

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
May 15, 2007

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, Marc Elliott, Township Engineer, and 3 interested people.

Topics discussed by the Board included the proposed gravel pit in Alamo Township, Fire Department payroll reports, committee meeting minutes, the May election turnout, and residential fire sprinklers.

Rep. Jack Hoogendyk arrived at approximately 6:10 p.m. and discussed with the Board various areas of concern, particularly the State budget crisis.

The board work session was adjourned at approximately 6:55 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, Planning Director Jodi Stefforia, Senior Planner Mary Lynn Bugge, and 16 interested people.

Also present were members of the Oshtemo Fire Department. Fire Commissioner/Trustee Stan Rakowski presented a certificate of appreciation for the department's dedication to the community.

Motion by Grace, second by Rakowski to approve the April 24th regular and May 3rd special meeting minutes. Carried.

Income to the General and Fire Funds of \$133,625.54 and disbursements of \$614,642.82 were reported. Motion by Grace, second by Sikora to accept the receipts and disbursements report. Carried.

CITIZENS COMMENTS

Henry Bonnes, 2648 Plainview Street, commented he was very upset that the realtor sign indicating his house for sale was removed from the corner of Stadium and Plainview. He commented the ordinance should allow for signs in other locations when the house is located on a dead end street. He suggested ordinances be published in the newsletter so residents would be aware of them.

TENTATIVE APPROVAL OF PRELIMINARY CONDOMINIUM PROJECT PLAN
OSHTEMO RIDGE – PHASE 2

A recommendation from the Planning Commission for approval of the proposed site condominium of Oshtemo Woods-Phase 2 to be located west of Oshtemo Ridge-Phase 1 development, containing 42 single family home sites on approximately 16 acres was before the Board.

Senior Planner Bugge advised the Planning Commission determined the proposed development satisfied the Zoning Ordinance provisions, sites will be served with public water and sewer,

provisions for sidewalks and street lights are indicated on the plan, public streets are proposed and review by the Kalamazoo County Road Commission is pending and any approval should be subject to such approval, street names have been approved by Kalamazoo County Planning Department, and fees for Step 1 have been paid. She noted sanitary sewer in Phase 2 is dependant upon sewer in Phase 1 which is dependent upon the use of an easement over Consumers Energy property which has been negotiated by the Township, with the developer responsible for the cost of \$16,163.60.

Motion by Grace, second by Culp to grant tentative approval of a preliminary plan subject to the conditions of the Planning Commission approval, and provided payment for the cost of the sanitary sewer easement in the amount of \$16,163.60 is received by May 25, 2007. Carried.

SITE CONDOMINIUM – DRAKE POINTE

A recommendation from the Planning Commission for approval of the proposed site condominium of Drake Pointe to be located on Drake Road north of Grand Prairie Street, containing 47 single family home sites on approximately 21 acres was before the Board.

Senior Planner Bugge advised this project was submitted prior to the adoption of the Subdivision/Site Condominium Ordinance, therefore the required approval of the Township Board is for the site condominium element of the proposed project.

In response to an audience member question, Attorney Porter advised this project was submitted and received Planning Commission approval prior to the introduction of the proposed lot size changes.

Motion by Grace, second by Rakowski to approve the site condominium element subject to the conditions of the Planning Commission's approval, Township Engineer approval of the storm water basin and provided construction of the project begins within one year. Carried.

VARIOUS TEXT AMENDMENTS - ZONING ORDINANCE

Planning Director Jodi Stefforia advised at the Board's request the Planning Commission held a public hearing on proposed ordinance amendments to increase various minimum requirements of the Zoning Ordinance. She also advised the Planning Department included language clarifying density calculations for a PUD and increases to minimum width and area required for a two family home along with a typographical error. The Planning Commission recommendation included clarifying that density calculations for a PUD does not include areas encompassing existing and future public street right of way or private street easement, increasing minimum living area to 1,000 square feet for one and two family dwellings, increase minimum lot area for two family dwellings with sewer and water to 16,000 square feet, increase minimum lot width at building set back line to 100 feet for single family dwellings and 160 feet for two family dwellings, and correct a typographical error referring to pervious payment.

Jazon Nuzzo, 5964 Scenic Way, on behalf the Country Club Village neighborhood spoke in favor of the text amendments.

John Houts, 2015 Wild Cherry, spoke in favor of the changes commenting he would like to see 150 foot lots.

The Board thanked the Planning Department and Commission for their attention to these issues in a short time frame.

Motion by Grace, second by Culp to accept the recommendations for First Reading and set Second Reading for June 12th. Carried.

