

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
December 8, 2015

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 Nancy Carr
Trustee Dusty Farmer
Trustee Zak Ford
Trustee Grant Taylor

Also present were Township Attorney James Porter, Public Works Director Marc Elliott, Fire Chief Mark Barnes, and 3 interested people.

Update – Kalamazoo County Sheriff’s Department – Lt. Troy Faulk provided information on recent activities in the Township.

Discussion – Police Protection Contract – Supervisor Heiny-Cogswell provided a letter from Sheriff Fuller advising he cannot agree to the contract approved by the Township Board on November 10th due to language regarding the Lieutenant’s role and different policing model. She provided a proposed response from the Police Committee that included extending for one month the current contract at 2016 pricing while negotiations continue; she advised the Sheriff’s Office had requested a three month extension. After discussion, consensus was to propose a two month extension. This item will be added to the regular meeting agenda.

Discussion – Facilities Consultant – Information was provided regarding the space needs analysis for fire, police, maintenance, and KABA. This item will be added to the regular meeting agenda.

The Board work session adjourned at approximately 6:50 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 Nancy Carr
Trustee Dusty Farmer
Trustee Zak Ford
Trustee Grant Taylor

Also present were Township Attorney James Porter, Public Works Director Marc Elliott, Fire Chief Mark Barnes, and 9 interested people.

CITIZEN COMMENTS

None.

CONSENT AGENDA

- a) Minutes of the November 10th regular meeting.
- b) Receipts & Disbursements Report.
- c) 2016 Property & Liability Insurance
- d) Consideration of miscellaneous 2015 budget adjustments.
- e) Sanitary sewer cleaning & video inspection – Stadium Drive/9th Street
- f) Consideration of 2016 professional consultants for Accounting, Audit, Civil Engineering, IT

Motion by Taylor, second by Everett to approve the consent agenda. Carried 7-0.

SIGN ORDINANCE TEXT AMENDMENTS – FIRST READING

A recommendation from the Planning Commission to amend the Sign Ordinance was before the Board. The changes would treat financial institutions like other commercial uses in the “C” zoning district and non-residential uses in the “R-3” district. The amendment would also allow an increase in the percentage of changeable copy or electronic display and provide means to monitor the level of illumination.

Motion by Everett, second by Farmer to accept the sign ordinance for First Reading and set Second Reading for January 12th. Carried 7-0.

SANITARY SEWER ORDINANCE AMENDMENTS – FIRST READING

Proposed amendments to the Wastewater Service Ordinance were before the Board. Mandatory connection would be triggered when a septic system fails or reaches 15 years of age, providing public sewer is reasonably available (the State standard being within 200 feet) the Township would establish policies for notification and financing including developing a capital improvement strategy to install sewer along with road improvements which help reduce the cost of connection to sewer. The proposed amendment would provide a two year notice to property owners of mandatory connection. In response to Board members questions, it was noted the current amendment puts the mandatory connection in place along with the two year notice requirement, notification and financing policies would be considered and approved by the Board early 2016.

Rev. Rachel Lonberg, representing People’s Church, 1758 North 10th Street, commented they support the ordinance amendments in the interest of public health.

Ann Rohrbaugh, Library Director, Kalamazoo Public Library, commented they are pleased to partner with the Township in bringing sewer to the branch library; the facility, approximately 20 years old, is on their second septic system.

Nalini Quraeshi, a Westport resident, commented they installed two large septic systems 30 years ago, were told sewer was coming in 5-10 years, if current system fails there is not space to place another, she supports this effort.

Trustee Carr noted municipal sewer can also breakdown, mandatory connection is a big expense, if a system is 15 years or older, residents should have option to continue until their system fails.

Supervisor Heiny-Cogswell commented the Township has been working toward extending public sewer; neighborhoods that need sewer have not received road maintenance, sewer was installed in 9th Street and dry sewer in 6th Street expecting it would be extended. In the 20 year capital plan for sewer the missing piece has been connections, there is no State standard for inspection, public sewer protects the groundwater. She also referred to the strategic plan updated by the W.E. Upjohn Institute, and noted a citizen member of Capital Improvements Committee now supports mandatory connection because of the reasonableness of the 15 year life of a septic system and availability of financing.

Further Board comments included notices should be sent to a neighborhood at the time a sewer project is identified in case there are septic systems limping along, and the ordinance would not be implemented until policies for notification and financing are in place.

Deb Cardiff, retired Director of Environmental Health for Kalamazoo County, commented if notified by the Township public sewer is imminent, a small partial septic system would be permitted.

