

**CITY OF ROOSEVELT PARK  
CITY COUNCIL  
MEETING MINUTES**

December 19, 2011

Mayor Lumley called the meeting to order at 7:15 p.m.

2011-265      **ROLL CALL**

**Present:** Mayor Susan Lumley, Mayor Pro Tem Amber Cahill, Council Members Rod Buikema, Bob Grevious, Thomas Hasper, Allan Lowe, and Robert Young.

**Absent:** None

**Staff Present:** City Manager Anthony Chandler and City Treasurer/Clerk Tammera Harmsen

2011-266      **INVOCATION**

Mayor Lumley provided the invocation.

2011-267      **PUBLIC COMMENT**

Ms. Flo Shiver – 1336 W. Summit gave best wishes to the Council and thanks to the police department of their work.

Ms. Carolyn Bickmeyer – 3002 Westland stated she was surprised of the Police Chief not being reappointed. She stated he represented the City well. Ms. Bickmeyer stated she was very upset about all the articles in the newspaper and that it was not good for the reputation of the Park. She also stated it is bad for morale for the entire City staff.

Mr. Ed Groszowski - 1433 Cornell stated he was resigning from the ZBA and Board of Review effective immediately. He stated Police Chief Regan was doing a good job for the City. Mr. Groszowski encouraged Council Members to read the Charter especially sections 3, 4, 5 and 12.

2011-268      **CONSENT AGENDA**

Council Member Grevious moved to approve the Consent Agenda. The motion was supported by Council Member Buikema and carried unanimously.

2011-269      **APPOINTMENT: CITY ATTORNEY**

City Officers are appointed annually by City Council. As required by Section 5.2 of the City Charter, the “appointive officers of the City shall be appointed” by the City Council.

City Attorney: John Schrier – Parmenter O’Toole

Council Member Lowe moved to table the appointment of a new City Attorney. The motion was supported by Council Member Hasper and carried unanimously.

2011-270 **AUTHORIZATION: PURCHASE TIRES DPW UNIT #3**

In preparation of winter the DPW Supervisor is recommending the replacement of four rear tires for DPW Unit #3. In an effort to save money, staff is recommending we purchase four retread tires as opposed to purchasing the tires brand new.

Council Member Buikema moved to authorize the purchase of four retread tires for DPW Unit #3. The motion was supported by Council Member Young and carried unanimously.

2011-271 **AUTHORIZATION: PRO-MED AGREEMENT**

Pro Med is a Life Support agency licensed by the State of Michigan and approved to operate in Muskegon County. Pro-Med has the required equipment, duly trained and licensed personnel to provide the blood draw services and desires to contract with Roosevelt Park Police Department to provide that service.

Upon approval of an agreement with Pro-Med they will provide a paramedic upon request of a police officer for the purpose of performing a blood draw in order to determine the suspect’s blood alcohol content when analyzed by the State Police Crime Lab and provide a bill at the end of each month for services rendered. Each blood draw is to be billed at a rate of \$75.00.

Council Member Buikema moved to authorize the agreement with Pro-Med for 2012. The motion was supported by Council Member Lowe and carried unanimously.

2011-272 **ANNUAL RESOLUTION: POVERTY GUIDELINES**

The proposed Poverty Guidelines for the 2012 Assessments were presented for Council consideration. The County requests submittal of these guidelines for each municipality. PA 206 states that the governing body of the local assessing unit shall determine and make available to the public the policy and guidelines the local assessing unit uses for the granting of exemptions.

Council Member Young moved to approve the 2012 Poverty Guidelines. The motion was supported by Council Member Grevious and carried unanimously.

**2011-273      AMENDED MASTER FEE SCHEDULE**

Amendments to the current fee structure were presented to Council for approval. The changes included: an increase in the Community Center Rental on the weekends for \$120.00 to \$150.00, the increase of the hourly rate during the week from \$20.00 to \$25.00, an increase in non sufficient fund checks from \$35.00 to \$50.00 and a decrease in the cost of a notary from \$1.00 to \$0.00.

Council Member Buikema moved to approve the changes to the master fee schedule. The motion was supported by Council Member Lowe and carried unanimously.

**2011-274      RESOLUTION: 2012 YEAR OF INTERFAITH PROCLAMATION**

The Muskegon area is fortunate to enjoy a diverse landscape of traditions that play a prominent role in our civic and cultural life and the resolution will encourage a greater understanding among all people in the Muskegon community.

