



1720 Riverview Drive
Kalamazoo, Michigan 49004
Tele: (269) 381-8080
Fax: (269) 381-3550
www.ktwp.org

**Board of Trustees Regular Meeting Agenda
Monday, May 22, 2023
7:30 P.M.**

The "Regular Meeting" of the Board of Trustees of the *Charter Township of Kalamazoo* will be held at 7:30 p.m., on Monday, May 8, 2023, at the **Kalamazoo Township Hall** for the purpose of discussing and acting on the below-listed items and any other business that may legally come before the Board of Trustees of the *Charter Township of Kalamazoo*.

Join Zoom Meeting

<https://us02web.zoom.us/j/89675362387?pwd=MmxVVkh3RGlhaTdCMGQ3ekFTcjdIU09>

Meeting ID: 896 7536 2387

Passcode: 536682

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Passcode: 536682

1 – Call to Order

2 – Pledge of Allegiance

3 – Roll Call of Board Members

4 – Addition/Deletions to Agenda (Any member of the public, board, or staff may ask that any item on the consent agenda be removed and placed elsewhere on the agenda for a full discussion. Such requests will be automatically respected.)

5 – Public Comment on Agenda and Non-agenda Items (Each person may use three (3) minutes for remarks. If your remarks extend beyond the 3-minute time period, please provide your comments in writing and they will be distributed to the board. The public comment period is for the Board to listen to your comments. Please begin your comments with your name and address.)

6 – Consent Agenda (The purpose of the Consent Agenda is to expedite business by grouping non-controversial items together to be dealt with in one Board Motion without discussion.)

Approval of:

1. Payment of bills in the amount of \$ 252,818.05

Receipt of:

- A. Treasure Report –April 2023
- B. Fire Department Report -- April 2023

7 – Public Hearing/Presentation

None for this meeting.

8 – Old Business

9 – New Business

- A. Request to Approve Northwood Fire Station detached garage roofing replacement.
- B. Request to Approve Purchase of Battery Electric Fan For Fire Department
- C. Request to Approve Fire Department Employee Wage and Benefits
- D. Request to Approve Ordinance Amending Zoning Ordinance
- E. Request to Approve Accept Code of Criminal Ordinances for First Reading.
- F. Request to Approve 2605 Douglas Avenue-Site Demolition
- G. Request to Approve TKPD Canine Unit
- H. Request to Approve Recruitment Incentive for Lateral Transfer Police Officers
- I. Request to Approve Hiring Part-Time Evidence Officer
- J. Request to Approve Staffing Level for Fire Department
- K. Request to Approve Employment Agreement Fire Department

10 – Items Removed from the Consent Agenda

11 – Board Member Reports

Trustee Glass
Trustee Leuty
Trustee Miller
Trustee Robinson
Clerk Moaiery
Treasurer Miller
Supervisor Martin

12 – Attorney Report

13 – Public Comments

14 – Adjournment

Posted: May 19, 2023

Don Martin

Supervisor Kalamazoo Township

INVOICE REGISTER REPORT FOR CHARTER TOWNSHP OF KALAMAZOO
 EXP CHECK RUN DATES 05/23/2023 - 05/23/2023
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
 BANK CODE: POOL

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
848236A 38985	NYE UNIFORM CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	84.50	84.50	Open	N 05/17/2023
	PERSONAL EQUIPMENT ALLOWANCE			84.50			
848237A 38986	NYE UNIFORM CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	75.00	75.00	Open	N 05/17/2023
	PERSONAL EQUIPMENT ALLOWANCE			75.00			
050123 38987	BAUCKHAM, SPARKS, THALL, LEGAL SUPPORT 101-200-827.00 101-400-827.00 101-209-827.00 101-101-826.00 207-301-827.00 101-310-827.00 206-336-827.00	05/17/2023 MONICAK	05/17/2023	13,041.65	13,041.65	Open	N 05/17/2023
	LEGAL SERVICES			3,675.15			
	LEGAL SERVICES - GEN TWP			1,660.00			
	LEGAL SERVICES - GEN TWP			175.00			
	LEGAL SERVICES			975.00			
	LEGAL SERVICES - GEN TWP			379.50			
	LEGAL SERVICES			1,052.00			
	LEGAL SERVICES			5,125.00			
21-028-24 38988	MCKENNA ASSOCIATES, INC. PLANNING/ZONING 101-400-821.00	05/17/2023 MONICAK	05/17/2023	8,805.00	8,805.00	Open	N 05/17/2023
	PLANNING CONSULTANT			8,805.00			
21-028-24A 38989	MCKENNA ASSOCIATES, INC. 3226 QUARRY RIDGE HO#2 701-000-240.00	05/17/2023 MONICAK	05/17/2023	357.25	357.25	Open	N 05/17/2023
	ZONING/DEVELOPMENT ESCROW			357.25			
21-028-24B 38990	MCKENNA ASSOCIATES, INC. 241 W MOSEL TEXT AMENDMENT 701-000-240.00	05/17/2023 MONICAK	05/17/2023	100.00	100.00	Open	N 05/17/2023
	ZONING/DEVELOPMENT ESCROW			100.00			
21-028-24C 38991	MCKENNA ASSOCIATES, INC. 3809 E MICHIGAN CONSIMERS SLU #1 701-000-240.00	05/17/2023 MONICAK	05/17/2023	1,600.00	1,600.00	Open	N 05/17/2023
	ZONING/DEVELOPMENT ESCROW			1,600.00			
21-028-24D 38992	MCKENNA ASSOCIATES, INC. 3809 E MICHIGAN CONSUMERS SPR #1 701-000-240.00	05/17/2023 MONICAK	05/17/2023	2,150.00	2,150.00	Open	N 05/17/2023
	ZONING/DEVELOPMENT ESCROW			2,150.00			

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21-028-24E 38993	MCKENNA ASSOCIATES, INC. 2016 N PITCHER GRAPHIC PKG SLU #3 701-000-240.00	05/17/2023 MONICAK	05/17/2023	487.50 487.50	487.50	Open	N 05/17/2023
21-028-24F 38994	MCKENNA ASSOCIATES, INC. 910 JENKS BLVD HOPE VARIANCE 701-000-240.00	05/17/2023 MONICAK	05/17/2023	500.00 500.00	500.00	Open	N 05/17/2023
21-028-24G 38995	MCKENNA ASSOCIATES, INC. 411 NAZARETH REZONING 701-000-240.00	05/17/2023 MONICAK	05/17/2023	759.00 759.00	759.00	Open	N 05/17/2023
0010649237 38996	MLIVE MEDIA GROUP NOTICES 101-400-903.00	05/17/2023 MONICAK	05/17/2023	200.73 200.73	200.73	Open	N 05/17/2023
314945 38997	RIDGE COMPANY MISC SUPPLIES 101-265-939.00	05/17/2023 MONICAK	05/17/2023	11.86 11.86	11.86	Open	N 05/17/2023
JD06669 38998	CDW GOVERNMENT, INC. CUSTOMER #2250825 101-228-740.00	05/17/2023 MONICAK	05/17/2023	35.60 35.60	35.60	Open	N 05/17/2023
53984 38999	ROAD COMMISSION OF KALAMAZOO COUNTY FILL/SEAL - CARSTEN/PIEDMONT 101-446-969.00	05/17/2023 MONICAK	05/17/2023	2,869.93 2,869.93	2,869.93	Open	N 05/17/2023
53985 39000	ROAD COMMISSION OF KALAMAZOO COUNTY FILL/SEAL - SAGEBRUSH/SEQUOIA 101-446-969.00	05/17/2023 MONICAK	05/17/2023	10,576.80 10,576.80	10,576.80	Open	N 05/17/2023
53986 39001	ROAD COMMISSION OF KALAMAZOO COUNTY FILL/SEAL - MOSEL/RIVERVIEW 101-446-969.00	05/17/2023 MONICAK	05/17/2023	1,398.93 1,398.93	1,398.93	Open	N 05/17/2023

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53987 39002	ROAD COMMISSION OF KALAMAZOO COUNTY FILL/SEAL - DARWOOD/BARCLAY 101-446-969.00	05/17/2023 MONICAK ROAD MAINTENANCE	05/17/2023	3,052.22 3,052.22	3,052.22	Open	N 05/17/2023
53988 39003	ROAD COMMISSION OF KALAMAZOO COUNTY LAKE ST RECONSTRUCT 883-520-973.00	05/17/2023 MONICAK CONSTRUCTION COSTS	05/17/2023	133,325.69 133,325.69	133,325.69	Open	N 05/17/2023
52271 39004	EXTREME POWER EQUIPMENT MISC SUPPLIES 101-265-934.00	05/17/2023 MONICAK EQUIPMENT REPAIRS & MAINT	05/17/2023	43.96 43.96	43.96	Open	N 05/17/2023
4458 39005	PLERUS VOTER ID/MASTER CARDS 101-215-727.00	05/17/2023 MONICAK OFFICE SUPPLIES	05/17/2023	48.68 48.68	48.68	Open	N 05/17/2023
4468 39006	PLERUS CHANGE CARDS/MAILING 101-215-727.00 101-215-811.00	05/17/2023 MONICAK OFFICE SUPPLIES PROFESSIONAL & CONTRACTUAL SVC	05/17/2023	1,462.64 1,312.64 150.00	1,462.64	Open	N 05/17/2023
2476576-0 39007	INTEGRITY BUSINESS SOLUTIONS, LLC OFFICE SUPPLIES 101-171-727.00	05/17/2023 MONICAK OFFICE SUPPLIES	05/17/2023	111.78 111.78	111.78	Open	N 05/17/2023
2476565-0 39008	INTEGRITY BUSINESS SOLUTIONS, LLC OFFICE SUPPLIES 101-200-727.00	05/17/2023 MONICAK OFFICE SUPPLIES	05/17/2023	94.63 94.63	94.63	Open	N 05/17/2023
1368 39009	POWERS PROPERTY MANAGEMENT, LLC MOWING/TRIMMING 101-265-932.00 101-751-932.00	05/17/2023 MONICAK LAND REPAIRS & MAINT LAND REPAIRS & MAINT	05/17/2023	1,675.00 125.00 1,550.00	1,675.00	Open	N 05/17/2023
018745649 39010	XEROX CORPORATION CUSTOMER #724921614 101-200-811.00	05/17/2023 MONICAK PROFESSIONAL & CONTRACTUAL SVC	05/17/2023	402.57 402.57	402.57	Open	N 05/17/2023

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I2174 39011	CARIBOU SERVICES, INC. STROUD PARK 101-751-811.00	05/17/2023 MONICAK	05/17/2023	130.00 130.00	130.00	Open	N 05/17/2023
I2175 39012	CARIBOU SERVICES, INC. WILSON PARK 101-751-811.00	05/17/2023 MONICAK	05/17/2023	130.00 130.00	130.00	Open	N 05/17/2023
5930 39013	VREDEVELD HAEFNER LLC AUDITING SERVICES 101-223-817.00	05/17/2023 MONICAK	05/17/2023	11,500.00 11,500.00	11,500.00	Open	N 05/17/2023
74227 39014	PREIN & NEWHOF, INC. 2022 WATER CIP 871-441-820.00	05/17/2023 MONICAK	05/17/2023	188.25 188.25	188.25	Open	N 05/17/2023
74256 39015	PREIN & NEWHOF, INC. TEXEL LIFT STATON 883-520-973.00	05/17/2023 MONICAK	05/17/2023	533.00 533.00	533.00	Open	N 05/17/2023
74243 39016	PREIN & NEWHOF, INC. WOODWARD/WINDING WAY LIFT STATIONS 883-520-973.00	05/17/2023 MONICAK	05/17/2023	1,605.15 1,605.15	1,605.15	Open	N 05/17/2023
74170 39017	PREIN & NEWHOF, INC. GRAPHIC PKG PARKING_SPR 701-000-240.00	05/17/2023 MONICAK	05/17/2023	640.00 640.00	640.00	Open	N 05/17/2023
207147102502 39018	CONSUMERS ENERGY ACCT #1000 0038 0319 101-200-921.00	05/17/2023 MONICAK	05/17/2023	3,018.41 3,018.41	3,018.41	Open	N 05/17/2023
139354 39019	FADER EQUIPMENT, INC. EXCAVATOR 101-276-945.00	05/17/2023 MONICAK	05/17/2023	330.00 330.00	330.00	Open	N 05/17/2023

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139408 39020	FADER EQUIPMENT, INC. EXCAVATOR 101-276-945.00	05/17/2023 MONICAK RENTALS - EQUIPMENT	05/17/2023	247.50 247.50	247.50	Open	N 05/17/2023
IN0241475 39021	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK LAND REPAIRS & MAINT	05/17/2023	207.00 207.00	207.00	Open	N 05/17/2023
IN0241722 39022	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK LAND REPAIRS & MAINT	05/17/2023	103.50 103.50	103.50	Open	N 05/17/2023
IN0241755 39023	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK LAND REPAIRS & MAINT	05/17/2023	103.50 103.50	103.50	Open	N 05/17/2023
IN0241824 39024	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK LAND REPAIRS & MAINT	05/17/2023	103.50 103.50	103.50	Open	N 05/17/2023
IN0242052 39025	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK LAND REPAIRS & MAINT	05/17/2023	103.50 103.50	103.50	Open	N 05/17/2023
IN0242095 39026	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK LAND REPAIRS & MAINT	05/17/2023	103.50 103.50	103.50	Open	N 05/17/2023
IN0242201 39027	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK LAND REPAIRS & MAINT	05/17/2023	103.50 103.50	103.50	Open	N 05/17/2023
IN0242212 39028	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK LAND REPAIRS & MAINT	05/17/2023	103.50 103.50	103.50	Open	N 05/17/2023

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
IN0242635 39029	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK	05/17/2023	103.50	103.50	Open	N 05/17/2023
	LAND REPAIRS & MAINT			103.50			
IN0242654 39030	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK	05/17/2023	103.50	103.50	Open	N 05/17/2023
	LAND REPAIRS & MAINT			103.50			
IN0242679 39031	KALAMAZOO LANDSCAPE SUPPLIES MULCH 101-751-932.00	05/17/2023 MONICAK	05/17/2023	103.50	103.50	Open	N 05/17/2023
	LAND REPAIRS & MAINT			103.50			
74516 39032	PREIN & NEWHOF, INC. GIS/TAX MAP UPDATES 101-209-820.00	05/17/2023 MONICAK	05/17/2023	148.50	148.50	Open	N 05/17/2023
	ENGINEERING SERVICES			148.50			
74196 39033	PREIN & NEWHOF, INC. STREET MAPS/PRINTS 101-209-820.00	05/17/2023 MONICAK	05/17/2023	123.00	123.00	Open	N 05/17/2023
	ENGINEERING SERVICES			123.00			
042423 39034	KRWWC MEMBERSHIP DUES 883-520-732.00 883-000-075.00 871-441-732.00 871-000-075.00	05/17/2023 MONICAK	05/17/2023	25,000.00	25,000.00	Open	N 05/17/2023
	MEMBERSHIPS			10,312.50			
	PREPAID EXPENSES			3,437.50			
	DUES/SUBS/PUBL			8,437.50			
	PREPAID EXPENSES			2,812.50			
INV243554 39035	WITMER PUBLIC SAFETY SHIELDS/HOODS 206-336-748.00	05/17/2023 MONICAK	05/17/2023	775.08	775.08	Open	N 05/17/2023
	PERSONAL EQUIPMENT ALLOWANCE			775.08			
0567782 39036	FERGUSON FACILITIES #3400 MISC SUPPLIES 206-336-740.00	05/17/2023 MONICAK	05/17/2023	508.04	508.04	Open	N 05/17/2023
	OPERATING SUPPLIES			508.04			
J334033 39037	ENGINEERED PROTECTION SYSTEMS, INC. RECURRING SERVICES	05/17/2023 MONICAK	05/17/2023	94.00	94.00	Open	N 05/17/2023

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	206-336-811.00	PROFESSIONAL & CONTRACTUAL SVC		94.00			
J334042							
39038	ENGINEERED PROTECTION SYSTEMS, INC.	05/17/2023	05/17/2023	4,200.00	4,200.00	Open	N
	ALARM SYSTEM INSTALLATION	MONICAK					05/17/2023
	206-336-811.00	PROFESSIONAL & CONTRACTUAL SVC		4,200.00			
836133							
39039	MCDONALD'S TOWING	05/17/2023	05/17/2023	75.00	75.00	Open	N
	TOWING	MONICAK					05/17/2023
	206-336-811.00	PROFESSIONAL & CONTRACTUAL SVC		75.00			
74240							
39040	PREIN & NEWHOF, INC.	05/17/2023	05/17/2023	567.50	567.50	Open	N
	OAK MEADOWS SEWER INVESTIGATION	MONICAK					05/17/2023
	883-520-820.00	ENGINEERING FEES		567.50			
0567782-1							
39041	FERGUSON FACILITIES #3400	05/17/2023	05/17/2023	104.40	104.40	Open	N
	MISC SUPPLIES	MONICAK					05/17/2023
	206-336-747.00	SMALL TOOLS & EQUIPMENT		104.40			
89250							
39042	MENARDS - KALAMAZOO EAST	05/17/2023	05/17/2023	229.88	229.88	Open	N
	MISC SUPPLIES	MONICAK					05/17/2023
	206-336-931.00	BUILDING REPAIRS & MAINT		229.88			
30016568							
39043	ABSOPURE WATER COMPANY	05/17/2023	05/17/2023	14.00	14.00	Open	N
	ACCT #172898	MONICAK					05/17/2023
	206-336-740.00	OPERATING SUPPLIES		14.00			
110321							
39044	JBM TECHNOLOGY	05/17/2023	05/17/2023	568.25	568.25	Open	N
	SHAKER CUPS	MONICAK					05/17/2023
	207-301-740.00	OPERATING SUPPLIES		568.25			
018745648							
39045	XEROX CORPORATION	05/17/2023	05/17/2023	403.85	403.85	Open	N
	CUSTOMER #724921614	MONICAK					05/17/2023
	207-301-811.00	PROFESSIONAL & CONTRACTUAL SVC		403.85			
043023							
39046	PORTAGE CLEANERS AND LAUNDRY	05/17/2023	05/17/2023	497.74	497.74	Open	N
	CLEANING	MONICAK					05/17/2023
	207-301-748.00	PERSONAL EQUIPMENT ALLOWANCE		497.74			

