

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**November 27, 2007**

The Oshtemo Township Board public comment session was held at the Township Hall. Supervisor John 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 James Grace  
Trustee Stan Rakowski  
Trustee Neil Sikora

Also present was James Porter, Township Attorney, Marc Elliott, Township Engineer, Planning Director Jodi Stefforia, Interim Fire Chief Paul Karnemaat and 3 interested people.

**Public Comment:** None.

**Board Discussion/Comments:**

Discussion was held concerning the Fire Commissioner position and whether it is necessary to fill the position. Consensus of the group was the position should continue.

Supervisor VanDyke advised he had not received a response from the Kalamazoo County Road Commission regarding the speed limit on South 8<sup>th</sup> Street.

Trustee Grace commented the items outlined in the maintenance survey report regarding the vehicle maintenance building should be included in the regular meeting agenda item.

Trustee Sikora commented a topic for the December 11<sup>th</sup> work session should be 2008 Township Board goals.

Planning Director Stefforia provided an update on obtaining truck route signs advising the Board of size, text requirements and the permitting that might be required by other entities for placement.

The public comment session was adjourned at approximately 6:50 p.m.

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

Also present was James Porter, Township Attorney, Marc Elliott, Township Engineer, Planning Director Jodi Stefforia, Interim Fire Chief Paul Karnemaat, Building Official Bob Horton, Building Inspector Jerry Reitenour, and 10 interested people.

Motion by Sikora, second by Rakowski to approve the November 13<sup>th</sup> regular and November 15<sup>th</sup> and November 16<sup>th</sup> special meeting minutes. Carried.

Income to the General and Fire Funds of \$77,790.50 and disbursements of \$209,032.01 were reported. Motion by Grace, second by Sikora to accept the receipts and disbursements report. Carried.

**CITIZENS COMMENTS**

None.

**VEHICLE BUILDING REPAIRS/MAINTENANCE**

Building Official Bob Horton advised the vehicle building was originally constructed without heat, and with heat now installed, moisture in the walls and ice dams on the roof are occurring. He also advised there has been considerable damage to the siding on the south side of the building facing the disc golf course. He presented proposals for addressing the issues.

After lengthy discussion consensus was the matter should be referred to the Buildings and Grounds Committee and in the meantime the heat turned off in the building.

### **BUILDING DEPARTMENT REQUEST TO PURCHASE CONCRETE MEASURING TOOL**

Building Official Horton presented a request to purchase equipment that determines concrete thickness, locates cracks and other defects in masonry construction during the inspection process. He advised often concrete footings, walls and reinforcement work is being completed prior to inspection; in such cases a note is placed in the file. He also advised the building inspector has found concrete floors at less than the required thickness. Building Inspector Reitenour provided examples of problems found in such cases and commented he felt the equipment would provide more confidence in the inspection process.

In response to board members questions, Attorney Porter advised he did not feel the Township would be assuming liability by using the equipment.

Trustee Sikora suggested billing those who do not call for an inspection or require a re-inspection if their product fails.

Mr. Horton indicated he would prefer to send Inspector Reitenour to attend a demonstration and training of the equipment prior to any purchase.

Motion by Grace, second by Rakowski to approve the expenditure in the amount of \$7,963.50 if found suitable after demonstration and training. Carried.

### **REZONING REQUEST – SECTION 24 – DRAKE ROAD**

Planning Director Stefforia presented a recommendation from the Planning Commission to approve a request to rezone ten properties on Drake Road between Skyridge Avenue and Driftwood Avenue from R-4 Residential to R-3 Residential. She advised the Planning Commission expanded the original application which was for the property at 374 South Drake. She further advised the Planning Commission determined the requested rezoning was consistent with the Master Land Use Plan and nature of development occurring along Drake Road.

Motion by Grace, second by Sikora to accept the proposed rezoning for First Reading and set Second Reading for December 11<sup>th</sup>. Carried.

### **TEXT AMENDMENT – C1 ZONING DISTRICT**

Planning Director Stefforia presented a recommendation from the Planning Commission to adopt proposed text amendment to Section 31 of the Zoning Ordinance to allow housing for senior citizens and other special populations in the C-1 Local Business District as a special exception use.

Motion by Grace, second by Rakowski to accept the proposed text amendment for First Reading and set Second Reading for December 11<sup>th</sup>. Carried.

### **TEXT AMENDMENT – I-1 ZONING DISTRICT**

Planning Director Stefforia presented a recommendation from the Planning Commission to adopt proposed text amendment to Section 41 of the Zoning Ordinance to allow kennels in the I-1 Industrial District as a special exception use.

Motion by Grace, second by Sikora, to accept the proposed text amendment for First Reading and set Second Reading for December 11<sup>th</sup>. Carried.

### **PLANNING DEPARTMENT FEES**

Planning Director Stefforia advised a review of Planning Department fees had been conducted and recommended modifications and changes: \$150.00 fee for re-description of property due to expenses incurred by the Township to process them, \$10.00 fee for Agricultural directional signs, and increase the special meeting fee for ZBA to \$550.00 to reflect the addition of two alternate members. Ms. Stefforia also recommended changing the fees for GIS materials to the same as Kalamazoo County and eliminate the fee for additional sections on an orthodigital print beyond the base fee.

