

**OSHTEMO CHARTER TOWNSHIP BOARD
7275 West Main Street
Kalamazoo, MI 49009**

May 25th, 2021

Refer to www.oshtemo.org home page for Virtual Meeting Information

**REGULAR MEETING
6:00 P.M.
AGENDA**

1. Call to Order
2. Roll Call & Remote Location Identification
3. Pledge of Allegiance
4. Public Comment on Non-Regular Session Items

WORK SESSION ITEMS

5. Discussion on Sewer Survey (Continued)
6. Other Updates & Business

BREAK (Time Permitting) – 7:05 P.M.

REGULAR SESSION ITEMS – 7:15 P.M.

7. Consent Agenda
 - a. Approve Minutes – May 11th, 2021
 - b. Receipts & Disbursements Report
 - c. Budget Amendment - State IFT
 - d. Lexipol Fire Policies (Continued)
8. Consideration of Atlantic/Parkview Parcel Purchase
9. Discussion on Capital Infrastructure Project Funding (Continued)
10. Other Township Business & Question Updates
11. Public Comment
12. Board Member Comments
13. Adjournment

**Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Clare Buszka	216-5260	cbuszka@oshtemo.org
<u>Trustees</u>		
Cheri L. Bell	372-2275	cbell@oshtemo.org
Kristin Cole	375-4260	kcole@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Kizzy Bradford	375-4260	kbradford@oshtemo.org

Township Department Information		
<u>Assessor:</u>		
Kristine Biddle	216-5225	assessor@oshtemo.org
<u>Fire Chief:</u>		
Mark Barnes	375-0487	mbarnes@oshtemo.org
<u>Ordinance Enf:</u>		
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org
<u>Parks Director:</u>		
Karen High	216-5233	khigh@oshtemo.org
Rental Info	216-5224	oshtemo@oshtemo.org
<u>Planning Director:</u>		
Iris Lubbert	216-5223	ilubbert@oshtemo.org
<u>Public Works:</u>		
Marc Elliott	216-5236	melliott@oshtemo.org

Zoom Instructions for Participants

Before a videoconference:

1. You will need a computer, tablet, or smartphone with a speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. If you are going to make a public comment, please use a microphone or headphones with a microphone to cut down on feedback, if possible.
3. Details, phone numbers, and links to videoconference or conference call are provided below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 11-digit Meeting ID.

To join the videoconference:

1. At the start time of the meeting, click on this link to [join via computer](#). You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](#) on any browser and entering this **Meeting ID: 813 9035 6153**

If you are having trouble hearing the meeting or do not have the ability to join using a computer, tablet, or smartphone then you can join via conference call by following instructions below.

To join the conference by phone:

1. On your phone, dial the teleconferencing number: **1-929-205-6099**
2. When prompted using your touchtone (DTMF) keypad, enter the Meeting ID number: **813 9035 6153#**

Participant controls in the lower-left corner of the Zoom screen:



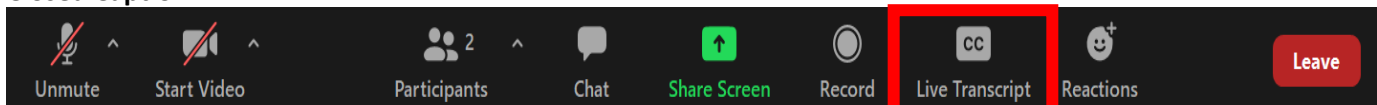
Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- Participants – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand. **This will be used to indicate that you want to make a public comment.**
- Chat – opens pop-up screen that allows participants to post comments during the meeting.

If you are attending the meeting by phone, to use the “Raise Hand” feature **press *9 on your touchtone keypad.**

Public comments will be handled by the “Raise Hand” method as instructed above within Participant Controls.

