

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**April 25, 2006**

The Oshtemo Township Board public comment session was held at the Township Hall. Supervisor VanDyke called the meeting to order at 6:00 p.m.

**PRESENT:**

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

Also present was James Porter, Township Attorney, Marc Elliott, Township Engineer, and 5 interested people.

There was no public comment.

**Cable Legislation** – discussion was held concerning the proposed legislation in the State legislature that would affect local control of cable franchises. Concerns include no provisions to require build out of service in all areas, no guarantee local units would continue to receive franchise fees or retain control of local rights of way.

**6<sup>th</sup> Street Water** – Engineer Elliott reviewed a change order to the North 6<sup>th</sup> Street sewer project for the addition of water line from M-43 to the current line on 6<sup>th</sup> Street south of West H Avenue.

**Kalamazoo County Proposal – Meth Clean Up** – Supervisor VanDyke advised a letter had been received from Kalamazoo County requesting local units contribute \$5,000 to assist in the county hiring a part time Industrial Hygienist for meth site clean up. Board consensus was more information would be needed to consider the request.

The public comment session adjourned at 6:45 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, Fire Chief Ken Howe, and approximately 15 interested people.

**TRUSTEE VACANCY**

First tally showed 3 votes for Cheri Bell, 5 votes for Grace Borgfjord, 5 votes for Jim Grace, and 3 votes for Marion Hill. Second tally showed 5 votes for Grace Borgfjord and 1 vote for Jim Grace. Ms. Borgfjord was sworn in and seated at the dais.

Motion by Culp, second by Rakowski to approve the minutes of the April 11<sup>th</sup> regular and April 19<sup>th</sup> special meetings. Carried.

Income to the General and Fire Funds of \$46,442.19 and disbursements of \$305,234.82 were reported. Motion by Rakowski, second by Sikora to accept the receipts and disbursements report. Carried.

### **CITIZENS COMMENTS**

Rep. Jack Hoogendyk was present to announce a Medicare Part D seminar to be held on Friday, April 28<sup>th</sup> at 9:30 a.m. at the Township Hall.

### **PERSONNEL COMMITTEE RECOMMENDATION EMPLOYEE BENEFIT STUDY**

Trustee Bushouse presented a recommendation from the Personnel Committee to contract with Kushner & Company to conduct a study regarding employee benefits and offer recommendations whether to change the employee benefit package to a cafeteria plan. It was noted any changes would not be implemented until May 2007, the health insurance plan renewal date.

Motion by Bushouse, second by Sikora to contract with Kushner & Company for the employee benefit study not to exceed \$10,000. Carried.

### **LIQUOR LICENSE ORDINANCE TEXT AMENDMENT – SECOND READING**

A text amendment to the liquor license ordinance which would treat transfer requests with the same application process as new requests was before the board for Second Reading.

Motion by Everett, second by Rakowski to adopt the text amendment. Carried.

### **RELOCATION – LASALLE SANITARY SEWER PUMP STATION**

Engineer Elliott advised the Board that part of the utility design for the Village Place developments at South 8<sup>th</sup> Street and Stadium Drive includes relocation of the LaSalle sanitary sewer pump station to a low area on the Pinehurst Townhomes property. He noted the pump station will be able to service an area larger than the LaSalle Plat and Village Place developments, including Pinehurst Townhomes and will allow for removal of that development's private station; necessary easements to allow the new public station on the Pinehurst property have been obtained, and the Township's participation in the project can be resolved before the contract is awarded.

Mr. Elliott also advised a back up generator is needed for the Stadium Drive pump station. He advised combining the projects would likely result in more competitive pricing; the estimated cost for the pump station is \$115,000 and parts from the abandoned station on North 9<sup>th</sup> Street will be used, the estimated cost for the back of generator is \$45,000. He noted the City of Kalamazoo will be upgrading the Stadium Drive pump station.

He requested approval to place the new pump station and back up generator out to bid.