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2474765-0 39047	INTEGRITY BUSINESS SOLUTIONS, LLC OFFICE SUPPLIES 207-301-727.00	05/17/2023 MONICAK	05/17/2023	250.20 250.20	250.20	Open	N 05/17/2023
2473089-0 39048	INTEGRITY BUSINESS SOLUTIONS, LLC OFFICE SUPPLIES 207-301-727.00	05/17/2023 MONICAK	05/17/2023	141.26 141.26	141.26	Open	N 05/17/2023
5314 39049	WMCJTC TASER INSTRUCTOR 266-320-960.00	05/17/2023 MONICAK	05/17/2023	435.00 435.00	435.00	Open	N 05/17/2023
70097 39050	MICHIGAN OFFICE ENVIRONMENTS EVIDENCE/GYM PROJECT 810-440-983.00	05/17/2023 MONICAK	05/17/2023	870.52 870.52	870.52	Open	N 05/17/2023
70098 39051	MICHIGAN OFFICE ENVIRONMENTS RECORDS OFFICE PROJECT 810-440-983.00	05/17/2023 MONICAK	05/17/2023	5,487.97 5,487.97	5,487.97	Open	N 05/17/2023
2097057 39052	HI-TECH ELECTRIC COMPANY PARTITION MOVE ADD 810-440-983.00	05/17/2023 MONICAK	05/17/2023	4,975.00 4,975.00	4,975.00	Open	N 05/17/2023
848649A 39053	NYE UNIFORM CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	368.33 368.33	368.33	Open	N 05/17/2023
848068 39054	NYE UNIFORM CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	317.00 317.00	317.00	Open	N 05/17/2023
839608A 39055	NYE UNIFORM CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	641.63 641.63	641.63	Open	N 05/17/2023

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826415 39056	NYE UNIFORM CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	206.72	206.72	Open	N 05/17/2023
		PERSONAL EQUIPMENT ALLOWANCE		206.72			
846166 39057	NYE UNIFORM CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	22.96	22.96	Open	N 05/17/2023
		PERSONAL EQUIPMENT ALLOWANCE		22.96			
848065 39058	NYE UNIFORM CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	345.00	345.00	Open	N 05/17/2023
		PERSONAL EQUIPMENT ALLOWANCE		345.00			
839608 39059	NYE UNIFORM CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	46.70	46.70	Open	N 05/17/2023
		PERSONAL EQUIPMENT ALLOWANCE		46.70			
3479 39060	MICHIGAN MUNICIPAL POLICE MISC REPAIRS 207-301-939.00	05/17/2023 MONICAK	05/17/2023	1,122.96	1,122.96	Open	N 05/17/2023
		VEHICLE REPAIRS & MAINT		1,122.96			
43772 39061	KRESA PRINT CENTER BUSINESS CARDS 207-301-727.00	05/17/2023 MONICAK	05/17/2023	55.04	55.04	Open	N 05/17/2023
		OFFICE SUPPLIES		55.04			
43685 39062	KRESA PRINT CENTER BUSINESS CARDS 207-301-727.00	05/17/2023 MONICAK	05/17/2023	70.64	70.64	Open	N 05/17/2023
		OFFICE SUPPLIES		70.64			
43727 39063	KRESA PRINT CENTER BUSINESS CARDS 207-301-727.00	05/17/2023 MONICAK	05/17/2023	55.04	55.04	Open	N 05/17/2023
		OFFICE SUPPLIES		55.04			
3917 39064	ROBERT LAMSON, LLC SCREENING - MILLS 207-301-812.00	05/17/2023 MONICAK	05/17/2023	150.00	150.00	Open	N 05/17/2023
		HEALTH SERVICES		150.00			

User: MONICAK

EXP CHECK RUN DATES 05/23/2023 - 05/23/2023

DB: Kalamazoo Twp

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: POOL

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
551-616323 39065	STATE OF MICHIGAN LIVESCAN FEES 217-301-956.00	05/17/2023 MONICAK	05/17/2023	346.00	346.00	Open	N 05/17/2023
	MISCELLANEOUS			346.00			
0173435-IN 39066	ENTENMANN-ROVIN CO. UNIFORMS 207-301-748.00	05/17/2023 MONICAK	05/17/2023	709.90	709.90	Open	N 05/17/2023
	PERSONAL EQUIPMENT ALLOWANCE			709.90			
26063437 39067	DORRANCE FORD OIL CHANGE 207-301-939.00	05/17/2023 MONICAK	05/17/2023	55.71	55.71	Open	N 05/17/2023
	VEHICLE REPAIRS & MAINT			55.71			
# of Invoices:	83	# Due:	83	Totals:	252,818.05	252,818.05	
# of Credit Memos:	0	# Due:	0	Totals:	0.00	0.00	
Net of Invoices and Credit Memos:					<u>252,818.05</u>	<u>252,818.05</u>	

User: MONICAK

EXP CHECK RUN DATES 05/23/2023 - 05/23/2023

DB: Kalamazoo Twp

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: POOL

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
--- TOTALS BY FUND ---							
	101 - GENERAL			55,196.89	55,196.89		
	206 - FIRE			11,125.40	11,125.40		
	207 - POLICE			6,567.93	6,567.93		
	217 - LIVESCAN/SOR			346.00	346.00		
	266 - LAW ENFORCEMENT TRAINING			435.00	435.00		
	701 - TRUST & AGENCY			6,593.75	6,593.75		
	810 - POLICE CAPITAL IMPROVEMENT			11,333.49	11,333.49		
	871 - WATER IMPROVEMENT			11,438.25	11,438.25		
	883 - SEWER IMPROVEMENT			149,781.34	149,781.34		
--- TOTALS BY DEPT/ACTIVITY ---							
	000 - REVENUES			12,843.75	12,843.75		
	101 - BOARD OF TRUSTEES			975.00	975.00		
	171 - SUPERVISOR			111.78	111.78		
	200 - GENERAL SERVICES_ADMIN			7,190.76	7,190.76		
	209 - ASSESSOR			446.50	446.50		
	215 - CLERK			1,511.32	1,511.32		
	223 - FINANCE			11,500.00	11,500.00		
	228 - INFORMATION TECHNOLOGY			35.60	35.60		
	265 - MAINTENANCE			180.82	180.82		
	276 - CEMETERY			577.50	577.50		
	301 - POLICE			6,913.93	6,913.93		
	310 - CODE ENFORCEMENT (ORD, BLDG, RE			1,052.00	1,052.00		
	320 - STATE TRAINING MONEY			435.00	435.00		
	336 - FIRE			11,125.40	11,125.40		
	400 - PLANNING/ZONING			10,665.73	10,665.73		
	440 - CAPITAL IMPROVEMENT			11,333.49	11,333.49		
	441 - WATER IMPROVEMENT			8,625.75	8,625.75		
	446 - INFRASTRUCTURE MAINTENANCE			17,897.88	17,897.88		
	520 - SEWER IMPROVEMENT			146,343.84	146,343.84		
	751 - RECREATION			3,052.00	3,052.00		



**KALAMAZOO TOWNSHIP
TREASURER'S REPORT
APRIL 2023**

CASH SUMMARY BY CLASSIFICATION:

<u>FINANCIAL INSTITUTION</u>	<u>CLASSIFICATION</u>	<u>AMOUNT</u>
MERCANTILE BANK	POOL	664,019.15
TOTAL POOLED INVESTMENTS**	POOL	22,442,729.94
FIRST NATIONAL BANK OF MICHIGAN	CURRENT TAX	8,673.83
MERCANTILE BANK	MRA	9,315.11
MERS OPEB TRUST	MERS	304,756.20
TOTAL CASH SUMMARY BY CLASSIFICATION		<u>\$ 23,429,494.23</u>

CASH ALLOCATION BY FUND:

<u>FUND DESCRIPTION</u>	<u>FUND NO.</u>	<u>AMOUNT</u>
GENERAL FUND	101/206/207	9,957,212.05
LIVE SCAN	217	96,351.65
STREET LIGHTING	219	337,313.49
RECYCLING	226	487,464.76
DISASTER RESPONSE FUND	258	90,729.63
DRUG LAW ENFORCEMENT	265	101,953.65
LAW ENFORCEMENT TRAINING	266	44,735.48
SWET	267	(7,069.41)
COMMUNITY POLICING	272	786,299.25
AMERICAN RESCUE PLAN ACT (ARPA)	285	2,224,817.33
ROAD DEBT SERVICE (VOTED BOND)	301	493,743.14
BUILDING IMPROVEMENTS	402	417,422.93
REVOLVING LOAN	550	-
GOLF COURSE	584	24,166.42
TRUST & AGENCY	701	202,234.65
MEDICAL REIMBURSEMENT ACCT	702	9,315.11
CURRENT TAX	704	8,673.83
OPEB TRUST FUND	737	304,756.20
POLICE CAPITAL IMPROVEMENT	810	674,181.98
FIRE CAPITAL IMPROVEMENT	811	2,572,073.84
STREET	812	39,322.59
WATER	871	513,284.37
SEWER FUND	883	4,050,511.29
TOTAL CASH ALLOCATION BY FUND		<u>\$ 23,429,494.23</u>

****POOLED INVESTMENT DETAIL****

<u>FINANCIAL INSTITUTION</u>	<u>ACCOUNT TYPE</u>	<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>MARKET VALUE</u>
ADVIA CREDIT UNION	Ultimate Savings	1.000%	NA	251,477.13
COMERICA	MM	3.720%	NA	133,689.98
COMERICA	Govt Sec.	2.500%	12/25/2042	97,078.52
COMERICA	Govt Sec.	0.550%	9/30/2024	470,840.00
CONSUMERS CU	MM	1.449%	NA	1,031,341.52
CONSUMERS CU	CD	2.227%	9/25/2023	506,550.91
FIRST NATIONAL BANK	CD #1	3.000%	9/12/2024	110,501.76
FIRST NATIONAL BANK	CD #2	1.500%	2/4/2024	325,745.18
FIRST NATIONAL BANK	CD #3	4.700%	10/23/2024	533,652.22
FIRST NATIONAL BANK	CD #4	1.500%	9/23/2023	516,297.98
FIRST NATIONAL BANK	CD #5	1.500%	9/25/2023	520,082.48
FIRST NATIONAL BANK	MM	0.050%	NA	28.00
FIRST SOURCE BANK	CD	4.850%	1/12/2024	516,742.70
FLAGSTAR BANK	CD	1.500%	5/24/2023	263,323.42
HUNTINGTON BANK	MM	2.430%	NA	5.17
HUNTINGTON NATIONAL BANK	MM	2.529%	NA	515,141.71
HUNTINGTON NATIONAL BANK	Govt Sec.	4.199%	3/31/2025	254,005.98
HUNTINGTON NATIONAL BANK - ARPA	MM	4.451%	NA	2,266,417.39
HUNTINGTON NATIONAL BANK - KTFD	MM	4.451%	NA	2,079,004.08
LAKE MICHIGAN CREDIT UNION	CD	2.325%	4/29/2023	543,802.94
LAKE MICHIGAN CREDIT UNION	Savings	0.000%	NA	857.63
MACATAWA BANK	CD	1.490%	12/6/2023	251,262.22
MERCANTILE BANK OF MI	ICS	0.010%	NA	2.09
MBIA CLASS	INV POOL	5.021%	NA	7,269,634.30
MBIA CLASS - COMMUNITY POLICING	INV POOL	5.021%	NA	770,796.54
MBIA CLASS - ROAD DEBT SERVICE	INV POOL	5.021%	NA	742,547.94
MBIA CLASS - KTFD	INV POOL	5.021%	NA	476,667.34
MBIA CLASS - ARPA	INV POOL	5.021%	NA	4,780.27
SOUTHERN BANK & TRUST	CD	4.100%	11/19/2024	252,137.78
SOUTHERN BANK & TRUST	CD	4.150%	5/6/2023	506,068.92
SOUTHERN BANK & TRUST	CD	0.300%	11/7/2023	502,388.97
STURGIS BANK & TRUST CO	CD	4.250%	9/16/2024	259,903.66
STURGIS BANK & TRUST CO	CD	2.250%	6/16/2023	251,648.97
PRIVATE BANK/CIBC	CD	4.150%	6/27/2023	109,655.02
PRIVATE BANK/CIBC	CD	4.350%	2/26/2025	108,649.22
TOTAL FOR POOL INVESTMENT DETAIL				<u>\$ 22,442,729.94</u>

KALAMAZOO TOWNSHIP FIRE DEPARTMENT FIRE REPORT: APRIL 2023

Summary for Month of April 2023

MG= MUTUAL AID GIVEN	EST. PROPERTY LOSS=\$31,000								
MR= MUTUAL AID RECEIVED	EST. CONTENTS LOSS=\$6,500								
INCIDENTS - 200									
ALARMS - 239	MUTUAL AID RECEIVED - 14								
ASSISTS - 39	MUTUAL AID GIVEN - 30								
RESPONSES - 1,061									
COMSTOCK	KALAMAZOO CITY								
MUTUAL AID RECEIVED - 11	MUTUAL AID RECEIVED - 1			MUTUAL AID RECEIVED - 0					
MUTUAL AID GIVEN - 2	MUTUAL AID GIVEN - 0			MUTUAL AID GIVEN - 2					
OSHTEMO	Calls per Station			PARCHMENT					
MUTUAL AID RECEIVED - 2	Station 1 = 64			MUTUAL AID RECEIVED - 0					
MUTUAL AID GIVEN - 2	Station 2 = 91			MUTUAL AID GIVEN - 24					
	Station 3 = 15								
	Station 4 = 69								
	Assists								
	NW - EW = 9								
	NW - LW = 1								
	NW - WW = 10								
	EW - NW = 4								
	EW - LW = 11								
	EW - WW = 0								
	WW - NW = 3								
	WW - EW = 1								
	WW - LW = 0								

KALAMAZOO TOWNSHIP FIRE DEPARTMENT FIRE REPORT: APRIL 2023

INC. NO	ADDRESS	TYPE OF CALL	STA. 1	STA. 2	STA. 3	STA. 4	COMSTK	OSH	CITY	TOTALS
822		WIRES DOWN/ARCING	2							2
823		STROKE		2						2
824		MOTOR VEHICLE ACCIDENT			3					3
825		FALL								8
826		WIRES DOWN/ARCING		3						3
827		CHEST PAIN								7
828		NOTHING FOUND/ARRIVAL			8					8
829		CHEST PAIN								6
830		BREATHING PROBLEM		3						3
831		BREATHING PROBLEM			4					4
832		BREATHING PROBLEM			6					6
833		CARDIAC ARREST								5
855		CANCELLED EN ROUTE		5						5
834		BREATHING PROBLEM								5
835		STROKE			4					4
836		BREATHING PROBLEM								4
837		SICK PERSON		6						6
839		ALTERED MENTAL STATUS								7
840		BREATHING PROBLEM			3					3
841		FALL								8
842		CHEST PAIN		3						3
843		BREATHING PROBLEM								6
844		CANCELLED EN ROUTE		3						6
845		WIRES DOWN/ARCING			6					6
		VEHICLE FIRE		4	7					13
846		BREATHING PROBLEM			3					3
847		FALL								3
848		WIRES DOWN/ARCING			3					6
849		SICK PERSON		2						2
850		AID GIVEN - FIRE			5			MG		5
851		FALL			3					3
852		VEHICLE FIRE								4
853		EMS ALARM			5					5
854		STROKE								5
856		WIRES DOWN/ARCING								4
857		BREATHING PROBLEM								4
858										4
SUB TOTAL	SUB-TOTALS		29	69	0	74	2	0	0	174

