



Battle Creek Area Transportation Study (BCATS)

FY 2023-2026 Transportation Improvement Program (TIP) - AMENDMENT #9

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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 ninth amendment to its *Transportation Improvement Program (TIP)* for fiscal years (FYs) 2023-2026 (10/1/22–9/30/26), consisting of the following proposed changes:

1) Abandoning the \$25.1M construction phase (CON) for 2024 bridge replacement at I-194/M-66 over the Kalamazoo River, by the Michigan Dept of Transportation (MDOT). Was to be funded 100% by State Rebuilding Michigan Program (RBMP); ***JN-210024***

2) Abandoning the \$395,125 preliminary engineering (PE, 2023) phase and the \$2.2M CON phase for MDOT's planned 2025 widening of I-94BL/M-96/M-37 (Helmer Rd) from Territorial Rd northward to Dickman Rd, from four to five lanes. Both phases were to be funded 88.85% Federal National Highway System (NH), 15.88% State Michigan Betterment "M", 2.27% Local-City of Battle Creek; ***JN-210823***

3) Increasing the CON phase budget 50.5% for MDOT's planned 2024/25 resurfacing of I-94BL (Michigan Ave E) from Porter St and the Amtrak railroad crossing eastward, to facilitate extending the project's eastern terminus from M-96 (Columbia Ave E) to 9½ Mile Rd (Wattles Rd). New total CON phase budget \$1,771,000; 81.85% Fed NH, 18.15% State of Michigan Non-Motorized Program Set-Aside (MNMP); ***JN-219213***

4) Adding a 2026 CON phase for bridge capital preventive maintenance (CPM) by the City of Battle Creek on the Angell St and the Kendall St bridges over the Kalamazoo River. Total estimated CON phase budget \$305,000; 80% Fed Bridge Rehab Surface Transportation (BHT), 15% State "M", 5% Local-City of BC; ***JN-220625***

5) Adding a 2024 non-infrastructure (NI) phase designating Fed Carbon Reduction Program (CRP) funds to support a planned van replacement project of Battle Creek Transit (BCT) to purchase three (3) full size battery-electric vans and related charging infrastructure, at estimated total \$445,000. Partial funding with this added NI phase \$208,770 (80% Fed CRP, 20% State Comprehensive Transportation Fund). ***JN-220808***

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 by e-mail to bcats@bcatsmpo.org, or in-person within BCATS' 3/13/24 Technical Committee meeting or 3/27/24 Policy Committee meeting, each beginning at 1:30pm in the Springfield Municipal Building; 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 March 27th. Direct questions and/or comments to: BCATS, 601 Avenue A, Springfield, MI 49037; phone 269/963-1158, e-mail bcats@bcatsmpo.org.

[This text, the following list, and the bolded JN's following each item 1-5 within the notice text above were not printed in the notice as published.](#)

1) JN-210024 2) JN-210823 3) JN-219213

4) JN-220625 5) JN-220808

PEOPLE IN THE NEWS

Portman, Milleepied divorce after 11 years of marriage

Natalie Portman and Benjamin Milleepied have divorced after 11 years of marriage and two children.

The Oscar-winning actor and Milleepied, a choreographer and director, finalized the divorce last month in France, where they live, People magazine reported, citing a representative for Portman.

A representative for Portman declined comment on the record to The Associated Press. Representatives for Milleepied did not immediately respond to requests for comment.

According to People, Portman, 42, filed for divorce from Milleepied, 46, eight months ago.

Portman and Milleepied met on the set of 2010's "Black Swan," Darren Aronofsky's ballet film. Milleepied choreographed the film, for which Portman won the Oscar for best actress. They wed in 2012.

Driver pleads guilty in crash that killed actor Treat Williams

A Vermont man on Friday pleaded guilty to a reduced charge of negligent driving with death resulting in the June crash that killed actor Treat Williams.

Ryan Koss, 35, who knew Williams, was given a one-year deferred sentence and as part of his probation will have his driving license revoked for a year and must complete a community restorative justice program.

Koss was turning left into a parking lot in a Honda SUV on June 12 when he collided with Williams' oncoming motorcycle in Dorset, police said. Williams, 71, who was wearing a helmet, suffered

critical injuries and was airlifted to Albany Medical Center in Albany, New York, where he was pronounced dead, police said.

After the crash, Koss called Williams' wife to tell her what happened, said Bennington County State's Attorney Erica Marthage, who said Koss from the beginning has taken responsibility for the accident.