Motion by Everett, second by Sikora to authorize the relocation of the LaSalle sanitary sewer pump station and back up generator for the Stadium Drive pump station be placed for bids. Carried.

### **RESOLUTION OPPOSING CABLE FRANCHISE LEGISLATION**

A resolution opposing proposed cable franchise legislation as discussed at the earlier session was before the Board for consideration.

Rep. Hoogendyk commented he felt the legislation opens up the market for telecommunication companies to compete with cable, provides more choice, improves service and would reduce costs. He also commented franchise agreement would be with the State but fees paid directly to local units.

Board members comments included concerns that build out is not required, some areas might not receive service, telecommunication companies could request franchise agreements under the current process, loss of revenue in light of previous cuts and unfunded mandates. Rep. Hoogendyk commented while he could not guarantee the fees would remain in place it was his intention to do so.

Motion by Rakowski, second by Culp to adopt the resolution opposing the cable franchise legislation. Carried.

### **CLOSED SESSION**

Attorney Porter advised an issue regarding possible purchase of property was before the Board and due to the sensitive nature of the negotiations, would recommend the Board convene in closed session.

Motion by Rakowski, second by Culp to adopt a resolution to adjourn to closed session. Roll call showed Sikora-yes, Bushouse-yes, Everett-yes, Culp-yes, VanDyke-yes, Rakowski-yes, Borgfjord-yes.

Adjourned to closed session at approximately 8:05 p.m.

Motion by Bushouse, second by Sikora to reconvene the meeting at approximately 8:55 p.m.. Roll call showed Sikora-yes, Bushouse-yes, Everett-yes, Culp-yes, VanDyke-yes, Rakowski-yes, Borgfjord-yes.

Motion by Culp, second by Rakowski to authorize the Supervisor and Township Attorney to continue negotiations to acquire 28 acres west of the landfill by any means necessary.. Carried.

### **OTHER BUSINESS**

#### **REPAIR/CLEAN EXTERIOR OF TOWNSHIP HALL**

Trustee Bushouse presented a proposal from Bouma-Betten for repairs, cleaning, and sealing of the exterior of the older portion of the Township Office. He advised the sealant would prevent the discoloration that occurs.

Motion by Bushouse, second by Rakowski to approve an expenditure not to exceed \$10,500 for repairs, cleaning, and sealing of the previously existing exterior of the Township Office.

#### **CHANGE ORDER – 6<sup>TH</sup> STREET SEWER PROJECT**

Engineer Elliott presented a change order for the 6<sup>th</sup> Street sewer project to add the water project portion of the total project approved by the Board on January 10<sup>th</sup>. He advised Peters Construction, contractor for the sewer and road portions of the project had provided a bid of \$305,620.35, noting cost savings will be recognized with a single contractor. He also advised the total price includes \$425.00 for a core and boot of a sewer manhole to construct a stub for future extension, this cost to be reimbursed by the property owner.

Treasurer Culp commented she would only vote yes because the project is for water.

Motion by Bushouse, second by Rakowski to approve the change order in the amount of \$305,620.35. Carried.

#### **COMPUTER PROGRAM – VIOLATIONS BUREAU**

Treasurer Culp advised the current computer program used for the violations bureau requires updating, the new program cost would be \$4,284.00.

Motion by Culp, second by Bushouse to approve an expenditure in the amount of \$4,284.00 for a new violations computer program. Carried.

### **BOARD MEMBER COMMENTS**

Trustee Rakowski and Fire Chief Howe provided a report of Fire Department activities for the first quarter.

Trustee Borgfjord thanked the Board for their support.

Clerk Everett reminded the Board of the DNR hearing on expansion of the no discharge of fire arms area on Wednesday, April 27<sup>th</sup> at 7:00 p.m.

Trustee Bushouse commented he met with the architect, general and mechanical contractors regarding the issues with the building addition.

There was no further business and the meeting was adjourned at approximately 9:15 p.m.

**DEBORAH L. EVERETT**  
**Township Clerk**

**Attested: John VanDyke**  
**Supervisor**

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