KALAMAZOO TOWNSHIP FIRE DEPARTMENT FIRE REPORT: APRIL 2023

INC. NO	ADDRESS	TYPE OF CALL	STA. 1	STA. 2	STA. 3	STA. 4	COMSTK	OSH	CITY	TOTALS
859		BREATHING PROBLEM		5						5
860		ALTERED MENTAL STATUS	2							2
861		HEAD INJURY/PAIN				5				5
862		ASSAULT	4							4
863		LIFT ASSIST		4						4
864		FIRE ALARM	4			7				11
865		EMS ALARM	6							6
866		BREATHING PROBLEM	6							6
867		LIFT ASSIST				5				5
868		ABDOMINAL PAIN		3						3
869		CONVULSIONS/SEIZURE	1							1
870		BURNING COMPLAINT	2							2
871		HEAD INJURY/PAIN		4						4
872		CONVULSIONS/SEIZURE		2						2
873		BURNING COMPLAINT		1						1
874		CONVULSIONS/SEIZURE				8				8
875		UNCONSCIOUS	3							3
876		OVERDOSE/POISONING		2						2
877		BREATHING PROBLEM				7				7
878		CARDIAC ARREST	3							3
879		SICK PERSON				9				9
880		ASSAULT	4							4
881		BREATHING PROBLEM		2						2
882		AID GIVEN - FIRE				8		MG		8
883		NOTHING FOUND/ARRIVAL		3						3
884		MOTOR VEHICLE ACCIDENT				3				3
885		LIFT ASSIST		5						5
886		CHEST PAIN		2						2
887		AID GIVEN - FIRE				5		MG		5
888		FALL				7				7
889		GAS LEAK		7						7
890		FIRE ALARM	3			4				7
891		CANCELLED EN ROUTE		3						3
892		CARDIAC ARREST		6						6
893		FIRE ALARM	3	3						6
894		VEHICLE FIRE		7						11
SUB TOTAL			70	128	0	142	6	0	0	346

KALAMAZOO TOWNSHIP FIRE DEPARTMENT FIRE REPORT: APRIL 2023

INC. NO	ADDRESS	TYPE OF CALL	STA. 1	STA. 2	STA. 3	STA. 4	COMSTK	OSH	CITY	TOTALS
895		FIRE ALARM	4	3						7
896		CHEST PAIN		3						3
897		CARDIAC ARREST	5	4						9
898		UNCONSCIOUS	3							3
899		FALL	2							2
900		BREATHING PROBLEM		3						3
901		FALL				8				8
902		BURNING COMPLAINT		8						8
903		CONVULSIONS/SEIZURE		9						9
904		CARBON MONOXIDE				5				5
905		FALL		5						5
906		FIRE ALARM	3			8				11
908		STROKE	2							2
909		CARDIAC ARREST				8				8
910		BREATHING PROBLEM	3							3
911		OVERDOSE/POISONING	2							2
912		OVERDOSE/POISONING		1		6				6
913		BREATHING PROBLEM								1
914		BREATHING PROBLEM	3							3
915		BURNING COMPLAINT		5						5
916		FALL				5				5
917		ALTERED MENTAL STATUS				6				6
918		WIRES DOWN/MARCING		5						5
919		EMS ALARM	5							5
920		AID GIVEN - FIRE				4				4
921		CONVULSIONS/SEIZURE		6						6
922		BREATHING PROBLEM				7				7
923		ALTERED MENTAL STATUS	2							2
924		STRUCTURE FIRE	3	8						16
925		FIRE ALARM	1	4						9
926		CONVULSIONS/SEIZURE	2							2
927		MOTOR VEHICLE ACCIDENT		9						9
929		CONVULSIONS/SEIZURE		3						3
930		FIRE ALARM	2	3						5
931		CHEST PAIN		3						3
932		ALTERED MENTAL STATUS	2							2
SUB TOTAL			114	210	0	199	15	0	0	538

KALAMAZOO TOWNSHIP FIRE DEPARTMENT FIRE REPORT: APRIL 2023

INC. NO	ADDRESS	TYPE OF CALL	STA. 1	STA. 2	STA. 3	STA. 4	COMSTK	OSH	CITY	TOTALS
933		UNKNOWN/PERSON DOWN	7	5		6		2		5
934		SMOKE INVESTIGATION								15
935		SMOKE INVESTIGATION		4						4
936		AID GIVEN - FIRE				8				8
938		FALL				3				3
940		FIRE ALARM	4			8				12
942		FALL		5						7
943		FIRE ALARM	6							6
944		BREATHING PROBLEM				6				6
945		OVERDOSE/POISONING	7			13				20
947		HEAD INJURY/PAIN		5						5
948		FIRE ALARM	2	5						7
949		UNCONSCIOUS				5				5
950		CHEST PAIN		9						9
951		BREATHING PROBLEM				7				7
952		CARBON MONOXIDE				7				7
953		SICK PERSON		5						5
954		CONVULSIONS/SEIZURE								4
955		CANCELLED EN ROUTE								2
956		ALTERED MENTAL STATUS	9							9
957		DIABETIC PROBLEM	6							6
958		ALTERED MENTAL STATUS		3						3
959		VEHICLE FIRE	3	4		5		4		7
962		BURNING COMPLAINT				5				5
963		GAS LEAK	1							10
964		FIRE ALARM	2			5				2
965		HEMORRHAGE/LACERATION		3						3
966		OVERDOSE/POISONING		7						7
967		BREATHING PROBLEM	2							2
968		MOTOR VEHICLE ACCIDENT	3							3
969		AID GIVEN - FIRE		3						3
970		VEHICLE FIRE				6				6
971		CHEST PAIN				5				5
972		STROKE	2	5						5
973		FIRE ALARM	2			5				7
974		FIRE ALARM	2							2
SUB TOTAL			170	273	0	288	23	6	0	760

KALAMAZOO TOWNSHIP FIRE DEPARTMENT FIRE REPORT: APRIL 2023

INC. NO	ADDRESS	TYPE OF CALL	STA. 1	STA. 2	STA. 3	STA. 4	COMSTK	OSH	CITY	TOTALS
976		WIRES DOWN/ARCING		6						6
977		BREATHING PROBLEM		6						6
979		SICK PERSON				5				5
980		BREATHING PROBLEM		6						6
981		CHEST PAIN				5				5
982		ALTERED MENTAL STATUS				8				8
983		BREATHING PROBLEM		5						5
984		MOTOR VEHICLE ACCIDENT				13				13
985		FIRE ALARM	2			12				14
986		ALTERED MENTAL STATUS					2			2
987		BREATHING PROBLEM				7				7
988		BREATHING PROBLEM	3							3
989		FALL					2			2
990		BREATHING PROBLEM	5							5
991		SMOKE INVESTIGATION	4	6		8				18
992		STAB/GUNSHOT WOUND	2			9				11
993		ALTERED MENTAL STATUS				5				5
994		HEMORRHAGE/LACERATION				8				8
995		LIFT ASSIST		5						5
996		CONVULSIONS/SEIZURE		5		6				6
997		CHEST PAIN								5
998		UNKNOWN/PERSON DOWN				7				7
999		SICK PERSON	3							3
1000		CHOKING				6				6
1001		CONVULSIONS/SEIZURE		7						7
1002		FALL		6						6
1003		LIFT ASSIST	3	4						7
1005		FIRE ALARM	3			3				6
1007		GAS LEAK		5						5
1008		CHEST PAIN	2							2
1009		ALTERED MENTAL STATUS		2						2
1010		SMOKE INVESTIGATION				4				4
1011		SMOKE INVESTIGATION		4						4
1012		CANCELLED EN ROUTE				5				5
1013		CHEST PAIN		3						3
1014		CHEST PAIN		4						4
TOTALS			197	347	0	399	27	6	0	976



1720 Riverview Drive
Kalamazoo, MI 49004-1056
Tele: (269) 381-8080
Fax: (269) 381-3550
www.ktwp.org

AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: 9A 05222023

FOR MEETING DATE: 05-22-2023

SUBJECT: Northwood Fire Station detached garage roofing replacement

REQUESTING DEPARTMENT: Fire Department & ARPA Committee

SUGGESTED MOTION: Approve proposal in the amount of \$6,750 using ARPA funds on the roof replacement project at the Northwood Fire Station by Hoekstra Roofing and authorize the Supervisor to sign on behalf of the township.

Financing Cost: \$6,750

Source: General Fund _____ Grant _____ Other ARPA

Are these funds currently budgeted? Yes ___ No X

Other comments or notes: See attached memo.

Submitted by: Jairus Baird, Fire Chief

Recommendation:

Direction: In order for an item to be included in the agenda this form must be completed and signed by the department head, committee chairperson, etc. requesting board action. This form is to be complete and accompany any and all requests submitted to the Kalamazoo Township Board of Trustees for official action. It indicates that the item has received proper administrative consideration prior to its presentation to the Board. The completed form and supporting documentation must be received in the Manager's office NO LATER THAN NOON THE THURSDAY PRECEDING THE NEXT REGULAR BOARD MEETING. Any request presented without this form or after the deadline will be considered incomplete and returned for resubmission.

The mission of Kalamazoo Township is to provide government services that promote a safe, healthy, accessible, and economically viable community to live, work, learn and play.



1720 Riverview Drive
Kalamazoo, MI 49004-1056
Tele: (269) 381-8080
Fax: (269) 381-3550
www.ktwp.org

To: Kalamazoo Township Board
From: Jairus Baird, Fire Chief
Date: 05/22/2023

The roof of the detached two car garage at Northwood Fire Station has been identified as leaking and in need of replacement to prevent rotting of the decking. Hoekstra roofing recommends replacing the existing roof vents with a ridge vent, and covering the entire decking with ice and water shield to prolong the need for future repair or replacement. These changes are included in the following quote of \$6,750.

These funds are supported by the ARPA committee for immediate use to prolong the life of this building.

Proposal and Specifications

May 12, 2023

Submitted to: Kalamazoo Township Installation location: Northwood Fire
Fire Department Station
2617 N Burdick
Kalamazoo, MI 49007

Re: Detached Garage Shingle Roof Replacement

Phone: 269/ 344-1466

Email: jdbaird@ktwp.org

Hoekstra Roofing Company hereby submits specifications:

Dear Chief Baird,

This proposal is to replace the shingle roof on the storage barn at the Northwood Fire Station.

Scope of Work:

- Remove all exiting roofing material down to roof deck
- Fill in wood decking where box vents use to be
- Cut opening along ridge of open space for new ridge vent
- Install aluminum drip edge around perimeter
- Install Ice & Water Shield **over entire roof**
- Install GAF HDZ Asphalt Dimensional Shingles
- Install **GAF ridge vent system**
- Install GAF ridge cap shingles
- Standard GAF Warranty Protection warranty included

Price: \$ 6,750.00

Please feel free to contact me with any questions or further clarifications. I can be reached at 269/ 303-8525 or email jeff@hoekstraroofing.com.

Thank You

Hoekstra Roofing Company,

A handwritten signature in blue ink that reads 'Jeff Bos'.

Jeff Bos
Estimator/Project Manager

HOEKSTRA ROOFING COMPANY – CONTRACT TERMS

PROJECT – 2617 North Burdick St. Kalamazoo, MI 49007

1. **Description.** Northwood Fire Station (“Owner”) agrees to contract with Hoekstra Roofing Company (“Builder”) to provide certain roofing material and labor and other related services (hereinafter all roofing labor and materials and other services provided by Builder shall be referred to as the “Work”), according to the plans and specifications attached hereto as **Exhibit A**. The Builder’s Work and all other work undertaken by Owner or other contractors, if any, at its property (the “Property”) may collectively be referred to as the “Project” hereunder.
2. **Contract Price and Payment of Contract.** The contract price (“Contract Price”) is the price for construction and completion of the Work described on (**Hoekstra Roofing Company Proposal and Specification** (“Proposal”). Owner shall pay where applicable an initial deposit in advance of the Work as shown on the Proposal. Owner shall then pay to Builder any future amount invoiced to Owner, within fifteen (15) days after Builder has sent Owner an invoice for its services. Any amounts due and payable by Owner to Builder hereunder which are not paid timely shall accrue interest at a rate of eighteen percent (18%) per annum (one and five hundredths (1.5%) percent compounded every thirty (30) days) or the highest rate allowable under Michigan law, whichever is less.
3. **Change Orders.** Any and all additions, alterations, or changes to the plans and specifications, including any materials provided in the plans and Specifications, or to the scope of Builder’s Work, shall be agreed upon in writing and signed by the parties. The written document modifying the Work shall be referred to herein as a “Change Order”. Notwithstanding the foregoing, if the parties fail to sign a written Change Order where extra work has been ordered by Owner, or Owner’s agents, in writing or verbally, then Owner shall pay Builder’s reasonable costs for its labor, materials, and overhead for the extra work, plus Builder’s reasonable profit margin.
4. **Site Conditions.** Notwithstanding anything in this Agreement to the contrary, should any unsuitable, unusual or unforeseen roofing or other building conditions be encountered which Builder did not foresee, and it is necessary to remove or correct them to reasonably complete the Work, or the same increase Builder’s cost to complete the Work, then the cost of the correction of these conditions or the additional costs and expenses incurred by Builder shall be paid by Owner to Builder upon demand. These conditions shall include, but not be limited to, the repair or replacement of moldy, rotted, rusted, or other compromised roof decking, carpentry, masonry, or asbestos or other such materials or conditions discovered by Builder after commencement of the Work. Builder will also not be responsible for dust, debris, or ceiling components that may fall from below the roof deck during roofing operations. Owner shall also be responsible to pay Builder for all changes in the Work required by any laws or building codes or changes necessitated by structural or design defects.
5. **Specifications.** To the extent that specifications for the Project are provided by Owner or Owner’s agents or employees, said parties are responsible for any defect in the design of the Project or designation of materials or location of the Project which do not meet Owner’s satisfaction, industry customs or standards or building codes. Owner agrees that Builder shall bear no responsibility for damages arising out such design. Material type, size, location, design, installation, color, and other design selections can alter durability, price, value, and usability of the finished Project and Builder assumes no responsibility for selections or choices that are made by Owner or Owner’s agents and employees.
6. **Completion Time.** Owner agrees that the time of completion of the Work is dependent on a variety of factors and that while Builder can provide an estimate of completion time there is no guaranty that the Work will be completed on any specific date. Owner grants Builder complete discretion in the time and manner at which the Builder’s Work will be performed to account for outside work schedule of Builder, coordination of trades, weather, availability of labor and materials, and other factors that may affect the time of completion.
7. **Limited Warranty.** If the Work is subject to a limited warranty, the same shall be in writing and signed by the Builder; provided, however, that even where a limited warranty applies, the Owner agrees that there shall be no warranty of any kind related to any portion of the Work which is repair work (as opposed to complete roof replacement or the completion of new work provided by Builder to which the limited warranty may apply). EXCEPT FOR ANY EXPRESS WARRANTIES AS SET FORTH HEREUNDER, ALL OTHER IMPLIED WARRANTIES ARE HEREBY WAIVED AND DISCLAIMED, INCLUDING, BUT NOT LIMITED TO, AN IMPLIED WARRANTY OF WORKMANLIKE CONSTRUCTION, AN IMPLIED WARRANTY OF HABITABILITY, AN IMPLIED WARRANTY OF MERCHANTABILITY, AND AN IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR USE OR PURPOSE. Failure to make timely payment in accordance with paragraph 2 voids any Warranty offered.
8. **Waiver of Mold and Other Claims.** Notwithstanding Builder’s obligation to construct the Work in a good, workmanlike manner, consistent with all applicable building codes, Owner acknowledges that moisture in and around the Project may cause mold growth, and that Owner and/or Owner’s customers, employees, visitors, and guests could be exposed to the inhalation of mold spores or have skin contact with mold contaminates. The effect of mold on a person’s health, if any, depends on the type of mold, the level of mold exposure, and the sensitivity of the person exposed. The Owner acknowledges that the Builder does not have control over the growth of mold in and around the Work on the Project and therefore Owner agrees to release Builder, and Builder’s owners, officers, employees, subcontractors, and suppliers, from all claims and causes of action related in any way to the existence of mold at the Project. Owner acknowledges that the Builder shall not be responsible for any damages, costs, or expenses caused by, or related to, mold, dry rot, mildew, or some other agent, substance, or material, that may exist at the Project and which may be associated with, or caused by, the Builder’s Work, including, but not limited to, losses or damage to the Project, personal injury, loss of income, emotional distress, death, loss of use, loss of value, and any other adverse health effects.
9. **Attorneys’ Fees/Costs.** If either party breaches this Agreement, whether prior to or after commencement of construction, and the non-breaching party incurs any attorneys’ fees or other costs necessary to enforce this Agreement against the other party, then the non-breaching party’s attorneys’ fees and all court, expert witness, or other costs shall be due and payable by the breaching party, upon demand, and any judgment entered by any court shall include an award of attorneys’ fees and costs related to enforcement of this Agreement.
10. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties with respect to the matters set forth herein, and there are no representations, warranties, covenants, or obligations except as set forth herein. This Agreement supersedes all prior and contemporaneous agreements, understandings, negotiations, statements and discussions, written or oral, of the parties hereto, relating to the matters contemplated by this Agreement.
11. **Builder’s License.** If the Project is a residential structure as defined under the Act, then under Section 114 of the Act, this Agreement incorporates the following language:

That a residential builder or a residential maintenance and alteration contractor is required to be licensed under article 24 of the occupational code, 1980 PA 299, MCL 339.2401 to 339.2412. That an electrician is required to be licensed under the electrical administrative act, 1956 PA 217, MCL 338.881 to 338.892. That a plumbing contractor is required to be licensed under the state plumbing act, 2002 PA 733, MCL 338.3511 to 338.3569. That a mechanical contractor is required to be licensed under the Forbes mechanical contractors act, 1984 PA 192, MCL 338.971 to 338.988.
12. **Other Provisions.** _____

We have read this Agreement carefully before signing and hereby acknowledge receipt of a copy thereof.

