

THE CHARTER TOWNSHIP OF OSHTEMO

Township Board Minutes

September 8, 1998

The Oshtemo Township Board held its regular meeting at the Township Hall. The meeting was called to order by Supervisor Fleckenstein, at 7:00 p.m.

PRESENT:

Supervisor Ron Fleckenstein
 Clerk Elaine Branch
 Trustee Norman Anderson
 Trustee Marvin Block
 Trustee David Bushouse
 Trustee Fred Johnson

Also present was Richard Reed, Township Attorney, and Robert Snell, Township Engineer along with 29 interested people.

Motion made by Block, seconded by Anderson to approve the minutes of our last meeting, August 25, as prepared. Carried.

Income to the General Fund of \$23,397.72 and disbursements of \$39,387.74 were reported. Fire Fund income was \$15,008.90 with disbursements of \$17,051.77. Motion made by Johnson, seconded by Anderson, to acknowledge the receipts and pay the bills. Carried.

CITIZENS COMMENTS

There were no citizens comments.

PUBLIC NUDITY AND ADULT BUSINESSES

Jacob Van Giessen, President of the Kalamazoo Coalition for the Protection of Children and Families, addressed the Board with a request that Oshtemo Township adopt an ordinance to regulate adult businesses, i.e., adult bookstores, nude dancing or any other sexually oriented businesses.

They feel it is to our advantage to have regulation in place before these businesses locate in our community. He explained that with the Cities of Portage and Kalamazoo revising their ordinances to make it more difficult to run these businesses and with US 131 and I-94 close by, Oshtemo would be a prime location to attract them.

Mr. Van Giessen suggested we seek help from The National Family Legal Foundation, who has helped many cities and townships draft sound ordinances.

A packet of petitions with 325 signatures was presented to the Board. The petition urged the Oshtemo Township Board to adopt an "Adult Regulated Use Ordinance".

Supervisor Fleckenstein reported that we have received six letters from the following people: Phyllis and Mert Norman, Word of Life Foursquare Church, Third Reformed Church, Fourth Reformed Church, Twin Lakes Church and the Heritage Christian Reformed Church. They all urged us to take action to protect our community.

The following people addressed the Board about the need to take action before it is too late; Gary Broekhuizen, Gloria Romence, Linda Bird, Ed Hinton and Marcia Zondervan.

In response to a request by Clerk Branch, Attorney Reed stated that the township can not regulate pornography, the State does that. He further explained that these businesses are protected by the constitution and we can not prohibit them through zoning. To do so would lead to expensive litigation.

Mr. Van Giessen stated that the zoning ordinance could address such things as hours of operation, where located and how operated. Studies have shown that areas around sexually oriented businesses have seen a dramatic increase in crime, prostitution and neighborhood blight. He said a community can protect themselves against adverse secondary effects of these types of business can generate

Supervisor Fleckenstein suggested that the Board take time to consider the material presented and to do further investigation. If the Board decided to proceed with an amendment to our zoning ordinance, the matter would be referred to the Planning Commission.

Motion made by Block, seconded by Johnson to table the matter until our October 13th meeting. Carried.

1999 ROAD PROJECTS

The Township Road Committee presented the following list of road improvement projects for 1999:

| MICRO SEAL - | | ESTIMATE |
|--|------------------------|------------------|
| Cutty Sark, Maple Leaf, New '85 & '86 Saybrook, Signal Hill, Chippendale, Morningstar, | | 39,681 |
| Old Log Trail | Overlay '91 | 12,565 |
| St Charles/Bayou Vis. | New '91 | 12,170 |
| Quail Run (lower end) | New late '70's | 4,410 |
| Venture Park | New '91 | 13,392 |
| Rosemary/Josiane | Slurry '90 | 14,605 |
| Springwood Hills (older) | Slurry '90 | 24,678 |
| Meridian, Sunset | Slurry '91 | 4,686 |
| | SUB TOTAL | 126,187 |
| CLIP SEAL - | | |
| ML Ave - 6th to 4th | Overlay '86 Slurry '91 | 13,845 |
| | SUB TOTAL | 13,845 |
| | GRAND TOTAL | \$140,032 |

FUNDING

| | |
|----------------|----------------|
| 1999 Budget | 80,000 |
| Par Funds | 70,000 |
| Carry over Par | 4,958 |
| TOTAL | 154,958 |

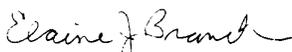
Motion made by Branch, seconded by Johnson to approve the 1999 Road Projects as recommended. Carried.

NORDIC ELECTRIC FRANCHISE - READOPTION

In May of this year, we adopted a franchise ordinance for Nordic Electric. Due to an oversight, they never signed the acceptance page. Attorney Reed felt we should readopt the ordinance, in order to have it legal.

Motion made by Block, seconded by Johnson to accept the ordinance for First Reading and set the Second Reading for September 22. Carried.

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


ELAINE J. BRANCH, CMC
 Township Clerk


 Attested: **RON FLECKENSTEIN**
 Supervisor