

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
July 14, 2015

Township Board 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 Zak Ford
Trustee Grant Taylor

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Assessor Cathy Harrell, Parks Director Karen High, Fire Chief Mark Barnes and 12 interested people.

Update – Kalamazoo County – County Commissioner Julie Rogers provided updates on activities of the County Board.

Update – Kalamazoo County Sheriff’s Department – Sgt. Johnson provided information on recent activities in the Township.

Accomplishments, Goals & Visions – Clerk Everett, Attorney Porter, Assessor Harrell, and Parks Director Karen High each provided their Accomplishments, Goals & Visions reports for 2014, 2015 & 2016.

Update – Audio Visual Equipment Upgrades – Jon Gibson, IT consultant provided information on proposed upgrades to the audio visual equipment for the Township Hall meeting room and Fire Station No. 2 training room; this item will come back to the Board for further consideration after more information is received and reviewed.

The Board work session adjourned at approximately 6:55 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 Zak Ford
Trustee Grant Taylor

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Fire Chief Mark Barnes, and approximately 30 interested people.

CONSENT AGENDA

Items on the consent agenda were:

- a) Minutes of June 23rd regular meeting
- b) Receipts & Disbursements Report
- c) Committee Appointment Recommendation
- d) Job Description – Ordinance Enforcement Administrative Assistant
- e) Employee Handbook Amendment – Relief Time

Trustee Carr requested Item A be removed from the consent agenda.

Motion by Taylor, second by Farmer to approve the consent agenda as amended. Carried 7-0.

Trustee Carr had questions regarding Item D pulled from the consent agenda at the June 23rd meeting; Supervisor Heiny-Cogswell clarified it was an updated Boards/Committees list due to additional slots previously held by former Trustee Larson being filled between the time the consent agenda item was prepared and the June 23rd meeting. Trustee Carr also inquired if another item had been pulled regarding the trustee appointment process, Supervisor Heiny-Cogswell noted the appointment was made at the June 9th meeting.

Motion by Taylor, second by Carr to approve the minutes of the June 23rd meeting. Carried 7-0.

DISCUSSION – NO DISCHARGE OF FIREARMS/HUNTING

Wes Freeland, 2545 Creek Shire Ct. presented information regarding an incident of a firearm discharge on June 7th that resulted in a bullet going through a window and into his home. He believes it ricocheted from a nearby area where target shooting takes place and was accidental.

Supervisor Heiny-Cogswell noted in 2005 the Township requested the no discharge of firearms area be expanded to include the area of the incident; the request was denied by the DNR.

Attorney Porter advised the Township has been limited in authority to designate no hunting and discharge of firearms areas, however a new State statute that will go into effect on August 10th states it does not prohibit a local unit from prohibiting or regulating conduct with firearms which seems to open the door to allow the Township to implement such zones. He advised he would recommend the Board seek public input, as well as confer with the DNR and seek an Attorney General opinion to clarify the new law.

In response to board members questions regarding target shooting, Attorney Porter advised there is no regulation on time of day it is allowed, currently there are no recognized target ranges in the Township as defined by State regulations, and establishment of no discharge areas would not be done by zoning district necessarily, rather based on density.

Supervisor Heiny-Cogswell presented a letter from Kitty Gelling, 7060 Hawthorn Valley advising of incidents of hunting on her property and requesting the Board take action.

Consensus was to accept Attorney Porter's recommendation to seek public input, confer with the DNR and ask for an Attorney General opinion regarding the Township's ability to establish no discharge of firearm areas and report back to the Board at the August 25th meeting.

DISCUSSION – POLICE PROTECTION

Police Committee members Malcolm Blair, Jim Sterenberg, Jim Taylor, and Keith Bearup were present with a recommendation for Board discussion which maintains the current level of service at 7 deputies, changing the current traffic officer to regular deputy status, adding a Lieutenant to serve as direct liaison to the Supervisor and as a community policing officer, shift the current Sargent position to the afternoon/evening shift, add an in house part time Police Specialist to follow up on issues, insure desired reports are received in a timely manner, and maintain communication with the Sheriff and citizens as needed, and a facilities study to begin in 2015 with the goal of construction in 2017. The recommendation also includes a timeline of maintaining the recommended 2015 staffing through 2017 at which time an evaluation and decision would be made to either continue with a contract or start a Township police department.