Owner: Northwood Fire Station

Builder: Hoekstra Roofing Company

By: _____

Its: Jeff Bos
Project Manager/Estimator

Dated: 5/12/22



1720 Riverview Drive
Kalamazoo, MI 49004-1056
Tele: (269) 381-8080
Fax: (269) 381-3550
www.ktwp.org

AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: 9B 05222023

FOR MEETING DATE: 05/22/2023

SUBJECT: Battery electric fan request

REQUESTING DEPARTMENT: Fire Department & ARPA Committee

SUGGESTED MOTION: Authorize the purchase of battery electric fans at a cost of \$25,050 from Moses Fire Equipment, Inc. and authorize the Supervisor to sign on behalf of the township.

Financing Cost: \$25,050

Source: General Fund _____ Grant _____ Other ARPA Funding _____

Are these funds currently budgeted? Yes ARPA No _____

Other comments or notes: See attached memo.

Submitted by: Jairus Baird, Fire Chief

Recommendation:

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To: Kalamazoo Township Board
From: Jairus Baird, Fire Chief
Date: May 22, 2023

Kalamazoo Township Fire Department currently has corded electric fans that are at the end of their useful life. Rechargeable battery capable fans, which still have a corded option for long duration use, are the best alternative on the market while providing twice as much airflow as the fans they look to replace. Battery power can run the units for 40 minutes at the highest setting before needing to be plugged in or connected to shore power. These units come with a 3 year warranty on motors and batteries, with a 5 year warranty on all other components.

Purchasing these fans is supported by the ARPA committee to replace existing corded fans on the remaining 4 engines and 2 ladders in the department.

Each unit comes with two high capacity 12 Amp Hour DeWalt rechargeable battery packs and total project cost to be funded with ARPA funds is \$25,050.

Quote#	QUO97042
Date	05/11/2023
Exp. Date	06/10/2023

Bill To:

Kalamazoo Twp. Fire Dept.
 1720 Riverview Dr
 Kalamazoo, MI 49004-1099
 United States

Ship To:

Kalamazoo Twp. Fire Dept.
 1720 Riverview Dr
 Kalamazoo, MI 49004-1099
 United States

Supervac PPV Fan & Batteries 5/11/23

ID	Name	Terms	Sales Rep	Shipping Method
11514	Kalamazoo Twp. Fire Dept.	Net 30		FedEx Ground

#	Item Name	Description	Quantity	Unit Price	Amount
1	SV-V16-BD-SP	Super Vac Valor Series 16" PPV Fan with Shore Power, No battery, No Charger	6	3,807.69	22,846.14
2	SV-BD12-X2	Super Vac DeWalt 12AH FlexVolt Replacement Battery (2 Pack)	6	761.55	4,569.30

<p>ACCEPTANCE OF QUOTATION</p> <p>The above prices, specifications, and conditions are satisfactory and are hereby accepted.</p> <p>Freight charges are estimated at the time of quote. Applicable freight costs will apply at time of shipment.</p> <p>Quotation is valid until Jun 10, 2023</p> <p>Signature: _____ Date: _____</p>	Subtotal:	27,415.44
	Discount:	0.00
	Tax Total:	0.00
	Freight:	0.00
	Total:	27,415.44



MFE, Inc. (Moses Fire Equipment, Inc.)

P.O. BOX 690
LAWRENCE, MI 49064-0690

Voice: (269) 674-8655

Email: mosesfire@live.com

QUOTE

Quote Number:
Q23108

Quote Date:
05/16/23

Quote for: **TODD MARTIN**
KALAMAZOO TWP. FIRE DEPT.

Quote Valid: **30 DAYS**


This order will ship "FREIGHT FREE" from Super Vac

Quoted by: Sheryl Moses, Office Mgr.

Via Email

Cell: (269) 998-4730

Salesperson: House

Quantity	Description	Price Each	Total Cost
6	<p>SUPER VAC DeWALT BATTERY 16" VARIABLE SPEED PPV FAN, COMPLETE WITH (2) DeWALT FLEXVOLT 12 Ah BATTERIES, (2) AC CHARGERS, AND 120 Volt AC SHORE POWER CAPABILITY (BOX STYLE - NO WHEELS OR HANDLE)</p> 	\$ 4,175.00	\$ 25,050.00

Please review the above information, cross out any items that you do not want, verify quantities and sign below for acceptance of this order as listed above. Please RETURN the signed copy to us so your order can be processed.

Authorized by: _____

Date: _____

Print Name: _____

Customer PO # _____



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AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: 9C 05222023

FOR MEETING DATE: 05/22/2023

SUBJECT: Fire Department Employee Wage and Benefit Approval

REQUESTING DEPARTMENT: Fire Department and PAC

SUGGESTED MOTION: Authorize the PAC recommendations for salary, retirement, retiree-healthcare, and vacation/sick leave proposals for the Fire Department.

Financing Cost: Varies depending on number of approved positions. Cost per new FF position(s) \$105,000.

Source: General Fund _____ Grant _____ Other _____

Are these funds currently budgeted? Yes X No _____

Other comments or notes: See attached memo.

Submitted by: Jairus Baird, Fire Chief

Recommendation:

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To: Kalamazoo Township Board
 From: Jairus Baird, Fire Chief
 Date: 05/22/2023

In looking to move the department away from the Residential Station Officer model, all employee pay rates and benefits were evaluated with the PAC. The goal of these meetings were to create an employee package for current and future employees in line with market rates while ensuring the basis of a new recruiting plan can be started on a strong foot. The PAC finalized its recommendations at its last meeting and those recommendations are outlined below.

Fire Department Service Model Restructure

A. Wages – Full-time Firefighters

Committee Recommendation – The committee recommends full-time firefighters be compensated according to the Charter Township of Kalamazoo grade five (5) wage scale.

B. Wages – Battalion Chiefs

Committee Recommendation – The committee recommends battalion chiefs be compensated according to a 7.5 grade scale (halfway between grade 7 and grade 8, with the same 20% increase from step 1 to step 7).

Recommended Wage Scale: Battalion Chief – Grade 7.5*

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Hourly**	\$23.98			\$26.38			\$28.78
Bi-weekly	\$2,685.71	\$2,775.23	\$2,864.78	\$2,954.28	\$3,043.80	\$3,133.33	\$3,222.85
Annual	\$69,829			\$76,821			\$83,803

*Approximate calculations

**Based on 2912 hours per year.

C. Retiree Healthcare

The current accrual for the police officers is 25 years of service with a minimum age of 53 years. Although you can leave with some coverage before reaching “25 and 53” and earn some coverage for years of service up to that point, you will be covered until the qualifying age for Medicare if you stay until you have reached “25 and 53”.

Committee Recommendation – The committee recommends all fire personnel be moved to the police retiree healthcare benefit.

D. Retirement Plan

Committee Recommendation – The committee recommends a 12% defined contribution for fire personnel (move all fire to Class IV).

E. Vacation and Sick Leave

Committee Recommendation – The committee recommends 12 hours of accrued sick time per month (1.5 times the Township 40-hour employee accrual) with a maximum accrual of 3,120 hours of sick time. The committee further recommends vacation accrual and maximums as outlined in the below chart.

Recommended Vacation Time Accrual

Years of Service	Monthly Accrued Time	Yearly Accrued Time	Maximum Accrued Time
0 through 3 years	10.0 hours	120.0 hours	180.0 hours
3 years, 1 month through 8 years	15.0 hours	180.0 hours	270.0 hours
8 years, 1 month through 14 years	20.0 hours	240.0 hours	360.0 hours
14 years, 1 month through 21 years	25.0 hours	300.0 hours	450.0 hours
21 years, 1 month and up	30.00 hours	360.0 hours	540.0 hours

F. Other Items for Information

Committee Approval – The committee approved job descriptions for “Full Time Firefighter/Apparatus Operator” and “Battalion Chief” as well as a Fire Department organizational chart at their last meeting on 05/17/2023.



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AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: _____

FOR MEETING DATE: _____

SUBJECT: _____

REQUESTING DEPARTMENT: _____

SUGGESTED MOTION:

Financing Cost: _____

Source: General Fund _____ Grant _____ Other _____

Are these funds currently budgeted? Yes _____ No _____

Other comments or notes:

Submitted by: _____

Manager's Recommendation:

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KALAMAZOO CHARTER TOWNSHIP

KALAMAZOO COUNTY, MICHIGAN

ORDINANCE NO. _____

ADOPTED: _____

EFFECTIVE: _____

AMENDMENT TO KALAMAZOO CHARTER TOWNSHIP ZONING ORDINANCE

An Ordinance to amend the Site Development Regulations related to marijuana facilities and establishments by the elimination of required fencing in order to comply with current state regulations regarding such uses; to provide an effective date; and to repeal all ordinances or parts of ordinances in conflict herewith.

THE CHARTER TOWNSHIP OF KALAMAZOO

KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION I

**AMENDMENT TO ARTICLE 8 "SITE DEVELOPMENT STANDARDS"
OF THE KALAMAZOO TOWNSHIP ZONING ORDINANCE**

- A. Article 8 "Site Development Standards", Section 8.02 "Scope of Requirements" Subsection VV. "Marijuana Grow, Marijuana Processor, Marijuana Provisioning Center, Marijuana Secure Transporter, and Marijuana Safety Compliance Facility" Subsection 2 "Marijuana Growers" Subsection h. "Fencing and Screening" is hereby amended to read as follows:

"Fencing and screening shall not be required."

- B. Article 8 "Site Development Standards", Section 8.02 "Scope of Requirements" Subsection VV. "Marijuana Grow, Marijuana Processor, Marijuana Provisioning Center, Marijuana Secure Transporter, and Marijuana Safety Compliance Facility" Subsection 3 "Marijuana Processors", Subsection h "Fencing and Screening" is hereby amended to read as follows:

"Fencing and screening shall not be required."

- C. Article 8 "Site Development Standards", Section 8.02 "Scope of Requirements" Subsection VV. "Marijuana Grow, Marijuana Processor, Marijuana Provisioning Center, Marijuana Secure

Transporter, and Marijuana Safety Compliance Facility” Subsection 4 “Marijuana Provisioning Center” Subsection j “Fencing and Screening” is hereby amended to read:

“Fencing and screening shall not be required.”

- D. Article 8 “Site Development Standards”, Section 8.02 “Scope of Requirements” Subsection VV. “Marijuana Grower, Marijuana Processor, Marijuana Provisioning Center, Marijuana Secure Transporter, and Marijuana Safety Compliance Facility” Subsection 5 “Marijuana Safety Compliance Facilities” Subsection j “Fencing and Screening” is hereby amended to read:

“Fencing and screening shall not be required.”

- E. Article 8 “Site Development Standards”, Section 8.02 “Scope of Requirements” Subsection VV. “Marijuana Grow, Marijuana Processor, Marijuana Provisioning Center, Marijuana Secure Transporter, and Marijuana Safety Compliance Facility” Subsection 6 “Marijuana Secure Transporters” Subsection h “Fencing and Screening” is hereby amended to read:

“Fencing and screening shall not be required.”

- F. Article 8 “Site Development Standards”, Section 8.02 “Scope of Requirements” Subsection WW. “Adult Use Marijuana Retailer and/or Grower, Processor, Transporter, Testing Facility, and/or Microbusiness” Subsection 3. “Adult Use Marijuana Retailer” Subsection j “Fencing and Screening” is hereby amended to read:

“Fencing and screening shall not be required.”

- G. Article 8 “Site Development Standards”, Section 8.02 “Scope of Requirements” Subsection WW. “Adult Use Marijuana Retailer and/or Grower, Processor, Transporter, Testing Facility, and/or Microbusiness” Subsection 4. “Adult Use Marijuana Grower, Processor, Transporter, and/or Testing Facility” Subsection k “fencing and screening” is hereby amended to read:

“Fencing and screening shall not be required, excepting that all outdoor grows, including greenhouses shall be screened from view from adjacent properties and public rights-of-way.”

- H. Article 8 “Site Development Standards”, Section 8.02 “Scope of Requirements” Subsection WW. “Adult Use Marijuana Retailer and/or Grower, Processor, Transporter, Testing Facility, and/or Microbusiness” Subsection 3. “Adult Use Marijuana Microbusiness” Subsection j “Fencing and Screening” is hereby amended to read:

“Fencing and screening shall not be required.”

- I. Article 8 “Site Development Standards”, Section 8.02 “Scope of Requirements” Subsection XX. “Adult Use Marijuana Special Licenses”, Subsection 3 “Adult Use Marijuana Excess Grower License” Subsection j “Fencing and Screening” is hereby amended to read:

“Fencing and screening shall not be required.”

SECTION 2
EFFECTIVE DATE AND REPEAL

This ordinance shall take on the eighth day following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 110 of 2006. All parts of ordinances in conflict herewith are hereby repealed.

KALAMAZOO CHARTER TOWNSHIP

Lisa Moaiery, Township Clerk

1720 Riverview Drive

Kalamazoo, MI 49004

269-381-8080

www.ktwp.org



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AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: _____

FOR MEETING DATE: _____

SUBJECT: _____

REQUESTING DEPARTMENT: _____

SUGGESTED MOTION:

Financing Cost: _____

Source: General Fund _____ Grant _____ Other _____

Are these funds currently budgeted? Yes _____ No _____

Other comments or notes:

Submitted by: _____

Manager's Recommendation:

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ARTICLE 1 – MISCELLANEOUS

- a. Sec. 395.750.240 False alarms, Misuse of the 911 emergency call system & False Report of a Crime..... 1
- b. Sec. 395.350 Litter..... 2
- c. Sec. 395.750.81. Assault and Battery..... 3
- d. Sec. 395.750.356. Larceny..... 3
- e. Sec. 395.750.356d. Retail fraud..... 3
- f. Sec. 395.750.535. Receiving and concealing stolen property..... 3
- g. Sec. 395.767.39. Aiding and abetting offense..... 3
- h. Sec. 395.750.92. Attempt to Commit Offense..... 3
- i. Sec. 395.01 Penalties..... 4

ARTICLE 2. OFFENSES AGAINST PROPERTY RIGHTS

- a. Sec. 395.750.552. Trespass 4
- b. Sec. 395.750.115. Illegal entry..... 4
- c. Sec. 395.750.377a. Damaging Property..... 4
- d. Sec. 395.750.394. Throwing objects at vehicles..... 4
- e. Sec. 395.750.382. MDP trees, yards, shrubs..... 5
- f. Sec. 395.02. Penalties..... 5

ARTICLE 3. OFFENSES AGAINST PUBLIC PEACE AND ORDER

- a. Sec. 395.750.167.01. Disturbing the Peace..... 5
- b. Sec. 395.324. Anti-noise and public nuisance..... 5
- c. Sec. 395.123.1104. Discharge of firearms and pneumatic guns..... 9
- d. Sec. 395.750.167.02. Public intoxication..... 11
- e. Sec. 395.750.167.03. Crowding or jostling persons in public place..... 11
- f. Sec. 395.200. Nuisance Parties..... 11
- g. Sec. 395.300. Spitting in public carrier or in place of public assemblage... 12
- h. Sec. 395.03. Penalties..... 12

ARTICLE 4. OFFENSES AGAINST PUBLIC MORALS

- a. Sec. 395.750.335a. Public nudity & Indecent Exposure.....12
- b. Sec. 395.750.167.04 Frequenting or operating place where illegal or immoral business is conducted 13
- c. Sec. 395.750.167.05 Window peeping..... 13
- d. Sec. 395.400. Prowling..... 13
- e. Sec. 395.750.448. Prostitution and solicitation..... 13
- f. Sec. 395.750.301. Gambling places and devices..... 13

g. Sec. 395.04. Penalties..... 14

ARTICLE 5. OFFENSES INVOLVING ADMINISTRATION OF GOVERNMENT

a. Sec. 395.750.217. Obstruction by disguise or false information..... 14
b. Sec. 395.750.81d. Resisting or obstructing public officers..... 14
c. Sec. 395.750.215. Impersonating police officer or township official... 14
d. Sec. 395.05. Penalties..... 14

ARTICLE 6. OFFENSES INVOLVING UNDERAGE PERSONS

a. Sec. 395.750.145. Contributing to the delinquency of a minor..... 15
b. Sec. 395.750.136b. Leaving children unattended..... 15
c. Sec.395.500 Unlawful entertainment in places licensed to sell alcoholic
beverages..... 15
d. Sec. 395.06. Penalties..... 15

ARTICLE 7. MINOR IN POSSESSION OF ALCOHOL

a. Sec. 395.436.1703. Purchase, consumption, or possession of alcoholic
liquor by minor; attempt; violation; fines; sanctions; furnishing
fraudulent identification to minor; chemical breath analysis;
notice to parent, custodian, or guardian; construction of ordinance;
exceptions..... 15
b. Sec. 395.07. Penalties..... 18

ARTICLE 1. IN GENERAL

Sec. 395.750.240. False alarms, Misuse of the 911 Emergency Call System, and False reports of a crime.

