



Battle Creek Area Transportation Study (BCATS)

FY 2023-2026 Transportation Improvement Program (TIP) - AMENDMENT #3

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REQUEST FOR COMMENTS ON TRANSPORTATION PROJECTS

THE BATTLE CREEK AREA TRANSPORTATION STUDY (BCATS) HEREBY GIVES NOTICE of opportunity for public involvement in the 3rd amendment to its *Transportation Improvement Program (TIP)* for fiscal years (FYs) 2023-2026 (10/1/22–9/30/26), consisting of the following proposed actions:

- 1)** Adding 2024 preliminary engineering (PE) and construction (CON) phases for durable pavement marking application on 1.09 mile of **I-94W** from Stone Jug Rd to Renton Rd by the Michigan Dept of Transportation (MDOT). Total estimated costs PE \$450, CON \$36,900; both 90% Federal Highway Safety Improvement Program, 10% State of Michigan Betterment "M" funds.
- 2)** Modifying the CON phase budget of the City of Battle Creek's 2023 **Capital Ave** mill & resurface with ADA ramp upgrades, from Rebecca Rd northward to VanBuren St, total \$1,770,000, to reduce the local share of \$874,453 (49.4%) from the City of Battle Creek, to \$321,255 (18.15%). The total Fed Surface Transportation Program (STP) share is set to the maximum 81.85%, \$1,448,745;
- 3)** Adding a joint Calhoun County Road Dept (CCRD) & City of BC 2023 resurfacing of **North Ave** from Roosevelt northward to Morgan. Total estimated cost \$543,677, 81.85% Fed STP, 18.15% local (\$54,328 CCRD, \$44,349 City of BC);
- 4)** Moving the CCRD's resurfacing of **S Wattles Rd**, from B Dr N to G Dr N, from 2025 to 2023. Total estimated cost \$2,024,999, 81.85% Fed STP, 18.15% CCRD;
- 5)** Adding the City of Springfield's 2023 resurfacing of **Harmonia Rd**, from Evergreen to Helmer. Total estimated cost \$659,743, 81.85% Fed STP, 18.15% City of Springfield;

- 6)** Adding 2023 capital improvements for **Battle Creek Transit**, including a shop truck with plow, roof repair, mobile column lift/vehicle hoist, two administrative vehicles, and miscellaneous maintenance equipment. Total estimated cost \$485,500, 80% Fed STP, 20% State of Michigan Comprehensive Transportation Fund (CTF);
- 7)** Adding 2025 resurfacing of **Skyline Dr**, from Columbia Ave to Hill-Brady Rd, by the City of BC. Total estimated cost \$604,765, 81.85% Fed STP, 18.15% City of BC; and
- 8)** Adding 2025 resurfacing of **B Dr N**, from 6½ Mile Rd to Beadle Lake Rd, by the CCRD. Total estimated cost \$610,874, 81.85% Fed STP, 18.15% CCRD.

Further details of the above listed changes, and other projects in the TIP, can be provided upon request and may also be found online at www.bcatsmpo.org. Public comment on this TIP amendment is encouraged (and preferred) by e-mail to bcats@bcatsmpo.org, or within the BCATS public meetings in December (Technical Committee 12/7/22 and Policy Committee 12/14/22); call ahead or check BCATS' home page at www.bcatsmpo.org for details on attending and participating in those meetings. Comments will be accepted thru Policy Committee action on December 14th. Direct questions and/or comments to: BCATS, 601 Avenue A, Springfield, MI 49037; phone 269/963-1158, fax 269/963-4951, e-mail bcats@bcatsmpo.org.

Michigan Supreme Court temporarily halts trial of James, Jennifer Crumbley

Tresa Baldas
Detroit Free Press | USA TODAY NETWORK

The Michigan Supreme Court has granted a request to temporarily suspend the trial of Jennifer and James Crumbley, the first parents in America to be charged in a mass school shooting.

At issue is whether there was probable cause — or sufficient evidence — to bind the Crumbleys over for trial on charges that seek to hold them responsible for the deaths of four students killed by their son, who used a gun his parents bought him to carry out his crime.

The Crumbleys were scheduled to go to trial Jan. 17.

The defendants have long argued they are not responsible for the deaths, and maintain that the charges were improperly approved.

The prosecution disagrees. In September, the Michigan Court of Appeals ruled there was no need for an “immediate appellate review.”

But the Supreme Court has ordered the issue to go back to the appeals court for further consideration.

“We remand this case to the Court of Appeals for consideration as to whether there was sufficient evidence of causation to bind the (Crumbleys) over for trial on the charges of involuntary manslaughter,” the justices wrote in their order. “Trial court proceedings in the Oakland Circuit Court are stayed pending the completion of this appeal.”