Closed Caption:

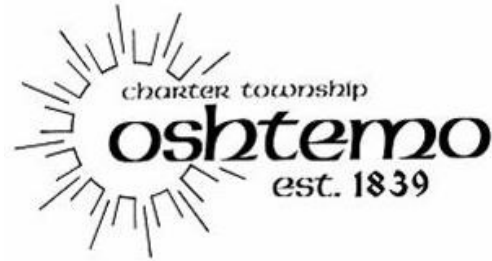


Turn on Closed Caption:

Using the icons at the bottom of the Zoom screen:

1. Click on the “Live Transcription” button.
2. Then select “Show Subtitle”.

Memorandum



Date: May 19, 2021
To: Township Board
From: Clare Buszka – Treasurer
Subject: State of Michigan IFT Prior Year Payments

Objective: Amend the 2021 budget to allow payment to the State of Michigan for their portion of the Industrial Facilities Taxes (IFT's) for the prior years 2018 and 2019.

Background: The Treasurer's Office recently received correspondence from the State of Michigan, informing us that Oshtemo is out of compliance for 2018 and 2019 IFT tax payments and reports. The letter from the State advised that if the reports are not completed and payments made, in 2021 we will only be permitted to collect Township taxes, and in 2022 will not be able to collect at all.

The reports are completed and the amount owed determined and the Treasurer is ready to send the payments and reports to the State. Please know these are for amounts past due. Oshtemo may yet receive a late payment penalty with interest due.

For the 2019 payment, I have determined there was overpayment to CCTA, KRESA, and KPS. These entities have been invoiced for the overpayment and we expect payment. If they fail to pay the overpayments, the Treasurer's Office will withhold the amounts from the 2021 tax disbursements. This will ultimately result in the Treasurer's Office returning \$27,126.67 to the General Fund reserves no later than Dec 2021, for the 2019 IFT overpayment. The 2018 payment is past the point where the monies can be reimbursed to Oshtemo.

Attachment: Attached is the Budget Amendment Request to cover the IFT amounts due to the state for 2018 and 2019.

BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 05/19/2021

Department Head Name: Clare Buszka

Fund Name: 101 General

			Amount
Additional Funds Request for: (description and GL number)	<u>2018 IFT Payment to State of Michigan</u>	<u>703-000-23600 + 703-000-23000</u>	<u>\$ 27,498.70</u>
	<u>2019 IFT Payment to State of Michigan</u>	<u>703-000-23600 + 703-000-23000</u>	<u>\$ 27,126.67</u>
			<u>\$ 54,625.37</u>
Funds requested from: (description and GL number)	<u>General Account</u>	<u>101-000-00100</u>	<u>\$ 54,625.37</u>
			<u>\$ 54,625.37</u>

Explanation of request:

Payments to the State of Michigan for 2018 and 2019 Industrial Facilities Tax (IFT) payments.

Supervisor/Clerk/Treasurer Review: CB 5/20/2021
(pending or date reviewed)

Board Authorization:
(pending or date authorized)

Mobile Data Terminal Use

705.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines for use of the Mobile Data Terminal (MDT) in the apparatus to access incident and resource information and log unit status. Members using the MDT shall comply with appropriate federal and state rules and regulations.

705.2 POLICY

The MDT shall be used for official department business only. Messages that are of a sexual, racist or offensive nature or are otherwise critical of any member of the Department are strictly forbidden. Messages may be reviewed by supervisors at any time without prior notification. Members generating or transmitting messages not in compliance with this policy are subject to discipline. All calls dispatched to fire companies should be communicated by voice and MDT unless otherwise authorized by the Captain.

705.2.1 USE WHILE DRIVING

Use of the MDT by the apparatus operator should be limited to times when the apparatus is stopped. Sending or reading MDT messages while an apparatus is in motion is a potentially dangerous practice. Reading messages while in motion should be done by the Captain or other crew member who is not driving and has access to the MDT.

705.2.2 DOCUMENTATION OF ACTIVITY

MDTs and voice transmissions are used to record the member's daily activity. To ensure the most accurate recording of these activities, the following are required:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it shall be entered into the computer-aided dispatch system by a dispatcher. Crew will have to listen to radio traffic after returning from the call to get the correct times.
- (c) Whenever the activity or contact is not initiated by voice, a member of the fire company who is not operating the apparatus shall record it on the MDT. This is the preferred method of documentation.