1. False Alarms.

- (a) Regulation. It shall be unlawful for any person to knowingly start or spread any false alarm of fire, riot, explosion, civil disturbance, crime or other breach of the peace within the Township.
- (b) Prohibition. It shall be unlawful for any person to report the existence of a fire or other emergency to the police, fire department or any other agency empowered to deal with an emergency when such person knows the report to be false. It shall be unlawful for any person to report or cause to be reported to any police agency any information concerning the commission of any offense or other incident which would require police action when such person knows that no such offense or other incident has occurred, or when such person knows the information is false, or that such person has no such reliable information.
- (c) Reports of bombs or other hazards. It shall be unlawful for any person to knowingly give false information to the affect that a bomb will be exploded or that any other serious hazard exists in any public conveyance, church, school, theater, auditorium, assembly hall, factory, warehouse, industrial, commercial or residential building, or any other place used for public gatherings.
- (d) Security systems. Any person, firm or corporation having a burglar, holdup or other type of intrusion alarm which communicates a false alarm to the Kalamazoo Township Police Department and which is responded to by said police department shall be charged a fee for the same as established by resolution of the Township Board duly adopted at a regular or special meeting of said Board and entered in the official records of the Township Clerk. Such resolution may be amended from time to time by action of the Township Board to reflect changes in costs to the Township and other policy considerations.
- (e) Fire alarm systems. Any person, firm or corporation having a fire alarm system which communicates a false alarm to the Kalamazoo Township Fire Department and which is responded to by said fire department shall be charged a fee for the same as established by resolution of the Township Board duly adopted at a regular or special meeting of said Board and entered in the official records of the Township Clerk. Such resolution may be amended from time to time by action of the Township Board to reflect changes in costs to the Township and other policy considerations.
- (f) Use of telephone or electronic device in reporting false alarms. It shall be unlawful for any person, firm or corporation to use or cause to be used any telephone or electronic device or attachment that automatically selects a public primary telephone trunk line of the Township police or fire department, or any other Township department, and upon connection thereto reproduces any pre-recorded message to report any burglary, fire alarm or other emergency.

2. Misuse of the 911 Emergency Call System.

- (a) It shall be unlawful for any person to misuse the 911 system. It shall be an affirmative defense that the person charged has a good faith, reasonable factual basis for the request. "Misuse of the 911 system" or "Emergency Call System" is a request for emergency response when no actual emergency exists and when the caller does not have a good-faith basis to request emergency assistance.

3. False Reports of a Crime.

- (a) No person shall intentionally make a false report of the commission of a crime, or intentionally causes a false report of the commission of a crime to be made, to a peace officer, the Kalamazoo Township Police Department, the Kalamazoo Township 9-1-1 and/or dispatch operator, or any other Kalamazoo

Township employee or contractor or employee of a contractor who is authorized to receive reports of a crime.

State law reference(s)—False fire alarms, MCL 750.240, MSA 28.437; false reports of crime, MCL 750.411a, MSA 28.643(1).

Sec. 395.350. Litter.

- (a) Definitions. Litter as used in this Section means all garbage, scrap and waste materials including rags, cartons, paper, cans, bottles, used lumber, boxes, wooden skids or pallets or parts therefrom (excluding those stored and used in connection with an industrial or commercial operation on the site), inoperable and discarded appliances and equipment, cut or broken tree branches, and broken or discarded plaster, concrete, or brick building materials.
- (b) Regulations.
 - a. It shall be unlawful for any person, without the consent of the public authority having supervision of public property or the owner of private property, to dump, deposit, place, throw or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of litter or any other materials on any public or private property or waters within the Charter Township of Kalamazoo other than property designated and set aside for such purposes. The phrase "public or private property or waters" includes, but is not limited to, the right-of-way of any road or highway, any body of water or water course, or the shores or beaches thereof, and including the ice above such waters; any park, playground, building, refuge, or conservation or recreation area; and any residential, commercial, industrial, or farm properties or vacant or unimproved lands.
 - b. It shall be unlawful for any person to aid, assist, or abet another to violate any of the provisions of the within Section.
 - c. The owner or occupant of any building or premises within the Charter Township shall not permit or cause the outdoor storage of litter on such premises, subject to the following exceptions:
 - i. Such litter is temporarily stored outdoors for not more than 14 days or for longer than any period which would cause the same to be odoriferous or a breeding place of insects or rodents, whichever is the lesser period.
 - ii. Such litter does not include garbage or other putrescible liquids or solids, is screened from the view of all adjacent properties and abutting public or private rights-of-way, and is being stored for collection by contracted residential garbage collection services.
 - iii. Logs, branches, or other scrap wood may be neatly stacked outdoors on an occupied premises, provided such storage (1) does not exceed 640 cubic feet in area; (2) is not located within any required building setback areas as specified in the Kalamazoo Charter Township Zoning Ordinance; and (3) complies with all applicable "Fire Codes" and other ordinance requirements. The limitation of 640 cubic feet shall Page 98 of 269 not apply to logs, branches, or other scrap wood stored and used in connection with a lawful industrial, commercial or agricultural operation on the site.
 - iv. Such litter is located in a duly licensed and properly zoned junk yard, salvage yard, or landfill where such uses or operations are legally authorized under the Kalamazoo Charter Township Zoning Ordinance.
 - v. A special permit is first obtained therefor for a period of not to exceed 45 days from the Supervisor of Kalamazoo Charter Township or such other officer or official as the Township Board may designate to be granted only in special hardship cases beyond the control of the applicant, where special or peculiar circumstances exist, where no adjoining property owner is adversely affected thereby and where the spirit and purpose of these regulations are still observed. A special permit granted hereunder may

be renewed for not more than one additional 45-day period upon a showing of due diligence and continued satisfaction of the criteria set forth above for the issuance of the initial permit.

State law reference(s)—Littering, MCL 324.8901 et seq., MSA 13A.8901 et seq.

Sec. 395.750.81. Assault and battery.

- (a) Restriction. Any person who assaults or assaults and batters an individual or who makes a disturbance in any business place, public building or grounds, or other place open to the public, or who aids or abets in any of the above acts, shall be guilty of a misdemeanor

State law reference(s)—Assaults, MCL 750.81 et seq., MSA 21.276 et seq.

Sec. 395.750.356. Larceny.

No person shall take or steal money, goods, chattels or other things of value belonging to another.

State law reference(s) - Larceny, MCL 750.356 (property) & 750.356a (motor vehicles)

Sec. 395.750.356d. Retail fraud.

While in a store open to the public or in its immediate vicinity, no person shall:

- (1) Alter, transfer, remove and replace, conceal or otherwise misrepresent the price at which property is offered for sale, with intent not to pay for the property or to pay less than the price at which the property is offered for sale;
- (2) Steal property of the store that is offered for sale; or
- (3) With intent to defraud, obtain or attempt to obtain money or property from the store as a refund or exchange for property that was not paid for and belongs to the store.

State law reference(s)— Retail fraud, MCL 750.356d.

Sec. 395.750.535. Receiving and concealing stolen property.

No person shall receive, possess, conceal or aid in the concealment of stolen, embezzled or converted money when knowing that the money, goods or property is stolen, embezzled or converted.

State law reference(s)—Similar provisions, MCL 750.535, MSA 28.803.

Sec. 395.767.39. Aiding and abetting offense.

Every person concerned in the commission of an offense under this Section, whether they directly commit the act constituting the offense or procure, counsel, aid or abet in its commission, may be prosecuted, indicted, tried and on conviction shall be punished as if they had directly committed such offense.

State law reference(s)—Abolition of distinction between accessory and principal, MCL 767.39, MSA 28.979.

Sec. 395.750.92. Attempt to commit offense.

Any person who shall attempt to commit an offense prohibited by this Section, and in such attempt shall do any act towards the commission of such offense, but shall fail in the perpetration, or shall be intercepted or prevented in the execution of the offense, shall be guilty of a misdemeanor if the attempt involved an offense designated as a misdemeanor, and shall be responsible for a civil infraction if the attempt involved an offense designated as a civil infraction.

State law reference(s)—Similar provisions, MCL 750.92, MSA 28.287.

Sec. 395.01. Penalties.

Unless otherwise provided, a person who violates Article 1 or fails to comply with any of the provisions of Article 1 is guilty of a misdemeanor and shall be fined not more than \$500.00 or imprisoned not more than 90 days, or both, for each offense.

ARTICLE 2. OFFENSES AGAINST PROPERTY RIGHTS

Sec. 395.750.552. Trespass.

- (a) Any person who willfully enters upon the lands or premises of another without lawful authority, after having been forbidden to do so by the owner, occupant or agent of either, or any person being upon the lands or premises of another, upon being notified to depart therefrom by the owner, occupant or agent of either, who, without lawful authority, neglects or refuses to depart therefrom shall be guilty of a misdemeanor. Posting of the premises against trespassing in a conspicuous manner shall constitute notice under the foregoing provision.

State law reference(s)—Trespassing generally, MCL 750.552 et seq., MSA 28.814 et seq.

Sec. 395.750.115. Illegal entry.

No person shall enter any building or structure of another not open to the general public without first obtaining permission to enter from the owner, occupant or person having immediate control thereof.

State law reference(s)—Trespassing generally, MCL 750.115.

Sec. 395.750.377a. Damaging property.

It is a violation of this Section for any person to:

- (1) Willfully destroy, damage or in any manner deface any property not his or her own; any public school building or part of any public school building, or any equipment or furnishings thereof or therein; any public or private building or part of any public or private building, or any equipment or furnishing thereof or therein; or any bridge, fire hydrant, alarm box, streetlight, street sign, parking meter or shade tree belonging to the Township or located in a public place in the Township.
- (2) Mark or post handbills on, or in any manner mar the walls of a public building or any fence, tree or pole in a public place within the Township.
- (3) Destroy, take or meddle with any property belonging to the Township, or remove such property from the building or place where it may be kept, placed or stored, without authority from the board or another authorized official custodian of such property.

State law reference(s)—Malicious mischief generally, MCL 750.377a et seq., MSA 28.609 et seq.

Sec. 395.750.394. Throwing objects at vehicles.

No person shall throw any object at a vehicle which is traveling, parked or standing in a public place.

State law reference(s)—Throwing stone or other dangerous object at a train or automobile, MCL 750.394, MSA 28.626.

Sec. 395.750.382. MDP trees, yards, shrubs.

Any person who enters any enclosed or unenclosed flower garden, vegetable garden or orchard in the Township without the consent of the owner or tenant or his agent and, while there, cuts down, injures, damages, destroys, eats or carries away any portion of such garden or orchard including any growing thing, crop, tree, timber, grass, seed, soil, fertilizer, water, tool implement, fence or other protective device or any other thing useful for the development, cultivation, maintenance and use of any such garden or orchard..

State law reference(s)—Destruction of trees and shrubs, MCL 750.382, MSA 28.614.

Sec. 395.02. Penalties.

Unless otherwise provided, a person who violates or fails to comply with any of the provisions of Article 2 is guilty of a misdemeanor and shall be fined not more than \$500.00 or imprisoned not more than 90 days, or both, for each offense.

ARTICLE 3. OFFENSES AGAINST PUBLIC PEACE AND ORDER

Sec. 395.750.167.01 Disturbing the Peace.

No person shall:

- (a) Create or engage in any disturbance, fight or quarrel in a public place.
- (b) Create or engage in any disturbance, fight or quarrel that causes or tends to cause a breach of the peace.
- (c) Cause or make any unusual or unnecessary loud noise, shouting, or yelling of such volume or of such a nature as to cause annoyance to persons of ordinary sensibility, or otherwise disturb the public peace and quiet.
- (d) Disturb without lawful authority any lawful assembly or meeting of persons.
- (e) Engage in, participate in or attempt to engage in or participate in a riot.
- (f) Incite, cause or attempt to incite or cause a riot.

Use threatening, abusive, profane or indecent language likely to cause annoyance, disturbance or vexation to persons of ordinary sensibility, or likely to provoke another to fight.

State law reference(s), MCL 750.167.

Sec. 395.324. Anti-noise and public nuisance.

(a) Definitions. The following terms used in this Section are defined as follows:

- a. "Decibel" is a unit to express the magnitude of sound pressure and sound intensity. The difference in decibels between two sound pressures is 20 times the common logarithm of their ratio. In sound pressure measurements, the sound pressure level of a given sound is defined to be 20 times the common logarithm of the ratio of that sound pressure to a reference pressure of 2×10^{-5} N/m² (Newtons per meter squared). As an example of the effect of this formula, a three decibel change in the sound pressure level corresponds to a doubling or halving of the sound intensity, and a ten-decibel change corresponds to a tenfold increase or decrease to 1/10th the former intensity.
- b. "dB(A)" means the sound pressure level in decibels measured on the "A" scale of a standard sound level meter having characteristics defined by the American National Standards Institute, Publication ANSI S1.4-1971.

(b) Anti-noise regulations.

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- a. General regulation. No person, firm or corporation shall cause or maintain any unreasonably loud noise or disturbance, injurious to the health, peace or quiet of the residents and property owners of the Township.
 - b. Specific violations. The following noises and disturbances are hereby declared to be a violation of this Section; provided, however, that the specification of the same is not thereby to be construed to exclude other violations of this Section not specifically enumerated:
 - i. The playing of any radio, phonograph, television, or other electronic or mechanical sound producing device including any musical instrument, in such a manner or with such volume as to unreasonably upset or disturb the quiet, comfort or repose of other persons.
 - ii. Yelling, shouting, hooting or singing on the public streets between the hours of 10:00 P.M. and 7:00 A.M., or at any time or place so as to unreasonably upset or disturb the quiet, comfort or repose of any persons in the vicinity.
 - iii. The emission or creation of any excessive noise which unreasonably interferes with the operation of any school, church, hospital or court.
 - iv. The keeping of any animal, bird or fowl, which emanates frequent or extended noise which shall unreasonably disturb the quiet, comfort or repose of any person in the vicinity; such as allowing or permitting any dog to bark repeatedly in an area where such barking can be clearly heard from nearby residential property.
 - v. The operation of any automobile, motorcycle or other vehicle so out of repair or loaded or constructed as to cause loud and unnecessary grating, grinding, rattling, or other unreasonable noise including the noise resulting from exhaust, which is clearly audible from nearby properties and unreasonably disturbing to the quiet, comfort or repose of other persons. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this section.
 - vi. The sounding of any horn or other device on any motor vehicle unless necessary to operate said vehicle safely or as required by the Michigan Motor Vehicle Code.
 - vii. The discharging outside of any enclosed building of the exhaust of any steam engine, internal combustion engine, motor vehicle, or motor boat engine except through a muffler or other similar device which will effectively prevent loud or explosive noises. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this section.
 - viii. The erection, excavation, demolition, alteration or repair of any building or premises in any part of the Township, and including the streets and highways, in such a manner as to emanate noise or disturbance unreasonably annoying to other persons, other than between the hours of 7:00 A.M. and sundown on any day, except in cases of urgent necessity in the interest of public health and safety. In such case, a permit shall be obtained from the building inspector or ordinance enforcement officer of the Township, which permit shall limit the periods that the activity may continue.
 - ix. The creation of a loud or excessive noise unreasonably disturbing to other persons in the vicinity in connection with the operation, loading or unloading of any vehicle, trailer, railroad car, or other carrier or in connection with the repairing of any such vehicle in or near residential areas.
 - x. The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention to any performance, show, sale, display or other commercial purpose

which, by the creation of such noise, shall be unreasonably disturbing to other persons in the vicinity

- xi. The operation of any loudspeaker or other sound amplifying device upon any vehicle on the streets of the Township with the purpose of advertising, where such vehicle, speaker or sound amplifying equipment emits loud and raucous noises easily heard from nearly adjoining residential property
- xii. The operation of any machinery, equipment or mechanical device so as to emit unreasonably loud noise which is disturbing to the quiet, comfort or repose of any person
- xiii. The operation of any race track, proving ground, testing area or obstacle course for motor vehicles, motorcycles, boats, racers, automobiles or vehicles of any kind or nature in any area of the Township where the noise emanating therefrom would be unreasonably disturbing and upsetting to other persons in the vicinity. Under no circumstances shall any race track, proving ground, testing area or obstacle course operate after 11:00 P.M. on any evening.

(c) Anti-noise regulations based upon dB(A) criteria. In order to regulate and prove violations occurring under subsection (b) of this Section, any noise in excess of the maximum decibel limits according to the regulations stated below is deemed to be in violation of this Ordinance. However, violations under subsection (b) above but which have no decibel determination available shall nevertheless be deemed violations of this Ordinance.

- a. Regulations for decibel measurement of noise originating from private properties. Noise radiating from all properties or buildings, as measured at the boundaries of that portion of the property under separate occupancy, which is in excess of the dB(A) established for the districts and times herewith listed shall constitute prima facie evidence that such noise unreasonably disturbs the comfort, quiet, and repose of persons in the area and is therefore in violation of this Ordinance. Violations shall exist when the source or sources of noise are identifiable and the levels emanating from the source or sources exceed the following limitations. As an example, such noise shall include that emitting from the production, processing, cleaning, servicing, testing, repairing and manufacturing of materials, goods or products, including vehicles.

