

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**July 13, 2010**

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

**PRESENT:**

Supervisor Libby Heiny-Cogswell  
Clerk Deb Everett  
Treasurer Nancy Culp  
Trustee Grace Borgfjord  
Trustee Dave Bushouse  
Trustee James Grace  
Trustee Scott McCormick

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, and 2 interested people.

**KCSD Activity Report**

Kalamazoo County Sheriff's Department Capt. William Timmerman was present and provided information on activity in the Township for June.

**West Main Sidewalk Bids**

Engineer Elliott advised five bids were received for the West Main from US 131 to Drake Road sidewalk in fill project with Cripps Fontaine Excavating being the lowest bidder at \$155,388.40. There was discussion regarding optional items in the bid, easements the Township is attempting to acquire to save several trees and engineering costs currently over budget. There was also discussion of moving forward in determining the contractor to allow them lead time to begin their permitting and bonding process while the Park Committee considers the final details of the project and returns to the Board on August 10<sup>th</sup> with a recommendation. This item will be taken up for action on the regular agenda.

**Michigan Townships Association Membership Dues**

Discussion was held regarding payment of the 2010-11 dues to MTA in the amount of \$5,604.00. Consensus was due to current economic conditions, weighing benefits versus cost, dues will not be paid and the Board will reevaluate in six months and one year.

**Comprehensive Benefit Review**

The report from the ad-hoc committee who over the last six months has examined and collected data regarding employee benefits was forwarded to the Board for review. Consensus was to place discussion of the findings and related issues on the August 10<sup>th</sup> regular meeting agenda.

The Board work session adjourned at approximately 6:40 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at 7:00 p.m.

**PRESENT:**

Supervisor Libby Heiny-Cogswell  
Clerk Deb Everett  
Treasurer Nancy Culp  
Trustee Grace Borgfjord  
Trustee Dave Bushouse  
Trustee James Grace  
Trustee Scott McCormick

Also present were Township Attorney James Porter, Township Engineer Marc Elliot, Associate Planner Chris West, and 12 interested people.

Motion by Borgfjord, second by Culp, to approve the June 22<sup>nd</sup> regular meeting and June 24<sup>th</sup> special meeting minutes. Carried.

Income to the General and Fire Funds of \$71,220.36 and disbursements of \$131,320.35 were reported. Motion by James Grace, second by Borgfjord, to accept the receipts and disbursements report. Carried.

## **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

None.

### **REPORT FROM KALAMAZOO COUNTY TRANSPORTATION AUTHORITY**

Linda Teeter, Chairperson of the Kalamazoo Area Transportation Authority and William Schomisch, Transportation Director for the City of Kalamazoo, presented information regarding the results of the Comprehensive Operational Analysis of the Metro Transit system including short and long term goals of the system and possible changes in routes.

### **PINE ACRES SITE CONDOMINIUM PHASE 2 STEP I & II APPROVAL**

A request was before the Board for Step I and II approval of Phase 2 of Pine Acres site condominium development. Associate Planner Chris West advised the Planning Commission had reviewed the request to add ten additional units, extend Pine Acres Drive, municipal water will be provided, building sites will have private septic systems, stormwater will be directed to a private basin shared with Phase 1, Kalamazoo County Environmental Health has conditionally approved the plans, easements for utilities have been established and shall be underground, street lights will be provided, and a deviation was granted by the Planning Commission for a six foot wide, wood chipped walking path in lieu of sidewalks.

Supervisor Heiny-Cogswell noted since Clerk Everett is the Township Board representative to the Planning Commission, under new State law, she cannot vote on this issue twice. Motion by Heiny-Cogswell, second by Culp to grant Step I and II approval subject to Township Engineer review and approval of the stormwater sewer system and retention design, and final approval from Kalamazoo County Environmental Health. Carried with Everett abstaining.

