

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**February 12, 2008**

Township Board work session was held at the Township Hall. Supervisor VanDyke called the meeting to order at 5:00 p.m.

**PRESENT:**

Supervisor John VanDyke  
Clerk Deb Everett  
Treasurer Nancy Culp  
Trustee Dave Bushouse  
Trustee James Grace  
Trustee Stan Rakowski  
Trustee Neil Sikora

Also present was James Porter, Township Attorney, and Marc Elliott, Township Engineer,

Discussion was held regarding the closing of the offices due to inclement weather, hiring a full time maintenance person, and the current cleaning service.

Attorney Porter presented a draft ordinance regulating the use of public rights of way by cable and video service providers. Consensus was to place this on the February 26<sup>th</sup> agenda.

Agenda items discussed were the proposed water extension on South 8<sup>th</sup> Street, Fire Department equipment purchase, and appraisals done for property tax appeals.

The board work session was adjourned at approximately 6:50 p.m.

Supervisor VanDyke called the regular meeting to order at 7:00 p.m.

Also present were James Porter, Township Attorney, Marc Elliott, Township Engineer, Senior Planner Mary Lynn Bugge, and 57 interested people.

Motion by Grace, second by Sikora to approve the January 22<sup>nd</sup> regular meeting and February 8<sup>th</sup> special meeting minutes as presented. Carried.

Income to the General and Fire Funds of \$53,913.81 and disbursements of \$136,775.73 were reported. Motion by Grace, second by Rakowski to accept the receipts and disbursements report. Carried.

**CITIZENS COMMENTS ON NON-AGENDA ITEMS**

None.

**REQUEST FOR EXTENSION OF APPROVAL OF SUNSET VALLEY SITE CONDOMINIUM**

A request for a one year extension of Step 1 approval for Sunset Valley site condominium which was granted March 13, 2007 was before the Board. Roger Stevenson, representing the owner advised they still in the process of obtaining easements on KL Avenue to build the road.

Motion by Grace, second by Bushouse to approve the 1 year extension. Carried.

**QUAIL MEADOWS PHASE VI**

Senior Planner Bugge presented a recommendation from the Planning Commission to approve the Quail Meadows Phase VI condominium site plan. She advised the development contains 146 dwelling units in two, three, and four unit buildings, a clubhouse and pool on 35.5 acres. She further advised project would be served with public water and sewer, streets will be privately maintained by the condominium association with connections to 9<sup>th</sup> Street and Quail Run Drive, sidewalks will be provided along the interior streets and Quail Run Drive.

Motion by Grace, second by Rakowski to approve the Quail Meadows Phase VI condominium site plan subject to the conditions of the Planning Commission approval. Carried.

### **LOT REDESCRIPTION 8089-8095 STADIUM DRIVE**

Senior Planner Bugge presented a request from Steven Hamacher for a lot split and combination for the parcels located at 8089 and 8095 Stadium Drive to allow the parcel at 8089 Stadium Drive to expand 20 feet to the south and 13 feet west for a distance of 150 feet from the new rear property line of the parcel and reduce 8095 Stadium Drive accordingly. The change is being proposed to remedy the nonconforming status of the rear parking lot at 8089 Stadium Drive, which was not constructed in accordance with the approved site plan.

Ms. Bugge also advised if the lot split is approved, a variance would be required for the parcel at 8095 Stadium Drive since it would become non-buildable under the current lot width requirements.

Motion by Grace, second by Rakowski, to approve the lot redescrptions, subject to the applicant providing legal descriptions of the revised lots for Township review and approval, and with the split and combination evidenced by a recorded deed for each redescrbed lot and a variance granted for 8095 Stadium Drive to render it a buildable parcel. Carried.

### **REQUEST TO AMEND TRUCK ROUTE ORDINANCE**

A request presented by Randall Kraker, attorney representing G Avenue Properties LLC that the Township's Truck Route Ordinance be amended to allow truck traffic on North 10<sup>th</sup> Street and H Avenue between 10<sup>th</sup> Street and Drake Road was before the Board after being postponed from the January 22<sup>nd</sup> meeting.