Justice Richard Bernstein disagreed with his colleagues.

“I respectfully dissent. While I recognize that this case raises a number of novel legal issues, the appellate process is designed such that many of those issues are more appropriately considered after trial, if necessary,” he wrote. “I believe that considering whether the prosecutor has presented sufficient evidence of causation to support the bindover of (the Crumbleys) here before trial will not provide the Court of Appeals with a full picture of the relevant evidence and testimony.”

Bernstein also expressed concerns about “unnecessarily” delaying the trial.

Multiple legal experts who have been closely monitoring the novel case view the Supreme Court’s stay as significant.

“It disrupts the prosecution’s march to trial and details their train,” said criminal defense attorney Art Weiss, who has been practicing law for four decades. “More substantively, it questions the sufficiency of the prosecution’s case.”

According to Weiss, from the public’s perspective, there appears to be little dispute about what happened: A teacher found troubling drawings by a student. Parents summoned to school. They refuse to take son home. Son killed students with the gun his parents bought him.

“But does this demonstrate the parents’ conduct caused the deaths? This is the real issue,” Weiss said. “Apparently the Supreme Court may have some misgivings this is sufficient for the crime of involuntary manslaughter. Was it reasonably foreseeable that purchasing the gun and refusing to take him home would cause him to kill fellow students?”

Prominent criminal defense attorney Bill Swor — who has maintained that the prosecutor is overreaching in the Crumbleys’ case — also finds the Supreme Court stay noteworthy.

“It suggests that the Supreme Court has concerns about the theory under which the case is being prosecuted,” Swor said. “Clearly, this theory is unprecedented.”

Swor, who is on the board of directors for the Criminal Defense Attorneys of Michigan and has practiced law for almost five decades, believes the prosecution faces an uphill battle. As he previously told the Free Press: “What the parents allegedly did — buying a gun being careless, being terrible parents — it’s horrible. It’s a disaster. But it’s not a crime.”

For Birmingham defense attorney Wade Fink, the timing of the Supreme Court order is noteworthy.

“Staying a case set for trial in less than two months is a very big deal and potentially signals what the Supreme Court intends to do with this case,” Fink said. “Prosecutors always knew there were going to be challenges in this case. But I imagine they are, like we’re surprised at the intervention prior to a trial taking place at all.”

The Oakland County Prosecutor’s office cannot comment on the order as a gag order has been issued prohibiting either side from publicly discussing the case.

“The key thing here is that the Court of Appeals is now deciding whether there’s enough evidence to proceed to trial based only on a preliminary hearing record, which is a proceeding where only a minimal amount of evidence is put forward to begin with,” Fink said. “I think prosecutors will ask to show more evidence first before the Court of Appeals decides.”

Prosecutors allege that the Crumbleys ignored a mentally ill son who was spiraling out of control, and instead of getting him help, they bought him a gun. They also argue that the Crumbleys could have prevented the massacre had they notified the school that they had bought their son a gun the morning they were summoned over a violent drawing he had made of a gun, blood, and the words “the thoughts won’t stop, help me.”

Lawyers for the Crumbleys have long argued that the couple had no idea that the son would carry out a school shooting, and that the gun was not properly secured in a locked drawer. They also maintain the couple had no legal duty to inform the school about the gun that they had purchased.

The Supreme Court order comes one day after two former Oxford school board members leveled fresh allegations against the district, alleging there was a safety policy in place that could have prevented the shooting, but that school officials never used it, nor were they ever trained for it.

The school district is facing multiple lawsuits that allege — among other things — that school officials mishandled the shooter in the days before the shooting by allowing him to stay in school when there were several red flags that he was about to engage in violence.



A 44-year-old Battle Creek man who police said was a parole absconder led authorities on multiple pursuits before crashing his vehicle Sunday night in Springfield. PROVIDED BY CALHOUN COUNTY SHERIFF’S OFFICE

Battle Creek parole absconder arrested after multiple police pursuits and crash

Greyson Steele
Battle Creek Enquirer | USA TODAY NETWORK — MICHIGAN

A 44-year-old Battle Creek man who police considered a parole absconder led authorities on multiple pursuits before crashing his vehicle Sunday night in Springfield.

Deputies from the Calhoun County Sheriff’s Office arrested the 44-year-old following a two-minute pursuit that ended with the man crashing his vehicle into a guardrail on Fountain Street, overturning and landing on the railroad tracks, according to a release.

Deputies said they observed, at about 9 p.m., a vehicle in a business parking lot in the 500 block of Upton Avenue that matched the description of a vehicle that fled from law enforcement earlier in the week. Police said they were searching for the vehicle because the driver was connected to an active parole absconder warrant.