705.2.3 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted either verbally over the radio or through the MDT system. Members responding to multi-company emergency incidents shall advise changes in status verbally over the radio to assist other companies responding to the same incident. Other changes in status may be entered by pressing the appropriate keys on the MDT. Under normal operating conditions, a status change shall not be sent to a dispatcher via a message format.

Communicable Diseases

903.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

903.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, the mouth, a mucous membrane, or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Oshtemo Fire and Rescue Department (see the exposure control plan for further details to assist in identifying whether an exposure has occurred).

903.2 POLICY

The Oshtemo Fire and Rescue Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

903.3 EXPOSURE CONTROL OFFICER

The Deputy Fire Chief shall serve as the department's Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Compliance with all relevant laws or regulations related to communicable diseases, including:
 1. Exposure control mandates for bloodborne pathogens in 29 CFR 1910.1030 (MCL 408.1014).
 2. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).

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The ECO should also act as the liaison with the local medical control authority (MCA) and the Michigan Occupational Safety and Health Administration (MIOSHA) and may request voluntary compliance inspections. The ECO should periodically, at a minimum annually, review and update the Oshtemo Fire and Rescue Department exposure control plan and review implementation of the plan.

903.4 EXPOSURE PREVENTION AND MITIGATION

903.4.1 GENERAL PRECAUTIONS

All members shall use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes but is not limited to (29 CFR 1910.1030; MCL 408.1014):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or department vehicle, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., laryngoscope, firefighting gloves, clothing, portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

903.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; MCL 408.1014).

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Communicable Diseases

903.5 POST-EXPOSURE

903.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall (29 CFR 1910.1030; MCL 408.1014):

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.
- (d) Comply with all procedures established for such incidents in the protocols of the local MCA.

903.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (29 CFR 1910.1030; MCL 408.1014):

- (a) Name and Social Security number of the members exposed
- (b) Date, incident number, and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Workers' Compensation-Related Illness and Injury Reporting and Illness and Injury Prevention Program policies).

903.5.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional or the local MCA that contains only the following information (29 CFR 1910.1030; MCL 408.1014):

- (a) Whether the member has been informed of the results of the evaluation.

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Communicable Diseases

- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

903.5.4 COUNSELING

The Department shall provide the member, and their family if necessary, the opportunity for counseling and consultation regarding the exposure (29 CFR 1910.1030; MCL 408.1014).

903.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Notifying exposed emergency personnel pursuant to MCL 333.20191, and local MCA.
- (c) Seeking assistance from the Michigan Department of Community Health (MCL 333.5115) or local MCA.
- (d) Court-ordered testing for individuals arrested and charged with certain offenses pursuant to MCL 333.5129.
- (e) Consent or court-ordered testing pursuant to MCL 333.5204.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the Township Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if they refuse.

903.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

Ground Ladder Testing

913.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that ground ladders are periodically inspected and tested for compliance with the standards set forth in Michigan law and by the National Fire Protection Association (NFPA). This is a safety measure designed to reduce or eliminate the risk of injury to department members when using ground ladders.

913.2 POLICY

It is the policy of the Oshtemo Fire and Rescue Department to perform testing, inspection, and certification of all ground ladders for the safety of department members and to comply with applicable standards.

913.3 INSPECTION AND TESTING

All department-owned ground ladders should be tested and certified annually (Mich. Admin. Code, R 408.17461). The actual testing interval may exceed 12 months if that time is reasonably needed for scheduling and completion of the testing process.

Ground ladders shall also be tested after repair and before being placed back in service. Ladders will be tested in accordance with applicable NFPA standards. Load testing minimums will vary based on ladder construction and type.