Motion by Sikora, second by Grace to adopt a resolution establishing the Planning Department fees as presented. Roll call showed Bushouse-yes, Culp-yes, Everett-yes, Grace-yes, Rakowski-yes, Sikora-yes, VanDyke-yes. Carried.

### **WATER BENEFIT FEE**

Planning Director Stefforia advised when the water benefit fee was adopted in 2005, it was agreed the fee would start at \$300.00 then increase each year by \$100.00 to reach a fee of \$500.00. She advised the Sewer/Water Committee recommends increasing the fee, as programmed, to \$500.00 for 2008.

Motion by Culp, second by Rakowski to adopt a resolution establishing the water benefit fee at \$500.00. Roll call showed Culp-yes, Everett-yes, Grace-yes, Rakowski-yes, Sikora-yes, VanDyke-yes, Bushouse-yes.

### **KVCC FIRE ACADEMY AGREEMENT**

Attorney Porter presented a proposed agreement between the Township and the Southwest Michigan Fire Science Consortium for the 2008 Fire Academy. He advised the agreement will allow a 2008 academy to go forward with the understanding the goal is to have the program under KVCC's umbrella in 2009.

Motion by Rakowski, second by Grace to approve the agreement. Carried.

### **FIRE CHIEF POSITION DESCRIPTION**

Trustee Bushouse presented a recommendation from the Personnel Committee for the position description for the Fire Chief which they felt reflected the recommendations of the Fire Direction Committee.

Trustee Grace commented he found the qualifying statement at the end of the Employment Qualifications section unclear as to which qualification(s) it applied to. He felt it should be indicated it applied to the education and experience sections. Lengthy discussion ensued on the matter.

Motion by Grace, second by Rakowski to approve the description with the indication that the qualifying statement apply to the residency requirement, education, and experience sections. Carried.

### **FIRE COMMISSIONER APPOINTMENT**

Trustees Grace and Sikora submitted letters of interest in being appointed Fire Commissioner. Trustee Bushouse commented he felt it was important to have a commissioner with experience which Mr. Grace has. Trustee Rakowski commented while either would serve well, he went into the position with no experience and agreed that Mr. Grace's background would be helpful. Supervisor VanDyke concurred.

Motion by Bushouse, second by VanDyke to appoint Trustee Grace as Fire Commissioner. Carried with Grace abstaining.

### **OTHER BUSINESS TRUCK ROUTE SIGNS**

As presented at the earlier session, Planning Director Stefforia advised the expenditure for signs for the truck route ordinance is approximately \$9,500.00, depending on cost of permits from various entities.

Motion by Grace, second by Rakowski to approve the expenditure up to \$9,500.00. Carried.

### **PARK ORDINANCE AMENDMENT**

Attorney Porter advised due to a publishing error by the Kalamazoo Gazette, the text amendment to the Park Ordinance adopted at the November 13<sup>th</sup> meeting to define all large gatherings on Township park property as an outdoor assembly to which the Outdoor Assembly Ordinance would apply, must be processed by the Board again.

Motion by Sikora, second by Culp to accept the text amendment for First Reading and set Second Reading for December 11<sup>th</sup>. Carried.

### **LIFE INSURANCE PROPOSAL**

Clerk Everett presented two life insurance proposals for elected officials, full time employees, and on call paid firefighters. She advised the proposal from Burnham & Flower for \$50,000 coverage on elected officials and full time employees and \$7,500 for on call paid fire firefighters would be approximately \$400.00 per month while the proposal from the Nulty Agency for \$50,000 for all categories covered would be approximately \$800.00 per month; their proposal did not offer the difference in coverage. It was noted firefighters qualify for State and Federal benefits as reasoning for keeping their coverage at \$7,500.

Motion by Grace, second by Everett to accept the proposal from Burnham & Flower with the understanding if the proposal is modified by underwriting, it will come back to the Board. Carried.

**BUILDING SITE SPLIT AND COMBINATION – OAK PARK**

Senior Planner Bugge presented a request for a variance and lot reconfiguration concerning Lots 30 and 35 in the Oak Park site condominium development. She advised when site 35 was sold, the developer excluded a 40' x 49' piece of property which is reflected in the purchaser's deed, however, the exclusion has not been recognized by the Township as the property split was never reviewed and approved. She further advised a variance is needed because lot 35 does not satisfy the current minimum area requirement.

Motion by Everett, second by Rakowski to approve the lot configuration and grant the variance as requested. Carried.

**BOARD MEMBER COMMENTS**

Trustee Rakowski commented on the new street which will be intersecting with Drake Road just north of Green Meadow where a traffic signal was placed recently.

There was no further business and the meeting was adjourned at approximately 8:30 p.m.

**DEBORAH L. EVERETT**  
Township Clerk

**Attested: John VanDyke**  
Supervisor