In an emotional hearing on Friday, Koss apologized and offered condolences to Williams' family and fans. The managing creative director of the Dorset Theatre Festival in Vermont knew Williams for years as a member of the tight-knit community, as well as a fellow theater member, and considered him a friend.

Reports: Murdoch engaged to Zhukova, will marry in June

Rupert Murdoch is proving that age is just a number when it comes to starting a new chapter in life.

The 92-year-old media mogul is set to marry girlfriend Elena Zhukova, 67, in June this year, according to The New York Times and Reuters.

Murdoch's wife on Thursday told the Times that Murdoch started dating Zhukova, a retired molecular biologist, in the summer the two met at a family gathering hosted by Murdoch's third wife, Wendi Deng, with whom he is on good terms, according to The Guardian.

Invitations for Murdoch and Zhukova's upcoming nuptials, set to take place at Murdoch's California vineyard and estate, have already been sent out, a representative for Murdoch told the Times.

This is Murdoch's sixth engagement.

Biden

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Hampshire on Monday and visit the critical swing states of Wisconsin and Michigan on Wednesday and Thursday.

Biden's blitz follows former South Carolina Gov. Nikki Haley's exit from the GOP race after a string of losses in Super Tuesday primaries, pushing former President Donald Trump nearer his party's nomination.

The president's campaign said it raised \$1.5 million in the 24 hours after Super Tuesday's primaries, which also forced out Biden's top challenger for the Democratic nomination, retiring Rep. Dean Phillips of Minnesota. Thursday was the best fundraising day for Biden's campaign since he announced his reelection bid.

The jump in donations came as Biden's combative and at times belligerent State of the Union address. His team now making its largest ad purchase for the 2024 campaign to date.

"We're already seeing people tune in over the last couple of weeks around these key moments, where they are seeing and paying more attention to the fact that there is a choice, it is us versus Trump," Biden campaign chair Jen O'Malley Dillon said. "People are starting to do every day check into this a little more, pay a little bit more attention and take action."

Biden on Thursday evening came out to campaign against Trump in the White House chamber. He started and ended the annual prime-time address with references to his predecessor as he began a campaign to bring home wayward Democrats and reel in Trump-base Republicans.

The president is bringing people together, fighting for more freedom and democracy, building an economy that grows from the middle out and the bottom up, while Donald Trump is running a campaign of revenge and greed for himself and his wealthy State of the Union address. His team now making its largest ad purchase for the 2024 campaign to date.

Trump

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ment. Chutkan tossed out the March 4 date as the immunity appeal dragged on.

Speed up or slow down?

Anticipating exactly this potential time crunch, Smith asked the Supreme Court to leapfrog an appeals court and take the case on Dec. 12, 2023. The justices declined. After Trump lost at the appeals court and asked the high court to keep the case on hold on Feb. 12 pending his expected appeal to the Supreme Court, the justices could have refused his request, and ultimately let the appeals court ruling stand.

As several days went by without the high court taking the case and scheduling arguments, some observers thought the justices might be preparing to do just that, especially since Trump had argued for extremely expansive immunity. A president who ordered a political opponent's assassination could not be prosecuted, Trump's lawyer told the appeals court, unless he is first impeached and removed from office. The appeals court had already issued a lengthy ruling denouncing his claim "that a President has unbounded authority to commit crimes that would neutralize the most fundamental check on executive power — the recognition and implementation of election results."

Instead, the justices waited two weeks, granted Trump's request, decided to review the case, and then set a schedule that pushed oral arguments out about two more months, to the week of April 22 (the court has since settled on April 25 as the exact date). It takes four justices to decide to hear a case and typically five to place or keep proceedings at a lower court on hold.

If the justices wanted to weigh in, why didn't they just take the case back when Smith asked them to? The most plausible explanation, some say, is to help Trump, and that implies they will be on his side through the rest of the case.

When the justices take about two weeks "to issue this order, and then they come back and they say we're going to get to these arguments in seven weeks, they are going up to that calendar and they are putting nine weeks of days and they are burning them for Donald Trump," MSNBC host Chris Hayes said on "The Late Show With Stephen Colbert."

"If they wanna move fast after April 22 and they want to issue that opinion, they can," Hayes said. "Do I think they will after what they signaled today? Not likely."

The Supreme Court is capable of moving faster in the case than it has chosen to thus far. In Bush v. Gore, the case that suspended a Florida recount and effectively declared George W. Bush the 2000 presidential winner, the court accepted, heard and decided the case in under a week. In Trump v. Anderson, in which the justices kept Trump on the Colorado ballot Monday, they accepted the case in two days, scheduled arguments for less than five weeks later, and issued an opinion within a month from there, in advance of the Super Tuesday presidential primaries.