Motion by Taylor, second by Carr to accept the ordinance amendments for First Reading and set Second Reading for January 12th. Carried 7-0.

PANHANDLING ORDINANCE AMENDMENTS – SECOND READING

Proposed amendments to the Begging, Panhandling and Soliciting Ordinance to address issues of panhandlers impeding traffic were before the Board for Second Reading.

Motion by Heiny-Cogswell, second by Farmer to adopt the ordinance amendments. Carried 7-0.

OTHER BUSINESS
SANITARY SEWER REPAIR – CRYSTAL LANE

Public Works Director Elliott advised the Township was informed an 8 inch sanitary sewer main in Crystal Lane was broken and/or structurally compromised in two places. He recommended approval of an expenditure of \$23,000 and proceeding with the City of Kalamazoo's proposed work which includes approximately 80 feet of PVC pipe and a temporary roadway patch.

In response to Board members questions, Attorney Porter advised the sewer line belongs to the Township; repairs are not part of the contract with the City of Kalamazoo for sewer service.

Sue Foune, City of Kalamazoo Public Services Managing Director, commented the quote for the repair in the amount of \$17,813 does not include the final road repair since it would not be done until spring.

Motion by Culp, second by Taylor to approve expenditure up to \$23,000 for the sewer main repair as described. Carried 7-0.

POLICE PROTECTION AGREEMENT

As discussed at the work session, a response was received from Sheriff Fuller advising he cannot agree to the contract approved by the Township Board on November 10th. Supervisor Heiny-Cogswell noted discussion at the work session led to consensus to propose a two month extension of the current contract at 2016 pricing.

Motion by Heiny-Cogswell, second by Taylor to authorize the Supervisor to enter into a 2016 Police Protection Agreement with the Sheriff's Office and Kalamazoo County to maintain the current level of service at 2016 pricing through February, 2016 Carried 5-2 with Carr and Everett voting no.

LIQUOR LICENSE TRANSFER – TGI FRIDAY

Attorney Porter advised an application had been received to transfer the liquor license for TGI Friday's to a new owner, the application is in order.

Motion by Farmer, second by Ford to approve the liquor license transfer. Carried 7-0.

SPACE NEEDS ANALYSIS

Fire Chief Barnes presented a recommendation from the committee formed to seek proposals for a space needs analysis for the Fire Department, police, Maintenance Department and Kalamazoo Area Building Authority (KABA) to enter into an agreement with Fishbeck, Thompson, Carr & Huber, partnering with Cole Russell Architects. He noted a request for proposal was sent to 26 firms with 4 responding.

The proposed cost for the Phase I study is \$30,000 with \$18,000 from the Fire Fund, \$6,000 from the Police Fund, \$3,000 from the General Fund, and \$3,000 from the Building Department Fund.

In response to Board members questions, it was noted the study would take approximately eight weeks after the initial meeting with the firm; if the decision was made by the Board to continue, Phase II and Phase III would each need Board approval.

Trustee Ford noted the recommended firms have expertise in fire and police facilities.

Trustee Carr commented she felt this was a waste of money, a 30 year study not necessary, and KABA could move elsewhere.

Supervisor Heiny-Cogswell commented the committee included board members, representation of each area included in the study, and a citizen at large who is a retired professional facilities manager, the intention is to address space needs and use taxpayers dollars wisely. She also commented she strongly feels building inspection services to insure health, safety and welfare should remain at the Township.

Motion by Ford, second by Taylor to authorize the Supervisor to enter into an agreement with Fishbeck, Thompson, Carr & Huber and Cole and Russell to begin the three phase study, Phase I being the space needs analysis and amend the budget as noted in the recommendation, with Phase II and Phase III each coming back to the Board for approval. Carried 6-1 with Carr voting no.

BOARD MEMBER COMMENTS

Trustee Farmer commented she received positive comments from elected officials and business owners attending the Listening Post, sponsored by the Chamber and Southwest Michigan First, regarding the Board resolution regarding the dark store assessing issue. Attorney Porter commented he had received numerous e-mails from attorneys around the State regarding the article written by Trustees Farmer and Ford on the issue.

Supervisor Heiny-Cogswell advised she received an e-mail from Dr. William Fales, Kalamazoo County Medical Control Authority, praising the efforts at a recent cardiac arrest incident involving the First Responders from the Fire Department.

There was no further business and the meeting was adjourned at approximately 8:20 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: ELIZABETH HEINY-COGSWELL
Supervisor