

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**April 8, 2014**

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  
Trustee Dave Bushouse  
Trustee Nancy Carr (arrived 5:40 p.m.)  
Trustee Dusty Farmer  
Trustee Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Fire Chief Mark Barnes, and 4 interested people.

**Kalamazoo County Update** – Commissioner Julie Rogers provided updates on the Brownfield application from AVB and 911 dispatch.

**KCSD Update** – Capt. William Timmerman was present and provided information on recent activity in the Township and the jail expansion.

**Police Protection RFP Update** – Fire Chief Barnes advised the City of Kalamazoo has withdrawn their intention to submit a reply to the Township's Request for Proposal for police protection, noting it appears they came under pressure from Kalamazoo County not to do so. Chief Barnes reviewed the work of the Police Ad-Hoc Committee, the RFP sent to area law enforcement agencies noting the only response received was from Kalamazoo County, however, it did not include items requested in the RFP. He also noted that out of eight improvements requested in September, 2013 to the current contract only one has been provided. He advised the Police Committee is recommending the Township contract with an outside consultant to provide a "third party" impartial analysis of the current police protection level of service, recommend models that would best serve the Township and possible means to achieve them. He advised three consultants had been reviewed by the Police Committee; the recommendation is to contract with International City & County Managers Association (ICMA) to conduct the analysis. After lengthy discussion, consensus was to place this item on the regular agenda under Other Business.

**Purchasing Policy** – Supervisor Heiny-Cogswell provided Draft #2 for Board review; this item will be on the May 13<sup>th</sup> agenda for board action.

**Closed Session Policy** – Attorney Porter reviewed questions that had been asked about the process of closed session, noting according to State law and the Open Meetings Act, it must be posted and part of an open meeting, and only used for discussion of a personnel matter at an employee's request, litigation strategy and attorney opinion review, and purchase of real estate.

The Board work session adjourned at approximately 6:50 p.m.

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

**PRESENT:**

Supervisor Libby Heiny-Cogswell  
Clerk Deb Everett  
Trustee Dave Bushouse  
Trustee Nancy Carr  
Trustee Dusty Farmer  
Trustee Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Fire Chief Mark Barnes, and 7 interested people.

**CITIZEN COMMENTS**

None.

## **CONSENT AGENDA**

Items on the consent agenda were:

- a) Minutes of the March 11<sup>th</sup> regular meeting, March 18<sup>th</sup> special meeting
- b) Receipts & Disbursements Report
- c) South Drake Road Corridor Improvement Authority (SoDA) By-Laws
- d) Fire Department Request to Purchase SCBA Fit Test Equipment
- e) DDA Annual Landscape Maintenance Contract
- f) Board Appointment – KABA Alternate Member

Motion by Larson, second by Farmer to approve the consent agenda. Carried 6-0.

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

Attorney Porter presented a recommendation from the Planning Commission to approve text amendments related to garage sales, portable temporary storage units, parking spaces, and the zoning map. He noted the amendments address regularly on-going garage sales, the length of time a portable storage unit can be located on a property, flexibility in parking space size, and using GIS to update the zoning map.

Motion by Larson, second by Everett to accept the text amendments for First Reading and set Second Reading for April 22<sup>nd</sup>. Carried 6-0.

### **CONDITIONAL REZONING REQUEST – FIRST READING SECTION 25 – R-3 TO C**

Attorney Porter presented a recommendation from the Planning Commission to approve a Conditional Rezoning request at 2854 South 11<sup>th</sup> Street; the property is currently zoned R-3 Residential and the applicant is requesting the parcel be conditionally rezoned to C Local Business to permit a medical office with 13,860 square feet which exceeds the 10,000 allowed under current zoning. He noted the area has been designated in the Master Land Use Plan as transitional, the conditional rezoning would allow the larger square footage but restrict the parcel to other similar uses specifically listed in the proposed ordinance should the project not go forward or if a change in use was requested in the future.

Motion by Everett, second by Carr to accept the conditional rezoning for First Reading and set Second Reading for April 22<sup>nd</sup>. Carried 6-0.

### **RESOLUTION AFFIRMING MDOT CONTRACT STADIUM/DRAKE/US131 PROJECT**

Supervisor Heiny-Cogswell presented a resolution to authorize the Supervisor to enter into a formal contract with MDOT for colored concrete for the median in Stadium Drive at Drake Road and to assume maintenance and ongoing electrical power for the lights to be installed in the commuter lot at Stadium Drive and 11<sup>th</sup> Street. She noted the Board had previously approved both items in August and June of 2013, respectively.

Motion by Larson, second by Farmer to adopt the resolution authorizing the Supervisor to sign the contract. Roll call showed Bushouse-yes, Carr-yes, Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes.

### **RESOLUTION ESTABLISHING RECEIVING BOARDS – 2014 ELECTIONS**

Clerk Everett presented a resolution to establish receiving boards for the May 6, August 5, and November 4, 2014 elections, noting that State law requires Township Board action to do so.

Motion by Farmer, second by Larson to adopt a resolution authorizing the establishment of receiving boards for the 2014 elections. Roll call showed Carr-yes, Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes, Bushouse-yes.

### **EMPLOYEE HANDBOOK AMENDMENTS**

A recommendation from the Human Resources Committee to amend Section 6.7 and Appendix G to add a Sensitive Information Handling Policy and Information Security Policies was presented. It was noted this was a recommendation from our liability insurance carrier.

Motion by Farmer, second by Larson to adopt a resolution amending the Employee Handbook as recommended. Roll call showed Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes, Bushouse-yes, Carr-yes.

**PROCLAMATION – CHILD ABUSE PREVENTION MONTH**

Supervisor Heiny-Cogswell presented a resolution to proclaim April as Child Abuse Prevention Month.

Motion by Everett, second by Farmer to adopt the resolution. Roll call showed Farmer-yes, Heiny-Cogswell-yes, Larson-yes, Bushouse-yes, Carr-yes, Everett-yes.

**OTHER BUSINESS**

**POLICE PROTECTION CONSULTANT**

As discussed at the work session, Fire Chief Barnes advised the City of Kalamazoo has withdrawn their intention to submit a reply to the Township’s Request for Proposal for police protection, noting it appears they came under pressure from Kalamazoo County not to do so. Chief Barnes reviewed the work of the Police Ad-Hoc Committee, the RFP sent to area law enforcement agencies noting the only response received was from Kalamazoo County, however, it did not include items requested in the RFP. He advised the Police Committee is recommending the Township contract with an outside consultant to provide a “third party” impartial analysis of the current police protection level of service, recommend models that would best serve the Township and possible means to achieve them. He advised three consultants had been reviewed by the Police Committee; the recommendation is to contract with International City & County Managers Association (ICMA) to conduct the analysis.

Motion by Bushouse, second by Larson to authorize an expenditure not to exceed \$40,000 to contract with ICMA for the police protection analysis. Carried 5-1 with Carr voting no.

**SAW GRANT UPDATE**

Engineer Elliott advised 580 complete applications were received by the State for the Stormwater, Asset Management, and Wastewater (SAW) grant program to conduct inventories of sanitary sewer and storm water infrastructure and assess their conditions, approximately 100 were awarded through a lottery system. The Township was number 540 on the list; there will be an opportunity to apply again next year.

**BOARD MEMBER COMMENTS**

Trustee Farmer advised the Planning Commission will be working on zoning text amendments to address language in the Master Land Use Plan related to landscaping.

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

**DEBORAH L. EVERETT**  
Township Clerk

**Attested: ELIZABETH HEINY-COGSWELL**  
Supervisor