### **ZONING ORDINANCE TEXT AMENDMENT – FIRST READING**

Associate Planner West presented a recommendation from the Planning Commission to adopt proposed text amendments to Section 76 of the Zoning Ordinance to permit other nonresidential uses in the R-3 Residence District to have the same size signs as is presently allowed for office and financial institutions in that district.

Motion by Borgfjord, second by Culp to accept the text amendments for First Reading and set Second Reading for August 10<sup>th</sup>. Carried with Everett abstaining for same reason as previous item.

### **FIRE DEPARTMENT VEHICLE EQUIPMENT**

Fire Commissioner James Grace presented a request for approval of an expenditure in the amount of \$8,816.38 for equipping the recently acquired replacement emergency response staff vehicle, also used for parking enforcement activities.

Motion by James Grace, second by Culp to approve the expenditure as requested. Carried.

### **PENSION/DEFERRED COMPENSATION PLAN ADMENDMENTS**

A request from Burnham & Flower, the agent of record for the Township's pension and deferred compensation plans, to adopt resolutions regarding amendments to the volume submitter plan was before the Board. Attorney Porter advised he would recommend adopting the resolutions and request copies of the volume submitter plan.

Motion by Heiny-Cogswell, second by Borgfjord to adopt the resolutions regarding amendments to the pension and deferred compensation volume submitter plans. Roll call vote showed James Grace-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, McCormick-yes.

### **OTHER BUSINESS WEST MAIN SIDEWALK PROJECT**

As discussed at the earlier work session, Cripps Fontaine Excavating is the low bidder for the West Main from US 131 to Drake Road sidewalk in fill project at \$155,388.40. There was discussion regarding optional items in the bid, easements the Township is attempting to acquire to save several trees, and engineering costs currently over budget. There was also discussion of moving forward in determining the contractor to allow them lead time to begin their permitting and bonding process while the Park Committee considers the final details of the project and returns to the Board on August 10<sup>th</sup> with a recommendation.

Motion by Everett, second by Borgfjord to notify Cripps Fontaine they have been selected as contractor for the West Main sidewalk project subject to review of their supplier list. Carried with James Grace voting no.

### **ESTABLISH RECEIVING BOARDS FOR AUGUST ELECTION**

Clerk Everett presented a resolution to establish receiving boards for the August 3, 2010 Primary election noting that State law requires Township Board action to do so.

Motion by Culp, second by Borgfjord to adopt a resolution authorizing the establishment of receiving boards for the August 3, 2010 Primary election. Roll call showed McCormick-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, James Grace-yes, Heiny-Cogswell-yes.

### **CLOSED SESSION**

Motion by Heiny-Cogswell, second by Borgfjord to adjourn to closed session to discuss pending litigation and possible land acquisition because doing so in open session could negatively impact the Township's position. Roll call vote showed James Grace-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, McCormick-yes, Heiny-Cogswell-yes.

The Board adjourned to closed session at approximately 8:05 p.m.

Motion by Heiny-Cogswell, second by Borgfjord to return to open session at approximately 8:50 p.m. Carried.

Motion by Everett, second by Borgfjord to authorize the Township Attorney to proceed as discussed in closed session. Carried.

Motion by Heiny-Cogswell, second by Everett to direct the Planning Department to proceed as discussed in closed session regarding possible land acquisition. Carried.

### **BOARD MEMBER COMMENTS**

Supervisor Heiny-Cogswell advised the Board will hold a special meeting on July 29<sup>th</sup> at 6:00 p.m. to review a possible grant application.

Trustee Borgfjord reminded all of the upcoming Oshtemo Sunburst 5K on August 21<sup>st</sup>.

Clerk Everett reminded all of Oshtemo Fun Day to be held on August 21<sup>st</sup> and also to vote on August 3<sup>rd</sup>.

There was no further business and the meeting was adjourned at approximately 8:55 p.m.

**DEBORAH L. EVERETT**  
Township Clerk

**Attested: LIBBY HEINY-COGSWELL**  
Supervisor