Motion by Grace, second Rakowski to deny G Avenue Properties' request to amend the Truck Route Ordinance to include 10<sup>th</sup> Street to M-43; as well as 10<sup>th</sup> Street to G Avenue and H Avenue from 10<sup>th</sup> Street to Drake Road. Carried.

Randy Kracker, attorney representing G Avenue Properties LLC asked for clarification of the current ordinance, that it also excludes the south side of G Avenue as a truck route. He commented this is not a reasonable result and asked the Board to reconsider.

Evan Boswell, 1091 Josiane commented he has been attending the Alamo meetings and feels that the G Avenue Properties should their own access road to US-131.

Victor Yost, 6370 Saybrook thanked the Board for support on not changing the truck route ordinance; he doesn't see a commodity for a gravel pit. He noted there is an adult foster care home on 10<sup>th</sup> Street whose residents walk on 10<sup>th</sup> street frequently.

Jim Sterenberg, 4110 Oakharbor representing C-Coats, commented he was glad the Board took a proactive role and has the best interest of Oshtemo Township residents in mind and encouraged the Board to stand firm.

Dan Thompson, 105 Echo Hills commented he appreciated the thought and hard work the board goes through.

Bonnie Banghart, 1573 North 10<sup>th</sup> Street commented she had talked with a gravel truck driver who encouraged her to help fight and keep 10<sup>th</sup> street from becoming a truck route. She thanked the board on behalf of herself and her neighbors for taking action.

Wendy Lawrence, 8156 West G Avenue, commented she was thankful the Board gave thought to this and made the correct decision.

Nancy Thiel, 3026 Harbour View Court commented on truck activity she had observed on H Avenue and 10<sup>th</sup> Street and commended the Board's efforts on the truck route ordinance; she also read a letter from her neighbors Cindy and Ron Stonerock 2563 Creek Shire Court.

Joe Gemmill 3300 North 10<sup>th</sup> Street thanked the Board for the countless hours spent on this matter.

Ron Vandermeer 4285 North 8<sup>th</sup> Street, encouraged the Board to uphold the ordinance.

### **SOUTH 8<sup>TH</sup> STREET WATER MAIN EXTENSION**

A recommendation from the Sewer/Water Committee to extend water approximately 800 feet on South 8<sup>th</sup> Street south from KL Avenue was before the Board.

Motion by Everett, second by Rakowski to send the project out for bids. Carried.

### **FIRE DEPARTMENT REQUEST TO PURCHASE FIRE BOOTS**

Fire Commissioner Grace presented a request from the Fire Department to purchase 17 pairs of turn out boots in the amount of 4,811.00.

Motion by Grace, second by Sikora to approve the expenditure. Carried.

### **APPRAISALS FOR PROPERTY ASSESSMENT APPEALS**

Attorney Porter advised appraisals were needed for seven properties owned by Kimco Realty due to property tax appeals and presented an invoice from Value Trends, Inc. in the amount of \$25,000. He advised due to the appraisals, settlements were negotiated.

Trustee Bushouse commented he hopes the other taxing entities appreciate that the Township bears all the cost on tax appeals.

Motion by Rakowski, second by Sikora to pay the invoice from Value Trends, Inc. in the amount of \$25,000.

### **WALK FOR WARMTH**

A resolution supporting the 15th Annual Kalamazoo County Walk for Warmth to be held on February 23<sup>rd</sup> was presented. The event raises funds to provide emergency heating assistance for those in need who do not qualify for aid from other sources.

Motion by Everett, second by Rakowski to adopt the resolution. Carried.

### **BOARD MEMBER COMMENTS**

Engineer Elliott commented that the 9<sup>th</sup> Street bridge work will begin the first full week of March. There will be public informational meeting on February 25<sup>th</sup> at 7:00 p.m. at the Oshtemo Community Center.

There was no further business and the meeting was adjourned at approximately 8:05 p.m.

**DEBORAH L. EVERETT**  
Township Clerk

Attested: **JOHN VANDYKE**  
Supervisor