Zoning District	Limitations 7 AM to 10 PM	Limitations 10 PM to 7 AM
Residential (and any area within 500 feet of a hospital regardless of zoning district and agricultural districts located within 500 feet of any dwelling under separate ownership).	55 dB(A)	50 dB(A)
Agricultural, where at least 500 feet from any dwelling under separate ownership and Commercial	65 dB(A)	55 dB(A)
Industrial	80 dB(A)	75 dB(A)

Harmonic or pure tones, and periodic or repetitive impulse sound shall be in violation when such sounds are at a sound pressure level of 5 dB(A) less than those listed above. Where property is partly in two zoning districts or adjoins the boundary of a zoning district, the dB(A) levels of the zoning district of the property where the noise is emanating shall control.

The following exceptions shall apply to these regulations under this [Section Number], subsection a:

- i. Construction projects shall be subject to the maximum permissible noise levels specified for industrial districts as long as a valid building permit has been issued by the Township and is currently in effect.
 - ii. All railroad operations shall be subject to the maximum permissible noise levels allowed in industrial districts, regardless of the zone where they are located.
 - iii. Noises occurring between 7:00 A.M. and sundown caused by home or building repairs or from maintenance of grounds are excluded, provided such noise does not exceed the limitations specified in subsection (c)(a) of this Section by more than 20 dB(A).
 - iv. Any commercial, agricultural or industrial use of property which exists now or in the future as a legal non-conforming use (as defined in the Township Zoning Ordinance) in a higher zoning classification shall be allowed to emit noises in excess of these limitations for the particular zoning classification where such use is located, providing that such noise does not exceed either of the following limitations:
 - 1. The noise level emitted by such use at the time it became a legal nonconforming use as a result of the enactment of the Township Zoning Ordinance or amendment thereto, if available.
 - 2. The limitations contained herein based upon such a use being located in the highest zoning district (either commercial and agricultural or industrial) where such a use is specifically allowed as a permissible use.
- b. Regulations for decibel measurement of motor driven vehicles on public roads. All noise emitted from motor driven vehicles upon public roads shall be measured whenever Page 95 of 269 possible at a distance of at least 50 feet or 15 meters from a noise source located within the public right-of-way. If measurement at 50 feet (15 meters) is not feasible, measurement may be made at 25 feet (7½ meters) and if this is done, six dB(A) shall be added to the limits provided below. All such noises in excess of the dB(A) as provided herein shall be prima facie evidence that such noise unreasonably disturbs the comfort, quiet, and repose of persons in the area and is therefore in violation of this Section.

Vehicle	Weight	dB(A) Maximum Limitation
Trucks and Buses	Over 10,000 lbs. Gross Weight	82 dB(A)
Trucks and Buses	Under 10,000 lbs. Gross Weight	74 dB(A)
Passenger Cars	Any Weight	74 dB(A)
Motorcycles, snowmobiles & minibikes	Any Weight	82 dB(A)
All other self-propelled motor vehicles	Any Weight	74 dB(A)

- c. Measurement of noise. All measurements of dB(A) according to subparagraphs (a) and (b) of this Section shall be made by using a sound level meter of standard design and operated on the "A" weight scale, with "slow" meter response.
- (d) General exceptions. The prohibitions hereinbefore enumerated shall not apply to the following general exceptions:

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- a. Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities.
 - b. Excavation or repair of bridges, streets or highways or other property by or on behalf of the State of Michigan, County of Kalamazoo, or any municipal governmental body, between sundown and 7:00 A.M. when the public welfare, safety, and convenience render it impossible to perform such work during other hours.
 - c. Warning devices emitting sound for warning purposes as authorized by law.
 - d. Noises emanating from the discharge of firearms are excluded, providing the discharge of the firearms was authorized under Michigan law and all local ordinances.
 - e. Any activity or function sanctioned or conducted by a governmental unit, public school, or a private school properly licensed by the State of Michigan.
 - f. The Township Board shall have authority to grant permits for short-term outdoor recreational or holiday activities generating noise in excess of the limits set forth in this Section. In determining whether or not to grant any such permit, the Township Board shall consider the duration of the proposed activity, the level of noise likely to be generated by it, the times of day during which such noise is likely to be generated, and the nature of the area surrounding the site of the proposed activity. In granting any permit hereunder, the Township Board shall have the right to impose reasonable terms and conditions designed to minimize any adverse impact of the proposed activity on the surrounding area.
- (e) Public nuisance regulations. No person, firm or corporation shall create, cause or maintain any public nuisance within the Township by the unreasonable emission of dust, smoke, fly ash or noxious odors which are offensive or disturbing to adjacent property owners and residents or persons in the area.

Sec. 395.123.1104. Discharge of firearms and pneumatic guns.

(a) *Purpose.* The purpose of this section is to secure and maintain the public peace, health, safety, welfare and convenience of the residents and property owners of the Township by the regulation of the use of pneumatic guns, pistols, firearms, bows and arrows, cross bows, and other devices capable of expelling a projectile in the Township and the approval of pistol and other firearms ranges.

(b) *Definitions.* As used in this section:

- (1) Approved range means a range for the shooting of pistols and other firearms, constructed in such manner as to prevent the projectile from any weapon so fired on such range from exceeding the physical limits of such range.
- (2) Building, structure and edifice mean a space within walls and usually, but not necessarily, covered with a roof.
- (3) Firearm means any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive.
- (4) Pistol means that term as defined in section 222 of the Michigan penal code, 1931 PA 328, MCL 750.222.
- (5) Pneumatic gun means any implement, designed as a gun, that will expel a BB or pellet by spring, gas, or air. Pneumatic gun includes a paintball gun that expels by pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.
- (6) Bow means a device for propelling an arrow from a string drawn, held, and released by hand if the force used to hold the string in the drawn position is provided by the archer's muscles.

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- (7) Crossbow means a weapon consisting of a bow, with a draw weight of 100 pounds or more, mounted transversely on a stock or frame and designed to fire an arrow, bolt, or quarrel by the release of a bow string controlled by a mechanical or electric trigger with a working safety.
- (8) Other device capable of expelling a projectile means a device other than a firearm, pistol, or pneumatic gun from which is propelled a missile, projectile, pellet or other mass by means of springs, rubber, elastic strip, levers or other mechanical devices.
- (c) *Discharge of pistols and other firearms prohibited; exceptions.* No person shall discharge a pistol or other firearm in or into the Township except as follows:
- (1) An authorized officer of the law may discharge a pistol or other firearm in the performance of their official duties.
- (2) When permitted by law, a person may discharge a pistol or other firearm for the protection of a human life.
- (3) A person may discharge a firearm with a load of shot shell only for skeet, trap or target practice purposes in a safe manner upon a range which has been approved by the board for such purpose.
- (4) A person may discharge a firearm for the hunting of game and birds in season as prescribed by the Natural Resources and Environmental Protection Act (MCL 324.101 et seq., MSA 13A.101 et seq.) in those areas owned by the state and controlled by the state department of environmental quality or state department of natural resources.
- (5) A person may discharge a firearm at any time for the purpose of preventing depredation to property by birds or other animals in accordance with the provisions of the Natural Resources and Environmental Protection Act (MCL 324.101 et seq., MSA 13A.101 et seq.).
- (d) *Firearms ranges.* No pistol or other firearms practice range may be used in the Township unless approved by the board upon the recommendation of the director of the department of public safety; provided, however, that such range is so constructed as to prevent the discharge of a shotgun with a load of shot shell from exceeding the limits of such range. Use of a firearm other than a shotgun with a load of shot shell shall be grounds for withdrawal of the approval for such range.
- (e) *Minors.* No person under the age of 18 years shall discharge a pistol or other firearm in the Township unless under the direct supervision and control of and accompanied by a parent, legal guardian or other adult person authorized by such parent or legal guardian to have direct supervision of the person under the age of 18 years. However, every parent, guardian or other person having the physical custody or charge of a minor under the age of 18 years shall control such minor and prevent them from violating or attempting to violate any of the provisions of this section.
- (f) *Possession of pneumatic gun, bow, crossbow, or, other device capable of expelling a projectile by individual below the age of 18.* An individual below the age of 16 may not possess a pneumatic gun bow, crossbow, or, other device capable of expelling a projectile unless he or she is under the supervision of a parent, a guardian, or an individual 18 years of age or older, except that an individual below the age of 18 may possess a pneumatic gun on or within private property within the Township if the individual below the age of 18 is authorized to possess the pneumatic gun by a parent or guardian and the property owner or legal possessor of the property.
- (g) *Discharge of pneumatic guns, bows, crossbows, or, other devices capable of expelling a projectile prohibited; exceptions.* The discharge of pneumatic guns, bows, crossbows, or, other devices capable of expelling a projectile is prohibited in any area within the Township that is so heavily populated as to make that conduct dangerous to the inhabitants of that area, except that the discharge of pneumatic guns, bows, crossbows, or, other devices capable of expelling a projectile is not prohibited within the Township at authorized target ranges, on other property where firearms may be discharged, or on or within private property with the permission of the owner or possessor of that property if conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

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- (h) No person may point, wave about, or display a pneumatic gun, bow and arrow, crossbow, or, other device capable of expelling a projectile in a threatening manner with the intent to induce fear in another individual within the Township.

State law reference(s)—Weapons generally, MCL 750.222 et seq., MSA 28.419 et seq.; preemption of regulation of firearms and ammunition, MCL 123.1102, MSA 5.3415(2); authority to prohibit discharge of firearms preserved, MCL 123.1104, MSA 5.3415(4); Careless, reckless, or negligent use of firearms, MCL 752.863a.

Sec. 395.750.167.02. Public intoxication.

No person shall be intoxicated or under the influence of any controlled substance while in a public place when endangering directly the safety of another person or property.

State law reference(s)—Intoxication in public place while endangering directly the safety of another person or of property or acting in a manner that causes a public disturbance, MCL 750.167(1)(e), MSA 28.364, (1)(e); ordinances prohibiting being a common drunkard or being incapacitated prohibited unless consistent with MCL 750.167, 333.6523, MSA 28.364, 14.15(6523).

Sec. 395.750.167.03. Crowding or jostling persons in public place.

No person shall jostle or roughly crowd persons unnecessarily in a public place.

State law reference(s)—Similar provisions, MCL 750.167, (1)(l), MSA 28.364(1)(l).

Sec. 395.200. Nuisance Parties.

Prohibited Conduct. Persons in attendance at Nuisance Parties. Any person who is in attendance at a nuisance party whether or not such person has any possessory control over the personal or real property, shall be deemed to have committed a violation of this Section.

1. *Nuisance Party* means a gathering or party, whether static or mobile, conducted on any public or private property within the Township and which, by reason of the conduct of those persons in attendance, results in any one or more of the following conditions or events occurring on public or private property:

- A. The unlawful sale, furnishing, possession, or consumption of alcoholic beverages;
- B. Urination or defecation on neighboring public or private property, or on the premises in view of another person;
- C. Unlawful deposit of trash or litter;
- D. Destruction of property;
- E. Unlawful vehicular traffic, or the unlawful stopping, standing or parking of vehicles, obstruction of the free flow of traffic or interference with the ability to render emergency services;
- F. Unlawful parking of vehicles within the public streets, alleys, or sidewalks, or upon private property;
- G. Unreasonably loud noise under the circumstances which disturbs the comfort, quiet or repose of one or more members of the neighborhood or public;
- H. Conduct or a condition which injures any person;
- I. Conduct or a condition which endangers the safety of persons or property in the neighborhood;
- J. Conduct or a condition which results in the indecent exposure of a person, or the display of graphic sexual behavior, whether real or simulated, to a member of the public not attending a nuisance party;

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- K. Unlawful sale, furnishing, manufacture, use, or possession of a controlled substance as defined by federal or state law.

2. Verbal Warning. A verbal warning by a Kalamazoo Township Police Officer may be given to the owner or occupant of any nuisance party of an alleged violation of this ordinance before a citation may be issued.

Sec. 395.300. Spitting in public carrier or in place of public assemblage.

No person shall spit on the floor or seat of any public carrier or on a floor, wall, seat or equipment of any place of public assemblage.

Sec. 395.03. Penalties.

Unless otherwise provided, a person who violates or fails to comply with any of the provisions of Article 3 is guilty of a misdemeanor and shall be fined not more than \$500.00 or imprisoned not more than 90 days, or both, for each offense.

ARTICLE 4. OFFENSES AGAINST PUBLIC MORALS

Sec. 395.750.335a. Public Nudity & Indecent Exposure.

1. Public Nudity

- (a) Regulation.
 - a. No person shall knowingly or intentionally display, in a public place located within the Township of Kalamazoo, Kalamazoo County, Michigan, their genitals or anus unless a fully opaque material covers their genitals and/or anus, or any female individual's breasts with less than a fully opaque covering of the nipple and areola.
 - b. No person shall knowingly or intentionally provide for and/or promote or participate in the display in a public place located within the Township of Kalamazoo, Kalamazoo County, Michigan, of any individual's genitals and/or anus unless a fully opaque material covers such individual's genitals and/or anus, or any female individual's breasts with less than a fully opaque covering of the nipple and areola.
 - c. For purposes of Subsection (a)(b) of this Section, providing for, promoting or participating in the display in a public place located within the Township of Kalamazoo, Kalamazoo County, Michigan of any individual's genitals or anus without an opaque covering, includes public displays for money or items of value or promise of the same by any person, firm or other entity including but not limited to, payment or promise of payment of an admission fee.
 - d. Breastfeeding of a child or expressing breast milk does not constitute a display of public nudity under this section regardless of whether or not their areola or nipple is visible during or incidental to the breastfeeding or expressing of breast milk.

2. Indecent Exposure.

- (a) No person shall knowingly make any open or indecent exposure of his or her person or of the person of another in any public place or within public view.
- (b) A mother's breastfeeding of a child or expressing breast milk does not constitute indecent or obscene conduct under subsection (1) regardless of whether or not her areola or nipple is visible during or incidental to the breastfeeding or expressing of breast milk.

State law reference(s)—Indecent exposure, MCL 750.335a; nudity in places serving alcoholic liquor for on-premises consumption, MCL 436.1916, MSA 18.1175(916).

Sec. 395.750.167.04 Frequenting or operating place where illegal or immoral business is conducted.

No person shall attend, frequent, operate or be an occupant of any place where prostitution, gambling, the illegal sale of intoxicating liquor, controlled substance, drug house, or any other illegal or immoral business or occupation is permitted or conducted.

State law reference(s)—Loitering where illegal occupation or business conducted, MCL 750.167(1)(j), MSA 28.364, (1)(j); loitering where prostitution or lewdness conducted, MCL 750.167(1)(i), MSA 28.364, (1)(i).

Sec. 395.750.167.05 Window peeping.

No person shall engage in window peeping under circumstances that would violate a person's reasonable expectation of privacy.

State law reference(s)—Window peeping as disorderly, MCL 750.167(1)(c),

Sec. 395.400. Prowling

(a) It shall be unlawful for a person to do any of the following:

1. Prowl about the premises of another, in the nighttime, without authority or permission of the owner of such premises or without authority or permission of the lawful occupants of the premises or an agent of the lawful occupants.
2. While standing, kneeling or prowling, or unauthorized entry upon the property of another, day or nighttime, without authority or permission of the owner of such premises or without authority or permission of the lawful occupants, looks into or peeps in the windows or doors of any inhabited building, house, dwelling or structure located thereon.
3. Willfully enter upon the lands or premises of another without lawful authority, after having been forbidden so to do by the owner, occupant or agent of either, or any person being upon the lands or premises of another, upon being notified to depart therefrom by the owner, occupant or agent of either, who, without lawful authority, neglects or refuses to depart therefrom.

Sec. 395.750.448. Prostitution and Solicitation.

1. No person shall commit an act of prostitution.
2. A person 16 years of age or older shall not accost, solicit, or invite another person in a public place or in or from a building or vehicle, by word, gesture, or any other means, to commit prostitution or to do any other lewd or immoral act.

State law reference(s)—Prostitution, MCL 750.448 et seq., MSA 28.703 et seq.

Sec. 395.750.301. Gambling places and devices.

1. No person shall keep or maintain a gambling room, gambling table or any policy or pool ticket used for gaming, or knowingly suffer a gambling room, gaming table or any policy or pool ticket to be kept, maintained, played or sold on any premises occupied or controlled by them.

For this purposes of this section, "gambling" means, risking or betting money or anything else of value in a game or bet.

State law reference(s)—Gambling generally, MCL 750.301 et seq., MSA 28.533 et seq.

Sec. 395.04. Penalties.

Unless otherwise provided, a person who violates or fails to comply with any of the provisions of Article 4 is guilty of a misdemeanor and shall be fined not more than \$500.00 or imprisoned not more than 90 days, or both, for each offense.

ARTICLE 5. OFFENSES INVOLVING ADMINISTRATION OF GOVERNMENT

Sec. 395.750.217. Obstruction by disguise or false information.

- (a) Any person who in any manner disguises themselves, or provides a false or fictitious name or other false information to a police officer or ordinance enforcement officer, with intent to obstruct the officer in the performance of his or her duty, whether such intent be affected or not, shall be guilty of a misdemeanor.

State law reference(s)—False report on crime, MCL 750.411a, MSA 28.643(1); Disguising with intent to intimidate, MCL 750.217.