SEWER LEAD REIMBURSEMENT

A recommendation from the Sewer/Water Committee to reimburse MDH Builders in the amount of

\$2,420 was before the Board. Engineer Elliott advised when designing the sewer extension to service the new Value Place hotel on South 11th Street, the project design engineer consulted Township records prepared and held by Prein & Newhof as to the location of the sewer lead and was advised the records were suspect and further investigation should be done prior to the project being fully designed. He also advised the developer's engineer did not confirm the location of the sewer lead prior to finalizing the site and building plans; when excavation began it was discovered the lead was located other than indicated. The Sewer/Water Committee recommends reimbursing MDH Builders for the time spent excavating for the suspect sewer lead; all other expenses could have been avoided or anticipated had further investigation been done by the developer or his engineer.

Motion by Culp, second by Rakowski to approve reimbursement in the amount of \$2,420.00 to MDH Builders. Carried.

QUAIL RUN SANITARY SEWER PROJECT

Engineer Elliott advised nine bids were received for the Quail Run sanitary sewer project with Brigham Excavating, LLC being the low bidder at \$113,015.

Motion by Bushouse, second by Sikora to accept the bid from Brigham Excavating, LLC in the amount of \$113,015. Carried.

STADIUM/PARKVIEW IMPROVEMENTS

Senior Planner Bugge presented an estimate for additional safety improvements related to the Stadium/Parkview intersection project currently underway by the Kalamazoo County Road Commission. The improvements would include installation of an island adjacent to the improved driveway west of Ted & Marie's restaurant and related restriping of parking spaces; the estimate based on unit prices obtained the Township Engineer totaled \$9,485.

Trustee Rakowski inquired about making improvements on private property with public funds; Attorney Porter commented it is assisting the attempt to improve and provide safer access.

Treasurer Culp inquired if DDA funds might be available; it was noted they would not be in the current budget.

Motion by Rakowski, second by Grace to approve participation in the improvements. Carried with Everett voting no.

2007 ROAD PROJECTS

Trustee Bushouse presented the Road Committee recommendation for 2007 projects. It was noted the proposed projects total \$245,065 with a total budget of \$236,000. Clerk Everett commented she had been advised by the Kalamazoo County Road Commission the Plainview paving project appears it will come in under bid enough to cover the difference.

Road Projects for 2007:

Chip Seal – H Avenue – Wolf Drive to 2nd Street
ML Avenue – 4th Street to 6th Street
L Avenue – Almena to 4th Street
Maple Hill Drive
Croyden Avenue
Paving – Plainview Street
Other Projects – Green Meadow traffic light arms

Motion by Bushouse, second by Culp to approve the 2007 road projects. Carried.

KALAMAZOO REGIONAL WATER/WASTEWATER COMMISSION DUES

Supervisor VanDyke advised dues for membership in the Kalamazoo Regional Water/Wastewater

Commission were due in the amount of \$1,500.

There was lengthy discussion of the goals of the group, are they being met, what has hindered obtaining water and sewer contracts with the City of Kalamazoo, recent rate increases to residents outside the city and other issues. Consensus was Attorney Porter should attend the commission meetings with Supervisor VanDyke and board members should receive copies of the meeting minutes.

Motion by Sikora, second by Rakowski to delay payment of the dues until a report from the next Supervisors meeting is received. Carried.

ZBA ALTERNATE APPOINTMENT

Trustee Sikora advised the Board Appointment Committee recommends the appointment of L Michael Smith as the ZBA alternate to fill the vacancy created by alternate Grace Borgfjord being appointed to member status.

Motion by Sikora, second by Grace to approve the appointment of L. Michael Smith as ZBA alternate, effective immediately, to fill the term expiring December 31, 2009. Carried.

MEETING ROOM UPDATE CONTRACT

A contract from Schley Architects for the proposed meeting room update was before the Board. Trustee Bushouse advised the proposed contract provides for bidding and construction administration with a cost of \$2,000-\$3,000.

Motion by Bushouse, second by Rakowski to approve the contract with Schley Architects. Carried.

OTHER BUSINESS EQUIPMENT PURCHASE

An itemized statement in the amount of \$20,803.24 for office equipment, software, and furniture purchased by Attorney Porter was before the Board. It was noted Mr. Porter purchased these items when establishing his office in the Township Hall; when approved as a Township employee the Board indicated the Township would purchase these items and they would become Township property.

Motion by Grace, second by Rakowski to reimburse James Porter in the amount of \$20,803.24. Carried.

BOARD MEMBER COMMENTS

Trustee Sikora advised the 501(c)3 to obtain non-profit status for the Oshtemo Historical Society has been filed.

There was no further business and the meeting was adjourned at approximately 8:10 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: **JOHN VANDYKE**
Supervisor