Mr. Bearup advised the recommendation has grown out of several years of deliberation and fact finding; tremendous growth has occurred and based on current trends will continue, the current policing model is still reminiscent of the original agreement with Kalamazoo County which started in 1979; what originally was a cost sharing agreement now has the Township bearing 100% of the cost, the committee studied forming a Township police department and discussed the need to have conversation with the County to expand the current relationship to address current and future needs. Mr. Bearup also commented as a citizen and from discussion with his neighbors, is seeking more community policing which would reinforce a sense of community pride like that of the Fire Department. He further commented he was pleased to see the number of people in attendance including representatives from Kalamazoo County.

Mr. Blair commented there appears to be no difference in cost between the estimated cost for a Township department and the latest KCSD proposal, the current contract has little Township input as to quality and quantity of services provided. To guarantee police protection the Township will need its own department, first plan for facilities and keep present number of officers the same.

Mr. Sterenberg commented originally he thought to have a Township department was not an option due to cost but as their study progressed the cost is comparable to the latest proposal from the KCSD; the general consensus seems to be the current contract is not adequate, the recommendation is a hybrid which would provide better communication and more input from the Township; there is reluctance to increase the number of deputies at this time due to concerns regarding communication and lack of control.

Sheriff Richard Fuller commented the requested Lieutenant could be used for community policing, he applauds the Township for looking seriously at this issue, although not always in agreement, feels the County has supplied time, data and energy to this process. He also commented that while townships who contract with the County are paying full direct cost of an officer, they also receive subsidies in the form of support services such as detectives and clerical; each contract township has a captain assigned to them for communication and the Sargent does provide updates to the Board; the County wants to continue to work with the Township as a partner.

Jim Lefler, 8644 Hathaway Road, commented he is very satisfied with level of police, sees no need to expand, the police fund balance should have been returned to the taxpayers, he is a firm no on a Township police department, any change in the special assessment should be put before the voters, attempts to find crime data has been difficult, nationwide crime has decreased; the Township could establish a citizen police board for oversight.

James Rose, 10280 West M Avenue, commented he is a 50 year resident, has never felt he didn't have protection, doesn't mind paying fair share, but would leave current contract as is.

Themis Corakis, 6416 Stadium Drive commented the special assessment was increased previously for more officers which were never acquired, he has heard data that crime is increasing, now hearing it is not; the Township needs to be proactive and make a decision.

Greg Johnson, 4957 Olde Forest Drive, commented he is a 20 year resident, he is opposed to starting a Township police department, the estimates do not include all the costs, regarding lack of follow up, if there are not enough officers to do follow up, they are being set up for failure, he hears of crime in the apartments east of 9th Street and businesses, versus problems in residential areas.

Victor Yost, 6370 Saybrook Drive, commented he is a 13 year resident, his taxes go up every year, crime is in the more densely populated areas, in the residential areas residents watch out for themselves.

Susan Eden, 6201 Thunder Bluff Road, commented she is a 45 year resident, is opposed to a Township police department and feels the Township should work with the KCSD.

Jean Bourner, 2090 North 6th Street inquired how much of the officers' time is taken up by car accidents.

John Taylor, Chair, Kalamazoo County Board of Commissioners commented the Township is paying 100% of the direct cost per deputy but not 100% of all costs. He further noted the Kalamazoo Township Police Department budget is \$4.5 million.

Julie Rogers, Kalamazoo County Commissioner commented on the need for more collaboration; all entities have shrinking revenue, other partnerships have been formed, i.e. 911 consolidated dispatch and KABA, she has not heard any constituents in favor of a Township police department, she has heard from 11 in the last 4 with a negative view.