Sec. 395.750.479. Resisting or obstructing public officers.

No person shall:

- (1) Knowingly and willfully obstruct, resist or oppose any police officer or person duly authorized, in serving or attempting to serve or execute any process, rule or order made or issued by any lawful authority.
- (2) Knowingly and willfully resist any police officer or duly authorized employee of the Township in the execution of any ordinance, by law, or rule, order or resolution made, issued or passed by the board.
- (3) Knowingly and willfully obstruct, resist, oppose, assault, beat or wound any police officer or other peace officer or any other person authorized by law or Township ordinance to maintain and preserve the peace, or to enforce Township ordinances, in their lawful acts, attempts and efforts to maintain, preserve and keep the peace, or to enforce the Township ordinances.

State law reference(s)—Obstruction of police officer, MCL 750.479, MSA 28.747.

Sec. 395.750.215. Impersonating police officer or township official.

No person shall wear, exhibit, display or use, for any purpose, the uniform, apparel, badge, identification card or any other insignia of office substantially identical to that prescribed by the police department, fire department or any other department of the township, unless he is a member of the department. However, this section shall not apply to any persons who are engaged in a recognized theatrical program.

State law reference(s)—False personation of officers, MCL 750.215, MSA 28.412.

Sec. 395.05. Penalties.

Unless otherwise provided, a person who violates or fails to comply with any of the provisions of Article 5 is guilty of a misdemeanor and shall be fined not more than \$500.00 or imprisoned not more than 90 days, or both, for each offense.

ARTICLE 6. OFFENSES INVOLVING UNDERAGE PERSONS

Sec. 395.750.145. Contributing to the delinquency of a minor.

No person shall knowingly transport a minor person to a place where prostitution, gambling or any illegal, indecent, immoral or depraved act is practiced, encouraged or allowed.

State law reference(s)—Contributing to delinquency of a minor, MCL 750.145, MSA 28.340

Sec. 395.750.136b. Leaving children unattended.

1. A person shall not knowingly or intentionally commit an act or an omission of an act, that under the circumstances posed an unreasonable risk of harm or injury to a minor child. Actual injury is not necessary. It is not a crime to discipline a child. A parent [or guardian, or any person otherwise allowed by law or authorized by the parent or guardian] may use force to discipline a child. But this does not mean that any amount of force may be used. Such force must be reasonable.

State law reference(s) - Leaving children unattended in a vehicle, MCL 750.135a; Child abuse, MCL 136b.

Sec. 395.500. Unlawful entertainment in places licensed to sell alcoholic beverages.

No person licensed to sell alcoholic beverages by the state liquor control commission shall permit a person under 18 years of age to dance, perform monologues or pantomimes or engage in any type of bodily exhibit, contortion or display in his establishment.

State law reference(s)—Employment of underage persons in premises licensed to sell, manufacture, etc., alcohol, MCL 409.115, MSA 17.731(15).

Sec. 395.06 Penalties.

Unless otherwise provided, a person who violates or fails to comply with any of the provisions of Article 6 is guilty of a misdemeanor and shall be fined not more than \$500.00 or imprisoned not more than 90 days, or both, for each offense.

ARTICLE 7. Minor In Possession of Alcohol.

Sec. 395.436.1703. Purchase, consumption, or possession of alcoholic liquor by minor; attempt; violation; fines; sanctions; furnishing fraudulent identification to minor; chemical breath analysis; notice to parent, custodian, or guardian; construction of ordinance; exceptions.

- (a) A person less than 21 years of age ("minor") shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content, except as provided in this section.
- (1) minor shall pay a fine of not more than \$100.00; may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services as defined in section 6107 of the Public Health Code, 1978 PA 368, MCL 333.6107, or its future amendments, and designated by the administrator of substance abuse services; and may be ordered to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (d) of this section.

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- (2) For a violation of subsection (a) of this section following a prior conviction or juvenile adjudication for a violation of subsection (a) of this section, a minor may be imprisoned for not more than 30 days but only if the minor has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication; may be required to pay a fine of not more than \$200.00, or both; may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services as defined in section 6107 of the Public Health Code, 1978 PA 368, MCL 333.6107, or its future amendments, and designated by the administrator of substance abuse services, to perform community service; and required to undergo substance abuse screening and assessment at his or her own expense as described in subsection (d) of this section.
- (3) For a violation of subsection (a) of this section following two or more prior convictions or juvenile adjudications for a violation of subsection (a) of this section, a minor may be imprisoned for not more than 60 days but only if the minor has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication; may be required to pay a fine of not more than \$500.00, or both, and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services as defined in section 6107 of the Public Health Code, 1978 PA 368, MCL 333.6107, or its future amendments, and designated by the administrator of substance abuse services, to perform community service; and required to undergo substance abuse screening and assessment at his or her own expense as described in subsection (d) of this section.
- (b) A person who furnishes fraudulent identification to a minor, or notwithstanding subsection (a) of this section, a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.
- (c) When a minor who has not previously been convicted of or received a juvenile adjudication for a violation of subsection (a) of this section pleads guilty to a violation of subsection (a) of this section or offers a plea of admission in a juvenile delinquency proceeding for a violation of subsection (a) of this section, the court, without entering a judgment of guilt in a criminal proceeding or a determination in a juvenile delinquency proceeding that the juvenile has committed the offense and with the consent of the accused, may defer further proceedings and place the individual on probation upon terms and conditions that include, but are not limited to, the sanctions set forth in subsection (a)(1) of this section, payment of the costs including minimum state cost as provided for in section 18m of chapter XIIA of the Probate Code of 1939, 1939 PA 288, MCL 712A.18m, or its future amendments, and section 1j of chapter IX of the Code of Criminal Procedure, 1927 PA 175, MCL 769.1j, or its future amendments, and the costs of probation as prescribed in section 3 of chapter XI of the Code of Criminal Procedure, 1927 PA 175, MCL 771.3 or its future amendments. Upon violation of a term or condition of probation or upon a finding that the individual is utilizing this subsection in another court, the court may enter an adjudication of guilt, or a determination in a juvenile delinquency proceeding that the individual has committed the offense, and proceed as otherwise provided by law. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. Discharge and dismissal under this Section shall be without adjudication of guilt or without a determination in a juvenile delinquency proceeding that the individual has committed the offense and is not a conviction or juvenile adjudication for purposes of this Section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for second or subsequent convictions or juvenile adjudications under subsection (a)(2) and (3) of this section. There may be only one discharge or dismissal under this subsection as to an individual. The court shall maintain a nonpublic record of the matter while proceedings are deferred and the individual is on probation under this subsection. The secretary of state shall retain a nonpublic record of a plea and of the discharge and dismissal under this subsection. This record shall be furnished to any of the following:
- (1) To a court, prosecutor, or police agency upon request for the purpose of determining if an individual has already utilized this subsection.

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- (2) To the department of corrections, a prosecutor, or a law enforcement agency, upon the department's, a prosecutor's, or a law enforcement agency's request, subject to all of the following conditions:
- a. At the time of the request, the individual is an employee of the department of corrections, the prosecutor, or the law enforcement agency, or an applicant for employment with the department of corrections, the prosecutor, or the law enforcement agency.
 - b. The record is used by the department of corrections, the prosecutor, or the law enforcement agency only to determine whether an employee has violated his or her conditions of employment or whether an applicant meets criteria for employment.
- (d) The court may order the person convicted of violating subsection (a) of this section to undergo screening and assessment by a person or agency as designated by the substance abuse coordinating agency as defined in section 6103 of the Public Health Code, 1978 PA 368, MCL 333.6103, or its future amendments, in order to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs.
- (e) The secretary of state shall suspend the operator's or chauffeur's license of an individual convicted of violating subsection (a) or (b) of this section as provided in section 319 of the Michigan Vehicle Code, 1949 PA 300, MCL 257.319 or its future amendments.
- (f) A peace officer who has reasonable cause to believe a minor has consumed alcoholic liquor or has any bodily alcohol content may require the person to submit to a preliminary chemical breath analysis. A peace officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a criminal prosecution to determine whether the minor has consumed or possessed alcoholic liquor or had any bodily alcohol content. A minor who refuses to submit to a preliminary chemical breath test analysis as required in this subsection is responsible for a civil infraction and may be ordered to pay a civil fine of not more than \$100.00.
- (g) A law enforcement agency, upon determining that a person less than 18 years of age who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, or its future amendments, allegedly consumed, possessed, purchased alcoholic liquor, attempted to consume, possess, or purchase alcoholic liquor, or had any bodily alcohol content in violation of subsection (a) of this section shall notify the parent or parents, custodian, or guardian of the person as to the nature of the violation if the name of a parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. The notice required by this subsection shall be made not later than 48 hours after the law enforcement agency determines that the person who allegedly violated subsection (a) of this section is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6 or its future amendments. The notice may be made by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first class mail. If an individual less than 17 years of age is incarcerated for violating subsection (a) of this section, his or her parents or legal guardian shall be notified immediately as provided in this subsection.
- (h) This section does not prohibit a minor from possessing alcoholic liquor during regular working hours and in the course of his or her employment if employed by a person licensed by the Michigan Liquor Control Code, 1998 PA 58; MCL 436.1113, et seq. or its future amendments, by the commission, or by an agent of the commission, if the alcoholic liquor is not possessed for his or her personal consumption.
- (i) This section does not limit the civil or criminal liability of the vendor or the vendor's clerk, servant, agent, or employee for a violation of the Michigan Liquor Control Code, 1998 PA 58; MCL 436.1113, et seq. or its future amendments.
- (j) The consumption of alcoholic liquor by a minor who is enrolled in a course offered by an accredited postsecondary educational institution in an academic building of the institution under the supervision of a faculty member is not prohibited by this section if the purpose of the consumption is solely educational and is a requirement of the course.

-
- (k) The consumption by a minor of sacramental wine in connection with religious services at a church, synagogue, or temple is not prohibited by this section.
 - (l) Subsection (a) of this section does not apply to a minor who participates in either or both of the following:
 - (1) An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the person's employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action.
 - (2) An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the state police, the commission, or a local police agency as part of an enforcement action unless the initial or contemporaneous purchase or receipt of alcoholic liquor by the minor was not under the direction of the state police, the commission, or the local police agency and was not part of the undercover operation.
 - (m) The state police, the commission, or a local police agency shall not recruit or attempt to recruit a minor for participation in an undercover operation at the scene of a violation of subsection (a) of this section, MCL 436.1801(2), or its future amendments, or MCL 436.1701(1) or its future amendments.
 - (n) In a criminal prosecution for the violation of subsection (a) of this section concerning a minor having any bodily alcohol content, it is an affirmative defense that the minor consumed the alcoholic liquor in a venue or location where that consumption is legal.
 - (o) As used in this section, "any bodily alcohol content" means either of the following:
 - (1) An alcohol content of 0.02 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
 - (2) Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony.

State law reference(s)—MCL 436.1703.

Sec. 395.07 Penalties.

Unless otherwise provided, a person who violates or fails to comply with any of the provisions of Article 7 is guilty of a municipal civil infraction and shall be fined not more than \$100.00 for each offense.



1720 Riverview Drive
Kalamazoo, MI 49004-1056
Tele: (269) 381-8080
Fax: (269) 381-3550
www.ktwp.org

AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: 9F 05222023

FOR MEETING DATE: Monday, May 22, 2023

SUBJECT: 2605 Douglas Avenue - Site Demolition

REQUESTING DEPARTMENT: Police Department

SUGGESTED MOTION:

Authorize the demolition of the structure at 2605 Douglas Avenue (40 Winks Motel). Authorize the Township Supervisor to accept award from the Blight Elimination Program to cover expenses related to the demolition activities and authorize the remaining funds to be drawn from the Township General Fund for the project.

Financing Cost: not to exceed \$82,600

Source: General Fund X Grant X Other _____

Are these funds currently budgeted? Yes X No _____

Other comments or notes:

The demolition and site restoration costs are estimated to be no more than \$70,000. We are including \$5,600 in administrative costs and \$7,000 in contingency costs in our proposal for the Blight Elimination Program funding through the State Land Bank Authority.

Submitted by: Bryan N. Ergang, Chief of Police

Manager's Recommendation:

Direction: In order for an item to be included in the agenda this form must be completed and signed by the department head, committee chairperson, etc. requesting board action. This form is to be complete and accompany any and all requests submitted to the Kalamazoo Township Board of Trustees for official action. It indicates that the item has received proper administrative consideration prior to its presentation to the Board. The completed form and supporting documentation must be received in the Manager's office NO LATER THAN NOON THE THURSDAY PRECEDING THE NEXT REGULAR BOARD MEETING. Any request presented without this form or after the deadline will be considered incomplete and returned for resubmission.

The mission of Kalamazoo Township is to provide government services that promote a safe, healthy, accessible, and economically viable community to live, work, learn and play.



POLICE DEPARTMENT

Bryan N. Ergang
Chief of Police

Emergency: 911
Non-Emergency: (269) 488-8911
Administrative Offices: (269) 567-7523
Fax: (269) 552-4468

1720 Riverview Drive
Kalamazoo, MI 49004-1056
www.ktpd.org

Date: May 17, 2023

To: Charter Township of Kalamazoo Board of Trustees

From: Lt. Darien Smith and Ordinance Officer Robert McCain

RE: Demolition of Property – 2605 Douglas Avenue

The Township of Kalamazoo is committed to improving the quality of life within the community we serve. To address properties within the community that are in disrepair, the Township of Kalamazoo Police Department works closely with the Kalamazoo Area Building Authority (KABA), the Township of Kalamazoo Attorney's Office, and the 8th District Court. Our goal is to work with the property owners to seek compliance; however, when properties fall into complete disrepair to the point they are not salvageable, the only remaining option is to demolish the property.

The first step in the enforcement process is to notify the property owner of specified issues with the property and allow them to address the problems. If these issues go unaddressed, a citation to appear in court is then issued to the property owner. If found violating the ordinance, a compliance order is issued to the property owner to bring the property into compliance. If the compliance order is violated and the issues remain, we summon the property owner back to court for a show cause hearing. During this hearing, the property owner can explain to a judge why the property hasn't been brought into compliance and what steps they are taking to remedy the problem. The owner is then given a final opportunity to fix the property, and if not repaired, the Township of Kalamazoo is then authorized to demolish the property. Although the description of this process is concise, it is lengthy and provides the property owner ample opportunity to fix the cited issues.

The Township of Kalamazoo currently holds a valid demolition order for the 2605 Douglas Avenue (40 Winks Motel) property. This order has been vetted by the Township of Kalamazoo Attorney's Office and is included with this proposal.

After seeking bids for the demolition project, Bailey Excavating is best suited to complete the project and has performed similar work for the Township of Kalamazoo. The bid for demolition and cleanup of 2605 Douglas Avenue is \$60,000, not to exceed \$70,000 if asbestos is detected. This price includes the necessary disconnects from Consumers Energy, environmental testing, which included the asbestos assessment, and anything necessary to bring the lot back to grade.

After numerous attempts to have this property brought into compliance and the property owners being unwilling/unable to do so, we believe the best course of action moving forward is to have Bailey Excavating demolish the property for a total cost not to exceed \$70,000.

There is also an opportunity to apply for funding for this demolition project through the State Land Bank Authority Blight Elimination Program. If approved, the demolition expenses would be reimbursed to the Township, and the costs should still be assessed against the property. In addition to the \$70,000 costs, which includes hazardous materials abatement, demolition, and site restoration, we are also requesting \$5,600 in administrative costs and \$7,000 in contingency costs in our proposal. The total amount requested from the Blight Elimination Program is not to exceed \$82,600.

LAW OFFICES OF BAUCKHAM, THALL, SEEBER, KAUFMAN, & KOCHES, P.C. - 470 W. CENTRE AVE., SUITE A, PORTAGE, MI 49024

STATE OF MICHIGAN
IN THE 8TH JUDICIAL DISTRICT COURT-CROSSTOWN
FOR THE COUNTY OF KALAMAZOO

KALAMAZOO CHARTER TOWNSHIP,

Plaintiff,

Hon. Alisa L. Parker-LaGrone

v

Case No. 23K263780

COLBY FAMILY TRUST,

Citation No. K263780

Defendant.

Roxanne C. Seeber (P51374)
Attorney for Kalamazoo Township
BAUCKHAM THALL, SEEBER,
KAUFMAN & KOCHES P.C.
470 W. Centre, Suite A
Portage, MI 49024 (269) 382-4500

Colby Family Trust
c/o Sherry Ellen Colby, Trustee
2605 Douglas Ave.
Kalamazoo, MI 49007

ORDER ENFORCING ORDINANCE

At a session of said Court held in the City of Kalamazoo
County of Kalamazoo, State of Michigan
on this 15TH day of May, 2023.

PRESENT: ALISA L. PARKER-LAGRONE, DISTRICT JUDGE

WHEREAS, an Order Requiring Compliance with Ordinance was entered after a hearing on March 17, 2023 regarding the condition of the property owned/occupied by the Defendant at 2605 Douglas and operated as the "40 Winks Motel" within the Township (hereinafter "subject property"); a contempt hearing was conducted on May 15, 2023 at which both parties had an opportunity to be heard, during which the Court was otherwise advised in the premises and determined that the Defendant had not complied with the March 17, 2023 Order and that it was in contempt of Court.