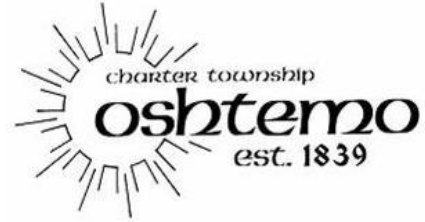
All ground ladders shall be inspected thoroughly and within 24 hours after each use (Mich. Admin. Code, R 408.17461). Any defect noted in the inspection shall be repaired and the ground ladder tested prior to being returned to service.

Ground ladder testing and certification should be performed by a trained, qualified department member or a qualified vendor.

913.4 RECORDS

The Captain shall be responsible for maintaining comprehensive records of all ladder testing and certification for the service life of each ladder (Mich. Admin. Code, R 408.17461).

Memorandum



Date: 21 May 2021
To: Township Board
From: Libby HC, Supervisor
Subject: Parkview/Atlantic Parcel

OBJECTIVE

Township Board authorization to purchase the .28 acre unaddressed parcel with ID number 05-35-210-070, for purposes of future transportation intersection improvements. Additionally, Board action to amend the 2022 budget \$4500 to purchase the property.

BACKGROUND

The parcel highlighted in the image is located at and adjacent to the “Y” intersection of Parkview and Atlantic Avenues. Planning Staff learned of the owner’s willingness to sell the parcel. Public Works Staff recommend the Township purchase the property for a future realignment of the intersection to a safer “T” configuration.

The Township has an executed purchase agreement in the amount of \$4000, with realtor fees of \$425. Given potential deed recording expense, the request is to amend the budget for up to \$4500 to make the purchase. If the Board authorizes the purchase, the sale is likely to complete within 30 days.



7275 W. Main Street
Kalamazoo, MI 49009
(269) 216-5220
Fax (269) 375-7180
www.oshtemo.org

BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: _____

Department Head Name: _____

Fund Name: _____


Amount

Additional Funds Request for: _____
(description and GL number) _____

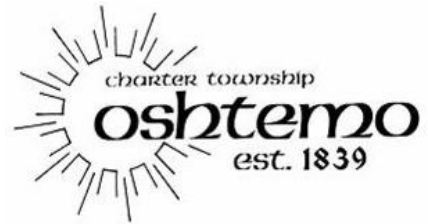
Funds requested from: _____
(description and GL number) _____

Explanation of request:

Supervisor/Clerk/Treasurer Review:
(pending or date reviewed)

 May 21, 2021

Board Authorization:
(pending or date authorized)



Memorandum

Date: May 21, 2021
To: Township Board
From: Marc Elliott, P.E., Director of Public Works
Subject: Discussion on Capital Infrastructure Projects Funding (Continued)

OBJECTIVE

Continued Oshtemo Township Board public discussions on capital infrastructure planning.

BACKGROUND

A series of informational sessions was presented on roadway reconstruction needs, current and potential funding options, and comprehensive right-of-way asset management (CRAMP) as a strategic approach. The presentations included an historic overview and directions toward meeting infrastructure needs (as defined by Board guidance). These presentations inform and facilitate Board discussions and community awareness ahead of the upcoming budget decisions. These efforts also included, on May 11th, a presentation by W.E. Upjohn Institute of the results of a community survey on infrastructure. The Institute was requested to independently survey residents on their current on-site wastewater system insights, and preferred public infrastructure spending strategies for Board consideration.

Through the annual budgeting process the Board will determine the public capital investments for the next fiscal cycle. The budgeting outcome and policies of the Board will provide the guidance for moving any Oshtemo capital projects forward. Public works infrastructure is high cost and demands long-term planning and financing. **Capital improvements planning and financing strategies are an important aspect of the Board's duty to protect public health, safety and welfare.** As outlined below, we will present additional depth to the interconnected components of large infrastructure capital projects to assist the Board in these forthcoming deliberations.

- Current capital infrastructure revenue sources and budgeting process
- Leveraging road community wide SAD or millage to fund road needs
- Opportunities for capital infrastructure projects with additional revenue
- Priorities of capital project spending

STATEMENT OF REQUESTED BOARD ACTION

Reach Board consensus whether to implement a dedicated road revenue source, with discussion and recommendation on target amount.