

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
May 13, 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 Stan Rakowski
Trustee Neil Sikora

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

CLOSED SESSION

Motion by Sikora, second by Bushouse to adjourn to closed session for purposes of discussing pending litigation because doing so in an open meeting would have a detrimental effect on the Township's position. Roll call showed Bushouse-yes, Culp-yes, Everett-yes, Rakowski-yes, Sikora-yes, VanDyke-yes.

Motion by Sikora, second by Bushouse to return to open session at 5:40 p.m.

Motion by Sikora, second by Bushouse to direct the Attorney to proceed with pending litigation as directed in closed session. Carried.

Maintenance Position – Supervisor VanDyke advised the position description had been sent to several employment agencies.

Security Cameras – The Building & Grounds Committee recommended that security cameras be placed in the office hallways due to two recent incidents of vandalism.

Park Security – There was discussion that more security may be needed in the parks. A disc golf basket was stolen from the Township Park recently.

Fire Chief Letter of Understanding – There was discussion regarding some of the terms of employment of Mark Barnes as Fire Chief. Attorney Porter will forward to Chief Barnes the revised document.

Cost of Living Increase – The Personnel Committee advised they had placed on the regular agenda consideration of a 2.5% cost of living increase for Township employees effective June 1st. It was noted there had been no increases given at the beginning of 2008 with a statement that a mid year review would be done. It was further noted revenue sharing has remained stable for this year and savings had been realized from the change in health insurance plans. Regarding merit increases, Trustee Sikora suggested the Personnel Committee prepare a list for Board review.

The board work session was adjourned at approximately 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, Senior Planner Mary Lynn Bugge, Associate Planner Brian VanDenBrand, and four interested people.

Motion by Sikora, second by Rakowski to approve the April 22nd regular, April 25th, May 1st, and May 8th special meeting minutes as presented. Carried.

Income to the General and Fire Funds of \$176,516.58 and disbursements of \$261,802.24 were reported. Motion by Rakowski, second by Sikora to accept the receipts and disbursements report. Carried.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

None.

HISTORICAL OVERLAY ZONE

A recommendation from the Planning Commission to adopt text relating to the purpose, method of establishment, and regulations of the Historical Overlay District which would provide a buffer of 100 feet from any historic feature, or to the property line, whichever is less, and increased setbacks and landscaping requirements of neighboring, developing properties was before the Board for Second Reading.

Motion by Culp, second by Rakowski to adopt the Historical Overlay Zone District. Carried.

PROPERTIES TO INCLUDE IN HISTORICAL OVERLAY ZONE – FIRST READING

Associate Planner VanDenBrand presented a Planning Commission recommendation of four properties to be included in Historical Overlay Zone; 927 North Drake, 2611 North Drake, 7181 West KL Avenue, and 5770 Parkview Avenue.

In response to a question from Trustee Rakowski, Mr. VanDenBrand advised these four were initially selected as they were seen as most affected by neighboring zoning and the owners were in support of being included; other properties throughout the Township will be brought forward for consideration.

Motion by Everett, second by Sikora to accept the recommendation to include the four properties as described in the Historical Overlay Zone for First Reading and set Second Reading for June 10th. Carried.

CONSOLIDATION OF C-LOCAL BUSINESS AND C-1 ZONING DISTRICTS REZONING OF C-1 PROPERTIES TO C- LOCAL BUSINESS – FIRST READING

Senior Planner Bugge presented a Planning Commission recommendation for text amendments to consolidate the C-1 Zoning District with the C-Local Business District and various other text amendments and rezone properties currently zoned C-1 to C-Local Business District. She advised the consolidation is recommended due to the similarity of uses; the proposed text changes address the Statement of Purpose of the resulting C-Local Business District, consolidate uses and while the C-1 District and all references to it in the Zoning Ordinance are deleted, all uses are reflected elsewhere in the Ordinance with C-Local Business District substituted where appropriate. Specific changes to the proposed C-Local Business District include public garages, service stations, and drive-in theatres will be considered special exception uses, nurseries and greenhouses are deleted as they are allowed in the Agricultural District, and criteria for outdoor sales are added. Ms. Bugge advised there are currently 26 properties zoned C-1 in whole or part which would be rezoned to C-Local Business District.

Ms. Bugge further advised two new sections are added to the Village Commercial District intended to facilitate occupancy in existing buildings and ensure Planning Commission review of new construction. She commented the first section will allow administrative review of certain uses in preexisting buildings and the second section will treat new construction, building alterations and conversions as special exception uses requiring Planning Commission review.

Ms. Bugge further advised the proposed text amendments would also modify the outdoor lighting standards to allow use of other than full cut-off wall fixtures where an architectural feature will function in the same manner to restrict the light emitted.