Still, under normal procedures, the justices could have waited much longer simply to schedule arguments and then held those arguments in the fall.

"The briefs are due very soon, the orals are in April, that's actually a pretty expedited review at this point," said David Schultz, a visiting law professor at the University of Minnesota who teaches about elections and constitutional law.

"I know some people are saying, 'Oh, the court's delaying on this.' No, I think they're actually moving pretty quickly on this one," Schultz told USA TODAY.

In the wake of the Supreme Court's decision to hear former President Donald Trump's presidential immunity appeal in late April, legal experts disagree on whether the scheduling is a gift for the Republican front-runner, and whether it signals the justices may be sympathetic to his argument or desired timeline.

Andy Grewal, a law professor at the University of Iowa, argued that the high court's schedule is "lightning fast" for a question that involves not just Trump, but the entire institution of the presidency. The normal procedure for this type of question, he said, would be to schedule arguments for October and then sit on the case for months while trading drafts before issuing a decision.

"If it wasn't for this election, there's no way the Supreme Court would rush such a monumental decision," Grewal said.

What a ruling could look like

Michael McConnell, a Stanford law professor and former federal judge, pointed to the Supreme Court's framing of the issue it will address as a signal of how it may rule. In its Feb. 28 order agreeing to hear the case, the court said it will review whether "and if so to what extent does a former President enjoy presidential immunity from criminal prosecution for conduct alleged to involve official acts during his tenure in office."

The court's language departed significantly from proposals both Smith and Trump made in December for what the justices should address. They asked the court to weigh in on "absolute immunity" for a former president or for a president's official acts, as well as on how congressional impeachment proceedings could impact potential presidential immunity.

The Supreme Court, by contrast, didn't explicitly raise the idea of "absolute immunity" at all, and its "if so to what extent" phrasing might indicate an interest in applying immunity to some actions but not others.

"It is significant that the court revised the question presented to avoid the all-or-nothing questions both sides prefer to raise," McConnell said.

McConnell said the court will likely conclude former presidents have immunity for some acts within their official duties, but not for others — such as acts committed in their capacity as reelection candidates.

Grewal added that he "can't imagine that all the counts of the indictment would be dismissed, because it describes some things that just really don't sound like Trump was acting like the president at all."

Smith accused Trump in the indictment of pushing state officials to disenfranchise voters, trying to enlist then-Vice President Mike Pence to fraudulently alter the election results, and repeating election fraud claims he knew were false to supporters while directing them to the Capitol to obstruct the election certification process.

Schultz said the high court could issue a ruling that calls for distinguishing between allegations that are and are not protected by presidential immunity, but then leave it for a jury to apply that distinction at trial.

But the court could also order Chutkan, the trial judge, to make that determination, thereby creating another round of pretrial proceedings.

"It will take time to occur through the indictment to separate the wheat from the chaff, which will make it difficult for the trial to take place before the election," McConnell said.

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KCC

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Griggs said Corrections Connect training "seeks to create a bridge from education into actual employment for those interested in high-paying careers in a criminal justice/corrections profession."

The MDOC requires corrections officers in the state to earn 15 college credits within a certain number of months from their hiring date to maintain employment. Those who complete their iACT Corrections Connect training can continue their education at KCC and complete their remaining requirements via an Associate of Applied Science in Corrections degree or a Corrections Professional Certificate. More information about those pro-

grams is available at kellogg.edu/corrections.

Individuals interested in participating in Corrections Connect training offered via KCC's iACT initiative must contact KCC at (269) 565-2828 or complete the information form online at kellogg.edu/iact by 5 p.m. Friday, April 19. Interested individuals are encouraged to sign up soon, as spaces are limited and fill up quickly.

Participants must be at least 18 years of age, provide a high school transcript or GED, complete the Accuplacer Next Generation test and be able to attend the training for extended hours daily for the duration of the program. A criminal history background check will be run prior to the start date.