Kalamazoo Township v Colby Family Trust
Case No. 23K263780
Order Enforcing Ordinance

NOW THEREFORE, IT IS HEREBY ORDERED the effort to retain the structure on the subject property is hereby deemed to be abandoned due to the Defendant's failure to comply with the March 17, 2023 Order of the Court and the prior orders of the Township Building Official.

IT IS HEREBY FURTHER ORDERED that at any time after ~~May~~ ^{JUNE} 28, 2023 the Charter Township of Kalamazoo, its agents or employees is authorized to access the subject property and to effectuate the demolition of all structures thereon and the removal of all debris created thereby. Such authorization shall include the undertaking of all necessary inspections, such as asbestos inspections, prior to such demolition.

IT IS FURTHER ORDERED that the Defendant shall not obstruct, stope, threaten, or in any way interfere with the Township in effectuating the terms of this Order. Any such interference shall be deemed to be a violation of this Order, contempt of Court, and subjects the Defendant to penalties provided in MCL 750.749, if it is charged with interfering with a Township Official in the performance of his/her duties.

IT IS HEREBY FURTHER ORDERED that any costs incurred by the Township of Kalamazoo in effectuating the terms of this Order shall be borne by the Defendant and the property as if and in the same manner as a tax thereon (Parcel No. 06-09-130-060) which is legally described as:

"Section 9 T 2 S R 11W BEG IN CTR LI US HWY 131 AT A PT 249 FT S OF N LI SEC 9 TH S 108 FT TH W 193 FT TH N 108 FT TH E 193 FT TO BEG EXC E 2 R FOR HWY"

The Township may further secure repayment of its costs by recording a copy of

Kalamazoo Township v Colby Family Trust
Case No. 23K263780
Order Enforcing Ordinance

this Order and a bill of costs as a lien against the real property described above.

 P70652
Alisa L. Parker-LaGrone
District Judge

This Order prepared by:
Roxanne C. Seeber

Robert Bailey Contractors, Inc.
1727 Construction Drive
Kalamazoo, MI 49048



Phone: (269) 349-1585
Fax: (269) 349-0960
bob@baileyexcavating.com

Kalamazoo Township
1720 Riverview Drive
Kalamazoo, MI 49004

5/16/2023

RE: Demo of Motel, Asbestos Testing, and Site Restoration, 2605 Douglas Avenue
Kalamazoo, MI (40 Winks Motel)

Dear Rob,

Bailey Excavating is pleased to submit our proposal for the work listed above based on the following scope of work:

Demo of existing Hotel, asbestos testing, and asbestos report, clean up scattered debris, import Clean Fill and Topsoil to bring lot back to grade, place straw blankets and grass seed in disturbed areas, permits, and remove existing pavement, contact utility companies for disconnect\$60,000.00.

If abatement is needed to remove asbestos, there could be an additional cost not to exceed \$10,000.00. I realize this seems like a high dollar amount, but without total access to the inside of the building, we have no way of knowing what we may encounter. We would provide you with a copy of the invoice from the abatement contractor, so you would have a copy for your records and there would be no markup fee.

I would like to thank you for your consideration. If you have any questions, please contact the Bailey office at (269) 349-1585.

Sincerely,

Robert Bailey
President

Continued on Page 2

Demo and Site Restoration 2605 Douglas Avenue, Kalamazoo, MI

By signing this proposal, you are authorizing Bailey Excavating to perform work as described in the attached quote.

Accepted By:

Signature

Name and Title

Date

- Robert Bailey Contractors, Inc. (RBCI) is responsible for contacting MissDig three working days prior to commencement of work.

-Customers are responsible for all private staking. RBC is not responsible for any damage caused by unmarked private utilities.



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Tele: (269) 381-8080
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www.ktwp.org

AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: 9G 05222023

FOR MEETING DATE: Monday, May 22, 2023

SUBJECT: TKPD Canine Unit

REQUESTING DEPARTMENT: Police Department

SUGGESTED MOTION:

Authorize the institution of the TKPD Canine Unit.

Financing Cost: not to exceed \$215,000

Source: General Fund _____ Grant _____ Other ARPA Funds, Police Capital

Are these funds currently budgeted? Yes X No _____

Other comments or notes:

The ARPA committee has endorsed this Police Department project. The project has also been approved by the former finance director. The Police Department proposes to use \$150,000 of ARPA resources to fund the unit, and the remaining expenses will be taken from Police Capital.

Submitted by: Bryan N. Ergang, Chief of Police

Manager's Recommendation:

Direction: In order for an item to be included in the agenda this form must be completed and signed by the department head, committee chairperson, etc. requesting board action. This form is to be complete and accompany any and all requests submitted to the Kalamazoo Township Board of Trustees for official action. It indicates that the item has received proper administrative consideration prior to its presentation to the Board. The completed form and supporting documentation must be received in the Manager's office **NO LATER THAN NOON THE THURSDAY PRECEDING THE NEXT REGULAR BOARD MEETING**. Any request presented without this form or after the deadline will be considered incomplete and returned for resubmission.

The mission of Kalamazoo Township is to provide government services that promote a safe, healthy, accessible, and economically viable community to live, work, learn and play.



POLICE DEPARTMENT

Bryan N. Ergang
Chief of Police

Emergency: 911
Non-Emergency: (269) 488-8911
Administrative Offices: (269) 567-7523
Fax: (269) 552-4468

1720 Riverview Drive
Kalamazoo, MI 49004-1056
www.ktpd.org

Date: May 16, 2023

To: Chief Bryan Ergang; Kalamazoo Township Board of Trustees

From: Lt. Scott Jackson

Ref: Canine Proposal

The Township of Kalamazoo Police Department is committed to providing professional and progressive police service to our community. This proposal will address the issue of becoming more progressive by adding two (2) dual-trained patrol canines to aid officers in the performance of their duties.

Canine units are valuable tools for law enforcement agencies and can assist in a wide range of situations such as tracking missing persons, providing officers with use of force options below lethal force, detecting deadly narcotics or weapons, and tracking criminals attempting to elude apprehension.

The purpose of the canine unit is to foster a safe environment within Kalamazoo Township. We have a departmental philosophy of community policing through engagement, education, and enforcement and we are very proud of our many safety programs. A key component of having police canines is not only for their law enforcement responsibilities, but for the many community policing opportunities the canines would offer, allowing us to expand our outreach programs.

The potential for violence, as well as pervasive life-threatening drug use in our community, has never been greater. The Michigan Office of National Drug Control Policy (HIDTA) reported in 2022 there were 32,887 suspected Michigan overdose incidents of which 2,007 were categorized as fatal. The Township of Kalamazoo Police Department was notified of approximately 160 HIDTA overdose alerts within the last 18 months associated with heroin overdoses of these 160 incident, six incidents resulted in death in the month of April alone.

The DEA Administrator, Anne Milgram, has identified fentanyl as, "The single deadliest drug threat our nation has ever encountered. Fentanyl is everywhere, no community is safe from the poison. We must take every opportunity to prevent overdose deaths from claiming lives." Canines can assist Township officers in locating life threatening drugs in our community before they find their victims.

Our agency has requested canine assistance from surrounding agencies nearly 100 times since 2020. The need for a canine program is significant. Our proposal is to purchase two dual-trained canines and the equipment necessary to properly support the unit. The initial upfront costs are significant, however once implemented, the reoccurring costs could easily be budgeted or potentially offset by donations. The approximate funds needed for this initiative are broken down as follows:

• Two police vehicles with equipment specifically built for canines	\$136,000
• Two canines with officer and canine training	\$32,000
• Lodging and food stipend (depending on location)	\$12,000
• Recertification training equipment	\$10,000
• Outdoor kennels with dog houses and covers (if kept outside)	\$6000
• Officer uniforms and misc. equipment	\$3500
• Two indoor kennels	\$700
• Dog food, feeding equipment and treats for two dogs per year	\$2000*
• Annual vet care for two canines	<u>\$1100*</u>
	\$203,300

*Annual Costs

The above costs were taken from two kennel companies which specialize in police canine programs. Both companies are certified to produce and train the canine and the handler. The veterinarian care cost were taken from a local vet providing care for a large number of canine programs in the region.

Due to the additional care a canine would require from the canine handler, Kalamazoo Township would allow 30 minutes of flex time per day to each handler as compensation, which is comparable to other agencies.

Township of Kalamazoo Police Department is committed to following best practices. The Police Executive Research Forum (PERF) indicated adding canines programs does not significantly increase the liability to the organization if implemented with strong oversight.

PERF research outlines mitigation of risk by:

- Proper selection of handlers and canines
- Training of handlers and canines
- Development of strong policies and procedures for operations
- Documentation and meaningful review of incidents

Michigan Participating Plan (Par Plan) was contacted and indicated there is no likelihood of increased liability for the agency.

It is my hope that this proposal is sincerely reviewed and serious consideration is given to provide our community with one of the most proven resources available.

The Township of Kalamazoo ARPA committee approved \$150,000.00 dollars of ARPA funds for this project. The remaining balance will come from police capital, with the total costs of the project not to exceed \$215,000.00 dollars.

Respectfully submitted,

Lt. Scott Jackson
Patrol Division Commander



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Fax: (269) 381-3550
www.ktwp.org

AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: 9I 05222023

FOR MEETING DATE: Monday, May 22, 2023

SUBJECT: Recruitment Incentive for Lateral Transfer Police Officers

REQUESTING DEPARTMENT: Police Department

SUGGESTED MOTION:

Authorize the use of ARPA funds for recruitment of lateral transfer police officers.

Financing Cost: not to exceed \$75,000

Source: General Fund _____ Grant _____ Other _____ ARPA Funds _____

Are these funds currently budgeted? Yes X No _____

Other comments or notes:

The ARPA committee has endorsed this Police Department recruitment project.

Submitted by: Bryan N. Ergang, Chief of Police

Manager's Recommendation:

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The mission of Kalamazoo Township is to provide government services that promote a safe, healthy, accessible, and economically viable community to live, work, learn and play.



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AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: 91 05222023

FOR MEETING DATE: Monday, May 22, 2023

SUBJECT: Hiring Part-time Evidence Officer

REQUESTING DEPARTMENT: Police Department

SUGGESTED MOTION:

Approve the hiring of Laura Misner as the part-time Evidence Officer.

Financing Cost: _____

Source: General Fund X Grant _____ Other _____

Are these funds currently budgeted? Yes X No _____

Other comments or notes:

Submitted by: Bryan N. Ergang, Chief of Police

Manager's Recommendation:

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AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: 9J 05222023

FOR MEETING DATE: 05/22/2023

SUBJECT: Authorized Staffing Level for Fire Department

REQUESTING DEPARTMENT: Fire Department

SUGGESTED MOTION: Authorize the department to hire the following roles as needed to maintain: 1 Fire Chief, 1 Deputy Chief (until Jan. 1, 2024), 2 Battalion Chiefs, 9 Full Time Firefighter's, 1 Fire Marshal, 1 Apparatus Maintenance Officer, 55 Paid-On-Call FF's and 2 part time admin assistants.

Financing Cost: \$516,830 for 2024

Source: General Fund \$258,415 and Special Assessment for Fire Operations \$258,415

Are these funds currently budgeted? Yes _____ No X

Other comments or notes: See attached memo.

Submitted by: Jairus Baird, Fire Chief

Recommendation:

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To: Kalamazoo Township Board
From: Jairus Baird, Fire Chief
Date: 05/22/2023

In order to fill the attached organizational chart to its full strength, hiring of new members in new positions is required. The following is the breakdown of budgetary impact for the additional members to fill this organizational chart.

Budgetary Cost

\$105,000 per full-time FF after approval of benefits and wages.

Budgetary Impact

Both Battalion Chief positions are currently budgeted, 2 FTE BC's already covered by budget.

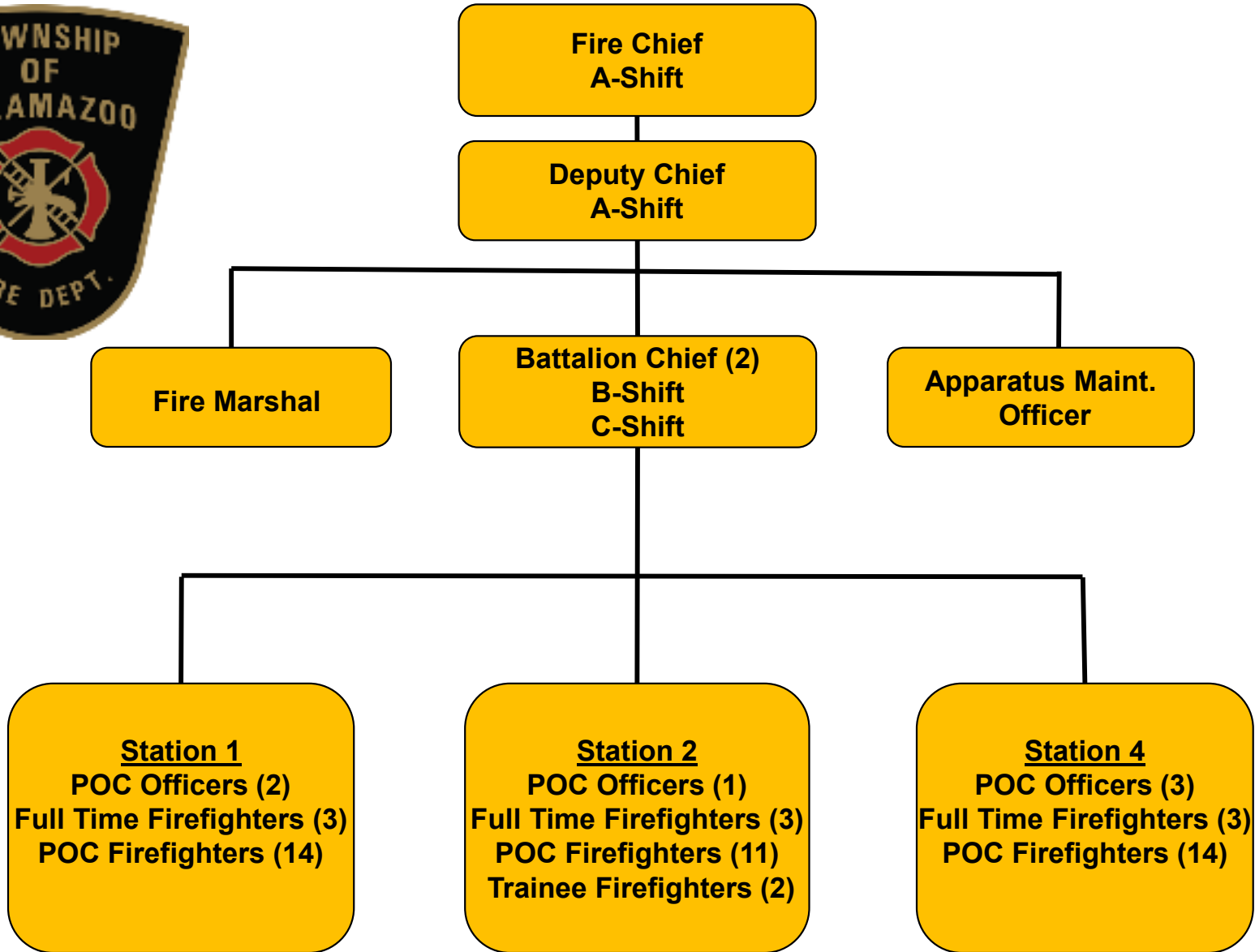
Deputy Chief position will not be re-filled on Jan 1, 2024, covers 1 FTE FF.

Overtime for current full time employees covering open shifts last two quarters have shown an annual rate of \$278,654 for Q4 2022 and \$252,273 for Q1 2023, this cost savings covers 2 FTE FF's. For budget purposes, recommend using half this figure for budget for 1 FTE FF and rest for unanticipated overtime in 2024 with plans to re-evaluate the overtime line item budget for FY 2025.

If Township commits to funding fire operations with \$2,010,980 or higher, as was done in 2022 from the general fund, then this "frees up" Special Assessment 0.5 Millage for operations. \$258,415 covers 2.5 FTE FF's.

If Township commits to increase Special Assessment to 1.0 Millage (0.5 Mill increase) for fire operations. Additional \$258,415 covers 2.5 FTE FF's.

This would cover all 7 new FF's and 2 new BC's with an added cushion for unexpected overtime of approx. \$150,000 in FY 2024.





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AGENDA ITEM REQUEST FORM

AGENDA ITEM NO: 9K 05222023

FOR MEETING DATE: 05/22/2023

SUBJECT: Employment Agreement Fire Department

REQUESTING DEPARTMENT: PAC and Fire Chief

SUGGESTED MOTION: Approve employment contract with Deputy Fire Chief Michael J. Weidemann, and authorize Township Supervisor to sign on behalf of the township.

Financing Cost: \$0.00

Source: General Fund _____ Grant _____ Other _____

Are these funds currently budgeted? Yes X No _____

Other comments or notes: The fire chief and PAC have reviewed and recommended approval of the attached contract with Deputy Fire Chief Michael J. Weidemann that will be valid until his retirement.

Submitted by: Jairus Baird, Fire Chief

Recommendation:

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