Gene Clem, 4162 North 2nd Street, commented he is opposed to a Township police department, the Sheriff has a larger force and more experienced support; the Township should work on communication with the KCDS.

Dale Shugars, Kalamazoo County Commissioner, commented the Board should be cautious and consider the unintended consequences, public safety cost is hard to control, there is extreme liability, and should a Township department not work, is there an exit strategy.

Trustee Carr commented the greatest calls for service seem to be in the business district and multi-family areas, big box stores should be providing more of their own security, she has not heard there is a tremendous crime rate, having a Township police department is unnecessary, she does not support adding more deputies, scheduling should be addressed; this issue should be placed before the voters, she may agree to continue negotiations on the current proposal; a good idea from the committee is to have more control in the contract.

Trustee Taylor commented he supports the committee recommendation and facility plan but would like to see the KCSD proposal which seems to have what was requested implemented sooner than later realizing that infrastructure needs and funding must be discussed.

Supervisor Heiny-Cogswell commented she appreciates the public input and hearing the Sheriff use the word partner. She also commented she wished to clarify there is not an inconsistency in the need for deputies, the committee plan does propose expanding but did not want to increase with the current contract situation; most important is the protection of Oshtemo citizens, facilities are needed whether there is a contract or Township department, data compiled from KCSD and index crime information from the State was filtered by the consultant; the committee has done thorough work.

Trustee Farmer commented she sees the committee recommendation as an opportunity to allow the County to prove Township needs can be met, she supports the recommendation and more deputies with 24 hour coverage.

Treasurer Culp commented she supports increasing number of deputies but facilities and financing need to be addressed and she supports 24 hour coverage.

Clerk Everett commented she is not a proponent of starting a police department nor in support of the status quo, the Township needs more input in the contract; she supports the committee recommendation and 24 hour coverage, has questions regarding the scheduling process, and would need to see improvements before supporting an increase in deputies.

Trustee Ford commented the latest KCSD proposal contains everything the Board discussed; he is in favor of the proposal phased in based on current infrastructure.

There was also discussion that funding for the recommendations of the police committee to occur in 2015 is available in the police fund balance. Regarding the traffic officer board member and attorney comments included this position has value in addressing issues raised concerning speeding and assistance with traffic accidents leaving the other deputies available for other calls, consensus was to retain that position rather than transition it to a regular deputy position, and discussion of adding any additional deputies will take place during budget discussions for 2016.

Motion by Farmer, second by Taylor to proceed with the recommendation of the police committee for 2015 to begin negotiations with the Sheriff to add a Lieutenant, shift the Sargent position to the afternoon/evening shift, add the position of part time police specialist, begin the facility study, the only exception being to retain the traffic officer position, and also amend the 2015 budget accordingly. Carried 6-1 with Carr voting no. Board members requested Attorney Porter prepare a draft contract.

RCKC NON MOTORIZED WORK APPLICATION/AGREEMENT – STADIUM DR/9TH STREET

Supervisor Heiny-Cogswell presented for Board consideration non-motorized applications and draft agreement to the Road Commission of Kalamazoo County (RCKC) for the Stadium Drive/9th Street DDA streetscape plan. She noted while it seems premature given the design process is underway; Road Commission policy requires submission at this time.

Motion by Taylor, second by Everett to authorize the Supervisor to submit the applications and sign the agreement. Carried 6-1 with Carr voting no.

BOARD MEMBER COMMENTS

Trustee Farmer commented she appreciates the work by the Sheriff's Department and the Police Committee.

Supervisor Heiny-Cogswell reminded all the Drake Farmstead will be open for tours on Saturday, July 18th from 10:00 a.m. to 3:00 p.m. and the next Movies in the Park will be held on July 17th at dusk in the Township Park.

There was no further business and the meeting was adjourned at approximately 10:05 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: ELIZABETH HEINY-COGSWELL
Supervisor