Contact reporter Greyson Steele at gstelee@battlecreekenquirer.com

Battle Creek Area Transportation Study (BCATS)

FY 2023-2026 Transportation Improvement Program (TIP)

Project List for IAWG Review of Mar-Apr 2024 TIP Amendments - BCATS TIP Am#9

BCATS Memo / Public Notice Item #	Fiscal Year	Job Number	Phase	Responsible Agency	Project Name	Limits	Length	Primary Work Type	Project Description	Federal Cost	State Cost	Local Cost	Total Phase Cost	Amendment Type	Air Quality	AQ Comments	Comments	Total Job Cost (Incl. Non LAP Funds)
1	2024	210024	CON	MDOT	I-194/M-66 Bridges	over Kalamazoo River, 2.5 miles north of I-94, Calhoun County	0.00	Bridge Replacement	Bridge Replacement, Approaches	\$ -	\$ 25,119,207	\$ -	\$ 25,119,207	PHASABND	Exempt	BCATS staff considers this change exempt.	From JobNet, "Reason for Change Request #13: Abandoned the CON phase per leadership direction. Reduced the PE phase and PES phases to the cost to date. These changes will free up RBMP funding to be reallocated to other projects in the region. \$17,620,000 RBMP funds were made available from the abandonment of the CON phase." Was to be funded 100% by State Rebuilding Michigan Program (RBMP).	\$ 471,000
2	2023	210823	PE	MDOT	I-94BL/M-96/M-37 (Helmer Rd)	from Territorial Rd northward to Dickman Rd	0.96	Minor Widening	Convert 4 lanes to 5 lane section.	\$ 323,410	\$ 62,751	\$ 8,964	\$ 395,125	PHASABND	Exempt	BCATS staff considers this project exempt as a safety project and as minor widening < 1 mile in length.	From JobNet, "Reason for Change Request #16: Additional funding is not available to support the higher estimated PE and CON costs for the project. All alternatives from reducing scope (but still meeting the template requirements) to Region and Outside funding was investigated and no viable options were identified."	\$ 395,125
2	2025	210823	CON	MDOT	I-94BL/M-96/M-37 (Helmer Rd)	from Territorial Rd northward to Dickman Rd	0.96	Minor Widening	Convert 4 lanes to 5 lane section.	\$ 2,152,817	\$ 417,707	\$ 59,673	\$ 2,630,197	PHASABND	Exempt	BCATS staff considers this change exempt.	From JobNet, "Reason for Change Request #16: Additional funding is not available to support the higher estimated PE and CON costs for the project. All alternatives from reducing scope (but still meeting the template requirements) to Region and Outside funding was investigated and no viable options were identified."	\$ 395,125
3	2024	219213	CON	MDOT	I-94BL (Michigan Ave E)	from Porter St eastward across Amtrak Railroad to M-96 (Columbia Ave E) then on I-94BL/M-96 to 9 1/2 Mile Rd (Wattles Rd)	2.76	Road Capital Preventive Maintenance	Milling & One Course Asphalt Overlay with partial or full depth pavement joint repairs and sidewalk ramp improvements to meet ADA requirements	\$ 1,449,564	\$ 321,437	\$ -	\$ 1,771,000	PHASBDGT	Exempt	BCATS staff considers this change exempt.	From JobNet, "Reason for Change Request #3: Additional Funding has become available in FY 2024 to extend the Limits of this NFRP Job. Updated budget to include an additional \$594,000 for the CON phase. Lengthened limits of job to include Michigan Ave (I-94BL) from Columbia Ave to 9 1/2 Mile Rd (Wattles Rd). No impacts to schedule are anticipated due to the change in scope of work."	\$ 1,823,000
4	2026	220625	CON	City of Battle Creek	Angell St and Kendall St Bridges	Angell St Str#1402 & Kendall St Str#1403 over Kalamazoo River, Battle Creek	0.00	Bridge CPM	Bridge Capital Preventative Maintenance	\$ 244,000	\$ 45,750	\$ 15,250	\$ 305,000	PHASADD	Exempt	BCATS staff considers this change exempt.	Angell St Str#1402 ~ \$150,000, Kendall St Str#1403 ~ \$155,000	\$ 342,500
5	2024	220808	NI	Battle Creek Transit (BCT)	Transit Capital - Van Replacement	Areawide	0.00	SP1105-van replacement, any size with or without lift	FY 2024 Carbon Reduction Program (CRP) - Van Replacement	\$ 167,016	\$ 41,754	\$ -	\$ 208,770	PHASADD	Exempt	BCATS staff considers this change exempt.	Amendment to add CRP funding as NI phase for new van replacement job, providing partial funding for the purchase of three (3) full size battery-electric vans and related charging infrastructure under existing JN-216653, at estimated total \$445,000, but currently Fed-funded only with Sec5339 funds of \$142,725.	\$ 208,770