dismemberment Insurance Plan Ordinance was before the Board for Second Reading.

As discussed at the earlier work session, the wording "or property" was added to the text amendment to the Hawkers, Peddlers Ordinance and was also before the Board for Second Reading.

Motion by Heiny-Cogswell, second by Taylor to adopt the text amendments to both ordinances including the suggested change to the Hawkers, Peddlers Ordinance. Carried 7-0.

**OTHER BUSINESS
KALAMAZOO VALLEY INTERGOVERNMENTAL AMBULANCE AGREEMENT (KVIAA)
CONTRACT CHANGE**

Chief Barnes presented a request to allow an adjustment to the existing KVIAA contract to change the requirements of ambulance personnel to one qualified paramedic and one State of Michigan licensed EMT meeting Kalamazoo County Medical Control Authority (KCMCA) EMT requirements.

Motion by Farmer, second by Culp to approve the contract change as requested. Carried 7-0.

BOARD MEMBER COMMENTS

Trustee Farmer inquired on the status of the previous discussion of a streetlight at the entrance to Fire Station No. 2 on South 6th Street. Treasurer Culp advised she is still working with Consumers Energy.

Trustee Carr inquired regarding a memo from Supervisor Heiny-Cogswell regarding the US 131 bypass interchange. Supervisor Heiny-Cogswell advised the study results had been distributed; the memo was provided as background information.

CLOSED SESSION

Motion by Culp, second by Larson to adopt a resolution to adjourn to closed session to consult with the Attorney for purposes of discussing pending litigation because to do so in an open meeting would have a detrimental effect up on the Township's position and disclose matters protected by attorney-client privilege.

Roll call showed Taylor-yes, Carr-yes, Culp-yes, Heiny-Cogswell-yes, Everett-yes, Larson-yes, Farmer-yes.

The Board adjourned to closed session at approximately 9:20 p.m.

Motion by Everett, second by Taylor to return to open session at approximately 9:40 p.m. Carried 7-0.

Motion by Everett, second by Culp to proceed as recommended by special counsel. Carried 7-0.

There was no further business and the meeting was adjourned at approximately 9:40 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: ELIZABETH HEINY-COGSWELL
Supervisor