The suspect fled southeast on Upton Avenue as deputies attempted to make contact, ultimately striking the guardrail on Fountain Street.

The suspect was trapped in the vehicle and was extricated by fire personnel. An ambulance transported him to a local hospital for treatment of his non-life-threatening injuries.

After being evaluated at the hospital, the suspect was lodged at the Calhoun County Jail because of the warrant and allegations of fleeing and eluding police and driving on a suspended license, police said.

The Battle Creek Police Department, Battle Creek Fire Department and LifeCare Ambulance assisted deputies on scene.

Wilder

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Wilder was escorted through downtown Battle Creek one last time Tuesday morning as a funeral procession led by Battle Creek police traveled down Michigan Avenue.

Battle Creek Police Chief Jim Blocker said Tuesday’s outpouring of support demonstrated the mark Wilder made on the BCPD family and community.

“Joe was a remarkable officer who brought his larger-than-life personality to work with him daily,” Blocker said. “He was passionate to those he served daily, cared deeply for his fellow officers — serving as the longtime president of the officers bargaining unit — and after the bomb unit was established in 1999 for the tri-county area, Joe was the first to volunteer and pass the test to be a member.”

Wilder served as a patrol officer, training officer, downtown liaison officer and as commander of the bomb squad during his time with BCPD.

Following his retirement in October 2021, Wilder was deputized with the Kalamazoo County Sheriff’s Office and worked as a Kalamazoo Valley Community College public safety officer.

Wilder is survived by his wife Jennifer, son Adam, daughter Mara, and a foster son whom he was in the process of adopting.

Entertainment

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“Having Doug LaBrecque is tremendous for us,” said Jerry Feltz, BBBC education director. “He has been on stages all over the world. I’m looking forward to seeing him combine his substantial talent with the superstars we’ll have on stage from the brass and percussion world. It will be a real treat.”

“The rehearsal experience is great. I think, for the young music students that come for that, it can be more formative than a concert because they can see how the band comes together and how it works. And, for the Young Peoples Concert is a real biggie. It’s a jammed-down version of our holiday concert for elementary students that we tailor to be more interesting for the younger kids. We have 10 different schools and about 800 kids coming.”

Tickets are available online at www.bbbsc.net.

Ada LeAnn performing at Franke Center

Giving the gift of music is always a good idea, so buy a ticket for someone to see a show after Christmas. Battle Creek’s Ada LeAnn will perform at the Franke Center in Marshall on Feb. 25. Tickets are on sale now.

LeAnn, a senior at Lakeview High School, recently performed in the national spotlight as a contestant on

Great American Song Contest on NBC, representing Michigan. LeAnn made the semifinals on the show with her song, “Natalie.” She has since won Single of the Year for the 8th annual Josie Music Awards, where she performed on the Grand Ole Opry House stage in Nashville.

Performing at the Franke Center would be her first theater show completely dedicated to her performance. Beyond that, she has appeared locally at several fairs and events throughout the past year.

“Performing at the Franke Center is going to be an amazing opportunity for me,” LeAnn said. “It’s one of my first shows that I’m able to put on that is solely for me and people are coming only for me. Not for a festival or fair and not just for background entertainment. This is my show and I am so excited to pour time into creating a show that showcases my artistry and original music.”

LeAnn will also sing locally at Handmap Brewery Dec. 21 and at Kalamazoo’s New Year’s Eve Fest on Dec. 31.

Tickets for the Franke Center show can be purchased at www.thefranke.org

Christmas at the Barn Theatre

One of the more anticipated entertainment events in the area in recent years has been the annual Christmas Cabaret at the Augusta Barn Theatre. Performed at the Rehearsal Shed on the grounds of the Barn Theatre, there will be shows throughout the month, from Dec. 9-22 with weeknights at 7 p.m. and two chances on Saturdays and Sundays at 2 p.m. and 7 p.m.

The entertainers who are showcased at the summer stock theater every year will celebrate the season with favorite carols and holiday songs.

Tickets are available at www.barntheatreschool.org.

Historic Christmas

Instead of singing, how about holiday entertainment in the spoken word?

The Battle Creek Regional History Museum is hosting “Tales of Christmas Past,” featuring readings of vintage newspaper stories of the 1800s. Among the performers will be Dave Eddy, Bobbie Mathis, Donna Rickman, Michael Delaware and Brian and Jill McCombs. There will be two shows at 2 p.m. and 6 p.m. on Dec. 17.

For tickets or more information, go to www.bcrhm.org

Bill Broderick can be reached at broderick@battlecreek-enquirer.com. Follow him on Twitter: [@billbroderick](https://twitter.com/billbroderick)

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