Council Member Young moved to adopt by resolution to proclaim 2012 as the year of Interfaith Understanding in Roosevelt Park. The motion was supported by Council Member Buikema and carried unanimously.

**2011-275      AUTHORIZATION: FORMER CHIEF OF POLICE COMPENSATION**

Council Member Young moved to table the former Police Chief compensation pay out. The motion was supported by Council Member Hasper and carried unanimously.

**2011-276      COUNCIL COMMENTS**

Council Member Buikema stated City Manager Chandler completed all department head evaluations as requested by the Personnel and Finance Committee. He stated a recommendation was requested from City Manager Chandler to be placed in the Council packets, which was not completed. He stated he spoke with City Manager Chandler on December 8, 2011 in regards to the reappointment of department heads and asked if he spoke with any Council Members regarding his recommendation of reappointment. Council Member Buikema stated City Manager Chandler stated he spoke with Council Members Cahill, Lumley and Buikema, stating he did not speak with any other members. Council Member Buikema stated he received a copy of Police Chief Regan's evaluation, from the Police Chief himself, which he scored a 198.5 out of 228 possible points. He stated there was never a morale problem at any time that came before any of the Council Committees. Council Member Buikema stated he received by FOIA a copy of the background check the Police Chief was said to have not completed. He stated if anyone wanted to see any of the information he had gathered he would be glad to share after the Council Meeting was finished. Council Member Buikema stated he disagrees with the Charter on reappointments

of department heads. He stated new Council Members do not work with department heads enough in a month to determine if they should be reappointed.

Council Member Grevious stated he did not contact City Manager Chandler regarding his decision on the reappointment of Police Chief Regan. He stated per the Charter he has the right to vote in the best interest for the City. Council Member Grevious stated he had facts to back up his decision. Council Member Grevious stated there were things Police Chief Regan lied about. He stated three (3) Council Members approached City Manager Chandler with concerns back in September regarding Police Chief Regan. He stated no one checked the facts regarding the meeting, just spent money to research if the meeting was conducted improperly. Council Member Grevious stated now that the voting of the Council has changed in a different direction people are upset with decisions being made.

Council Member Hasper stated he asked Police Chief Regan at a Council Meeting if a background check had been done on the officer who could not complete a traffic stop. He stated Police Chief Regan answered, a complete background check had been done. Council Member Hasper stated he contacted the officers' current supervisor and the Dean of Criminal Justice and was told there was no drug screen or psychological test completed. He stated Police Chief Regan when confronted in City Manager Chandlers office about the complete background check be completed he said he lied. He stated Police Chief Regan stated he was hurting for officers and so he sent the officer to Lansing for a physical but no drug screen, psychological exam or background check were preformed. Council Member Hasper confirmed this with City Manager Chandler. He stated this officer was not sleep deprived but had a nervous break down on a routine traffic stop. Council Member Hasper stated this is a dangerous situation to other officers and the City. Council Member Hasper stated he has been a Police Officer since 1966 and he based his non reappointment of Police Chief Regan on the information provided regarding this officer. Council Member Hasper stated Police Chief Regan contacted him 2 or 3 times a day when the former City Manager was here. He stated he told Police Chief Regan he would not micromanage him but when he asked questions he expected the truth not lies. Council Member Hasper stated Police Chief Regan started lying about things and when confronted lied to cover up previous lies told. He stated when confronted about the use of his GPS unit in his cruiser, he stated Police Chief Regan said he had the right not to have it on if he so chose. Council Member Hasper stated if an officer would get a call it was helpful for that officer to know where his back up was located to help handle the situation.

Council Member Lowe stated a resident at 3355 Davis would like her tree on the terrace inspected. She feels it should be removed. Council Member Lowe thanked Mr. Ed Groszowski for his years of service on different boards and committees over the years.

Mayor Lumley stated there were several issues that lead to her decision to not reappoint Police Chief Regan and that she was disappointed there was no documentation for her to review.

Mayor Pro Tem Cahill stated she spoke with residents in regard to her decision in not reappointing Police Chief Regan. She stated it was not a decision she took lightly.