In response to questions from Trustee Bushouse, Ms. Bugge advised the approval process for temporary greenhouses or other outdoor sales would not change, and any applicant not satisfied with administrative review can appeal to the Zoning Board of Appeals.

Motion by Culp, second by Sikora to accept the recommendation to consolidate the C-1 Zoning District with the C-Local Business District and rezone the 26 properties currently zoned C-1 to C-Local Business District for First Reading and set Second Reading for June 10th. Carried.

REZONING REQUEST – 8688 WEST MAIN – FIRST READING

Senior Planner Bugge presented a Planning Commission recommendation to rezone the approximate rear half of the property at 8688 West Main from RR, Rural Residential to C-Local Business District. She advised the front half has been zoned commercially since at least 1960, the present use, Halli's Autocare and Autosales received site plan approval in 1992 and 2005 respectively and the owners wish to expand the building to provide indoor storage of vehicles awaiting repair due to issues with theft. Ms. Bugge further advised that while the Planning Commission concluded the rezoning not consistent with the Master Land Use Plan, was appropriate for this property, based in part, upon existing use of the front half and it would be reasonable to allow this established business to expand without setting an undesirable precedent in this area of West Main where there is a mix of land uses.

Motion by VanDyke, second by Everett to accept the recommendation for rezoning for First Reading and set Second Reading for June 10th. Carried.

SEWER/WATER RESOLUTION AMENDMENTS

Attorney Porter advised the Sewer/Water Committee was recommending the existing resolutions adopting sewer and water fees be amended to clarify that properties that have been included in a special assessment district are entitled to credit for one benefit unit.

Motion by Culp, second by Rakowski to adopt the amendments to the Sewer/Water fee resolutions. Carried.

COST OF LIVING INCREASE

As discussed at the earlier work session, the Personnel Committee recommended a 2.5% cost of living increase for Township employees effective June 1st.

Motion by Bushouse, second by Rakowski to approve the increase for all employees with the exception of elected officials. Carried.

EMPLOYEE HANDBOOK UPDATES

Attorney Porter presented two Employee Handbook update recommendations from the Personnel Committee, Section 5.5 to clarify that full time Fire personnel shall receive Relief Driver pay based upon their established position with the department; Officers will receive Officer's Relief Driver pay and non-officers will receive regular Relief Driver pay and Section 6.2.1 to require any gift to any Township Officer or employee in excess of \$50.00 should be reported to the Personnel Director and returned, with all other gifts reported to the Personnel Director.

Trustee Rakowski requested Trustee be added after Township Officer.

Motion by Rakowski, second by Everett to approve the amendments to the Employee Handbook. Carried.

CLEANING BIDS

Supervisor VanDyke advised bid requests for cleaning of Township facilities had been sent to several vendors with two received, one from MRC Industries at \$9,120 per year and Hi-Tec Building Services at \$9,555 per year.

Motion by Bushouse, second by Sikora to accept the bid from MRC Industries. Carried.

CHANGE IN EXPENDITURE FOR DRAKE HOUSE

Trustee Sikora presented a recommendation from the Park Committee to approve the Oshtemo Historical Society's request that their budget be adjusted to delay exterior painting budgeted in the amount of \$8,500 and reallocated for removal of bat guano and contaminated trash from the attic, construction of a furnace room enclosure in the attic to prevent heat loss and condensation, and removal of woodchucks causing potential damage to the foundation. He noted the cost of these items totaled \$4,925.10.

Motion by Sikora, second by Rakowski to reallocate funds budgeted for the Drake House as requested. Carried.

SANITARY SEWER PROJECT – ANDOVER DRIVE TO STADIUM

Engineer Elliott advised bids had been received for the extension of sanitary sewer across an easement from Andover Drive to the property to the east on Stadium Drive. He advised low bid was received from C.D. Taplin in the amount of \$37,340. He noted that the scope of the project has been changed however since the property owner at Pinehurst Apartments has declined to participate in the restoration phase of the project, therefore the total is now \$20,052.

Motion by Culp, second by Sikora to accept the bid from C.D. Taplin in the amount of \$20,052. Carried.

CONFIRM CLOSED SESSION

Regarding discussion at the earlier work session, motion by Everett, second by Bushouse to direct the Attorney to proceed with pending litigation as directed in closed session. Carried.

BOARD MEMBER COMMENTS

Trustee Sikora provided a reminder of the Kalamazoo Firefighters Support Group/Oshtemo Significant Others fund raiser on May 14th at Pizza Hut.

Clerk Everett advised the August primary will have 2 Republican and 1 Democratic candidate for Supervisor, the Clerk and Treasurer are unopposed, 6 Republican and 2 Democratic candidates for Trustee.

There was no further business and the meeting was adjourned at approximately 7:50 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: JOHN VANDYKE
Supervisor