Council Member Young stated evaluations were not completed for a few years but now this is something that will be required annually. Council Member Young stated he did not think Council Member Hasper should not be on the Public Safety Committee, stating a conflict of interest since he is the retired Police Chief for Roosevelt Park. He stated there was a push for a change in the personnel manual regarding employees not speaking with Council Members but going to their direct supervisor with concerns. Council Member Young stated the police department seems to have a lot of information that has been shared that should not have been.

Council Member Buikema asked Council Member Hasper when he retired and how many Police Chief's the city has had since he had been gone. Council Member Hasper stated he retired in 2005 after serving 12 years as the City Police Chief and there have been 2 Police Chief's since that time. He stated when he served as Chief of Police there were not the grievances there are today and the City did not spend \$100,000 on lawsuits. Council Member Buikema asked if there were any morale problems on Council when he was Police Chief. Council Member Hasper stated there were not. Council Member Buikema asked how Council Member Hasper thinks the young lady felt who filed the sexual harassment case. Council Member Hasper stated it was not a sexual harassment case and there was nothing sexual about it.

Mayor Lumley acknowledged Ms. Bickmeyer's concern expressed and stated she was sorry to see Mr. Grozsowki resign from the boards he was serving on. She stated she would review the sections suggested by him in the Charter.

Mayor Lumley presented Council Member Buikema with a plaque from the Muskegon County Mayors and Managers for his years of Mayoral service to the City.

2011-277

**DEPARTMENT HEAD REPORTS**

Treasurer/Clerk Harmsen stated about 200 Dear Santa letters were mailed this year, business license registrations have been mailed and Council pictures are scheduled for January 3, 2012 at 6:00 p.m.

2011-278

**PUBLIC COMMENT**

Mr. Bob Heaton – 902 Woodside Rd. stated the meeting had been the most interesting and informative that he attended in a long time. He stated he hopes for more cooperation among the Council Members going forward. Mr. Heaton stated

he does not like the gridlock among those that serve the community he lives in. He stated the Council should get together and listen to one another and each point of view.

Ms. Diane Nelson - 3287 Germaine stated she came to the meet to express her relief that the City would be getting a new Police Chief. She stated the City needs someone with integrity that is well balanced and is willing to listen the issues. Ms. Nelson stated the residents see the division within the Council.

Mr. Larry Vanderlaan – 1473 Chapel stated he thought he would never suggest contracting out police services but with everything happening maybe it is time to save some money and look at Norton Shores for police coverage.

Ms. Connie Peterson – 1358 W. Summit stated this was her first meeting after reading about what was going on in the City and she hopes this is a learning experience for Council Members . She stated the meeting was very hostile and not a good working environment and these issues should be addressed.

Mr. Eric Grimm – 1330 W. Summit stated in terms of seeking out information it's important to not listen to hear/say information. He asked Council Member Hasper if he would subject himself to the same standards of accuracy and integrity and to make sure all representation is completely straight forward at full disclosure of the facts that he claims all City Council is subject too. He asked if he would make that commitment and Council Member Hasper replied, yes. He also asked Council Member Hasper if that applies to his track record since he became a Council Member. Council Member Hasper stated that was Mr. Grimms opinion and he respected it. Mr. Grimm stated the City has a transparency problem. He stated decisions are being made behind the scenes and that violates the open meetings act. He asked Council to commit to the law.

2011-279 **CLOSED SESSION; PENDING LITIGATION**

Council Member Lowe moved to go into closed session at 8:05 p.m. to discuss the pending litigation attorney information letter. The motion was supported by Council Member Buikema and carried.

Roll call vote: 7 ayes, 0 nays, 0 absent.

Council Member Buikema moved to return to regular session at 8:21 p.m. The motion was supported by Council Member Grevious and carried.

Roll Call Vote: 7 ayes, 0 nays, 0 absent

Council Member Buikema moved to continue forward with litigation to the Supreme Court after reviewing the attorney's information letter. The motion was supported by Council Member Hasper and carried.

Roll call vote: 5 ayes (Grevious, Young, Buikema, Cahill, Lumley), 2 nays (Hasper, Lowe), 0 absent

2011-280

**ADJOURNMENT**

Council Member Buikema moved to adjourn the meeting at 8:25 p.m. The motion was supported by Mayor Lumley and carried unanimously.

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Tammera Harmsen, City Treasurer/Clerk